



# CITY OF MILWAUKIE

## AGENDA

**REVISED**

January 8, 2019

### PLANNING COMMISSION

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

- 1.0 Call to Order - Procedural Matters** — 6:30 PM
- 2.0 Planning Commission Minutes** – Motion Needed
  - 2.1 August 28, 2018 (sent 1/03/2018)
- 3.0 Information Items**
- 4.0 Audience Participation** – This is an opportunity for the public to comment on any item not on the agenda
- 5.0 Public Hearings** – Public hearings will follow the procedure listed on reverse
  - 5.1 Summary: Lake Rd Sports Fields Transportation Demand Management Plan Review  
Applicant/Owner: 3J Consulting/North Clackamas School District  
Address: 2905 SE Lake Rd  
File: CSU-2018-018  
Staff: Brett Kelper, Associate Planner
- 6.0 Worksession Items**
- 7.0 Planning Department Other Business/Updates**
  - 7.1 Planning Commission Notebook Supplemental Pages
- 8.0 Planning Commission Committee Updates and Discussion Items** – This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 Forecast for Future Meetings:**
  - January 22, 2019 1. TBD
  - February 12, 2019 1. Public Hearing: CU-2018-004 Washington St Vacation Rental

### 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 capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

- 1. PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov). Thank you.
- 2. PLANNING COMMISSION and CITY COUNCIL MINUTES.** City Council and Planning Commission minutes can be found on the City website at [www.milwaukieoregon.gov/meetings](http://www.milwaukieoregon.gov/meetings).
- 3. FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
- 4. TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

#### Public Hearing Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

- 1. 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.
- 2. CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
- 3. APPLICANT'S PRESENTATION.**
- 4. PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
- 5. NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
- 6. PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
- 7. QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
- 8. REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
- 9. CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
- 10. COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
- 11. MEETING CONTINUANCE.** Prior to the close of the first public hearing, any person may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

*The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.*

#### **Milwaukie Planning Commission:**

Kim Travis, Chair  
John Henry Burns, Vice Chair  
Adam Argo  
Joseph Edge  
Sherry Grau  
Greg Hemer

#### **Planning Department Staff:**

Denny Egner, Planning Director  
David Levitan, Senior Planner  
Brett Kelder, Associate Planner  
Vera Koliass, Associate Planner  
Mary Heberling, Assistant Planner  
Alicia Martin, Administrative Specialist II



# CITY OF MILWAUKIE

## PLANNING COMMISSION MINUTES

City Hall Council Chambers  
10722 SE Main Street  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

August 28, 2018

**Present:** Kim Travis, Chair  
John Henry Burns, Vice Chair  
Sherry Grau  
Greg Hemer

**Staff:** Denny Egner, Planning Director  
Vera Koliás, Associate Planner

**Absent:** Adam Argo  
Joseph Edge  
Scott Jones

### 1.0 Call to Order — Procedural Matters\*

**Chair Travis** called the meeting to order at 6:30 p.m. and read the conduct of meeting format into the record.

*Note: The information presented constitutes summarized minutes only. The meeting video is available by clicking the Video link at <http://www.milwaukieoregon.gov/meetings>.*

### 2.0 Planning Commission Minutes

2.1 February 27, 2018

**Commissioner Hemer moved and Commissioner Burns seconded approval of the February 27, 2018 Planning Commission Minutes as presented. The motion passed unanimously.**

### 3.0 Information Items

**Denny Egner, Planning Director**, noted the Council approved the Block 1 Comprehensive Plan policies and code amendments related to the North Milwaukie Innovation Area Plan. He added that mixed use would be allowed near the Tacoma light rail station but would not be allowed in the southwest corner.

**Vera Koliás, Associate Planner**, confirmed the southwest corner would not be residential as the overlay, that had been discussed over three hearings, did not get carried forward.

**Mr. Egner** reminded the Commission about the training sessions on September 12 and 13. He gave an update on the Comprehensive Plan process and noted that staff had been thinking about how to separate the housing element as its own topic in Block 2, with a larger emphasis on equity. The next Comprehensive Plan Advisory Committee meeting would be September 10, 2018.

**4.0 Audience Participation** — This is an opportunity for the public to comment on any item not on the agenda. There was none.

**5.0 Public Hearings** — None.

## 6.0 Worksession Items

### 6.1 Summary: Housekeeping Code Amendments – Part 2 Staff: Vera Kolias

**Vera Kolias, Associate Planner**, explained this was the second package of mainly housekeeping amendments but that a few of the amendments had broader policy implications. She presented the staff report, and noted the specific code standards discussed by City Council that staff sought input from the Commission. Discussion on those specific code standards and staff's responses to Commissioner questions was as follows:

- The code updates should be consistent with other cities in the Metro area.
- It was suggested to present the green building incentive program at the upcoming Housing Roundtable as its members had more experience with green building programs and could provide insight on what was achievable, so the language was not too prescriptive. Staff also intended to get feedback from developers.
- Staff had not received complaints about roosters; concerns mostly regarded rodents and other issues associated with keeping chickens. The proposed language included maintaining hygienic conditions which would help enforcement efforts. Council had suggested a maximum number of fowl be allowed in any combination. Staff would research what other similar cities allowed.
- Odor control standards for marijuana businesses would be amended to align with the Building code, but language regarding odor regulation would likely be eliminated. Councilor Bate had requested a more robust discussion on noise, odor, and nuisance code standards. Such standards were challenging due to their subjective nature.
- Regarding trees, the proposed landscaping standards would provide more flexibility by expanding the allowed tree list to include native trees and non-nuisance trees. The idea was to provide a clear and objective process to allow an alternative to native trees. Some tree species transfer better than others and the goal was to have a healthy and sustainable urban canopy.
- Regarding temporary signs, a three-month time limit for temporary signs was not enough time to allow for businesses to design and install permanent signs. The definition of "banner" needed to be revised to indicate that they were to be temporary. Certain allowed uses of banners could be allowed for a longer period of time, although content could not be regulated. A six-month time limit with a Conditional Use to allow for more time was suggested.
- Smaller signs not exceeding 4 sq ft were exempt and could be permanently mounted anywhere without a sign permit. The Code amendments also allowed having an additional sign on a property if it was a historic, marker-type sign.
- Amending the language in Chapter 14.16.N.3.d. regarding historic sign exemptions was suggested to state, "a historic site **and/or event** recognized and acknowledged by the City Council **or appointed commission**." Discussion included whether a historic event made a site historic. A site encompasses the event, so site was sufficient. A property could be nominated to the National Register for many different reasons, including its history. Staff would work on the language to make sure an event could qualify a site for historic designation, and would verify if the City could codify what information could be included on a historic sign.
- The public hearing on the Code amendments was expected to be in October, depending on how the green building discussion went and the timing of the noticing requirements.

Additional comments and discussion regarding other Code items continued as follows:

- The proposed amendments for wireless communication facilities was to ensure the City's compliance with new FCC Regulations. The height limit would be clarified.
- Staff would be meeting with the DLC Chair, Lauren Loosvelt, to discuss and update the green building standards.
- The update to the ADU language was consistent with the Senate bill and would likely be revisited at some point during the housing work staff was doing.
- Staff was considering proposed amendments to the Willamette Greenway and natural resources section to allow for a 12-foot path be a separate amendment package.
  - Section 19.401 Willamette Greenway Zone was included partly to simplify the path construction process for the proposed Kronberg Park, and perhaps widen some other pathways. **Mr. Egner** noted that this would better align the City's path widths according to State funding programs. He addressed clarifying questions about Metro's and ODOT's path exemption standards, which were in the model code and not written specifically into Title 13. The goal was to be consistent with the State and the City was consistent with the adopted model code.
  - The Willamette Green Zone was about protecting the area along the river, not just visual protection but also environmental protection while allowing water-related uses and recreation. Items could be exempted, but would require a more complicated process through DLCD.

**Chair Travis** said she would like to see agricultural and livestock code examples from other cities.

**Ms. Kolias** clarified that farms were considered an agricultural use and handled differently. The City had minimum lot size requirements for raising livestock, but a cow could be kept as a pet on any sized lot, for example.

**7.0 Planning Department Other Business/Updates**

There were none.

**8.0 Planning Commission Discussion Items**

There were none.

**9.0 Forecast for Future Meetings:**

September 11, 2018 1. Cancelled

September 25, 2018 1. Public Hearing: VR-2018-005 Harmony Park Apartments

Meeting adjourned at approximately 7:35 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II

---

Kim Travis, Chair



# CITY OF MILWAUKIE

**To:** Planning Commission

**Through:** Dennis Egner, Planning Director

**From:** Brett Kelter, Associate Planner

**Date:** December 31, 2018, for January 8, 2019, Public Hearing

**Subject:** **File:** CSU-2018-018  
**Applicant/Owner:** North Clackamas School District  
**Address(es):** 2905 SE Lake Rd (MHS fields) & 11250 SE 27<sup>th</sup> Ave (Milwaukie Elementary School)  
**Legal Description (Map & Tax Lot):** 1S1E36CA 1200 & 1S1E36BD 5500  
**NDA:** Lake Road and Historic Milwaukie

---

## **ACTION REQUESTED**

Approve application CSU-2018-018 and adopt the recommended Findings and Conditions of Approval found in Attachments 1 and 2. This action would approve a Transportation Demand Management Plan and allow the use of the Lake Rd sports fields that was conditionally approved by a previous Community Service Use review (master file #CSU-2018-001).

## **BACKGROUND INFORMATION**

The proposal for a major renovation of the existing Milwaukie High School sports fields at Lake Rd was reviewed as a major modification to a Community Service Use (CSU), with public hearings by the Planning Commission on April 24 and May 8, 2018 (master file #CSU-2018-001) and appeal hearings by the City Council on June 19 and July 17, 2018 (file #AP-2018-002). The project was approved on appeal, with conditions of approval that included a requirement for the applicant (the North Clackamas School District) to prepare a Transportation Demand Management Plan (TDMP) that demonstrates the applicant's ability and commitment to minimize parking-related impacts on surrounding properties.

The conditions of approval specified that the TDMP would be subject to review and approval by the Planning Commission through a Type III CSU review, subject to the approval criteria for CSUs and with consideration of the approval criteria for parking determinations. The applicant has submitted a TDMP for consideration by the Planning Commission and seeks approval so it can move forward with making the fields available for use once the site improvements have been completed.

### A. Site and Vicinity

The site consists of two tax lots that total 15.2 acres. The southerly tax lot is 9.5 acres and serves as an extension of the athletic facilities for the Milwaukie High School campus, with fields for varsity baseball and softball and a practice field for football/soccer, as well as an indoor hitting facility, press box, dugouts, bleachers, restrooms, and parking. The northerly tax lot is 5.7 acres and is occupied by the Milwaukie Elementary School, an associated parking lot, and the field used by the Milwaukie High School junior varsity (JV) softball team. The sports fields facility fronts on Lake Rd (an arterial street) and takes access from a private driveway labeled “28<sup>th</sup> Ave” that has never been formally established as a public right-of-way. The Milwaukie Elementary School lot fronts on and takes its access from 27<sup>th</sup> Ave (a local street).

As shown in Figure 1, the land uses and development adjacent to the site are mixed and include institutional uses (schools, churches), multifamily residential (apartments and condominiums), and single-family residential and duplex dwellings.

### B. Zoning Designation

An approximately 150-ft-long segment of the “28<sup>th</sup> Ave” driveway is zoned Residential R-2; the remainder of the school properties are zoned Residential R-7 (see Figure 2). Schools and supporting athletic fields are allowed subject to Community Service Use (CSU) approval.

### C. Comprehensive Plan Designation

The land use designation of the site is primarily Public (P), with what appears to be an erroneously mapped strip of Moderate Density (MD) along its eastern boundary.

Figure 1. Aerial Photo



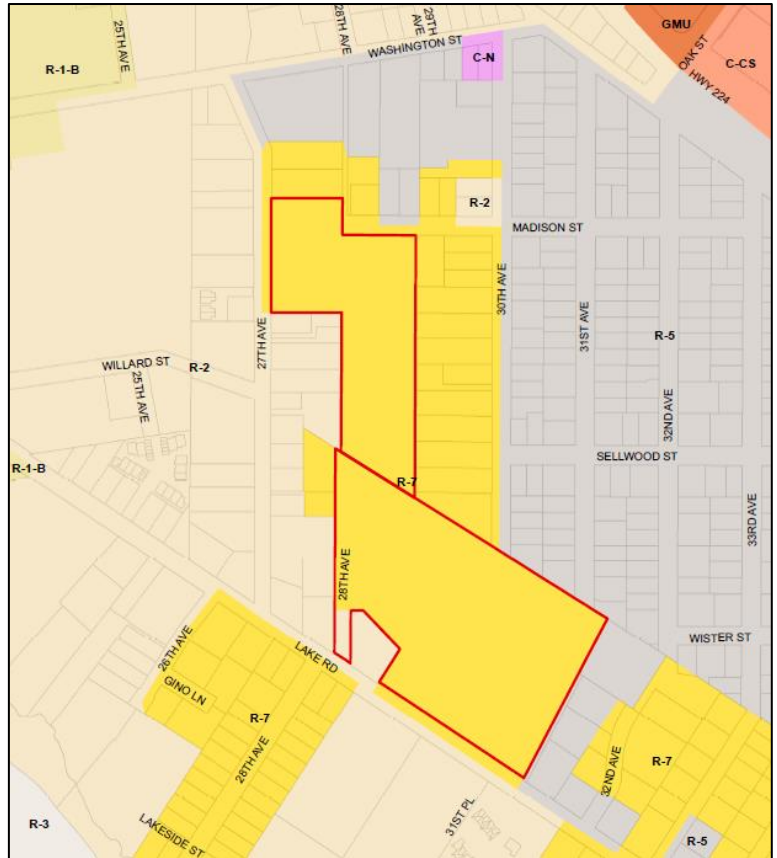
## D. Land Use History

Given that the full land use history for the site was presented in the staff report for CSU-2018-001, in the interest of brevity only the major applications are noted below.

