

Mt. Tabor GNA Advisory Group
Meeting #4 Summary
Western Seminary - Chapel Basement
March 16, 2005

Committee Members Present: Chuck Arnst, Ron Bates, Sharie Dietz, Gay Greger, Kathy Kuehnl, Paul Leistner, Teresa Miller, Sharie Moss, Mary Mowrey, Gina Patriarca, and Michael Schnidal. Lanie Mower sat in for Sue Parish.

Committee Staff: David Yamashita

Facilitator: Elaine Cogan

Guest Resource People: Cascade Anderson Geller, Historic Preservationist, Henry Kunowski, PP&R - Architectural Historian, Bob Downing, Parks District Supervisor, Marychris Mass and Michael Kinney from C-Spot

The meeting was called to order by Elaine Cogan. She welcomed new members representing the west side of the park - Ron Hall, Shannon Loch, and Terre Haberland.

Paul Leistner suggested that page 5 of the summary of the previous meeting be amended to clarify that he believed a conditional use review should be required for off-leash areas.

Elaine reviewed the agenda for the meeting, and then introduced Cascade Anderson Geller, who was responsible for preparing the documents resulting in National Register of Historic Places listing for Mt. Tabor Park.

Cascade gave a brief overview of the process for putting Mt. Tabor Park and the reservoirs on the National Register. Cascade explained that when something is placed on the historic register, a local design review process is triggered for any change that requires a permit. There are two levels of review for a permit. The off-leash area would fall into a minor review, which would be handled by Planning Bureau staff. The need for a permit would be triggered by things like fencing, grading, alterations or additions to existing features, etc. She said that Planning Bureau staff expected that Portland Parks would err on the side of getting a permit.

Cascade also pointed out Mt. Tabor's environmental overlay zone, which is E-C, standing for "Conservation Zone". She said that while most of the off-leash area is outside the E-zone, there is one significant area inside the suggested boundary and she encouraged the committee to think carefully about the implications. A written summary of Cascade's remarks is attached to this document.

Elaine thanked Cascade and introduced Henry Kunowski from Portland Parks & Recreation. Henry explained that he spent 14 years with the State Historic Preservation Office (SHPO) and State Parks as the Cultural Resource

Management staff. He has more recently been with PP&R and worked with the historic designation project for Mt. Tabor on the PP&R end. He said that Mt. Tabor was granted historic status based on Criteria A and C of the National Register. Criteria A refers to "Broad Patterns of History as related to the significance of the property to the City's Community Planning and Development." This relates to the development of Portland's water system. Criteria C refers to "Significant Designer(s) or Design" and relates to the original Emanuel Mische landscape design for the park. Emanuel Mische was the landscape architect (and Parks Director) who designed the park. Henry has spoken with Kara Fioravanti who is staff to the City's Landmarks Commission, to find out what permit requirements are expected if the proposed OLA fence is installed. He also talked with SHPO National Register and former Compliance staff, Chrissy Curran and learned that the SHPO does not consider the specific area of the proposed OLA as character defining since it is not specifically noted in the National Register Listing. Furthermore, the SHPO does not necessarily consider the proposed fence as having an effect on the Park's National Register listing since it would impact such a small area within a very large site.

>From his discussions with the City and SHPO staff, Henry has concluded that the historic status of the park does not require that regular or special permits be acquired before moving forward with fencing or other improvements being considered for the off-leash area. However, as a courtesy, it would be wise to ask for input from SHPO with a site visit with SHPO staff. Henry offered to get a letter from the Landmarks Commission staff on their view of the local permit interpretation, attached. Everyone agreed it was an important thing to do. Henry noted that the Landmarks Commission is administered under the Bureau of Development Services.

