

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, January 26, 2010
6:30 PM**

COMMISSIONERS PRESENT

Jeff Klein, Chair
Dick Newman, Vice Chair
Lisa Batey
Teresa Bresaw
Chris Wilson
Scott Churchill (arrived during 5.1 staff report)
Nick Harris (arrived during 5.2 discussion)

STAFF PRESENT

Katie Mangle, Planning Director
Susan Shanks, Senior Planner
Li Alligood, Assistant Planner
Bill Monahan, City Attorney

COMMISSIONERS ABSENT

None

1.0 Call to Order – Procedural Matters

Chair Klein called the meeting to order at 6:32 p.m. and read the conduct of meeting format into the record.

2.0 Planning Commission Minutes

2.1 November 24, 2009

The Commission consented to delay action on this agenda item, which was addressed following the recess taken after Agenda Item 5.2. Chair Klein had excused himself from the meeting at that time.

Commissioner Bresaw moved to approve the November 24, 2009 Planning Commission minutes as presented. Commissioner Batey seconded the motion, which passed 4 to 0 to 2 with Commissioners Churchill and Wilson abstaining.

3.0 Information Items

Katie Mangle, Planning Director, announced that City Council would formally appoint Nick Harris, who was expected to attend tonight's meeting, to the Planning Commission at the next Council meeting. He was an active member of the Lewelling Neighborhood District Association (NDA) and was on their Land Use Committee.

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

5.1 Summary: Post-decision requirement to review Pond House parking and uses
Applicant/Owner: Joe Sandfort/City of Milwaukie
Address: 2215 SE Harrison St.
File: CSU-08-05
Staff Person: Li Alligood

Li Alligood, Assistant Planner, reviewed the staff report, noting the meeting was to report on parking conditions at the site as conditioned in the application's prior approval. She addressed questions from the Commission as follows:

- The public had been noticed to 300 ft, signs were posted, and notice was published in the newspaper. No public comments were received.
- There had always been three parking spaces in front of the Pond House, but the driveway closure provided another space. The three parking spaces were signed and the fourth was in the process of being formalized and so was yet unsigned. She did not believe any spaces were designated as ADA parking spaces.

Commissioner Churchill arrived during the staff report.

Commissioner Bresaw asked what was happening with the trash enclosure because the trashcans were still visible in front.

- **Joe Standfort, Library Director**, replied there were issues in confirming the property line on that side of the Pond House. He assured that having the trashcans out front had been temporary. They expected to now place the trashcans behind the trellis.

Chair Klein noted that no action was required by the Commission and that the information received assured the Pond House was in compliance.

5.2 Summary: Zone change from R-10 to R-7
Applicant/Owner: Tim Riley/Clunas Funding Group, Inc.
Address: SE Brae & SE Bowman
File: ZC-09-01, TFR-09-04 *continued from 1/12/10*
Staff Person: Li Alligood

Chair Klein reopened the public hearing for ZC-09-01, TFR-09-04, and read the conduct of major quasi-judicial hearing format in the record.

- He noted that at the close of the January 12, 2010, public hearing on this application, the Planning Commission voted to carry the hearing over to tonight for the sole purpose of accepting written comments on the new information presented at the January 12th hearing. Those comments were included in the staff report available on the table in the hall. The Applicant had the burden of proving that the application was consistent with the applicable provisions of the Milwaukie Zoning Ordinance, Milwaukie Subdivision Ordinance, Comprehensive Plan, Statewide Land Use Planning Goals, and Metro Code.

Li Alligood, Assistant Planner, stated the applicable approval criteria were found in the Milwaukie Municipal Code Chapter 19.900 Amendments and Milwaukie Municipal Code Subsection 19.1011.4 Major Quasi-Judicial Review. The staff report was entered into the record and copies were made available at the sign-in table.

Chair Klein asked if any Commissioners had a conflict of interest or any ex parte contacts to declare.