### Lake Rd Sports Fields

- **2018: CSU-2018-001 and AP-2018-002** – Major modification for renovation of the site, including installation of field lighting and artificial turf as well as expansion of the existing parking area accessed from Lake Rd. The approval was appealed to City Council, where it was upheld with modified conditions of approval, including a requirement to develop a Transportation Demand Management Plan (TDMP) to limit parking-related impacts on the surrounding neighborhood.
- **2013: CSU-13-15** – Major modification for construction of an indoor hitting facility in the south-central part of the site. Conditions of approval included a requirement for improvements to the existing parking area and for a lighted pathway from the new building to the parking area.
- **2009: VR-09-01** – Variance request to allow the 39 spaces at the sports fields to be counted as shared parking for the main high school campus. With the 2017 CSU approval and proposed parking expansion at the high school (file #CSU-2017-007), the parking spaces at the Lake Rd sports fields are no longer needed as shared parking.
- **1992: CSO-91-02** – Major modification to install dugouts at one of the baseball fields and a concession stand and press box at the other. No relevant conditions of approval.
- **1971: C-71-09** – Establishment of the Lake Rd sports fields as a conditional use. Conditions of approval included requirements to provide fencing along property lines and to separate the parking area from playgrounds; parking for no more than 50 cars; a 20-ft-wide driveway with sidewalk entering the property; no permanent structures or lighting without Planning Commission approval; barriers at the ends of

Figure 2. Zoning





30<sup>th</sup> Ave and 31<sup>st</sup> Ave; parking to start north of the existing easement; and plans for the parking lot to be submitted and approved by the City.

#### **Milwaukie Elementary School**

- **2001: CSO-01-02/NR-01-02** – Major modification to reconstruct the parking lot and relocate the playground. No relevant conditions of approval.

#### **E. Proposal**

The applicant is seeking land use approval for the Transportation Demand Management Plan (TDMP) provided with the submittal materials (see Attachment 3). The TDMP document itself includes the following components:

1. Summary of Athletic Field Operations
2. Analysis and Comparison of Parking Demand with Other Facilities
3. Options for Transportation Demand Management

The project requires approval of the following application:

- Community Service Use, major modification (file #CSU-2018-018)

#### **KEY ISSUES**

As was evidenced by comments and testimony provided for the earlier hearings for the field renovations, parking at the Lake Rd sports fields has not been adequately managed in the past and has been a source of extreme frustration for some of the adjacent neighbors. The condition requiring a Transportation Demand Management Plan (TDMP) is an acknowledgment that the District is responsible for managing use of the fields in a way that does not generate the kinds of impacts that have resulted in complaints in the past. This will be especially challenging given that the fields have been improved with artificial turf and lighting and so will be usable for more hours on more days of each year.

The District's TDMP includes the following components that it believes will result in a much smoother operation of the sports fields, with far fewer parking-related impacts than in the past:

- Expanded off-street parking area off Lake Rd (via 28<sup>th</sup> Ave driveway), including bus turnaround
- Vigorous promotion of existing parking lot at Milwaukie Elementary School
- Limitation of field use (maximum of 2 events at a time, or 3 practices at a time)
- Improved signage on site (directional and informational signage)
- Contact number for reporting problems (available 24/7)—towing available if needed
- Monthly feedback meetings with neighbors for first 6 months of operation
- Extensive communication with coaches and parents to highlight parking options and encourage good-neighbor behavior (including flyer)

- Availability of District staff (Community Relations) for non-emergency contact

An approved TDMP will serve as a sort of contract for operating the Lake Rd sports fields. It should clearly outline the District's commitments for site management, set expectations for performance, and establish accountability and consequence. Staff has reviewed the proposed TDMP and believes it is adequate for these purposes, provided a few significant adjustments are included as discussed below.

### **Summary of Key Issues**

Staff has identified the following key issues for the Planning Commission's deliberation regarding the proposed TDMP. Other aspects of the proposal not listed below are addressed in the Findings (see Attachment 1).

- A. Parking Demand – Is the applicant's assessment of parking demand accurate?
- B. Good Neighbor Actions – Does the TDMP include adequate measures to coordinate and communicate with surrounding neighbors to ensure the plan is successful?
- C. Measuring Performance – What does successful management of parking at the Lake Rd sports fields look like?

### **Analysis**

#### **A. Parking Demand – Is the applicant's assessment of parking demand accurate?**

One of the specific requirements of the previous approval was to analyze parking demand for the renovated sports fields and demonstrate that the proposed parking arrangement is reasonable. As required, the applicant has presented information about parking demand for similar uses in other locations, parking quantity requirements from other jurisdictions, and a review of professional literature.

Staff believes the comparison to other similar facilities is reasonable, especially given the spectrum of comparable sites. There are high schools in the Portland area (e.g., Cleveland, Franklin, and Lincoln) that provide very little if any off-street parking for their sports fields. North Clackamas Park and Hood View Park were each required to provide 43 parking spaces per field. Other jurisdictions require between 20 and 40 spaces per field. At 48 spaces per field, the District is providing more than the average and is proposing more active management of parking for the Lake Rd site than it has provided in the past.

The Lake Rd site has the physical capacity to host 3 games and 1 practice or even up to 5 practices at any one time (including the indoor hitting facility). Therefore, the District's self-imposed limitations on use, as well as its strategy for parking management, are central to the argument that the facility provides a reasonable number of on-site parking spaces. The District has committed to limiting use of the Lake Rd sports fields to no more than 2 games or no more than 3 practices at any one time.

The key terms are critical for setting expectations for the level of use for each type of activity. The TDMP notes that a “practice” will involve only 1 team and a minimal number of spectators; an “event” involves 2 teams and more spectators than would be generated by a practice. However, some further clarification of the District’s proposed limits seems necessary. For example, if the District believes the site can accommodate up to 4 teams at a time in “event” situations on 2 fields, why is the “practice” limit not set at 4 instead of just 3? In addition, the TDMP indicates that use of the indoor batting facility will be considered an “event” —but it would have seemed safe to assume that the indoor batting facility would be used for practices and not games. Is the proposed “event” designation truly appropriate for the indoor batting facility or should it be simply be considered as one of the available fields, with the nature of activity on the overall site (and the number of teams) being the determining factor?

Other clarifications would be helpful as well. Do the terms “practice” and “event” accurately describe uses by soccer clubs or football teams, with respect to the numbers of expected participants and spectators? Is a special definition needed for tournament-type uses, which could involve multiple teams on the site for an extended and overlapping period of time?

The applicant has been asked to provide this clarifying information prior to or at the hearing, as a supplement to the TDMP.

**B. Good Neighbor Actions – Does the TDMP include adequate measures to coordinate and communicate with surrounding neighbors to ensure the plan is successful?**

Staff believes that communication is critical to the success of the TDMP and has provided suggestions to the District for improving the flyer that was included as Figure 8 in the TDMP (e.g., provide more clear information about where to park, including availability of the elementary school parking lot, contact information for the District, Good Neighbor suggestions for on-street parking if needed, etc.). The applicant has been asked to provide a revised flyer in response to staff suggestions, as part of the supplement referenced in the discussion of Key Issue A. The proposed flyer distribution seems appropriately thorough.

The TDMP proposes monthly meetings with neighbors over the first 6 months to collect feedback. Staff is very supportive of these “Good Neighbor” meetings as a mechanism for directing adjustments to the operation as needed. However, staff suggests that a longer timeframe (12 months) and a bi-monthly schedule (i.e., every other month) would provide a more representative sample of events to give a good idea of how well the TDMP is working. In addition, staff suggests that, as part of the above-mentioned supplement, the applicant should include more information about how the Good Neighbor meetings will be publicized and who will participate from the District.

The original conditions of approval from CSU-2018-001 and AP-2018-002 suggested that the District should attend meetings of both the Historic Milwaukie Neighborhood District Association (NDA) and the Lake Road NDA once a year to discuss any TDMP issues. Instead, staff recommends that a condition be established to require the District to hold a

single annual public meeting for this purpose, independent of any specific NDA meeting. The issue is important and specific enough to warrant its own agenda, and the District should provide adequate public notice to surrounding properties and to those who have participated in the Good Neighbor meetings. This annual meeting could be incorporated into one of the regular Good Neighbor meetings, but it should stand apart from a regular meeting of the Historic Milwaukie or Lake Road NDA.

In addition, staff recommends a condition to clarify that the information the District has proposed to provide at the annual meeting should be formatted as an annual report to the City that provides certain points of information (e.g., number and type of practices/events/tournaments, number and type of complaints and requests for towing, resolution of complaints and towing requests, summary of issues discussed at Good Neighbor meetings, etc.). This annual report should also explain any proposed adjustments in management for the coming year.

Staff suggests sunseting the requirements for an annual public meeting and annual reporting at 3 years after the most recent CSU approval, with the rationale that, once the TDMP has been in successful operation for that long, the effectiveness of its management principles should be apparent.

### **On-Site Monitor**

Staff's most significant communication-related recommendation is a condition that would require an on-site parking monitor during tournament-type events. Although the TDMP describes the expected frequency of tournaments "to be rare," staff notes that the previous CSU hearings included public comment and testimony concerned with tournament-related parking as much or more than regular high school games and practices. Tournaments present the likelihood of doubling the parking demand, depending on game scheduling and whether teams overlap on the site.

The presence of an actual resource person during the type of events that have traditionally generated the greatest impacts would provide the best opportunity for immediate response. A monitor could direct people to the elementary school lot once the main lot was full and would be on hand to address issues in real time. The monitor could be a District staff person, a contractor, or a volunteer, and would not have to be the same person for every tournament event. The main idea is to have a person available on site to serve as a resource.

Over time, the District will hopefully demonstrate that the other elements of the TDMP effectively limit the impacts of the renovated facility and its expanded hours and days of operation. Until then, and without further experience, it seems prudent and reasonable to require an on-site monitor for the biggest events. If the Planning Commission chooses not to implement this recommended condition, then staff believes the TDMP should be revised to provide a clearer management strategy that minimizes the potential for compounded parking demand associated with tournament-type activity.

With the suggested adjustments and recommended conditions, staff believes the TDMP represents an adequate coordination effort that should greatly reduce the parking-related impacts that have emanated from the site in the past.

### **C. Measuring Performance – What does successful management of parking for the Lake Rd sports field look like?**

To truly know whether the facility can function as proposed with minimal impacts, staff agrees that the District must put the TDMP into action and be given an opportunity to make adjustments as needed in response to any problems that arise.

Ideally, the TDMP will be successful: Users of the sports fields will park in the off-street lots before parking on the street, without blocking driveways or parking in fire lanes. The District's communication plan will effectively disseminate information to coaches, parents, and players so that everyone knows where and how to park. Neighbors who participate will find the District's regular Good Neighbor meetings to be an effective forum for raising concerns and working out mutual solutions to problems. Few if any complaints will be received, and over time all parties will feel the need for ongoing Good Neighbor meetings to diminish.

The hope of all parties should be that the TDMP is effective. However, the City must prepare for a worst-case scenario and ensure a clear process for resolution in the event that parking impacts are not well managed or are greater than expected.

It is important for all parties—the District, impacted neighbors, and City staff and decision-makers—to agree on measures that indicate whether the TDMP is successful. There should be metrics the District can use to show that the plan is working; neighbors deserve a mechanism for accountability by the District; and the City needs a way to evaluate whether the relevant conditions of approval have been met. The more specific and measurable the better, though it is challenging to quantify some impacts that are more qualitative in nature (such as neighbor satisfaction with the District's response to a problem).

Staff notes the following potential performance measures (in no order):

1. Number of calls made to the 24-7 immediate response line (including requests for towing due to blocked driveways or parking in the fire lane)
2. Number of complaints received by the District's Community Relations Department
3. Level of on-street parking on 28<sup>th</sup> Ave and 32<sup>nd</sup> Ave during events, particularly when off-street parking lots are not 90-100% occupied
4. Evaluation of participants in the District's Good Neighbor meetings

Data for Items 1, 2, and 3 could be collected by the District and shared on a regular basis. Item 4 is obviously much more subjective but represents a significant source of information about how things are going.

Staff recommends that the check-in with the City described in the original conditions of approval (i.e., a public meeting held within 2 years of TDMP approval) be revised to happen within 1 year and be more than simply a public meeting without decision-making authority.

Staff proposes the establishment of the following specific performance thresholds related to triggering a formal Type III review:

During the course of the year, if a parking-related complaint is received on the District's 24/7 immediate response line on more than **10 different days** (with each complaint logged by the District and a copy provided to the City Planning Department), or if more than **5 requests for towing** are generated (for separate incidents), then the District will go back to the Planning Commission for a Type III review of the CSU approval. If the prescribed thresholds are not reached, then only the required annual public meeting and report will be required, and the District shall continue with the ongoing practices outlined in the TDMP.

If the initial version of the approved TDMP does not perform as expected, staff notes that additional tools could be considered for inclusion in a revised TDMP as part of a future review. Examples include mandated carpooling for athletes, required shuttling provided from the high school's other parking lots, airport-type display(s) showing numbers of remaining parking spaces, and required on-site monitor(s) for all field uses (not just for tournaments).

## CONCLUSIONS

Summary of recommendations from the Key Issue discussion:

1. Provide a supplement to the TDMP with the following information:
  - a. Clarification of terms ("practice," "event," and a term for tournament-type activity)
  - b. Revisions to flyer
  - c. Good Neighbor meetings (publicity, District participation)
2. Have the District hold Good Neighbor bi-monthly meetings (i.e., every other month) for the first 12 months of operation.
3. Require a single public meeting each year instead of reporting at 2 separate NDA meetings, with a sunset after 3 successful years of TDMP operation.
4. Require an on-site monitor for tournament-type events.
5. Establish specific thresholds for performance, to determine whether a formal CSU review is required at the end of the first year.
6. Require annual reporting to the City, with a sunset after 3 successful years of TDMP operation.

### A. Staff recommendation to the Planning Commission is as follows:

1. Approve the Community Service Use application for the applicant's Transportation Demand Management Plan (TDMP) for operation of the Lake Rd sports fields. This will allow the applicant to put the renovated sports fields into use, subject to the

limitations identified in the Notice of Decision for CSU-2018-001 and clarified by the Final Order for AP-2018-002. Approval of the TDMP will set additional expectations for ongoing management of the facility.

