

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, January 12, 2016
6:30 PM**

COMMISSIONERS PRESENT

Chair Sine Adams
Shaun Lowcock, Vice Chair
Shane Abma
Shannah Anderson
Adam Argo
Scott Barbur
Greg Hemer

STAFF PRESENT

Denny Egner, Planning Director
Li Alligood, Senior Planner
Shelby Rihala, City Attorney
Chrissy Dawson, City Engineer

COMMISSIONERS ABSENT - None

1.0 Call to Order – Procedural Matters*

Chair Adams 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

Li Alligood, Senior Planner, noted the agenda had been revised to include the April 28, 2015 and November 10, 2015 minutes from the December meeting packet. No December meeting was held.

2.1 April 28, 2015

2.2 November 10, 2015

2.3 May 12, 2016

It was moved by Commissioner Hemer and seconded by Commissioner Anderson to approve the April 28, November 10, and May 12, 2015, Planning Commission minutes as presented. The motion passed unanimously.

3.0 Information Items

There were no information items.

Denny Egner, Planning Director, noted that Marcia Hamley, one of the Administrative Specialists for the department, retired on December 31, 2015, after nearly 30 years of service to the City.

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: King Rd Partition
Applicant/Owner: John Marquardt, LandmarQ Consulting Group/Phillip Joseph, SE King Road LLC
Address: TLID 1S2E30DC02601 (north of 5445 SE King Rd)
File: MLP-2015-002, VR-2015-006
Staff: Li Alligood

Chair Adams called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

Li Alligood, Senior Planner, presented the staff report via PowerPoint. The request was for a lot width variance from the minimum 60-ft width to 50-ft on Lots 2 and 3 as the minimum density for the site was three dwelling units but would require a variance to allow for three lots on the site. She noted staff's recommendation for approval and the Commission's decision-making options.

Ms. Alligood addressed questions from the Commission. She was unable to determine why the two-lot partition was allowed to occur since the City had the same minimum for residential densities at that time. Generally in the past, the density was acceptable if it did not preclude the construction of dwelling units that met the minimum densities. She clarified that all the conditions of approval were related to the minor land partition request and confirmed staff had not received any comments regarding the application.

Chair Adams called for the applicant's testimony.

John Marquardt, LandmarQ Consulting Group, explained the applicant had worked with the adjacent developer to the west regarding the extension of Mullan St, which would provide access to the approved lots for both projects. He believed the 50 ft width for Lots 2 and 3 resulted in two buildable, desirable lots for the area. Mr. Marquardt's responses to Commissioner questions and additional comments were as follows:

- Mullan St was an approved right-of-way. If Mullan St was not improved before the homes were built, the two homes would be accessed via a shared driveway via the flagpole of Lot 1 with rear-facing garages.
- Where possible, the natural vegetation, especially along the periphery, would be retained to provide natural screening and buffering.

Chrissy Dawson, City Engineer Tech II, said Mullan St was being designed for the Jones Park Subdivision west of the proposed project. If the construction timing did not work out fee in lieu of construction would be collected and the City would work with the Jones Park subdivision contractor to extend the street for the subject project. She confirmed the City had right-of-way to extend Mullan St and that the street design included utilities and sidewalks. Area developers were interested in partitioning land along the right-of-way, so Mullan St could be fully constructed within the next few years.

Ms. Alligood noted the conditions of approval outlined two potential approaches depending on whether Mullan St was constructed. If the street was not built, a fire turnaround would be required as well as an access easement to provide access to Lots 2 and 3 through Lot 1.

Chair Adams closed the public testimony portion of the hearing.

Planning Commission Deliberation

It was moved by Commissioner Hemer and seconded by Commissioner Barbur to approve land use applications MLP-2015-002 and VR-2015-006 with the findings and conditions as presented. The motion passed unanimously.

6.0 Worksession Items

- 6.1 Summary: Comprehensive Plan Update Discussion
 Staff: Li Alligood

Li Alligood, Senior Planner, presented the staff report via PowerPoint, reviewing the history, purpose, key documents, and notable changes proposed for the Comprehensive Plan (Comp Plan). She described direction given by City Council at the December 15th meeting and reviewed the Planning Commission's role in the update process.

Key comments from the Commission and responses to Commissioner questions by staff were as follows:

- Updating the City's various inventories would not be part of the proposed Comp Plan.
- The existing Comp Plan was currently compliant with State, regional, and federal laws due to amendments made over the last 25 years; however, it was outdated. Certain items such as the Kellogg Treatment Plant and the 2040 Visio needed to be revisited. Future projects could arise from the update process.
- The document was not reader-friendly; however, there were big policy issues to address, so not much wordsmithing was expected due to time constraints.
- Policy issues included:
 - Was high density development appropriate in Historic Milwaukie, and if not, where would it be appropriate?
 - Council's desire for 20-minute neighborhoods would require different policies about where commercial development was currently allowed.
 - Council had a strong desire to address sustainability, but would involve defining "sustainability" and gaging community interest in it. However, this would require an extremely narrow focus due to Council's desired timeline.
- Staff described the Department of Land Conservation and Development's (DLCD) review process which was the same used for all the legislative amendments, so the process would be familiar for the Commission.
- The City was eligible for some technical assistance grants.
- The Commissioners may be asked to participate on advisory groups related to visioning, economic opportunities, and housing.
- Generally, the vision would drive the work of the advisory groups, and would feed back into the visioning and update process. The timeline was also strong driver in the process.

- 6.2 Summary: ZA-2015-003 Short-term Rentals Code Amendments
 Staff: Denny Egner

Denny Egner, Planning Director, reviewed the proposal for amendments to address short-term rentals. The basic concept was to provide more flexibility in the code to allow for Airbnb-type rentals through treating them essentially as an accessory use to a single family dwelling.

Mr. Egner noted the various scenarios that these types of rentals could occur and noted some of the key proposed amendments. The distinction between these and bed and breakfasts was that units would be rented by only one party, and between a short-term rental and vacation rental was that for a short-term rental, the owner was required to reside on the property for a portion of the year. He noted where these uses would be allowed, such as moving boarding houses to the residential zones and making vacation rentals a conditional use in the Downtown Mixed Use zone. Parking regulations may cause a conflict with these regulations.

7.0 Planning Department Other Business/Updates

Mr. Egner noted that a number of projects were moving forward, including the Economic Opportunities Analysis, Urban Renewal Plan, Comprehensive Plan Update, and regulations for marijuana businesses.

Commissioner Hemer requested that there should be a member of each neighborhood district associations be included on the Urban Renewal Advisory Group, regardless of if they were in the proposed urban renewal area.

8.0 Planning Commission Discussion Items

9.0 Forecast for Future Meetings:

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| January 26, 2016 | 1. Worksession: Housekeeping Amendments <i>tentative</i> |
| | 2. Worksession: Recreational Marijuana |
| February 9, 2016 | 1. Public Hearing: ZA-2015-003 Short-term Rentals Code Amendments |

Meeting adjourned at approximately 8:28 pm.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Sine Bone, Chair

SHAWN LOWCOCK