Commissioner Newman recused himself, declaring that his property was contiguous with the Applicant's property. He stepped down from the dais at this time.

Commissioners Churchill and Wilson had visited the site since the last hearing, and no Commissioner declared a conflict of interest, bias, or conclusion from a site visit. No Commissioner declared any ex parte contacts made since the last hearing. No Commissioner's

participation was challenged by any member of the audience, nor was the jurisdiction of the Planning Commission to hear the application.

Ms. Alligood stated the hearing was continued from January 12th to allow an additional 7 days for public comment. During that time, staff received four written comments related to new information submitted at the January 12 hearing. She confirmed that the Applicant had received those written public comments for review.

Chair Klein called for the Applicant's rebuttal or additional comments in response to the additional written public comments. There being none, he closed the public testimony portion of the hearing at 6:47 p.m.

Chair Klein asked, referencing the initial staff report, if the subject property met all the requirements for R-10 in the same way it did for R-7.

- **Ms. Alligood** responded that the R-7 and R-10 zones were very similar in terms of policy and met the same criteria.

Commissioner Churchill inquired whether the audience had been asked for public comment regarding the new submitted information.

- **Ms. Alligood** clarified that the deadline for public comment was 5:00 p.m. on January 19th.

Planning Commission Discussion

Commissioner Bresaw stated that although the decision before the Commission concerned 2 lots versus 3, she was more concerned about the style and quality of the homes that would be built. Homes east of the lot were older and not worth \$400,000. The lot had been vacant a long time and the developer had to make a profit, so pragmatically speaking there was a better opportunity to build quality houses on 3 lots.

Chair Klein asked if 3 houses on the lot would allow for better quality than 2 houses.

Commissioner Bresaw replied that the lots were larger than the minimum 7,000 sq ft required and would allow for larger houses than those on 7,000 sq ft lots because of setbacks, etc. She believed there was a better chance of building quality houses with 3 lots.

Chair Klein asked what reason was there then for R-10 versus R-7 zoning. If the decision was based on whether a developer turned a profit, then in the current economy, he should be able to subdivide his own 10,000 sq ft lot to R-5, because his lot was no longer worth what it was at R-10.

Commissioner Bresaw noted that changing from R-10 to R-5 was more extreme.

Commissioner Batey added that Chair Klein was talking about creating an R-5 island in the middle of an R-10 zone, but different zones surrounded the subject property, so an R-7 island was not being created.

Chair Klein added that the frontage of the house would be an island because it was the only property zoned R-7 on that street until one reached the County's area.

Commissioner Churchill said it was difficult to speculate in today's market whether 2 or 3 lots

would achieve quality homes. The financial impact should be set aside because the developer would build to the maximum footprint allowed, whether zoned R-7 or R-10 subject to what they speculated the market would bear. Whether 2 or 3 lots, he believed the developer would build moderate quality homes on the site. However, his concern was the visual impact and integrity to the neighborhood, which were judged by looking at mass, bulk, height, and appearance.

Commissioner Harris arrived during Commissioner Churchill's comments at 6:52 p.m.

Chair Klein pointed out that the owner purchased the R-10 zoned property and assumed some risk. Changing the zoning to R-7 was a disservice to the neighborhood, because those people could have made more money at R-7 as those lots were sold off a number of years ago. He believed the owner paid too much for the property years ago and that the Commission should not bail the owner out at this time.

Commissioner Bresaw stated the Pennywood neighborhood consisted of varying sized lots that were well mixed. Many R-7 lots seemed comparable, and she did not see a large difference between R-7 and R-10 lots.

Commissioner Batey noted that many of those who objected to the rezoning had R-7 lots.

Chair Klein said that Pennywood Ct was a cul-de-sac community with little traffic, while the subject site was located near the active corner of Brae St and Bowman St.

Commissioner Churchill said it came down to context and asked if dividing the property into 3 lots would change the context of the neighborhood.