2. Adopt the attached Findings and Conditions of Approval.

**B. Staff recommends the following key conditions of approval (see Attachment 2 for the full list of Conditions of Approval):**

1. Require the District to hold bi-monthly Good Neighbor meetings (i.e., every other month) for the first 12 months of operation.
2. Require a single public meeting each year (instead of at 2 separate NDA meetings), with a sunset after 3 successful years of TDMP operation. Require annual reporting to the City, with a similar 3-year sunset.
3. Require the District to provide an on-site monitor for tournament-type events.
4. Establish performance thresholds related to triggering a formal Type III CSU review at the end of the first year of operation.

To clarify, the conditions of approval from the previous decisions (CSU-2018-001 and AP-2018-002) will remain in effect, except where these new conditions of approval related to the TDMP supersede them (namely, Condition 2-d from CSU-2018-001).

## **CODE AUTHORITY AND DECISION-MAKING PROCESS**

The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC).

- MMC Section 19.1006 Type III Review
- MMC Section 19.904 Community Service Uses
- MMC Subsection 19.605.2.C.1 Approval Criteria for Parking Determinations

This application is subject to Type III review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In Type III reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The Commission has 5 decision-making options as follows:

- A. Approve the application upon finding that all approval criteria have been met.
- B. Approve the application subject to the recommended Findings and Conditions of Approval.
- C. Approve the application with modified Findings and Conditions of Approval. Such modifications need to be read into the record.
- D. Deny the application upon finding that it does not meet approval criteria.
- E. Continue the hearing.

The final decision on these applications, which includes any appeals to the City Council, must be made by March 13, 2019, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

## COMMENTS

Notice of the proposed TDMP was given to the following agencies and persons: City of Milwaukie (Building, Engineering, Police, and Public Works Departments), Lake Road and Historic Milwaukie Neighborhood District Associations (NDAs), Clackamas Fire District #1 (CFD#1), Clackamas County Department of Transportation and Development, Metro, TriMet, and properties within 300 ft of the subject site.

The following is a summary of the comments received by the City, which are included as Attachment 5:

- **Izak Hamilton, Fire Inspector, CFD#1:** Standard comments related to fire access.
- **Glenn Van Bergen, owner/resident at 11610 SE 30<sup>th</sup> Ave:** Requested that the District find historical information related to the condemnation of 2 of his family's properties on Washington St, for use as parking on the Milwaukie High School campus near the gymnasium. Suggested that there was a minimum number of parking spaces required for the school facility to justify the condemnation process and that this information may be useful for the question of parking at the Lake Rd sports fields.

The commenter asked for confirmation of the following understandings from the previous hearings for CSU-2018-001 and AP-2018-002:

- 1) All field lights will be on timers. The athletic "playing" field lights will automatically be turned off at 9:00 p.m. All other field lights will automatically be turned off at 9:30 p.m. after the fields are no longer in use. Please confirm.
- 2) "No Athletic Field Access" signage will be posted at the end of 30<sup>th</sup> Ave near or on the MHS fence line and at the intersection of Sellwood St and 30<sup>th</sup> Ave. Please confirm.
- 3) Plastic-type fence slats will be installed at the end of 30<sup>th</sup> Ave. Please confirm.
- 4) No plastic-type fence slats will be required along my property line at 11610 SE 30<sup>th</sup> Ave. [Please confirm.]

**Staff Response:** *Mr. Van Bergen's comment was received on the day the staff report was being finalized; staff has not had an opportunity to investigate the historical question but will endeavor to do so prior to the hearing on January 8. The comment has been shared with the applicant as well.*

*Regarding the specific requests for confirmation, staff offers the following responses:*

- 1) *The previous conditions of approval (Condition 3) required the field lighting to be turned off no later than 9:00 p.m. and pathway lights turned off no later than 9:30 p.m. The conditions did not specifically require the use of timers to control the lights, but the*



*District indicated in its presentation that it would use timers. More specific questions about timer details should be directed to the District.*

- 2) *The previous conditions of approval did not require “No Athletic Field Access” signage, but staff’s memory is that the District volunteered to provide such signage during the hearing. Questions about specific signage details should be directed to the District.*
- 3) *The previous conditions of approval (Condition 2-e) required that fencing, slats, and wind breaks be repaired along the perimeter of the site, but they did not address specific locations like the end of 30<sup>th</sup> Ave. As per the condition, if there were slats in place previously at the end of 30<sup>th</sup> Ave, then they will be replaced as needed; if not, one could approach the District with a request to install slats as a “good neighbor” measure.*
- 4) *As specified in Condition 2-e from the previous approval, fence slats are not required for any neighbor who elects not to have them. Staff assumes that the District will coordinate with individual neighbors on this issue.*

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	Early PC Mailing	PC Packet	Public Copies	Packet
1. Recommended Findings in Support of Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Recommended Conditions of Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Applicant's Narrative and Supporting Documentation dated November 29, 2018				
a. Application Forms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cover Letter (dated Nov. 9, 2018)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Notes from Neighborhood Meeting held Nov. 5, 2018	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d. Transportation Demand Management Plan (TDMP), including Appendix with plan sheets	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Applicant's additional info submitted prior to public hearing				
a. Summary of Improvement Measures (received Dec. 7, 2018)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Letter to Denny Egner (received Dec. 18, 2018)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. Comments Received	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

Early PC Mailing = paper materials provided to Planning Commission at the time of public notice 20 days prior to the hearing.

PC Packet = paper materials provided to Planning Commission 7 days prior to the hearing.

Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.

Packet = packet materials available online at <https://www.milwaukieoregon.gov/bc-pc/planning-commission-22>.

**Recommended Findings in Support of Approval  
File #CSU-2018-018  
North Clackamas School District – TDMP for Lake Rd Fields**

Sections of the Milwaukie Municipal Code (MMC) not addressed in these findings are found to be inapplicable to the decision on this application.

1. In July 2018, the applicant, the North Clackamas School District (the District), was granted approval for a major renovation of the Lake Rd sports fields (land use master file CSU-2018-001, with AP-2018-002 on appeal), which is a Community Service Use (CSU). The final conditions of approval for CSU-2018-001 and AP-2018-002 included a requirement to develop a Transportation Demand Management Plan (TDMP) to limit parking-related impacts to surrounding properties, prior to issuance of a certificate of occupancy or final inspection. As per the conditions of approval, the TDMP is required to provide a clear plan for ongoing parking management, with review and approval by the Planning Commission, subject to the approval criteria both for CSUs (in MMC Subsection 19.904.4) and for parking determinations (in MMC Subsection 19.605.2.C-1).

To comply with the applicable condition, the applicant has submitted a TDMP, including an analysis of parking demand for comparable facilities and a strategy for managing demand at the Lake Rd site. The land use file for this review is CSU-2018-018.

2. The site consists of 2 tax lots totaling approximately 15.3 acres. The southern lot is addressed as 2905 SE Lake Rd and has frontage on Lake Rd at a driveway labeled as 28<sup>th</sup> Ave. The northern lot is addressed as 11250 SE 27<sup>th</sup> Ave and includes the parking lot and a play field for Milwaukie Elementary School.

The improvements approved by CSU-2018-001 and AP-2018-002 included reorienting the varsity baseball field and installing artificial turf there and on the adjacent varsity softball field, installing new field lighting for the varsity fields, and expanding the pre-existing 38-space Lake Rd parking lot to provide a total of 53 spaces.

3. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):

- MMC Section 19.1006 Type III Review
- MMC Section 19.904 Community Service Uses
- MMC Subsection 19.605.2.C.1 Approval Criteria for Parking Determinations

The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing was held on January 8, 2019, as required by law.

4. MMC Section 19.904 Community Service Uses

MMC 19.904 provides standards and procedures for review of applications for community service uses. These are uses that are not specifically allowed outright in most zoning

districts but that address a public necessity or otherwise provide some public benefit. Community service uses include schools and accompanying sports facilities.

As per the conditions of approval of CSU-2018-001 and AP-2018-002, the proposed TDMP is subject to the approval criteria for CSUs, which are established in MMC Subsection 19.904.4 and listed below:

- a. The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not proposed for a CSU, the standards of the underlying zone must be met.

*These standards were addressed in more detail with the approval of CSU-2018-001 and AP-2018-002. The off-street parking requirement is the relevant issue for the TDMP and is addressed in more detail in Findings 4-d and 5, below.*

*The Planning Commission finds that this standard is met.*

- b. Specific standards for the proposed uses as found in MMC Subsections 19.904.7-11 are met.

The standards of MMC Subsection 19.904.9 for institutions are the ones most applicable to the Lake Rd sports fields. These requirements deal with issues like utilities, access, building setbacks, height limits, noise-generating equipment, lighting, and landscaping, and are generally not applicable to the TDMP. However, the requirement of MMC Subsection 19.904.9.G to adjust hours and levels of operation where possible to make the use compatible with adjacent uses is applicable to the TDMP.

*The hours of operation for the Lake Rd sports fields were set by the approval of CSU-2018-001 and AP-2018-002, and no changes are proposed with the TDMP. However, based on the analysis of parking demand and the physical improvements the applicant has made to expand parking capacity at the site, the applicant has proposed to limit the operation of the facility to no more than 2 events or 3 practices on the site at the same time. As proposed, scheduled activities on the site will start no earlier than 9:00 a.m. and end before 9:00 p.m. The TDMP presents several measures to minimize parking-related impacts to surrounding properties, including a communication plan to inform field users of available parking locations, proposed signage with contact information for reporting parking issues, provisions for regular Good Neighbor meetings to troubleshoot problems, and an annual public meeting to report on complaints and complaint resolution.*

*However, the Planning Commission finds that additional measures are necessary to ensure that the TDMP adequately manages the proposed level of activity to minimize parking-related impacts. Conditions have been established to require a longer timeline for regular Good Neighbor meetings, to require an on-site monitor for tournament-type events, and to establish a performance-based threshold for determining whether a subsequent CSU review is necessary to further refine the TDMP and ensure compatibility with surrounding uses.*

*As conditioned, the Planning Commission finds that the TDMP is sufficient to manage the proposed level of activity and therefore meets the applicable standards of MMC 19.904.9.*

- c. MMC Subsection 19.904.4.C requires the hours and levels of operation of the proposed use to be reasonably compatible with surrounding uses.

*As discussed in Finding 4-b and as conditioned, the TDMP will manage the proposed level of activity to be reasonably compatible with surrounding uses.*

*As conditioned, the Planning Commission finds that this standard is met.*

- d. MMC Subsection 19.904.4.D requires that the public benefits of the proposed use be greater than the negative impacts, if any, on the neighborhood.

*The previous approval of CSU-2018-001 and AP-2018-002 included an assessment of public benefits versus negative impacts and concluded that, with a TDMP to manage parking-related impacts to surrounding properties, the benefits of the Lake Rd sports fields were greater than any negative impacts. As discussed above in Finding 4-b and as conditioned, the TDMP will effectively limit parking-related impacts.*

*As conditioned, the Planning Commission finds that this standard is met.*

- e. MMC Subsection 19.904.4.E requires the location to be appropriate for the type of use proposed.

*As discussed elsewhere in Finding 4, and as conditioned, the TDMP ensures that the location of the Lake Rd sports fields is appropriate for the type and level of use proposed with this application as well as with the previous approval of CSU-2018-001 and AP-2018-002.*

*As conditioned, the Planning Commission finds that this standard is met.*

*As conditioned, the Planning Commission finds that the TDMP meets the approval criteria of MMC 19.904.4.*

5. MMC Section 19.605 Vehicle Parking Quantity Requirements

MMC 19.605 establishes standards to ensure that development provides adequate vehicle parking (off-street) based on estimated parking demand. The section establishes a process for determining parking requirements when a use is not listed in MMC Table 19.605.1. MMC Subsection 19.605.2 C.1. provides the approval criteria for granting a parking determination, including a demonstration that the proposed parking quantities are reasonable based on (1) the information outlined in MMC Subsection 19.605.2B, including factors specific to the proposed use and associated parking demand; (2) quantity requirements from other jurisdictions; and (3) professional literature.

*The TDMP provides a description of the proposed use, including a proposed limit on the level of activity allowed on the site. As proposed, no more than 2 games or no more than 3 practices will occur at the Lake Rd sports fields at any one time. As described in the TDMP, games involve only 2 teams per field and some spectators; practices involve only 1 team per field and limited spectators. Since scheduling for use of the fields (for both school athletics and community groups) is overseen by the District, the applicant is in a position to manage and regulate the level of activity on the site.*

*The TDMP also references rules for field use and provides a communication plan for disseminating information about parking options and encouraging alternative modes of travel.*

*The TDMP discusses off-street parking requirements for several comparable facilities in the area. North Clackamas Park and Hood View Park both required 43 off-street parking spaces per field; Westmoreland Park provides an average of 35 spaces per field. Looking at parking standards from other jurisdictions in the area (Hillsboro, Happy Valley, and West Linn), the TDMP notes a range of 20 to 40 spaces required per field. A review of professional literature on the subject did not yield any relevant information regarding parking standards for community-level athletic fields.*

*With the approval of CSU-2018-001 and AP-2018-002, physical improvements to the Lake Rd sports fields site provide 96 off-street parking spaces, including 44 spaces at the adjacent Milwaukie Elementary School. With the proposed limit of no more than 2 events (4 teams, plus spectators) occurring at any one time, the applicant notes that 48 spaces are provided per field. The TDMP presents measures to minimize parking-related impacts to surrounding properties, including a communication plan to inform field users of available parking locations, proposed signage with contact information for reporting parking issues, provisions for regular Good Neighbor meetings to troubleshoot problems, and an annual public meeting to report on complaints and complaint resolution. As discussed in Finding 4, conditions have been established to ensure that the TDMP adequately manages the proposed level of activity to minimize parking-related impacts.*

*The Planning Commission finds that the proposed parking determination (48 spaces per field, with no more than 2 events or 3 practices occurring on the site at any one time) is adequate based on the estimated parking demand, with the management measures presented in the TDMP and as conditioned.*

6. The application was referred to the following departments and agencies on November 29, 2018:

- Milwaukie Building Department
- Milwaukie Engineering Department
- Milwaukie Police Department
- Milwaukie Public Works Department
- Lake Road Neighborhood District Association (NDA), Chairperson and Land Use Committee (LUC)
- Historic Milwaukie NDA, Chairperson and LUC
- Clackamas Fire District #1 (CFD#1)
- Clackamas County Department of Transportation and Development (DTD)
- Metro
- TriMet

In addition, notice of the public hearing was mailed to owners and residents of properties within 300 ft of the subject property on December 19, 2018.