Michael S. asked whether there were any significant historic features in the off-leash area. Henry said that historic status is based only on what was actually built - not what was envisioned or originally intended. However, it is interesting to know that the entrance road off Lincoln was originally envisioned as a grand entrance to the park but was never developed as such. Also, the central "pathway" from about 68th up to Reservoir I was originally envisioned as a formal terraced garden. That never materialized either. He added that in 1911 and 1912, three modifications were made to the original plan - one being the addition of basket ball and tennis court and the third being a playground. The then Parks Board approved the changes and said at the time that parks are living things - evolving over time. Because they naturally change over time, landscape preservation focuses on rehabilitation, which is intended to accommodate change.

Cascade added that one area included in the off-leash area has some

significant, beautiful non-native trees including pines, spruce, and madrones.

Mary Mowrey asked whether this means that there would not be a problem with putting up a fence for the off-leash area. Henry said that was correct, but offered to write a formal letter to SHPO to let them know what was planned. Ron Bates asked about restrictions on grading and Henry said that would probably depend on how much grading and where. Paul noted that one advantage of the conditional use process is that it forces review of these kinds of decisions. This assures that important community values are not lost.

Cascade told the group that she would be presenting a slide show on the history of Mt. Tabor Park at the Friends of Mt. Tabor meeting Thursday evening, March 17th 7-9, in this meeting room. She encouraged those who were interested in the topic to attend. She said that she hoped that regardless of whether a change is technically allowed, any decisions to make changes at Mt. Tabor would be made carefully. She suggested that the Bureau of Planning be invited to speak to the group before a final decision is made. Copies of the Mt. Tabor National Register nomination are available for anyone interested.

Elaine thanked Cascade and Henry and turned to the next item on the agenda which was to consider the options still on the table against the criteria established to date. David Yamashita explained the two options - including a new option suggested by Ron Hall at the last meeting. Elaine asked for comments from the committee and the public in attendance.

Stephen Starr - lives on SE Harrison St. and walked the area where the nursery and bin area are to familiarize himself with the area. He said he was still concerned regarding the proximity of this area to the cul de sac west. There is still a straight view into the area, with no trees or shrubs to block noise. He is concerned about both noise and erosion - even though there is talk of a bioswale. He is also concerned about parking - given that he believes 75% of the dog owners let their dogs out of the car without leashing them. He still questions having an off-leash area on the periphery of the park.

Greta Grimalla - lives on Stephens Street. Since the last meeting, she has been observing the number of people walking into the park with their dogs. She said 90% were not on leash. One out of ten dogs was on-leash on a walk she took up to Reservoir 1. She feels enforcement is impossible and dog owners are not responsible. Greta said that Portland has been named the 6th best walking city in the United States and that this is based in part on interviews with people who talked about good places to walk dogs. She said that if 20% of the population in Portland have dogs and we already have 34

off leash parks plus the new off-leash area at Banfield Pet Hospital, she cannot believe we need more off leash areas. People who say they cannot get to an area should not have a dog. She talked about off-leash laws and facilities in other cities, including Salem and Boulder.

Cascade Anderson Geller - said that while it is true that parks are changing landscapes, she feels that given the pressures of increasing population, the focus should be on taking care of the park - cherishing the park. She believes Mt. Tabor should be an on-leash park. Ron B. explained that the committee's charge was to recommend ways to make the current off-leash area work better. The understanding is that there will be an off-leash area in the park and that it will be in this location. Cascade said that believes it is important to protect the park by not expanding the area. She would prefer to see no fence and designated hours only rather than all-day use, similar to Laurelhurst Park. Lanie Mower asked why she preferred unfenced, and Cascade said that her primary concern was not the fence, but the erosion resulting from the off-leash use.

Elaine asked for a report from committee members who looked at the proposed expansion area on Sunday. Sharie Dietz said that several committee members walked the area and determined that it was not necessary to use the entire peninsula. They felt that an expansion that included the bin area and ended at the pinch point would be adequate to meet the needs of dog owners and provide the appropriate buffer for the neighbors. She said they also looked at parking and felt that the best parking options were up near Reservoir 1. She said the group wondered about striping and signing some additional parking.