Commissioner Batey believed it was a fallacy to think that an R-7 house was better than an R-10 house. She agreed with Commissioner Churchill that the quality of the future houses was unknown in an area with varying lot sizes and residential designs. The quality would most likely be similar to houses on Pennywood Ct, but there was no reason to think that the quality would be similar to the older homes located to the east of the site. The owner wanted to divide the property into 3 parcels rather than 2 in an area of varying designs. The area to the west would probably be subdivided and rezoned in 10 to 15 years. She planned to approve the application.

Commissioner Wilson stated that he had no problem with the application and would vote in support of it.

Mr. Monahan asked Commissioner Harris to declare his intention regarding participation in the hearing so that the record was clear.

Commissioner Harris stated that he had read about the application and driven through neighborhood, but had not reviewed the materials prepared by staff, the public record, or the audio of the prior 2 meetings. He did not have the benefit of public testimony, and so recused himself from the hearing.

Commissioner Batey moved to forward a recommendation of approval of ZC-09-01 and TFR-09-04 to City Council. Commissioner Bresaw seconded the motion, which passed 3 to 2 to 1 with Chair Klein and Commissioner Churchill opposed, and Commissioner Harris abstaining.

Mr. Monahan clarified that there was no need to read the rules of appeal because with approval the application would automatically go to City Council.

Ms. Alligood stated that the City Council hearing was tentatively scheduled for Tuesday, February 16, 2010. The same notification process would be used to notify all interested parties of the Planning Commission decision and future meetings.

Commissioner Newman rejoined the Commission at the dais at this time.

Commissioner Harris introduced himself stating he had lived in the Ardenwald neighborhood for a year and then the Lewelling neighborhood for eight years. He wanted to be more involved in the community and so had applied to be on the Planning Commission. He was a Senior Technical Consultant for AT&T, designing computer networks for corporations.

Chair Klein stated that he knew Commissioner Harris well from their NDA and that he organized the concerts in the park.

The Planning Commission took a brief recess. Chair Klein left the meeting during the break. Vice Chair Newman continued as Planning Commission Chair and reconvened at 7:12 p.m.

The Commission addressed Agenda Item 2.0 November 24, 2009, meeting minutes at this time.

6.0 Worksession Items

6.1 Summary: Light Rail project briefing Part 1

Staff Person: Katie Mangle

Katie Mangle, Planning Director, explained that the worksession would involve several staff members and was intended to provide the Planning Commission some insight about what might be expected as the light rail project moved through the review process, and what the Commission's role would be in reviewing various applications connected with light rail.

- A joint session was scheduled with the Planning Commission and Design and Landmarks Committee (DLC) for March 9 when a more detailed presentation would be given on the design.

Kenny Asher, Director of Community Development and Public Works, noted that the Kellogg Treatment Plant and light rail were Community Development and Public Works mega projects that would provide mega opportunities for the City. He briefly reviewed the background and progression of the light rail project to date via PowerPoint, highlighting certain pivotal decision points and achievements, the final light rail alignment and a tentative project schedule.

- He explained the worksession was intended to discuss the big issues emerging for Milwaukie and how the Planning Commission would fit into the process amongst a large number of players and what would be asked of the Commission over the next 2½ to 3 years.
- He stated an open house on the light rail project would be held February 25th at 4:30 p.m. at Milwaukie High School. Other meetings and forums were planned to provide background information on the project.

Questions and comments from the Commission were addressed as follows:

- **Mr. Asher** did not know if TriMet had yet to acquire any property, except perhaps in hardship cases where a business could demonstrate that it was needed to be acquired for business purposes. Generally, the Final Environmental Impact Statement (FEIS) Record of Decision was needed to allow TriMet to acquire property.