The comments received are summarized as follows:

- **Izak Hamilton, Fire Inspector, CFD#1:** Standard comments related to fire access.

- **Glenn Van Bergen, owner/resident at 11610 SE 30<sup>th</sup> Ave:** Request that the District find historical information related to the condemnation of 2 of his family's properties on Washington St, for use as parking on the Milwaukie High School campus near the gymnasium. Suggestion that there was a minimum number of parking spaces required for the school facility in order to justify the condemnation process and that this information may be useful for the question of parking at the Lake Rd sports fields. Asked for confirmation of several points from the conditions of approval of CSU-2018-001 and AP-2018-002.

**Recommended Conditions of Approval  
File #CSU-2018-018  
North Clackamas School District – TDMP for Lake Rd Fields**

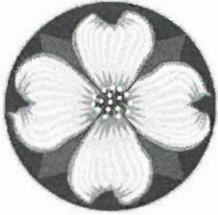
Note: The conditions of approval from the previous decisions (CSU-2018-001 and AP-2018-002) remain in effect with the approval of CSU-2018-018, except where these conditions of approval related to the TDMP supersede them (namely, Condition 2-d from CSU-2018-001).

**Conditions**

1. The applicant shall hold bi-monthly (i.e., every other month) Good Neighbor meetings for the first 12 months of operation of the renovated sports fields facility.
2. The applicant shall hold a single public meeting each year (instead of at 2 separate NDA meetings as suggested in the conditions from CSU-2018-001 and AP-2018-002). The applicant shall present an annual report at this annual public meeting (with a copy provided to the City), with information including a record of the number and type of practices, events, and tournaments held on the site during the year; the number and type of complaints received by the District during the year; the number and nature of requests for towing received during the year; the resolution of complaints and towing requests; and a summary of the issues discussed at the Good Neighbor meetings throughout the year. The requirement for the annual public meeting and annual report shall sunset after 3 years of successful TDMP operation, with “success” defined in relation to Condition 4.
3. The District shall provide an on-site monitor for tournament-type events, which are defined as events that involve more than 4 teams overlapping in presence on the site at any one time.
4. During the first year of operation, if a parking-related complaint is received on the District’s 24/7 immediate response line on more than 10 different days (with each complaint logged by the District and a copy provided to the City Planning Department), or if more than 5 requests for towing are generated (for separate incidents); then the District shall return to the Planning Commission for a Type III review of the CSU approval for the TDMP. If these thresholds are not reached, then only the required annual public meeting and report described in Condition 2 will be required, and the District shall continue with the ongoing practices outlined in the TDMP.

**Additional Requirements**

1. The applicant shall submit a Type I Development Review application to confirm consistency with the plans and conditions of approval from CSU-2018-001 and AP-2018-002. The applicant shall not receive a certificate of occupancy or a final inspection for the renovated sports fields facility until the required Type I Development Review application has been approved.



**PLANNING DEPARTMENT**  
 6101 SE Johnson Creek Blvd  
 Milwaukie OR 97206  
 503-786-7630  
 planning@milwaukieoregon.gov

# Application for Land Use Action

Master File #: \_\_\_\_\_

Review type\*:  I  II  III  IV  V

**CHOOSE APPLICATION TYPE(S):**

Community Service Use

...

...

...

...

**Use separate application forms for:**

- Annexation and/or Boundary Change
- Compensation for Reduction in Property Value (Measure 37)
- Daily Display Sign
- Appeal

**RESPONSIBLE PARTIES:**

**APPLICANT** (owner or other eligible applicant—see reverse): North Clackamas School District

Mailing address: 4444 SE Lake Road, Milwaukie, OR Zip: 97222

Phone(s): 503-353-6058 Email: hobbsd@nclack.k12.or.us

**APPLICANT'S REPRESENTATIVE** (if different than above): CBRE | Heery Marc Bargenda

Mailing address: 4444 SE Lake Road, Milwaukie, OR Zip: 97222

Phone(s): 503-353-6081 Email: bargendam@nclack.k12.or.us

**SITE INFORMATION:**

Address: No Site Address - Lake Road and 28th Map & Tax Lot(s): 11e36ca 1200 & 11e36bd 5500

Comprehensive Plan Designation: P Zoning: R-7 Size of property: 15.29 Acres

**PROPOSAL (describe briefly):**

Applicant seeks approval for a final TDMP for Milwaukie High School and Lake Road Athletic Complex.

**SIGNATURE:**

**ATTEST:** I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. If required, I have attached written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: \_\_\_\_\_

Date: 11/9/2018

**IMPORTANT INFORMATION ON REVERSE SIDE**



**WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION** (excerpted from MMC Subsection 19.1001.6.A):

**Type I, II, III, and IV** applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

**Type V** applications may be initiated by any individual.

**PREAPPLICATION CONFERENCE:**

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

**REVIEW TYPES:**

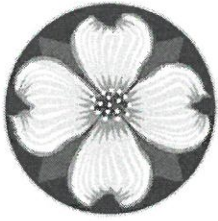
This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

**THIS SECTION FOR OFFICE USE ONLY:**

FILE TYPE	FILE NUMBER	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file		\$			\$	
Concurrent application files		\$			\$	
		\$			\$	
		\$			\$	
		\$			\$	
SUBTOTALS		\$			\$	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:		RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):						
Neighborhood District Association(s):						
Notes:						

\*After discount (if any)



**MILWAUKIE PLANNING**  
6101 SE Johnson Creek Blvd  
Milwaukie OR 97206  
503-786-7630  
planning@milwaukieoregon.gov

# Submittal Requirements

**For all Land Use Applications  
(except Annexations and Development Review)**

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov) for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.  
*Applications without the required application forms and fees will not be accepted.*
2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.  
*Where written authorization is required, applications without written authorization will not be accepted.*
3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.  
*Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.*
4. **Detailed statement** that demonstrates how the proposal meets the following:
  - A. All applicable development standards (listed below):
    1. **Base zone standards** in Chapter 19.300.
    2. **Overlay zone standards** in Chapter 19.400.
    3. **Supplementary development regulations** in Chapter 19.500.
    4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
    5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.
  - B. All applicable application-specific approval criteria (check with staff).  
*These standards can be found in the MMC, here: [www.qcode.us/codes/milwaukie/](http://www.qcode.us/codes/milwaukie/)*
5. **Site plan(s), preliminary plat, or final plat** as appropriate.  
*See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.*
6. **Copy of valid preapplication conference report**, when a conference was required.

**APPLICATION PREPARATION REQUIREMENTS:**

- Five hard copies of all application materials are required at the time of submittal. Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness.
- All hard copy application materials larger than 8½ x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All hard copy application materials must be collated, including large format plans or graphics.

**ADDITIONAL INFORMATION:**

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: [www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association](http://www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association).
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

As the authorized applicant I, (print name) Marc Bargenda, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature:  \_\_\_\_\_

Date: 11/9/2018 \_\_\_\_\_

**Official Use Only**

Date Received (date stamp below):



Ron Stewart  
*Assistant Superintendent  
Finance and Operations*

stewartro@nclack.k12.or.us  
12400 SE Freeman Way, Milwaukie, Oregon 97222  
503-353-6071

November 17, 2017

Mr. Brett Kelter, Associate Planner  
City of Milwaukie  
Community Development  
6101 SE Johnson Creek Boulevard  
Milwaukie, OR 97206

**RE: Authorization to Sign Land Use  
Applications on behalf of the District**

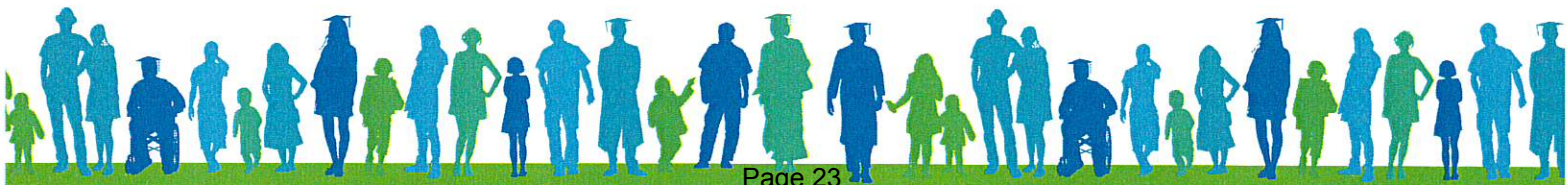
Dear Mr. Kelter,

This letter has been prepared in order to confirm that the North Clackamas School District has provided authorization for David Hobbs, the District's Capital Projects Director to provide all necessary signatures for the land use applications related to the District's capital improvement projects. Should you have any questions, please feel free to contact our offices at 503-353-6072.

Sincerely,

A handwritten signature in blue ink that reads "Ron Stewart". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ron Stewart  
*Assistant Superintendent  
Finance and Operations*



November 9, 2018

Mr. Denny Egner  
Planning Director  
City of Milwaukie  
6101 SE Johnson Creek Blvd.  
Milwaukie, OR 97206

SUBJECT: Lake Roads Community Service Use Modification  
Files: AP-2018-002, CSU-2018-001, VR-2018-003, and P-2018-001

Dear Denny,

3J Consulting represents the North Clackamas School District in matters related to the Lake Road Sports Complex. This letter has been prepared in order to request a Type III Modification to the existing Community Service Use (CSU) for the complex.

On July 18, 2018, the City Council approved a final decision for the District's Application for a Modification to the Lake Road Complex's existing Community Service Use. The District has been busy for the last several months constructing the field improvements and revised parking lot and is close to being ready to open the fields for use by students during the spring and summer months. Significant construction activities are scheduled to be completed in December of this year.

The July decision included a condition of approval requiring the preparation of an additional CSU modification to allow for the City's evaluation of a Transportation Demand Management Plan. This condition of approval is required to be fulfilled prior to the issuance of a certificate of occupancy or a final site inspection. The condition of approval related to the TDMP read as follows:

*Condition 2-d- As per Finding 6-c-4, develop a Transportation Demand Management Program (TDMP) to limit parking-related impacts to surrounding properties. At a minimum, the TDMP shall publicize the availability of the elementary school parking lot (including after-hours contact information), evaluate locations for signage with contact information for the Applicant, promote carpooling or busing of players, discourage improper parking, explore establishment of a good neighbor agreement, address impacts to adjacent and nearby city streets, and provide good-neighbor tips for on-street parking. Communication with the adjacent residents and the surrounding neighborhood is important. If established, a good neighbor agreement should consider including a requirement that the Applicant will attend one Historic Milwaukie Neighborhood District Association (NDA) meeting and one Lake Road NDA meeting each school year to discuss any TDMP issues and work toward mutually agreeable solutions to any such issues.*

*The TDMP shall provide a clear plan for ongoing parking management, which shall be reviewed and approved by the Commission through the Type III review process outlined in MMC Section 19.1006 (including public notice) prior to issuance of a certificate of occupancy or final inspection. The criteria for approval of the TDMP shall be the approval criteria for community service uses as established in MMC Subsection 19.904.4, as well as the approval criteria for parking determinations established in MMC Subsection 19.605.2.C-1. In particular, the TDMP shall address and analyze*



*parking demand for the approved use and shall demonstrate that the proposed parking arrangement is reasonable based on parking demand for similar uses in other locations, parking quantity requirements for the use in other jurisdictions, and professional literature.*

*At least two weeks prior to the public hearing with the Commission, the Applicant shall make the draft TDMP available to the public (particularly the neighbors immediately adjacent to the site). Within two years of approval of the TDMP, the Applicant shall meet with City planning staff in a meeting open to the public and noticed to adjoining property owners to review the Applicant's compliance with and the effectiveness of the TDMP.*

As required by this condition of approval, the Applicant has been diligent in preparing a Transportation Demand Management Plan for the project to address the specific concerns which were raised by the project's neighbors and the City Council during the initial modification of the CSU. The District has also taken steps to coordinate with neighbors, allowing those within the notification boundary to view a draft of the TDMP and discuss the plan at a neighborhood meeting.

As described within the Condition of Approval, the Applicant has submitted an application which is to be reviewed in accordance with MCC Subsection 19.904.4, requiring a public hearing before the City's Planning Commission with notice to the public. As directed, the Applicant has also specifically addressed the criteria listed in MCC Subsection 19.605.2.C-1.

The following sections of Milwaukie's Municipal Codes have been extracted as they have been deemed to be applicable to the proposal. Following each bold applicable criteria or standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for a Modification to an existing Community Service Use.

#### **19.904.4 Approval Criteria**

**An application for a community service use may be allowed if the following criteria are met:**

- A. The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not proposed in the CSU, the standards of the underlying zone are met;**

**Applicant's Facts and Findings:**

The applicable standards for building setbacks, height, and similar requirements governing the site's use in relation to the underlying zoning district were analyzed and approved as part of the project's previous application package (AP-2018-002, CSU-2018-001, VR-2018-003, and P-2018-001). This application has been prepared in order to specifically address Condition 2-d with the preparation of a Transportation Demand Management Plan, which specifically addresses the off-street parking component of this approval criterion.

---

**B. Specific standards for the proposed uses as found in Subsections 19.904.7-11 are met;**

**Applicant's Facts and Findings:** The District's proposal for a CSU Modification was found to be in compliance with the standards listed in subsections 19.904.7-11 as part of the initial review of the project's Community Service Use Modification. The standards of subsections 19.904.7-11 do not apply to the current proposal.

**C. The hours and levels of operation of the proposed use are reasonably compatible with surrounding uses;**

**Applicant's Facts and Findings:** The hours and levels of operation were described and approved with the previous Community Service Use Modification. No changes to the site's use or hours of operation are proposed as part of this application. The Applicant's preparation of a Transportation Demand Management Plan was meant to deal with issues related to parking impacts upon the properties adjacent to the fields. As documented within the attached TDMP, the District's proposed improvements and management plan should have a significant positive impact on the ability of the fields to provide parking, access and circulation to users of the facilities.

