

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
TUESDAY, October 22, 2013  
6:30 PM**

**COMMISSIONERS PRESENT**

Clare Fuchs, Vice Chair  
Scott Barbur  
Sine Bone  
Shaun Lowcock  
Wilda Parks

**STAFF PRESENT**

Stephen C. Butler, Interim Planning Director  
Ryan Marquardt, Senior Planner  
Beth Ragel, Program Coordinator  
Peter Watts, City Attorney

**COMMISSIONERS ABSENT**

Lisa Batey, Chair  
Gabe Storm

**1.0 Call to Order – Procedural Matters\***

**Vice Chair Fuchs** 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.ci.milwaukie.or.us/meetings>.*

**2.0 Planning Commission Minutes**

2.1 May 14, 2013

2.2 May 28, 2013 Design and Landmarks Committee Joint Session

**It was moved by Commissioner Parks and seconded by Commissioner Bone to approve the minutes of the May 14th and May 28th Planning Commission minutes as presented. The motion passed unanimously.**

**3.0 Information Items**

**Steve Butler, Interim Planning Director**, noted upcoming public meetings on October 28 and 29 for the Moving Forward Milwaukie project. The October 28th meeting would discuss downtown opportunity sites and the October 29th meeting would discuss central Milwaukie.

The Planning Commission was encouraged to attend an elections law training workshop scheduled for November 20th.

**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: Parking Determination Appeal  
Applicant/Owner: Pendleton Woolen Mills  
Address: 2516 SE Mailwell Dr

File: AP-13-01  
Staff: Ryan Marquardt

**Vice Chair Fuchs** called the public hearing to order and read the conduct of appeal hearing format into the record.

The public hearing was an appeal of the Director's Determination DD-13-04. The application concerned the status of parking stalls along the northern edge of the Pendleton Woolen Mills property in the North Industrial Area. The applicant requested the parking stalls to be classified as legal off-street parking spaces but the director's determination ruled the parking stalls did not qualify as legal off-street parking spaces.

**Ryan Marquardt, Senior Planner**, presented the staff report via PowerPoint. He explained that the site's parking stalls were established in 1967, before parking standards were in place in 1968, and so were legal nonconforming. The PMLR project moved some of the parking stalls further into the Mailwell Dr right-of-way. Staff recommendation was to uphold the decision of DD-13-04, with a correction noted in the number of parking spaces described in DD-13-04.

**Vice Chair Fuchs** called for the applicant's testimony.

**Bill Horning, Western Planning Associates**, represented the applicant. He recognized that the parking stalls are nonconforming. The appeal was because the spaces were never abandoned – TriMet took and rebuilt the parking stalls. Out of the 18 parking stalls, the City approved 3 legal nonconforming off-street spaces but 3 of the remaining 15 were not moved.

**Mike Donavon, General Manager at the Pendleton Woolen Mills distribution center**, noted there was signage indicating that the parking stalls are only to be used by Pendleton employees and shoppers.

**Charles Bishop, Vice President of Pendleton Woolen Mills**, said the PMLR project had a big impact on their business.

**Mr. Marquardt** revised the recommendation to count an additional 3 parking stalls that were not moved as legal nonconforming parking stalls.

Staff and the applicant's representative responded to questions from the Commission.

**Vice Chair Fuchs** closed public testimony.

**It was moved by Commissioner Parks and seconded by Vice Chair Fuchs to uphold the decision of DD-13-04 with the revised findings in Attachment 1 to include 3 additional nonconforming parking stalls. The motion passed with Commissioners Lowcock and Barbur opposing.**

## **6.0 Worksession Items**

- 6.1 Summary: Murals Code Project briefing  
Staff: Ryan Marquardt & Beth Ragel

**Beth Ragel, Program Coordinator**, gave an overview of the proposed mural project and noted current public opinion of the project. The proposed mural code included two permitting options: one was an objective review with a permit fee, and the other was a discretionary review that could include matching grant funds. She noted the project timeline to return to the Commission

by the end of the year with code language. She planned to host a public workshop in the spring on the mural application process and tips on mural creation.

- 6.2 Summary: Land Use 101 Training: An Overview for the Milwaukie Planning Commission  
Staff: Ryan Marquardt &

**Mr. Marquardt** gave an overview of statewide planning program milestones and how decisions were made.

**Peter Watts, City Attorney**, explained ex parte contact, bias, and conflict of interest. He recommended contacting the Oregon Government Ethics Commission if there were questions regarding these items.

**Mr. Marquardt** also offered for the Commission to notify Planning staff if there was a question of conflict of interest.

**7.0 Planning Department Other Business/Updates**

- 7.1 Summary: Attendance  
Staff: Steve Butler

**Steve Butler, Planning Director**, asked for Commissioners to notify Planning staff if there was to be an absence.

**8.0 Planning Commission Discussion Items —None**

**9.0 Forecast for Future Meetings:**

- November 12, 2013 1. Public Hearing: DR-13-05, 10400 SE Main St Veterinarian Clinic Design Review  
2. Worksession: Moving Forward Milwaukie project briefing  
*tentative*  
November 26, 2013 1. TBD

The meeting adjourned at approximately 10 p.m.

Respectfully submitted,

Hannah Haugen, Administrative Specialist II for  
Alicia Martin, Administrative Specialist II

  
\_\_\_\_\_  
Lisa Batey, Chair