- The FEIS Record of Decision was completed and approved by the Federal Transit Administration (FTA). The Record of Decision assured that the environmental impacts had been disclosed, and that the described mitigations and public process were acceptable.
- **Dave Unsworth, TriMet**, stated that the FEIS is signed in Seattle, WA, by Region 10 Regional Administrator Rick Krochalis, sent to Washington, DC, and then returned to Mr. Krochalis who then issues the Record of Decision.
 - The Record of Decision is a document that records all the mitigation proposed and committed for the project that is adopted by the FTA, [42:30] who then transmits the document to TriMet [with approval by] Region 10 Regional Administrator Rick Krochalis.
 - Metro is the lead local agency that prepares the FEIS, but it was done for and reviewed by the FTA. The Army Corps of Engineers and U.S. Coast Guard also review it along with other agencies, which is why it takes so long. It was ultimately an FTA document.
- **Mr. Asher** explained they would be unable to answer some questions because this was not a City of Milwaukie project. TriMet had local responsibility for it, but the full funding grant agreement between the FTA and TriMet was to pay for and build the project. The City of Milwaukie would have some say about how it was all put together.
- What interim funding steps would occur between now and the 2012 Full Funding Grant Agreement? There had been concern about funding for the project—what risks were involved and what milestone points might exist so the City would know whether or not more money was available?
 - **Mr. Asher** explained that the Preliminary Engineering (PE) Phase provided the opportunity to nail down the cost of the project. At the end of that phase, the application for final design and budget for the project would be submitted to the federal government. If the FTA agreed, the final design phase could begin. At that point, there would be a sense of whether a full funding grant agreement could be reached; negotiations would begin with the federal government regarding what percentage would be paid by each entity. Many financial milestones would be occurring over the next several months. Once the full funding grant agreement was reached, the project was financially secure.
- Concern was expressed about the project being cheapened as it progressed through the process. Additional information was requested regarding commitments from State and local funding sources and the risks involved.
 - **Mr. Asher** named the funding amounts pledged from State and other local funding source partners as follows: \$5 million from the City of Milwaukie, \$25 million from Clackamas County; \$30 million from TriMet; \$30 million from the City of Portland; a \$250 million bond issue from the State; \$72 million from Metro, which had to be approved by the whole region. The federal government would fund 50% of the project at about \$850 million.
 - Local funding sources should be secured between March and June to have a strong application for the FTA.
 - **Mr. Unsworth** added that to receive a “high” rating 50% to 60% of the local funding match should be identified and secured. By the time TriMet applied, intergovernmental agreements (IGAs) would be in place to provide funding. Funding of about \$16 million was still unidentified. TriMet was looking to refine the financing plan and he believed there was still time to do so.
 - **Mr. Asher** assured staff was working fervently to ensure the light rail project would be completed at the level of quality initially expected. They expected the project to change Milwaukie’s downtown for the better.

Chair Klein returned to the dais during the discussion.

Wendy Hemmen, Light Rail Design Coordinator, reviewed the light rail design, noting certain issues had arose during the design process that would affect the city of Milwaukie. She addressed questions regarding Quiet Zones in Milwaukie as follows:

- Milwaukie would have several different rail crossings. Each would have a Quiet Zone treatment, using either quad gates, which have a sensing mechanism to close the gates after the rail car leaves, or channelizations, which use medians to help prevent cars from going around the gate.
- Oregon Department of Transportation (ODOT) Rail Division dictates which treatment would be used at each street crossing because ODOT controls the crossings.
- Which Quiet Zones are planned for the alignment and who is responsible for them.
- **Mr. Asher** assured that the risk of the Quiet Zones being removed from the project was extremely minimal, although ultimately it was not the City's decision. If the light rail project came through downtown Milwaukie, there was zero chance that the City would end up without supplemental safety measures. The project is being designed with quad gates now.
 - TriMet is designing the project with the appropriate measures to make the crossings Quiet Zone compliant. They would not come out of the project. The City has three different IGAs with TriMet this time. So there are things to worry about on the light rail project, but not the Quiet Zones.

Ms. Hemmen next reviewed the various roles of the different agencies involved in the light rail project and what the Commission could expect as far as land use actions.