Cathy Kuehnl added that the group talked about another entrance farther up to encourage people to park in the park itself rather than in the neighborhood below. She said that maybe adding a light in the area would also encourage people to gather farther into the area rather than on the edge nearest neighbors. Sharie added that the light could have a timer - much like lights on tennis courts. Stephen Starr said that the light could disturb neighbors unless it was tucked back into the area and was perhaps directional. Cathy noted that the problem on the east side was that people congregated near the light. By providing a light in the area itself, this problem could be reduced.

Sharie Moss suggested adding two kiosks and two lights - so neither side gets the full impact. Teresa Miller said the location of gates would also help distribute the activity. Mary wondered about putting the congregation area in the middle - leaving the area to the west open and available for dogs to run and making the area where people congregate farther away from neighbors.

Lanie, who lives on SE 70th, said that people have been extremely abusive when she asks them to put their dogs on leash - calling her racist and even flashing her. Stephen Starr commented that he believes the committee is simply considering moving the problem from one side of the park to the other. He believes neighbors to the west will suffer the same abuse.

Teresa Miller said that by adding the area to the west, the problem could be spread out and therefore not impact any one set of neighbors unfairly.

Shannon Loch said that since the last meeting, she also looked at the site too. She really doesn't want to put lights in the park where police can't patrol. Most of the year it is really dark in this part of the park. If you drive over there in the night time now, you will find it is pitch black. To put only a single light around a kiosk won't meet the needs of dog owners after dark. She parked at the east and walked west. She saw no dogs in the off-leash area but 14 cars were parked below Reservoir 1. This means that the parking was already maxed out by other than dog walkers.

Ron Hall said he believed specific criteria is needed to help make a decision. Paul said that he would rather that the group not push to establish a final boundary until they make some decisions about management issues. Management has always been the problem in the past. Ron B. wondered whether the boundary should be pulled back even farther from the east. Mary agreed, feeling that if space was added on the west, it should be subtracted on the east.

Elaine asked whether the group had come to a conclusion regarding expansion into the peninsula area on the west. The committee all agreed that the peninsula area should be taken off the table.

Stephen Starr suggested making the gathering place in the center and suggested having only one gate - one way in and one way out. Teresa said that the central area is very steep and could be seriously impacted by concentrated use - certainly more than a flatter area. Paul suggested that advice of off-leash users would be important in making this recommendation.

Elaine welcomed Marychris Mass, President of C-Spot, to talk about site stewardship. By way of introduction, Paul said that Marychris co-chaired the SE Uplift committee that made recommendations to the City for off-leash areas in southeast Portland. He felt they had positive exchange of views and he is hopeful that C-Spot can help encourage responsible stewardship at Mt. Tabor.

Marychris said that C-Spot was started by Jason Lensch, in an effort to work with Portland Parks to resolve issues related to dogs off-leash. She introduced Michael Kinney, Vice-president of C-Spot. Marychris said that

in Seattle, COLA (Citizens for Off Leash Areas) is the non-profit organization serves as the advisory group to Seattle Parks & Recreation for off-leash issues. All Seattle off-leash parks have volunteer groups that help manage the sites. Marychris said that C-Spot is a small organization and they have found it hard to get volunteers. While C-Spot can help get groups started, it is really up to the people who use the site to get involved. She said that the most important thing for an off-leash area is that it feels safe for users. Priority amenities include a kiosk, flat area, trash can and water. It should also be accessible. She feels that two lights would be better than one - it would keep people moving, and added that a good hedge can be as effective as a fence.

Michael Kinney said that getting people to volunteer and to take ownership of the off-leash area is more likely to happen if recruitment is done in the off-leash area itself. You need to set up shop and talk to dog owners who are using the area.