**D. The public benefits of the proposed use are greater than the negative impacts, if any, on the neighborhood; and**

**Applicant's Facts and Findings:** As determined by the previous approval for the CSU Modification, the public benefits associated with the proposed improvements to the Lake Road Sports complex far outweigh negative impacts. During the public hearings for the original Modification, both the Planning Commission and the City Council acknowledged the positive impacts associated with the field improvements. In the Notice of Decision for CSU-2018-001 under Finding 6-c-4, Planning Commission indicated that "the availability of quality sports facilities to support school, youth, and club sports is important for all communities in the Portland area". In its order on appeal, Council reiterated that the findings in the Commission's decision and Staff's June 11, 2018, Staff Report to City Council adequately addressed the issue of public benefits. (Pages 5-6.)

**E. The location is appropriate for the type of use proposed.**

**Applicant's Facts and Findings:** As determined by the previous approval for the CSU Modification, this criterion was met, and it was not at issue in appeal. That said, the applicant would note that with the TDMP, the location of the sports fields is even more appropriate due to the provision of additional parking, enhanced access measures for pedestrians, bicyclists, and transit riders, and enhanced parking control measures.

---

MCC Subsection 19.605.2.C-1 relates to parking requirements and sets forth the conditions under which increases or decreases the minimum required parking ratios. 19.605.2.C-1 reads as follows:

***1. All modifications and determinations must demonstrate that the proposed parking quantities are reasonable based on existing parking demand for similar use [sic] in other locations; parking quantity requirements for the use in other jurisdictions; and professional literature about the parking demands of the proposed use.***

The City's codes do not contain a standard for the provision of parking spaces at parks and sports fields, and as part of the District's original application the Applicant proposed that the 96 stalls provided through this application would be sufficient to handle the demands generated by the fields. The District's TDMP concurs with this finding, showing that with the addition of the new parking spaces, the project's parking ratios are typical for or greater than other similar athletic fields. Whereas previously, only one parking lot with only 39 stalls was available, the finished fields will be served by 14 new parking stalls in the on-site parking lot (for a total of 53 stalls) and another 43 parking stalls at El Puente.

The TDMP also identifies a series of parking control measures which should reduce instances of parking infractions, including increasing access to alternative transportation modes through measures such as increasing bicycle parking, pedestrian/transit access, and communication of alternative mode routes. The District has also agreed to provide clear and targeted communications to users of the facilities about appropriate parking while also providing signage which will allow for the reporting of parking issues. To ensure these strategies are working, the District agreed to attend at least one meeting per year with both the Historic Milwaukie Neighborhood District Association and the Lake Road NDA to review the effectiveness of TDMP measures and other possible measures where appropriate.

To arrive at its conclusion that the proposed parking is adequate, the TDMP analyzed parking demand for similar uses in other locations, parking quantity requirements for the use in other jurisdictions, and professional literature about the parking demands of the proposed use, as required by this criterion. The TDMP contains findings for its analysis of all three of those measures.

Through the preparation and submission of the attached TDMP, the District has acknowledged and taken proactive steps to ensure that the parking issues raised by the project's neighbors will be improved and managed over time. As a result, the Planning Commission can find that the impact associated with parking on the site, criteria of MCC Subsection 19.605.2.C-1, and additional conditions have been sufficiently addressed.

Based upon the materials submitted herein, the City's Planning Commission can find that the Applicant has met the requirements of Condition 2-d and that the District is eligible to apply for final site inspections and a certificate of occupancy. Please feel free to give me a call if you have any questions or need any additional clarification.



---

Sincerely,



Andrew Tull  
Principal Planner  
3J Consulting, Inc.

Attch: Lake Road Transportation Demand Management Plan  
Land Use Application Form  
Fee for a Type I Director's Decision

copy: Mr. David Hobbs, North Clackamas School District  
Mr. Marc Bargenda, CBRE | Heery  
Mr. Steven Nicholas, CBRE | Heery  
Mrs. Kelly Hossaini, Miller Nash Graham & Dunn LLP  
Mr. Rudy Schuver, BRIC Architecture, Inc.

## MEETING NOTES

Date: November 5, 2018  
Project: Milwaukie High School and Lake Road Athletic Complex TDMP  
3J No.: 17398

### Attendees:

Andrew Tull – 3J	Bill O'Malley – Resident
David Hobbs - NCS D	Patti Lanye – Resident
Kelly Hossaini – Miller Nash	Matt Menely – Resident
Marc Bargenda - Heery	Sal Wacek – Resident
Rudy Schuver – Bric Arch.	Ben Brady – Resident

---

On November 5<sup>th</sup>, 2018, the North Clackamas School District held a neighborhood meeting at El Puente/Milwaukie Elementary School to discuss a draft Transportation Demand Management Plan prepared by the District for the Lake Road Athletic Fields. Invitations to the meeting were sent to all neighbors living within 500 feet of the site. The following is a record of the points discussed with the project's neighbors.

### NOTES

A resident on the corner of 28th and Lake Road, expressed concern about the lack of parking he will have near his house with the curbs on 28th painted yellow. He indicated SE Lake Rd is not a low-volume road and the street is not designed symmetrically.

People from streets that dead-end into the fields expressed concern about parking/congestion on their streets due to the field use. Patti does not believe there is enough parking. One neighbor reported talking with coaches at other schools and suggested many of them complained that parking is an issue. The same neighbor also expressed concern that new light pole near her property will have light spill.

Neighbors want to understand the kinds of metrics that we'll be keeping track of for evaluating how the TDMP is working. Suggestions included number of calls received, type of complaint, how resolved; neighbors also want the metrics released annually, at least, one month prior to the annual NHA meetings the District will attend; there was also the suggestion that we post them on the Community Relations website or in notices.

Neighbors asked for more detailed information as to what is defined as an "event" and what a "practice" means. How is a practice different than an event in terms of who is using the field, how they get there, etc. We mentioned that any rental of a field or the batting area is considered an event.

Additionally, some neighbors wanted additional information about how funds from renting the field would be used. There was some concern about the field being for-profit.

---

One neighbor asked if we could restrict any activity on the field, such as warm ups, etc., to 9 am or after. He suggested a good neighbor agreement between North Clackamas and the neighbors to address lights, noise and other non-traffic issues related to the complex.

One neighbor indicated a desire for more regularly scheduled contact with the District with respect to the fields than the required annual NHA meetings. She suggested creating a neighbor committee that meets once a month. Others suggested that if such a committee is created that it meet only for the first year and once per quarter. The District replied with concerns about the complexity of such an arrangement and reiterated that a series of check in meetings were already included in the TDMP.

Neighbors wanted a commitment as to the time period within which a phone call to Community Relations would be returned. Suggestions included 48 hours or a specified number of business days.

There was dissatisfaction with the language in the TDMP that the field improvements won't change/intensify the use of the field. Suggested revising that language to better reflect what can be expected from the improvements.

Neighbors were interested in what sorts of violations would realistically cause a car to be towed. The District noted that blocking driveways would be a situation that would warrant a tow. Mr. Martin said that the District should also consider the situation when people are double-parked along the access road so that there is barely any room to get through to Lake Road.

**END OF NOTES**







# Lake Road Athletic Fields

Transportation Demand Management Plan 4834-  
9629-5536.1

Milwaukie, Oregon

**Date:**

November 29, 2018

**Prepared for:**

North Clackamas School District

**Prepared by:**

Miranda Wells, PE

Jessica Hijar





## Table of Contents

Executive Summary .....	1
Introduction.....	2
Athletic Field Operations .....	3
Available Parking for the Lake Road Athletic Fields .....	4
Parking Standards .....	4
Existing Parking Demand for Sports Fields.....	5
Analysis of Parking Requirements for Sports Fields in Other Jurisdictions .....	8
Sports Field Parking Demand Literature Review .....	9
Conclusions.....	9
Transportation Demand Management Options .....	10
On-Site Signage .....	10
Central Monitoring Center Contact (Tow-Away Zones) .....	11
Alternative Transportation Modes .....	11
Good Neighbor Coordination .....	14
Communication Plan to Support TDMP Efforts.....	15



### Table of Figures

Figure 1 – Proposed Athletic Field Refinement Site Plan.....	2
Figure 2 – North Clackamas Park (Google Maps) .....	6
Figure 3 – Hood View Park (Google Maps) .....	7
Figure 4 – Westmoreland Park (Google Maps) .....	8
Figure 5 – SE Willard Street View in Front of the High School (Google Street View).....	13
Figure 6 – SE Lake Road Street View in Front of Athletic Fields (Google Street View).....	13
Figure 7 – SE 27 <sup>th</sup> Avenue Street View near Athletic Fields (Google Street View).....	13
Figure 8 – Example Transportation Options Flyer.....	16

### Table of Tables

Table 1 – Summary of Parking Available for Athletic Fields .....	4
Table 2 – Summary of Parking Spaces for Athletic Fields for Similar Sites.....	8
Table 3 - Summary of Supporting Roadways.....	12





## ***Executive Summary***

The North Clackamas School District is proposing improvements to the Lake Road athletic fields. In conjunction with improvements to the High School and the Milwaukie/El Puente Elementary School, additional parking and improved pedestrian and bicycle infrastructure will be provided for attendees at the event.

Parking for similar facilities was evaluated and compared to the parking available for the Lake Road athletic fields. Based on this comparison, the proposed layout for available parking is greater than similar facilities based on the number of fields.

To further support alternative mode travel and minimize impacts of attendees to the event on the surrounding neighborhoods, the District is planning various strategies:

- Signage to provide guidance,
- Encouragement for shared travel and parking at the High School
- A communication plan (which may include flyers, emails, social media, website posting, etc.), and
- Good neighbor coordination.

The signage that will provide guidance for routes between the Lake Road athletic fields and parking areas (wayfinding), pedestrian and bicycle facilities, and transit services will be posted on-site. These on-site transportation and parking signage will also be provided for:

- Tow-away areas,
- Locations of head-in parking only,
- 24/7 contact information for all field-use-related issues, including parking; the caller will be directed to the District's central security dispatch company, and
- No field access at SE 30th Avenue and SE 31st Avenue.

The signs will be complimented with painted curbs for areas where parking is not allowed.



## Introduction

This report serves as a Transportation Demand Management Plan (TDMP) associated with the improvements proposed (see Figure 1, additional site plans provided in the Appendix) for the Lake Road Athletic Fields located at 2905 SE Lake Road in Milwaukie, Oregon. This effort was required by the City of Milwaukie during the land use process in the Notice of Decision for Land Use File #CSU-2018-001; VR-2018-003; P-2018-001.

This plan was prepared to highlight current efforts encourage proper event parking in designated areas and carpooling and alternative mode travel. For best results, the TDMP should be periodically reviewed and adjusted to emphasize the measures and modes that are yielding the best results, while less successful measures can be revised or replaced.

**Figure 1 – Proposed Athletic Field Refinement Site Plan**



MILWAUKIE HIGH SCHOOL  
ATHLETIC FIELDS IMPROVEMENTS AT LAKE ROAD - SITE PLAN

BRIC

Modifications to the Lake Road athletic fields are proposed to improve the current site. These modifications maintain the same number of fields but will allow for the completion of more regularly scheduled games in rainy weather, provide updated infrastructure, additional parking, and better connectivity for pedestrians and bicycles to-from, and within the site.



## ***Athletic Field Operations***

The current layout of the athletic fields consists of two fields that are used for games and an additional practice field (the JV softball field). The improvements to the athletic fields will retain the current layout, and will include the following infrastructure improvements:

- New turf, lighting, dugouts, and bleachers,
- Additional parking and better pedestrian connections from parking areas to the fields,
- Pedestrian pathway from Lake Road to the Athletic Fields, and
- Signing and striping enhancements in the parking lots.

. Consistent with current operations, there may be up to three practices occurring simultaneously and a maximum of two events occurring simultaneously. Events include a high school game, community event, or use of the batting cages. Warm-ups for games will occur on the field that is being used for that specific game.

Community events may include: summer time soccer clubs, youth sports leagues, and community leagues. These non-District users are required to sign agreements as to when their games can occur, what fields they can use, and are required to communicate all field rules to their organization. These field rules will include rules on parking and encouragement of alternative modes of travel to the field. If the users do not follow the rules in their agreement, they can be banned from using the fields in the future.

Events at the field will start no earlier than 9:00 a.m. and end before 9:00 p.m. with no more than two events at any one time. The scheduling of the fields for both school and non-school users requires sign-up through the school district.

This report primarily focuses on the scenario where two events are occurring simultaneously. It is expected that the highest parking demand will occur when two games are being played at the same time as there will be four teams at the fields with more spectators than practice would generate. The scenario where three practices are occurring is not anticipated to result in transportation issues because as there will be one team per field, and limited spectators.

While there are scenarios where tournaments may be occurring and attendees for a current event may be on site as attendees for the next event are arriving, this scenario is anticipated to be rare and the overlap for a very limited amount of time. As cities move away from having large parking lots with empty spaces due to being designed for the worst-case scenario, they have shifted to designing for the typical peak uses. This TDMP is designed to accommodate typical peak uses.



## **Available Parking for the Lake Road Athletic Fields**

The current parking capacity at the Lake Road athletic fields and at Milwaukie/El Puente Elementary School are 39 and 44 parking spaces, respectively. The on-site parking lot will remain in the same location and will be upgraded to include sidewalks, curbs, a turnaround area sized to accommodate the turning radius of a school bus and emergency vehicles, and additional parking spaces. The parking lot will include 14 new parking spaces, for a total of 53 spaces. The additional parking spaces at the Milwaukie/El Puente Elementary School athletic field area brings the total number of available parking spaces to 96. Table 1 below provides a summary of available parking for the athletic fields.

**Table 1 – Summary of Parking Available for Athletic Fields**

<b>Parking Lot</b>	<b>Current</b>	<b>Proposed</b>
<b>On-site Athletic Fields</b>	39	53
<b>Milwaukie/El Puente Elementary School</b>	44	43
<b>Total</b>	83	96

The number of attendees parking for an event at the athletic fields is anticipated to be similar to the demand for an event prior to closure of the fields for construction. The parking demand for this prior condition was not historically collected by the District. Feedback from the community was that there were not enough parking spaces available on-site to meet the demand. However, as part of the improvements to the site, there will be better regulated parking areas, more parking, and clearer communication regarding where to park when one area is full (i.e., main parking area is full, attendees can find the elementary parking area easier).

The parking lot adjacent to the Lake Road athletic fields has direct access to the fields via private walkways. Pedestrian access between the lot at Milwaukie/El Puente Elementary School and the Lake Road athletic fields is provided via a pedestrian walkway at the southwest corner of the Milwaukie/El Puente parking lot.