- TriMet would be the applicant for the various land use applications coming before the Commission. TriMet is the leading agency behind the project, and the one that would be buying and building the project and ultimately owning the line.
- Metro is responsible for creating the FEIS and has been the lead partner to date. But after the FEIS is complete, and Metro turns the reins over to TriMet, TriMet would move forward with the project.
- Other different project partners included the City of Portland, City of Milwaukie, ODOT, and Clackamas County, who have all been working together to get the project designed and work out the different issues to make sure nothing is forgotten.

Ms. Mangle explained the staff roles of the different departments working on the project, noting the tremendous amount of time several staff members were spending on the project, which included making detailed comments on the huge plan sets, coordinating with other agencies' staff, doing public outreach, etc. She assured City staff was fighting very hard for Milwaukie's interests with regard to the light rail project.

- She described the role of the Planning Commission and DLC as regulators. The DLC would be doing design review as well as addressing some aspects of the project that may not really require a land use application. Staff wanted to run certain light rail elements by a body that understood the Downtown and Riverfront Land Use Framework Plan and Downtown Design Guidelines.
- She provided further detail via PowerPoint regarding key elements of the light rail improvements, noting certain light rail locations and elevations as the line came through Milwaukie. Staff would return in March with more diagrams and pictures to provide a greater level of detail.
- She clarified that elements in the Downtown Zone would fall under design review and used the displayed map to indicate where the Downtown Zone ended. The Monroe St crossing was not quite in the Downtown Zone, but was a transition.
- In the downtown area, the design of the streets and station would be very important. The

City's streetscape standards were being used to show what they should look like and what materials should be used.

- Coming into the station area, a lot would not totally be in the right-of-way, which was frankly a good thing because that whole area would be getting streetscape improvements (shown in red on displayed map). The light rail project would mean having significant streetscape improvements for Milwaukie's downtown, including wider sidewalks, fiber optic lighting, etc.
 - She confirmed that building owners with future development proposals would not have to complete the improvements. Adjacent development would benefit from the improvements done via the light rail project.
- Much of the project was located in the railroad right-of-way; however, the signal communication buildings or systems buildings would be on private property, not in a right-of-way.
- For permitting, the project would be broken down into separate, specific elements. The project involved the buildings, the bridge, the paving on the sidewalks and platforms, shelters, etc.

Commissioner Churchill asked about the difference in quality and detail between the Harrison St, and the Monroe St and Washington St crossings. The Harrison St crossing was in the highest density residential portion of light rail passing through Milwaukie, yet it did not get the treatment of the best pedestrian experience because it was not in the Downtown Zone. He asked how staff was working to mitigate that risk.

- **Ms. Hemmen** responded that the project was looking to enhance water quality treatment on Harrison St by installing and incorporating planted swales and other green street treatments, like those now on Logus Rd, from about 23rd Ave up to the crossing.

Ms. Mangle added that generally, the City's adopted Public Works Standards would be followed.

Susan Shanks, Senior Planner, distributed a one-page flowchart titled "Overview of Local Permitting Process for Light Rail" dated December 2009. The overview was created to help provide a better understanding of the light rail land use process, which was much bigger and more complicated than a typical land use application.

- She reviewed the flowchart, noting where and how the City of Milwaukie's authority would apply to the light rail project. Though the City could not deny a use, location, or specific element due to the existing blanket approval, the City could influence design and innovation. All local City land use standards would be applied and the Commission can condition reasonable and necessary solutions to problems.
 - There were still lots of things that the Commission could review, such as the design of the Kellogg Bridge crossing.
- A Water Quality Resource Overlay was designated on top of Spring Creek and a Water Quality Resource Review would be required.
- She confirmed that Spring Creek was actually just south of Harrison St on the north side of the Waldorf School, where the waterfall comes out.
- She noted that Crystal Lake was located further north in the zone south of Hwy 224 and north of Harrison St. Crystal Lake is also culverted under the existing rail line and was a designated wetland on the east and west side.