Marychris said that C-Spot sees itself as a funnel - referring people to the off-leash areas, channeling donations for site improvements, serve in advisory capacity. Gay Greger asked about C-Spot's capacity to assist and Marychris said that they would be willing to help recruit volunteers for a Mt. Tabor Stewardship group. Lanie asked whether C-Spot could monitor the behavior of dog owners. She asked whether the C-Spot web site encouraged dog owners to follow the rules. Marychris said their web site does not specifically encourage people to follow the rules. However, they do see their role as educational. COLA requires a two-year commitment to be a lead monitor and this assures good continuity.

Terre Haberland asked Marychris her opinion of the off leash site. Marychris said that it is far better than previous areas. She is not familiar with the west end, but knows that access from the center of the area is steep and not accessible. It is important to provide accessibility whenever possible.

Elaine asked the group to discuss hours. Sandra Lucas asked that they consider quiet hours in the early morning and late evening. Paul said that they should also consider who else is using the park. What are their needs? What are the needs of the off-leash users?

Marychris said that dog owners really don't want to conflict with other park users. Michael Kinney said that while he had heard complaints about early morning noise in Grant Park, he had not witnessed 5AM activity when he went at that hour.

Paul said that the problem really wasn't with off-leash area users - but rather with the spillover effect on adjacent areas. Creating a desirable gathering place away from immediate neighbors would be one way to address

the problem. Marychris added that she hoped the group would identify a separate area for small dogs.

Terre said that while she appreciates the need for an off-leash area, she is struggling with having it on the periphery of the park. She doesn't see that sharing the misery is an appropriate solution to the problem. She questions the committee's charge that does not include considering other areas in the park.

Sharie M. asked about Seattle's experience with noise issues. Mary said that several years ago she talked with Dewey Potter from Seattle Parks & Recreation and Dewey said that the only off-leash area they closed after their initial trial program was the one that was located too close to residences.

Shannon said that with regard to hours, she thought that closing at dusk made the most sense - especially because the Mt. Tabor site is so dark. At the most, they should limit hours to 7am-10pm in accordance with noise ordinances. Gina Patriarca observed that in the winter it is very dark and if there is no light in the area and the hours are reduced, dog owners will be forced back into the main part of the park where there is pathway lighting. Teresa said that when we come up with workable guidelines, she believes there will be more compliance.

Elaine asked whether the group felt they had enough information to set hours. Several options were suggested, including 6:30 am - 9pm, 7am-9pm, 7am - 10pm, and 7am-8pm. Gay asked what was meant by the 7am-10pm noise ordinance and Shannon explained that it referred to hours when construction noise was allowed without a special permit. Gina said she like the noise ordinance hours because there is already a precedent for it and therefore she feels it will be respected. Cathy likes the flexibility of 7am-10pm as well - and likes the logic of it. Marychris also preferred 7am-10pm. Shannon said she still is an advocate of dusk for closure - since that would not require lighting.

Elaine asked for a poll of the group and 8 preferred 7am - 9pm, while 5 preferred 7am - 10pm.

Elaine asked Bob Downing for any added thoughts. He said that he would be happy to help the committee determine costs for specific elements of their recommendation (ex: fencing, water, hedge, etc.) as soon as they were ready. However, he said that hedges could be difficult to establish and expensive to maintain. Stephen Starr commented that volunteers could help prune the hedge. Paul said that a hedge would need to serve as a barrier but could also become a safety issue because you can't see through it. He asked Bob about runoff issues.

Bob said that he talked with the Water Bureau about this issue and learned that organisms that cause disease in humans survive if they get into water but if they dry out they die. So, if water is slowed down and allowed to percolate into the ground, the organisms do not survive.

Terre asked about lighting, wondering whether ground lighting might be preferable. Bob said that park lights need to be high enough to be out of range of a baseball bat. He talked about light fixtures designed to trap light and direct it only to a very specific area.