## **Parking Standards**

Condition of approval 2-d in the Notice of Decision ties back to MMC 19.605.2.C-1 and requires three things:

- (1) Analysis of existing parking demand for a similar use in other locations,
- (2) Analysis of parking quantity requirements for the use in other jurisdictions, and
- (3) Review of professional literature about the parking demands of the proposed use.

Each of those requirements is evaluated in the following sub-section.



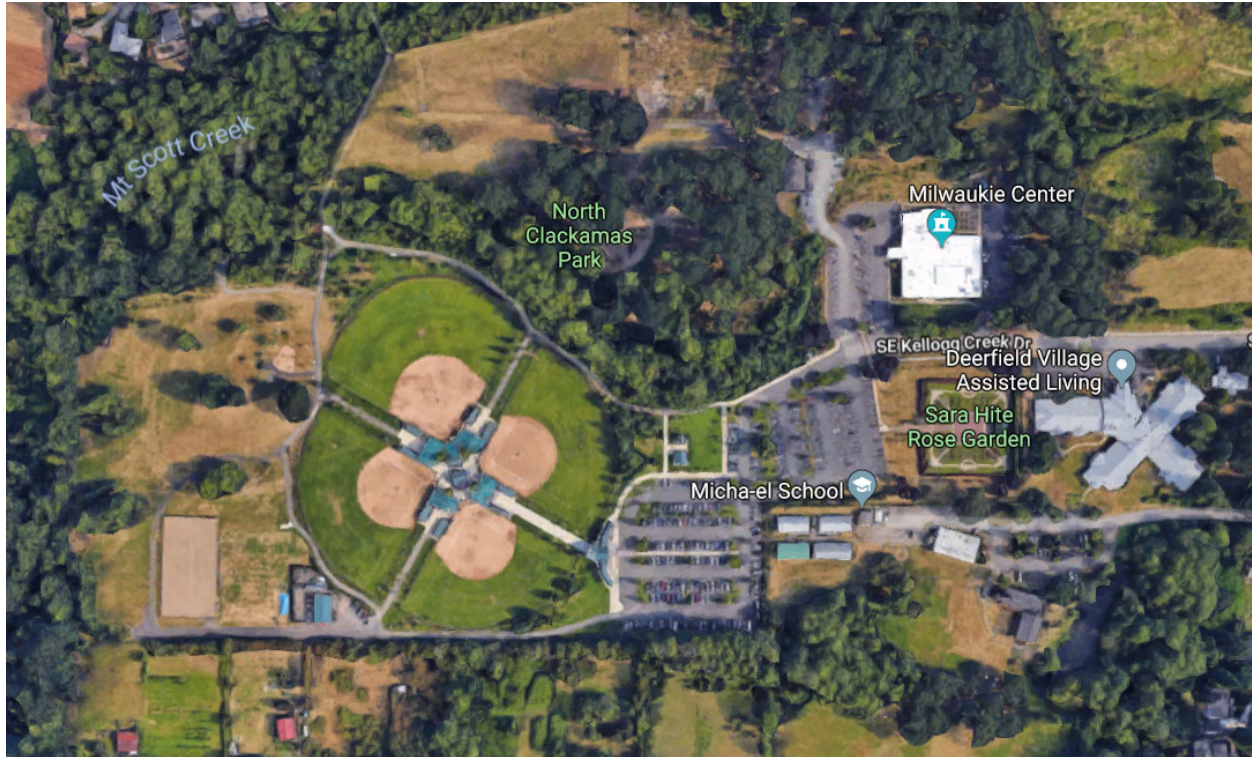
### *Existing Parking Demand for Sports Fields*

The City of Milwaukie Municipal Code (MC) does not include standards for minimum parking requirements for public parks or, more specifically, sports fields. To assist in determining the appropriate parking standard for the Lake Road sports fields, we looked at nearby parks with sports fields to determine how much parking was provided.

One nearby park with similar use and demand is the North Clackamas Park located at 5440 S.E. Kellogg Drive in Milwaukie. In May 2005, the city approved the construction of four youth softball/baseball fields, the relocation of the full-sized soccer field to another area on the site, a new parking lot, and other non-sports field amenities such as a drop-off plaza and pedestrian amenities. The park already contained a number of existing uses, including the Milwaukie Center, the Sara Hite Memorial Rose Garden, an equestrian facility, and a dog park. It also contained a number of supporting parking lots for those uses. North Clackamas Park is located in a suburban area with no transit nearby and limited ability for many people to walk or bike to the park (see Figure 2).



Figure 2 – North Clackamas Park (Google Maps)



Ultimately, the applicant proposed 43 parking spaces per field as the appropriate parking standard. The city's traffic engineer, DKS Associates, reviewed the evidence supporting the standard and agreed that it was adequate. The planning commission agreed and approved the new development based on that standard.

Hood View Park is located in Happy Valley, Oregon just north of Rock Creek Middle School (see Figure 3). Hood View Park is a 35-acre park that is set-up for four simultaneous soccer or baseball games. The park also allows for each soccer/baseball field to be set-up for other various sports games or practices and offers picnic and playground areas and an on-site walking path. In 2008 the City required 43 parking spaces for each field based on the North Clackamas Park requirements. No additional parking spaces were required for the other uses on-site. As with North Clackamas Park, there is no transit nearby Hood View Park.



Figure 3 – Hood View Park (Google Maps)



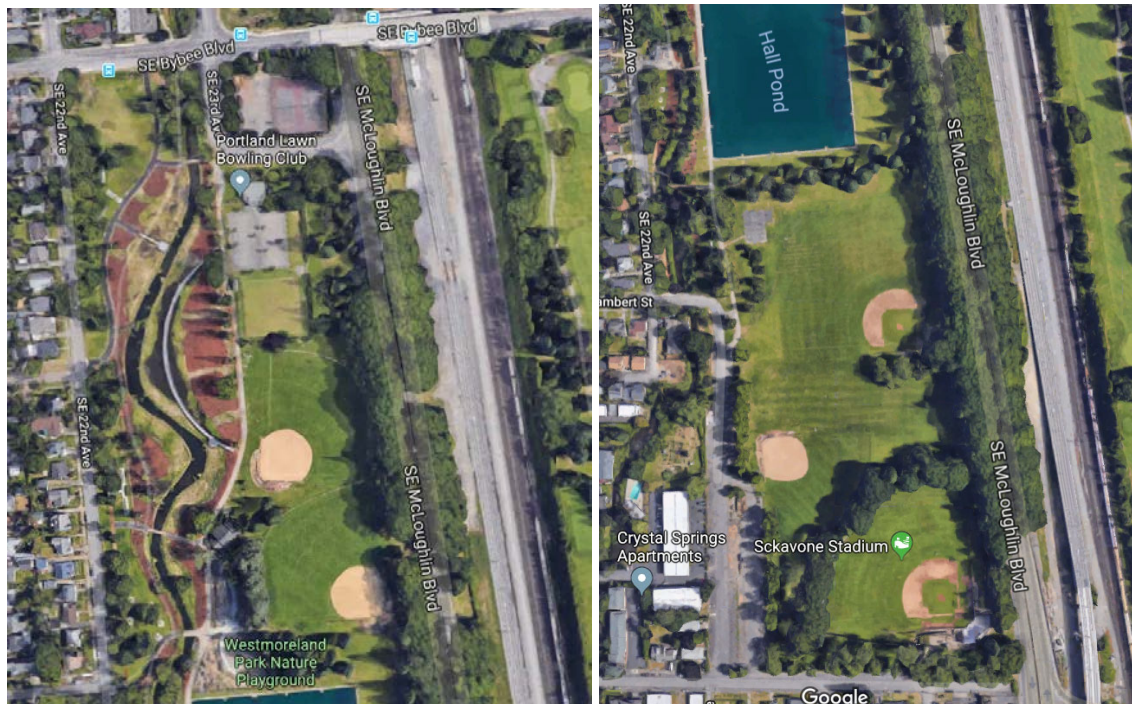
Another park in the vicinity is the Westmoreland Park located in southeast Portland. The park serves many uses with five baseball fields, two tennis courts, lawn bowling club, nature park playground, basketball court, fishing pond, and an on-site multi-use path that travels along a creek. This site is about 43-acres and is heavily used with multiple games at the same time as the park is being used for general park uses.

Westmoreland Park appears to offer less than 100 on-site parking spaces with about 25 of those spaces being located on the north site adjacent to the tennis court and the other spots located near the south site athletic fields. There are additional angled and straight-in parking spaces off SE Nehalem Street and SE 23<sup>rd</sup> Street. The parking has not been updated recently and is hard to count based on the condition of the spots. It appears there are less than 200 formal parking spaces.



There are currently no plans to add more parking spaces to the park. The only discussions in the last 10 years have been options to improve the park and make it more attractive to more users with no planned parking enhancements. The park can be seen in Figure 4.

Figure 4 – Westmoreland Park (Google Maps)



### Analysis of Parking Requirements for Sports Fields in Other Jurisdictions

From a review of other jurisdictions' parking requirements for sports fields, it is clear that many codes do not specify a certain number of parking spaces for such fields. Oftentimes parking requirements are handled on a case-by-case basis. This was true for each athletic field complex evaluated in this report. One consistency was that there was not a required distance between the fields and the parking spaces. A summary of the parking spaces compared to the sports field/courts is provided in Table 2.

Table 2 – Summary of Parking Spaces for Athletic Fields for Similar Sites

Location	Fields	Parking Spaces	Spaces per Field/Court	Notes
North Clackamas Park	4	172	43	Parking is shared with other uses on the site
Hood View Park	4	172	43	Parking is shared with other uses on the site
Westmoreland Park <sup>1</sup>	5	175	35	Parking is shared with other uses on the site

<sup>1</sup> – Parking spaces for tennis courts not included due to distance from athletic fields





Although the athletic fields that we reviewed did not have code-prescribed parking standards, at least at the time they were approved, there are some sports field parking standards for other jurisdictions in the Portland metro area. For example:

- Hillsboro requires a minimum of 20 and a maximum of 40 parking spaces per field without bleachers.<sup>1</sup>
- City of Happy Valley states: “In no case shall the number of parking spaces required for an athletic field exceed thirty (30) spaces per field except where the field is part of a stadium or sports arena.”<sup>2</sup>
- The City of West Linn requires 40 spaces per athletic field.<sup>3</sup>

### *Sports Field Parking Demand Literature Review*

Literature review was conducted for sports fields and parks. Typical resources such as ITE Journals and University Research were evaluated. The majority of information addressing parking demands for sports fields was for higher-level sporting fields (i.e., minor league baseball fields). The information was not generally pertinent to sports fields that one would find as part of a park or for non-professional play.

The American Planning Association outlined best practices for “playfields” in the 1960s. This document did not outline specific parking space requirements but did recommend one to two acres of area dedicated to parking. All other planning studies reviewed assumed a large portion of the parking was provided via public street parking and all sites evaluated had many uses beyond athletic fields.

### *Conclusions*

As previously discussed, the Lake Road athletic fields will operate with a maximum of two events at a time. As such, the number of available parking was divided by two to get the available parking spaces per field to compare to other similar sites. The available parking for the Lake Road athletic fields is 48 parking spots per field for a total of 96 parking spaces. This value is greater than the number of parking spaces allocated per field for the specific athletic fields evaluated in this report and is consistent with the requirements from other jurisdictions that actually have parking standards for athletic fields in their development codes.

It should be noted that the fields evaluated in this report also had general park uses that shared the parking spaces, and the North Clackamas and Hood View parks are not easy to access via alternative modes of travel, including transit. Conversely, the Lake Road sports fields are readily accessible by all alternative travel modes and the parking spaces are not generally shared by competing uses. As none of the operators of the fields analyzed appear to be trying to identify additional parking options, it is assumed that 35 to 43 parking spaces

---

<sup>1</sup> [https://qcode.us/codes/hillsboro/?view=desktop&topic=12-12\\_50-12\\_50\\_320](https://qcode.us/codes/hillsboro/?view=desktop&topic=12-12_50-12_50_320)

<sup>2</sup> [http://qcode.us/codes/happyvalley/view.php?topic=16-16\\_4-16\\_43-16\\_43\\_030](http://qcode.us/codes/happyvalley/view.php?topic=16-16_4-16_43-16_43_030)

<sup>3</sup> <https://www.codepublishing.com/OR/WestLinn/CDC/WestLinnCDC46.html>



per field is suitable and that the 48 parking spaces per field for the Lake Road athletic fields is more than adequate.

### ***Transportation Demand Management Options***

To publicize availability of the Milwaukie/El Puente elementary school parking lot, Milwaukie High School parking options, identify locations for signage with contact information, promote carpooling/busing of players, discourage improper parking, develop good neighbor communications, and provide parking tips, TDMP strategies are being incorporated by the District which include the following:

- Signage,
- Alternative transportation modes,
- Communication plan (which may include flyers, emails, social media, website posting, etc.) and
- Good neighbor coordination.

The improvements to the athletic fields and the TDMP strategies are anticipated to reduce the current impact to surrounding neighborhoods through better signage and more on-site parking. As previously discussed, the shifting of trips to alternative modes is not anticipated to be significant but will be encouraged by the District. The following sections outline the details of the TDMP strategies the District will be implementing with the improvements to the Lake Road athletic fields.

### ***On-Site Signage***

Signage providing guidance for routes between the Lake Road athletic fields and parking areas (wayfinding), pedestrian and bicycle facilities, and transit services will be posted on-site. A map of proposed signage areas is provided in the Appendix. The signage information should also be made available on the websites of the nearby schools and would be updated as necessary.

The effectiveness of the signs should be evaluated at minimum once a year. This can be conducted during a public meeting with neighbors by polling attendees. At the time of polling, the District should review the visibility of signs and the quality of signs to verify they are still visible and easy to read. Based on the polls and field reviews the District should determine if any updates are required.

Additional on-site transportation and parking signage will be provided for:

- Tow-away areas,
- Locations of head-in parking only,



- 24/7 contact information for all field-use-related issues, including parking,
- No field access at SE 30th Avenue and SE 31st Avenue, and
- Transportation guidance signs (i.e., direction for additional parking at the elementary school).