Mr. Asher concluded by emphasizing the number of Milwaukie people involved in making sure the light rail project was built right. The Planning Commission and DLC had important roles to play in getting the project built right. Staff was on the frontline, working on the project every day.

Citizens were involved on the Citizen's Advisory Committee and came to the monthly public meetings held every third Monday of the month.

- The light rail project would affect the edge of a neighborhood, a small downtown with a natural area to the south, and then the edge of another neighborhood, Island Station, so continuous discussions would be needed with Planning staff and the Planning Commission about what essential features must be included in the project, such as Quiet Zones, which were identified very early.
- The really important work was just getting started, getting the project designed and built right with the right kind of protections in place so the project would be compatible with how Milwaukie citizens walk, drive downtown, and live in the neighborhoods. The project also had to be compatible with existing businesses and those Milwaukie wanted to attract. Staff was enlisting the Commission's help in achieving these goals. He believed they could provide a lot of help in their very specific role as a Commission, as informed citizens at open houses, and in communicating with staff.

Ms. Mangle explained that the Planning Commission should be the final stop in the land use process unless an appeal is filed to City Council.

Mr. Asher noted that on a project of this size with land use blanket approval pressure to meet the schedule existed from the federal government, citizens, and agencies. The project design would take 1½ years, and he believed many of these issues would be raised, examined, and deliberated more informally as information is received and shared throughout the community. As the project moved into final design, there were ways of getting early reads on whether something looked egregiously wrong or uncomfortable. TriMet would want to work on any problems before the application came before the Commission.

Chair Klein said that though he was concerned about the process outside of the Planning Commission, he considered all that the Commission addressed as a Milwaukie project and was most concerned about what happened in Milwaukie. Many of the Commissioners and staff present were also on the South Downtown Group where many good ideas were bouncing around regarding station design, which was the main concern he had. The stations throughout the area were not what they discussed in the South Downtown meetings. He wanted to be sure that design ideas from Milwaukie not only included safety aspects, but also integrated the ultimate vision of Milwaukie to avoid adjustments later. Some applicants before the Commission want to delay installing sidewalks, for example. He wanted to be sure that regardless of progress on the South Downtown Concept, that those ideas were implemented first and foremost with regard to station design.

Mr. Asher believed it was powerful anytime the community could come together and say what it wanted. And TriMet or anyone wanting to build in the downtown had to respond. One reason for doing the South Downtown work was to plan ahead of some of the light rail station design work, so the City of Milwaukie could show TriMet what was planned in the South Downtown and how their project needed to fit. He agreed it was very important work.

- The City wanted to do the same sort of preparatory work elsewhere on the light rail line in downtown, not only for South Downtown, to come up with some agreed upon ideas about the level of quality and finish.

Commissioner Batey asked about the research completed for Kellogg Lake and if funding was available for the Kellogg for Coho Initiative project.

- **Ms. Hemmen** replied that some very limited borings were taken on shore, but none were

taken from out in the water. Previous information was available on Kellogg Lake but not any additional based on this project. No one actually dove into Kellogg Lake as part of that research.

- **Mr. Asher** said Kellogg Lake had a lot of contaminated sediment, primarily from PCBs and heavy metals. The Kellogg for Coho Initiative was to remove the dam, and another project would address the sediment.
- The Army Corps of Engineers had been studying the dam removal and possible bridge replacement, but funding was cut for the programs. However, the Army Corps contacted the City about taking the project up again as part of a habitat restoration program. The City was now discussing those details with the Army Corps.
- The City just had a meeting to get things started again to get together with the neighbors and residents along the bank of Kellogg Lake. A year of feasibility work and then at least 1 to 1½ years of design work needed to be done. No additional stimulus money was available for the project at this time.

Ms. Mangle invited any comments or questions about the light rail project, reminding that more information would be presented in March.