Sharie M. said that she would like to see the 7am-9pm hours tried this summer to see how it works. Perhaps they can be expanded if there are no problems.

Gay distributed copies of the rules recommended by the citywide Off-Leash Advisory Committee and explained that they would be posted at all off-leash sites. Elaine asked that everyone review the rules and be prepared to talk about any additional rules they would like to see for the Mt. Tabor area at the next meeting.

Nancy Norby said that with the three westside neighbors added to the committee, the committee was no longer balanced. She is concerned that dog owners are unaware the committee is meeting. She said that it was important to remember that the Banfield off-leash area will be private - not open to the general public.

She also said that the street light at the top of the OLA has been out for the past few months. Bob Downing confirmed that it was a PGE pole, and agreed to look into the problem.

Finally, Nancy said that the group that walked the area on Sunday felt that the area should keep to the concrete path. If people are coming up Lincoln, they should be able to get into the area without walking all the way up the hairpin curve. She said that everyone should remember that it is light until close to 10pm in the summer - so they should expect that people will use the area until then regardless of the hours. Nancy said that the Friends of Mt. Tabor could also help with maintenance of the area.

Stephen Starr said that he comes across strong regarding the off-leash issue because he has been bitten twice and has had an immediate family member who had to go through rabies treatment - which is very scary and very painful. This is why he has such a vested interest in this issue.

Shannon reiterated that the Westside neighbors want the gate uphill and the boundary back into the woods. Ron H. said that he feels the concrete pad is

a natural border. Nancy said that the dog owners wanted to be able to walk the loop on the west end.

Elaine reminded the group that there will not be a meeting during Spring Break. The next meeting will be on Wednesday, March 30th.

The meeting adjourned at 9:00 pm.

Attachments:

Cascade Anderson Geller handout

Follow-up email correspondence from Design Review staff

From: Kunowski, Henry

Sent: Thursday, March 17, 2005 1:46 PM

To: Greger, Gay

Subject: FW: Mt. Tabor dog park fence

As stated previously, and now in writing, no permit needed for Mt. Tabor OLA. Further, in consultation with the SHPO, this site can not be considered to have "exterior materials or color specifically listed in the Historic Resource Inventory, Historic Landmark nomination, or National Register nomination as an attribute that contributes to the resource's historic value."

Henry

-----Original Message-----

From: Fioravanti, Kara

Sent: Thursday, March 17, 2005 1:07 PM

To: Kunowski, Henry

Subject: Mt. Tabor dogpark fence

Hi Henry. As I understand the project, you would like to erect a 42"-48" black chain link fence for the proposed dogpark at Mt. Tabor. Section 33.445.320 B.2. states, "Changes that do not require a building, site, zoning, or sign permit from the City, and that will not alter the exterior material or color of a resource having exterior materials or color specifically listed in the Historic Resource Inventory, Historic Landmark nomination, or National Register nomination as an attribute that contributes to the resource's historic value." Chapter 33.100.205 D.1. references when a building permit for a fence is required in this zone [that full section is copied below.] From this research, a building permit would not be required for your proposed work, and therefore, a historic design review would not be required for your proposed work.

Please contact me with any further questions or concerns.

33.100.205 Fences

A. Purpose. The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

B. Types of fences. The standards apply to walls, fences and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location. Fences may be 8 feet tall at the property line. Fences taller than 8 feet must be set back from the property line one additional foot for each additional foot of fence height over 8 feet. A fence within 30 feet of a street lot line may not be more than 10 percent sight obscuring.

D. Reference to other regulations.

1. Building permits. Building permits are required by the Bureau of Development Services, for fences over 6 feet in height.

2. Fence materials regulated by other bureaus. Electrified fences are regulated by Section 26.04.150 of Title 26, Electrical Regulations. The use of barbed wire is regulated by the Police Bureau, under Title 14.

Thanks,
Kara Fioravanti

City of Portland
Senior Planner
Design Review
Historic Design Review