### *Central Monitoring Center Contact (Tow-Away Zones)*

A person identifying a field-use-related concern may call Central Monitoring Center (numbers provided at the site.) Central Monitoring is staffed 24/7, so the call will always be answered. Central Monitoring will be supplied with a call-down list of District personnel with the authority to handle field-use-related concerns. The response to any particular call by District personnel will depend on the facts and circumstances of the situation that prompt the call. For example, if the call is reporting a blocked driveway along SE 28th Street, the District representative contacted by Central Monitoring may first require that a PA announcement be made ordering the car to be moved immediately or it will be towed. If the car is not moved within a short but reasonable amount of time, the District representative will have a tow truck dispatched to the site and the car will be towed. In the unlikely event that a District representative cannot be reached by Central Monitoring, Central Monitoring will have the authority to call for a tow in certain, defined circumstances, including a vehicle blocking a driveway. The District will be contracting with a towing company in early 2019 prior to the fields opening.

The District also has a department that can handle overall community concerns about field usage that are not immediate and so do not require calling Central Monitoring. The District's Community Relations department is available for calls and emails during regular business hours for these more general concerns and feedback. Community Relation's contact information will be posted on website and can be found by contacting main District number.

### *Alternative Transportation Modes*

Currently, connections to and from the athletic fields are supported by a transportation system that includes alternative mode infrastructure. The proposed improvements to the High School and the Lake Road athletic fields are anticipated to improve these modes. However, this site serves uses that can be limiting in the ability to take alternative modes due to equipment required for sporting events. This section is not meant to outline the infrastructure as means to cause a significant shift in people driving to the field, but rather to document the availability of it near the athletic fields and encourage these modes.

#### *Transit*

Visitors to the athletic fields may travel via TriMet bus or light rail lines that serve the area. The following TriMet bus lines have stops in the vicinity, and serve the Oregon City, Gladstone, and Milwaukie areas:

- TriMet bus line 29 – *Lake/Webster Rd* has stops along SE 21<sup>st</sup> Avenue, SE Washington Street, SE 34<sup>th</sup> Avenue, and SE Lake Road near the Lake Road athletic fields.



- TriMet bus line 32 – *Oatfield* has stops along SE Lake Road adjacent to the Lake Road athletic fields.
- TriMet bus lines 33 – *McLoughlin/King Rd* and 34 – *Linwood/River Rd* have stops at the intersection of SE Washington Street at SE 21<sup>st</sup> Avenue.

There are four transit stops along SE Lake Road adjacent to the Lake Road athletic fields. Two stops are located at the intersection of SE Lake Road and SE 28<sup>th</sup> Avenue, with one serving each direction. This stop serves bus line 32 and does not feature a bench or a covered waiting area. There is no marked crosswalk at the transit stop, but there is one approximately 175 feet west of the transit stop that facilitates pedestrian access. Sidewalks are provided along both sides of SE Lake Road at the transit stops.

The other two transit stops along SE Lake Road are located at the intersection of SE Lake Road and SE 31<sup>st</sup> Place. These stops also serve bus line 32, and do not feature benches or covered waiting areas. There is no marked crosswalk at this location, but there is one approximately 800 feet west of the transit stop that pedestrians could access. Sidewalks are provided along both sides of SE Lake Road at the transit stops.

There are several transit stops along SE 34<sup>th</sup> less than one-half mile from the Lake Road athletic fields. These stops serve bus line 29. Several local roadways with low volumes and low speeds provide access from these stops to the Lake Road athletic fields.

Visitors to the Lake Road athletic fields may also travel via TriMet MAX Light Rail. The nearest MAX station is the Milwaukie/Main Station located near the intersection of SE Main Street and SE Lake Road, which serves the MAX Orange Line. The Milwaukie/Main Station is located less than a half mile from the Lake Road athletic fields. Sidewalks along both sides of SE Lake Road provide pedestrian access between the Milwaukie/Main MAX Station and the Lake Road athletic fields.

*Pedestrian and Bicycle Infrastructure*

SE Willard Street, SE Lake Road, and SE 27<sup>th</sup> Avenue provide pedestrian and bicycle facilities for access to the Lake Road athletic fields. All the surrounding local roadways provide viable pedestrian and bicycle connections to the site. A summary of the non-local roadways is provided in Table 3, and they are shown in Figure 5 through Figure 7.

**Table 3 - Summary of Supporting Roadways**

Roadway	Classification <sup>1</sup>	Speed (mph)	Sidewalks	Bicycle Facilities
SE Willard Street	Local street	20	Yes	Shared roadway
SE Lake Road	Arterial	30 <sup>2</sup>	Yes	West of SE 23 <sup>rd</sup> Avenue
SE 27 <sup>th</sup> Avenue	Neighborhood Route	20	Yes	None designated

1 – Classifications based on Milwaukie Transportation System Plan

2 – School zone west of 28<sup>th</sup> Avenue



Figure 5 – SE Willard Street View in Front of the High School (Google Street View)



Figure 6 – SE Lake Road Street View in Front of Athletic Fields (Google Street View)



Figure 7 – SE 27<sup>th</sup> Avenue Street View near Athletic Fields (Google Street View)





As shown in the previous figures, both SE 27<sup>th</sup> Avenue and SE Willard Street provide traffic calming in the form of speed bumps and pedestrian crossings. None of these roadways provide bicycle lanes, but they operate as shared roadways due to their relatively low speeds and traffic volumes.

To build on the existing bicycle infrastructure in the vicinity of the athletic fields, the improvements to the Lake Road athletic fields includes bicycle parking on-site for up to ten bikes.

The pedestrian network is planned for enhancement with the improvements to the Lake Road Athletic fields and the High School and the Elementary School. To access the Lake Road athletic fields from the parking lots on-site, pedestrians can travel along a new pedestrian pathway network.

Pedestrians who choose to park at the Milwaukie/El Puente Elementary School can access the athletic fields by traveling along a new pedestrian pathway that will connect the parking lot at the elementary school to the athletic fields. In addition, pedestrians could choose to exit the parking lot and walk south along SE 27<sup>th</sup> Avenue to SE Lake Road, turn east, and continue walking to the athletic fields. SE 27<sup>th</sup> Avenue features a low posted speed, as well as sidewalks on both sides of the street.

#### *Alternative Mode Improvements with Project*

In conjunction with the planned improvements to the Lake Road athletic fields, improvements have also been proposed for pedestrian and bicycle facilities in the vicinity. These are touched on throughout this document and include:

- Additional bicycle parking,
- Improved pedestrian connections within and to the site,
- Improved signage in the form of wayfinding, and
- Communication Plan that provides alternative mode routes.

There are numerous possibilities for encouraging use of alternative modes beyond those planned and listed in this TDMP, however, shifts in modes for athletic field uses do not typically respond the same as commuter type of solutions. It is not anticipated that a significant amount of traffic will shift as a result of the infrastructure improvements and communication as the need for sports equipment at games and practice limit the ability for many to take alternative modes of transportation.

#### *Good Neighbor Coordination*

The District is committed to minimizing transportation impacts to the neighbors surrounding the athletic fields. Recent coordination with the community has helped shape the current site plan and strategies developed in this plan. During the first 6 months of use, the District will meet monthly with neighbors to hear feedback on issues related to field use. Following this initial 6-month period the District will attend a meeting with both the Historic Milwaukie Neighborhood District Association (NDA) and the Lake Road



NDA annually. The school district will aim to provide a month's notice of which meeting they will be attending to ensure neighbors are aware of the meeting.

To help determine the success of the plan, feedback from the neighbors between these meetings is encouraged. This feedback will occur through the District's Community Relations Department. The District is committed to providing follow up to neighbor complaints and will do so within 5 business days of receiving a complaint. The District will document and keep track of the number of complaints, type of complaints, and resolution to the complaints. The District will aim to disseminate this data into a format that can be provided to the community at the annual neighborhood meetings. Using this data and feedback from the community at the meetings, the District can set benchmarks based on the new operations that will be occurring with the updated fields and their supporting infrastructure. This information will all be shared with City Planning staff at the required meetings with the City.

### *Communication Plan to Support TDMP Efforts*

Communication is key to the success of this plan. One of the main focuses will be around providing guidance to attendees on appropriate parking areas and this information will be complimented with encouragement of alternative modes. This communication will come in the form of:

- On-site signage,
- Information on the website, and
- Transportation flyers.

The transportation flyers will outline the areas that attendees should park when attending the event, options for walking, biking, and taking transit to the game, as well as contact information for any questions. The flyers will be handed out at minimum with the following:

- First day of school packets,
- Sports team packets,
- Coach-parent meetings,
- Tournament packets, and
- Non-school event packets.

This information will also be available on the website, social media, and will be emailed when appropriate to parents, students, and other users. An example flyer is shown in Figure 8, this flyer will continued to be refined as the opening of the fields gets closer. Additional focused communication will occur with the athletic

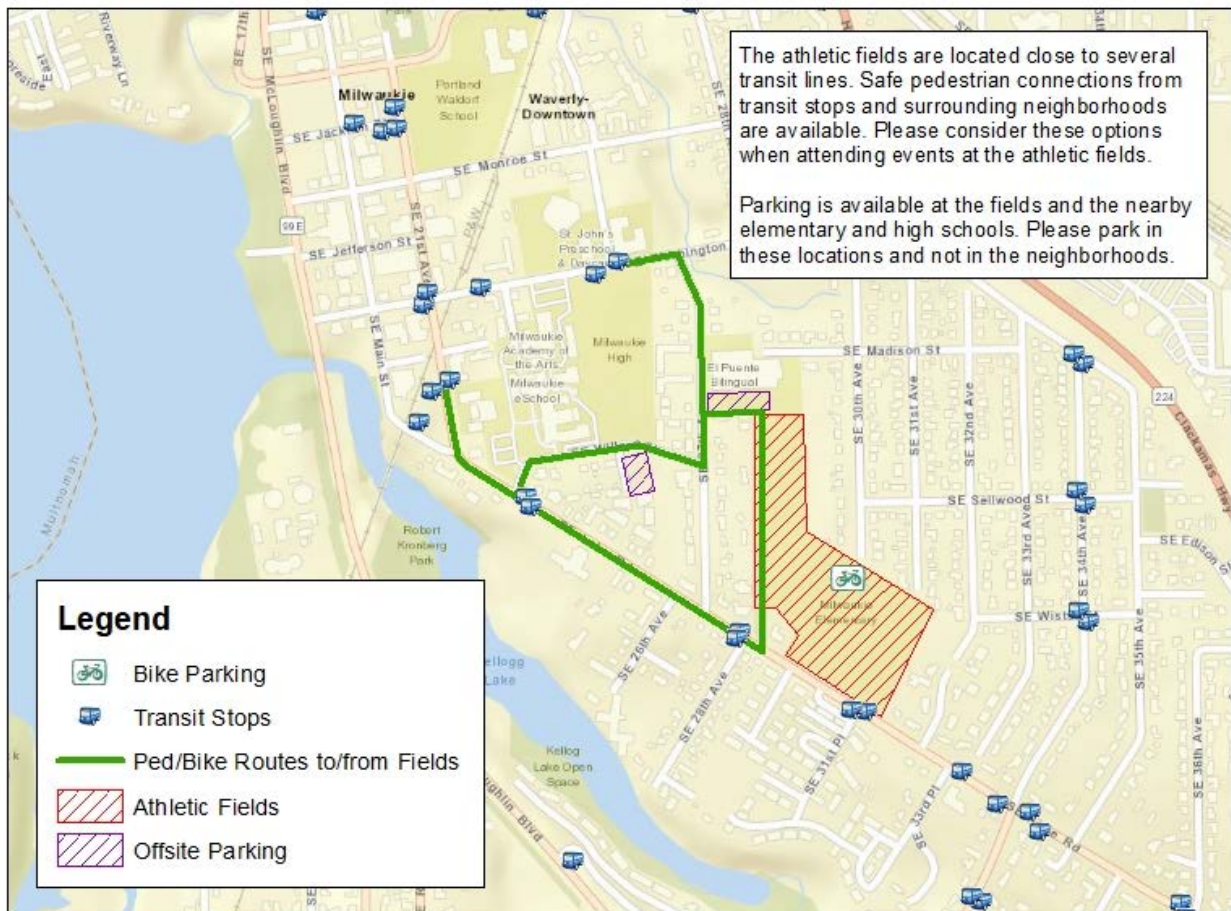


department to coaches who will make sure this information is communicated to parents and students at the beginning of each new sports season.

Flyers and communication will be provided to teams coming from other schools. They will also include directions for buses to drop students off in the drop-off area and to stage busses at Milwaukie High School. The same directions will be encouraged for parents and coaches attending from other schools. This will be monitored on an on-going basis to determine if the drop-off area is operating efficiently with this type of direction. Based on the effectiveness of the drop off area, the District will adjust its plan as needed.

Since roadways and transit options change, the flyers will be re-evaluated annually to make sure they are up to date. The flyers should include contact information for staff relevant to the parking areas that serve the Lake Road athletic fields from both Milwaukie High School, and Milwaukie/El Puente Elementary School and the school district.