7.0 Planning Department Other Business/Updates

Mr. Asher updated the Commission about another TriMet venture in town, the Jackson Street Improvement Project, which was now fully designed. About \$400,000 of Federal Transportation Administration (FTA) money was being used along with stimulus money the City also received. The project would go to bid in March with construction starting in May and continuing into August. The new bus service was anticipated to begin in September. He reviewed the new bus stop locations and bus layover changes that would result from the project, noting that Jackson St would be rebuilt to City standards.

- One issue was how to deal with the loitering around the bus area. The City received some grant money to do a sculpture garden on the City Hall lawn just behind the bus stop closer to Main St on the west side of Jackson St. The tree would remain, but the rest of that lawn and some of the driveway would be replaced with a sculpture garden. Local designer and DLC Chair, Rebecca Ives, actually won the design competition. The sculpture garden would be integrated with the street improvement project and have 4 or 5 sculptures that would rotate periodically. Jackson St would be a really different area that was well lit, modern, and comfortable.
- Over time, less bus transfer activity would occur on Jackson St. TriMet had already eliminated about half of the layovers downtown. After the Jackson Street Improvement Project, only the 70 and 75 bus lines would have layovers. Usually only 2 or 3 buses would have layovers in that area with as many as 5 at peak hours. TriMet would be limited to 5 bus parking spaces. There was no final horizon when buses would no longer layover in downtown; it was still a challenge to figure out where the 70 and 75 would do that. However, the City was making progress by improving the street, reducing the number of buses parked on 21st Ave, and getting modern shelters with transit tracker, new lighting, benches, street trees, modern sidewalks, and landscaping. These improvements will help reduce the visibility of the bus layovers.
- TriMet had opened the new Southgate Park & Ride. TriMet has been a good partner and wanted to do the right thing in Milwaukie in building the right project; the only issue was funding.
- Quiet zones on the main light rail line east of Hwy 224 were described in Ms. Hemmen's report, which was available on the City's website and would be presented at the City Council meeting on Tuesday.

- Staff was in the process of making incremental improvements depending on available funding. The next improvement would be sidewalks at the Harrison St crossing, which would be funded by CDGB money. Staff believed the right designs had been completed for the crossing, but funding and ODOT Rail Division approval were needed.
- On Tuesday, Council would ask if ODOT was also ready to designate the Tillamook Railroad branch as a Quiet Zone, although it had not qualified when considered earlier.

8.0 Planning Commission Discussion Items

Commissioner Bresaw asked if the house being constructed at Lake Rd and Vernie Ave would be a retirement center.

- **Ms. Mangle** understood it was still a foster care facility.

Chair Klein said he was very happy with the design and was glad it was almost completed even with the giant massing.

9.0 Forecast for Future Meetings:

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| February 9, 2010 | 1. Public Hearing: CSU-09-11 NCSD administrative offices <i>cont'd from 1/12/10</i> |
| | 2. Worksession: Planning Commission Bylaws review |
| February 23, 2010 | 1. Public Hearing: DR-09-01, TPR-09-03, WG-09-01, WQR-09-01 Riverfront Park <i>tentative</i> |
| | 2. Public Hearing: VR-10-01 Harmony Rd Ministorage substantial construction variance |
| | 3. Worksession: Natural Resources Overlay project update <i>tentative</i> |

Ms. Mangle reviewed the upcoming meeting schedule with the following additional comments:

- The NCSD had revised their proposal and she believed the Commission would be pleased with the changes. Several community members were happy that the Planning Commission stood up for the neighborhood. She and Mr. Marquardt would be happy to answer any new questions about the changes. She offered to provide project background to Commissioner Harris so he would be eligible to participate in the hearing.
- The Riverfront Park hearing was tentative for February 23rd because the Applicant may not be ready.
- She reminded that the light rail joint meeting with the DLC was scheduled for March 9, 2010.

Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for
Alicia Stoutenburg, Administrative Specialist II



Jeff Klein, Chair