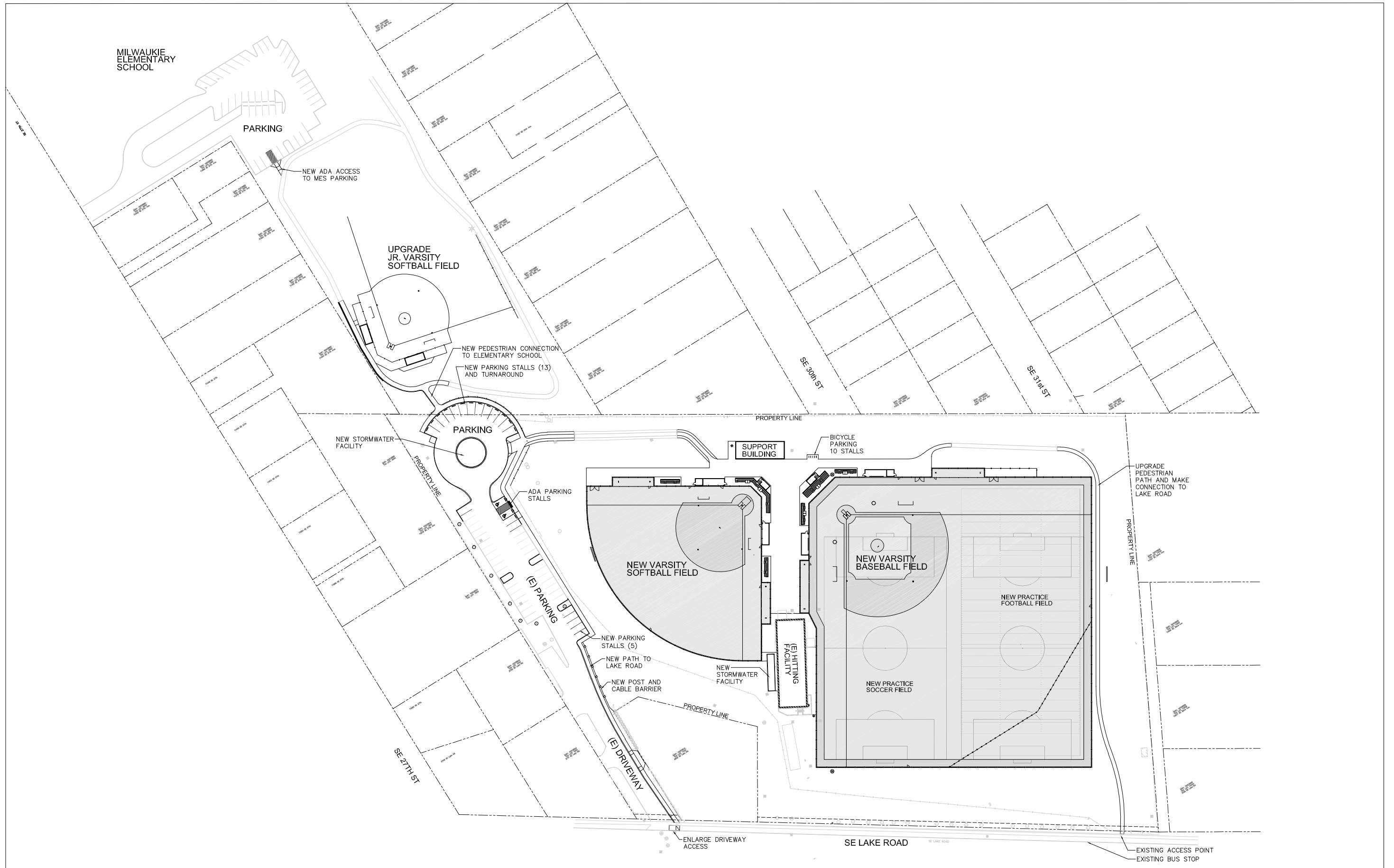
Figure 8 – Example Transportation Options Flyer







*Appendix*





MILWAUKIE HIGH SCHOOL  
 ATHLETIC FIELDS IMPROVEMENTS AT LAKE ROAD - SIGNAGE PLAN



**MILWAUKIE HIGH SCHOOL**  
**ATHLETIC FIELDS IMPROVEMENTS AT LAKE ROAD - LANDSCAPE PLAN**

**Lake Road Fields - Transportation Demand Management Plan  
Summary of Improvement Measures**

Neighborhood Communication and Follow-Up Coordination

- 24/7 contact number for parking issues and other immediate needs
- District Community Relations Department available for non-immediate needs and issues
- First six months after opening of fields, District will meet monthly with neighbors to take feedback on issues related to field use
- District will attend one meeting annually of both the Historic Milwaukie Neighborhood District Association and the Lake Road Neighborhood District Association; one month's notice will be provided prior to the District's attendance
- District will collect data regarding neighborhood complaints and the resolution of those complaints and disseminate at annual neighborhood meetings
- Pursuant to the CSU conditions of approval, "[w]ithin two years of approval of the TDMP, the [District] shall meet with City planning staff in a meeting open to the public and noticed to adjoining property owners to review the [District's] compliance with and the effectiveness of the TDMP."

Parking Capacity Increase

- 14 new parking spaces added to Lake Road parking lot for a total of 53.
- 43 spaces at Milwaukie/El Puente with improved promotion and wayfinding.
- Total spaces = 96.
- No increase in number of fields; only two events occurring simultaneously
- 48 spaces per field.

Additional Pedestrian/Bicycle Circulation, Connections, and Capacity

- Pedestrian pathway from Lake Road to the athletic fields
- Pedestrian pathway from Milwaukie/El Puente parking lot to athletic fields
- Additional bicycle parking facilities

Lake Road Fields Parking Lot Guidance Improvements

- Clearly striped parking spaces
- Curbs painted red for "no parking" areas
- Additional "no parking" signs added
- "Tow-away zone" signs added
- "Head-in parking only" sign for five southern parking spaces to minimize headlight glare into residence across the parking lot
- Post-and-cable barrier south of five southern parking spaces to block vehicles from parking on grass
- "No access" signs for the south ends of SE 30th Street and SE 31st Street

- Signs with 24/7 contact number for parking issues and other immediate issues
- Transportation guidance signs for way-finding
- Additional trees and landscaping to discourage parking in no-parking areas

#### Field User Information and Parking Requirements

- On-site signage, as described above
- Information on District website regarding parking for the fields, as well as options for walking, biking, and transit
- Transportation flyers outlining parking areas, as well as options for walking, biking, and taking transit to the event, and contact information for questions. Flyers included in first-day-of-school packets, at coach-parent meetings, and in school sports team packets. Flyers will also be included in packets for non-District field users who rent the fields for games, tournaments, and other non-school events.
- For high school games, away-team bus required to park at high school after dropping players off at field

#### Lake Road Parking Enforcement Improvements

- District will contract with a tow provider to respond to appropriate requests from the 24/7 contact number
- High school coaches trained and provided with information as to parking requirements
- Outside groups using fields provided with information as to parking requirements prior to use of the fields
- Outside groups who do not use fields appropriately may not be able to use the fields in the future

**Kelly S. Hossaini, P.C.**  
kelly.hossaini@millernash.com  
503.205.2332 direct line

December 18, 2018

**VIA E-MAIL**  
**EGNERD@MILWAUKIEOREGON.GOV**

Mr. Denny Egner  
Planning Director  
City of Milwaukie  
6101 S.E. Johnson Creek Boulevard  
Milwaukie, Oregon 97206

Subject: North Clackamas School District—Lake Road Fields Transportation  
Demand Management Plan

Dear Denny:

Thank you for working with the District on its Transportation Demand Management Plan ("TDMP") for the Lake Road Fields. As you know, the District's Community Service Use ("CSU") application for modifications to the Lake Road Fields was approved on July 18, 2018 (the "CSU Decision"). As part of that decision, the City Council found that the applicable approval criteria had generally been met for the fields modifications, but added a condition of approval requiring the District to submit a TDMP in order to "limit parking-related impacts to surrounding properties." Since that decision, the District has been working diligently on the TDMP, including coordination with staff and interested neighbors. The District has revised the TDMP several times to address comments and concerns by both neighbors and staff. The District has committed substantial resources to the preparation of the TDMP and has committed to a number of physical improvements, as well as ongoing communication and enforcement measures to ensure that parking-related impacts on surrounding properties are mitigated to the extent practicable. A summary of those improvements and measures is attached. The purpose of this letter is to express the District's concern regarding a new condition that staff is proposing for the TDMP approval that would require the District to go through a new CSU process for the TDMP within a year of the TDMP being approved through this current process. The District believes that such a condition is unwarranted, especially under the current circumstances.

Mr. Denny Egner  
December 18, 2018  
Page 2

The CSU Decision contains negotiated conditions of approval that all parties were aware of. This awareness includes the District, staff, the City Council, and neighbors. The TDMP condition in the CSU Decision requires, among other things, that "[w]ithin two years of approval of the TDMP, the Applicant shall meet with City planning staff in a meeting open to the public and noticed to adjoining property owners to review the Applicant's compliance with and the effectiveness of the TDMP." The TDMP condition was not appealed. It is a condition that the District, and apparently City Council, believed made sense. Along with the two-year check-in requirement, the TDMP condition of approval required other communication be opened and maintained with neighbors of the Lake Road Fields property. In response, the TDMP includes five such communication channels, including channels that were not required by the CSU Decision.

Given the totality of communication channels that the District has committed to, the District believes that the original two-year meeting requirement continues to make sense and should be adhered to. Instead, staff is proposing a new condition of approval based on a presumption that the District's TDMP will fail. This presumption leads to a requirement that, regardless of how things are actually working, the District must submit for a new CSU approval and go through a Type III process to retain the approval it had just received earlier in the year. There are several problems with this. First, it is inconsistent with the original condition contained in the CSU Decision—a final land use decision that cannot be collaterally attacked in a later proceeding. Second, the presumption behind it, i.e., the TDMP will fail, is completely speculative and ignores all of improvements and measures contained in the TDMP. Third, the District has stated that it does not expect that every aspect of the TDMP will work perfectly from the first day, which is why there are numerous communication channels built into the plan. The District expects any bugs to get worked out given the means provided in the TDMP.

The fourth reason the proposed condition is unwarranted is that the cost of embarking on yet another CSU approval on the heels of a previous approval is a substantial burden on the District and requires the unnecessary diversion of public funds that could be better spent elsewhere. From mid-July 2018 to the present, the District has spent approximately \$73,000 preparing and revising the TDMP and associated application materials, as well as meeting with neighbors and staff. The District expects to spend an additional \$17,000 to get through the January 8, 2019, planning commission hearing. This does not include the cost to the District of its related employee time. The District, then, expects to spend at least \$90,000 to obtain an approval from the planning commission for the TDMP. The District understands

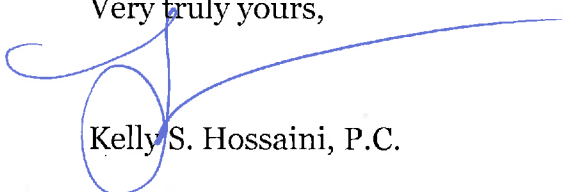


Mr. Denny Egner  
December 18, 2018  
Page 3

that these costs are, for the most part, necessary to meet application requirements. What the District does not understand, however, is why it should plan to spend that money all over again in less than a year<sup>1</sup> based on what amounts to staff presumptions that the TDMP will not be successful and that the District will not implement the plan in good faith.

As it stands, the proposed condition works an automatic penalty on the District's TDMP approval that cannot be avoided and that will unnecessarily divert District resources from other projects. As noted above, the District expects to spend \$90,000 on the TDMP process. The District will also spend over \$415,000 for physical improvements to the Lake Road Fields parking lot and the Milwaukie/El Puente Elementary School parking lot to mitigate parking issues. The District has acted in good faith throughout this process and intends to continue to do so. The District believes that it has met the applicable approval criteria and requests that its TDMP should be approved without the proposed condition requiring a new Type III process.

Very truly yours,



Kelly S. Hossaini, P.C.

cc: Mr. David Hobbs  
Mr. Brett Kolver

---

<sup>1</sup> The proposed condition requires that a public hearing be held within one year of the TDMP approval. To get to a public hearing within that one-year timeframe will require several months of advance work on the part of the City and the District, including a neighborhood meeting, a 30-day completeness period, etc.

# Clackamas County Fire District #1

## Fire Prevention Office



### E-mail Memorandum

**To:** City of Milwaukie Planning Department  
**From:** Izak Hamilton, Fire Inspector, Clackamas Fire District #1  
**Date:** 12/13/2018  
**Re:** CSU-2018-018

---

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

#### COMMENTS:

#### Access:

- 1) Please provide driving surface width for turnaround with new parking stalls, as well as the turning radius of the turnaround.
  - a) Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants) and an unobstructed vertical clearance of not less than 13 feet 6 inches.
  - b) Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants) and an unobstructed vertical clearance of not less than 13 feet 6 inches.
  - c) Fire apparatus access roads must support a 75,000 lb. fire apparatus.

#### Water Supply

1. The Fire District has no comments regarding water supply.

**Notes**

1. The above comments may not be all inclusive based on information provided.

1.

December 27, 2018

Glenn A. Van Bergen  
11610 SE 30<sup>th</sup> Ave  
Milwaukie, Oregon 97222

Good Afternoon Planning Commission,

My property is located at 11610 SE 30<sup>th</sup> Ave in Milwaukie and is adjacent to the existing MHS athletic field fence line.



I did not receive a mailing for the Notice of Public Hearing to be held on January 8, 2018. I was informed of the planned meeting from my neighborhood support group. I would appreciate being added to the current mailing list for future notifications and action items.

#### Comments on the TDMP proposal

Back in the mid 1980's two of my family's properties were condemned by the North Clackamas School District (NCS D) for the issuance of a building permit for the new gymnasium adjacent to Washington Street. The properties are now used as parking facilities located between the newest gymnasium and Washington Street. The condemnation should be of public record and could provide guidance for parking requirements for the Milwaukie High School's new athletic fields adjacent to Lake Road. My memory is that there were a minimum number of parking spaces required for public facilities which forced the condemnation process. The properties were condemned by NCS D and was not a mutually agreed upon sell of the property.

All the information and the reasons for the condemnation of the properties should be provided to the Planning Commission for review prior to the issuance of the Community Service Use (CSL) agreement. I am hopeful that by providing this email letter in good faith will give NSCD enough time to locate and provide the information to the Planning Commission prior to the scheduled January 8<sup>th</sup> meeting to avoid any delays.

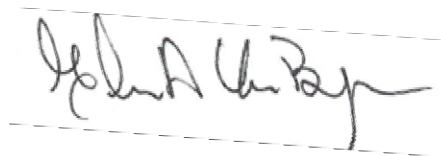
Clarification Items from previous Public Meetings

I have been informed that the following items are true and I would like conformation:

- 1 All field lights will be on timers. The athletic “playing” field lights will automatically be turned off at 9:00 pm. All other field lights will automatically be turned off at 9:30 pm after the fields are no longer in use. Please confirm
- 2 “No Athletic Field Access” signage will be posted at the end of 30<sup>th</sup> Ave near or on the MHS fence line and at the intersection of Sellwood and 30<sup>th</sup> Ave. Please confirm
- 3 Plastic type fence slats will be installed at the end of 30<sup>th</sup> Ave. Please confirm
- 4 No plastic type fence slats will be required along my property line at 11610 SE 30<sup>th</sup> Ave.

I would appreciate the responses be recorded for permanent record.

Respectfully,

A handwritten signature in black ink, appearing to read "Glenn A. Van Bergen", is written over a set of dashed horizontal lines.

Glenn A, Van Bergen