

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, MARCH 28, 2017
6:30 PM**

COMMISSIONERS PRESENT

Greg Hemer, Chair
Adam Argo, Vice Chair
Shannah Anderson
Scott Barbur
John Burns
Sherry Grau

STAFF PRESENT

Denny Egner, Planning Director
Amy Koski, Economic Dev. Coordinator
Brett Kelper, Associate Planner

COMMISSIONERS ABSENT

Kim Travis

1.0 Call to Order – Procedural Matters*

Chair Hemer 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 – There were none.

3.0 Information Items

Denny Egner, Planning Director, reminded the Commissioners of the April 6th Volunteer Dinner to be held at Bob's Red Mill.

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: North Milwaukie Industrial Area (NMIA) update
Staff: Amy Koski

Amy Koski, Economic Development Coordinator, presented the staff report on the NMIA Framework Plan via PowerPoint, and noted the progress made on the Plan since last fall, the input received through public engagement, as well as the existing economic conditions, benefits, and challenges in the NMIA. Staff sought input on the five goal areas to provide direction as the draft Framework Plan was developed. The Commission would review the draft Plan in April and hold a public hearing in May to make a recommendation to Council.

Mr. Egner added the zoning would be addressed following the Plan's adoption, but a zoning concept would be presented for discussion. Applying the M-TSA Subarea 4 zoning of the Tacoma Station Area Plan to the areas on either side of that district was being considered rather than adding new zoning to the area.

Ms. Koski addressed questions about the ownership of property in the NMIA and why the Plan and subsequent zoning were needed to attract other uses and higher density, while still allowing warehouse and other traditional industrial uses, and the eco-district concept.

Commissioner Grau appreciated how consistent the Advisory Committee's vision was with the larger visioning process for Milwaukie.

Commissioner Burns suggested the eco-district concept might be too big to be an objective, but components, like eco roofs, could be added as a development incentive, especially considering how visible roofs in the NMIA were when driving by.

6.2 Summary: Downtown Design Guidelines Update
Staff: Brett Kelter

Mr. Egner briefly highlighted the history and purpose of the Downtown Design Guidelines (Guidelines) and the Development Design Standard amendments adopted in 2015. He invited the three Design and Landmarks Committee (DLC) members present to join the discussion. He noted that over the past year, the DLC had been reviewing and revising the Guidelines, and specifically, the Milwaukie Character Section, to better align the Guidelines with the Development Design Standards since the Guidelines had not been revised in conjunction with the Code amendments. With at least two downtown development proposals expected by the end of the year, staff wanted to review how the development code and Guidelines worked together, and work to better align the two code documents to facilitate development downtown that reflected the desired "Milwaukie Character."

Brett Kelter, Associate Planner, distributed two handouts for use as a reference as he described how the Guidelines and current development code worked for reviewing projects downtown, noting how some developers would never need to address the design guidelines given how the current code and review processes were structured. Although some "Milwaukie Character" guidelines were already codified, the DLC needed to identify which design guidelines were not captured and determine how to codify those into the downtown development standards. The concern was that a developer might meet all the development standards but not need to consider the Guidelines. The original hope was that the code requirements would provide what the Guidelines envisioned, but there had never been a systematic comparison.

Key discussion items and responses to Commissioners' questions were as follows:

- To better align the documents, the Guidelines could be pulled into the downtown development standards; or the Guidelines could be retained and the Code language adjusted, such as by adopting some specific design standards to better tie the documents together. Another option was to provide for stronger enforcement of the Guidelines document; however the guidelines were subjective.
- The Guidelines provided an easy reference for potential developers to get a 'feel' for the desired look for a building downtown, but the project would still need to adhere to the code. The Guidelines were originally written to make the review process semi-flexible, to encourage interesting and innovative designs.
 - "Milwaukie Character" was a catch-all phrase to give the DLC some discretion as to what the community's character was, but it was hard to capture the desired design in words.
 - The key word was 'feel.' The Guidelines could not be used to design a façade that met code requirements, and they had no regulatory backing to ensure developers followed through.

- The Guidelines were qualitative, and the code was quantitative. If the code could be made robust enough to carry both, the Guidelines would no longer be necessary. Parts of the Guidelines were outdated, no longer adequate, or not progressive enough, and portions of the preface were no longer valid. Some topics discussed in Visioning Town Hall meetings were not fully captured in the Guidelines.
- Identifying additional standards that captured the quality desired and that could be met in a clear and objective way would be challenging. It might not be possible to capture all the objective “Milwaukie Character” guidelines as standards.
- The City needed to provide flexible design guidelines to ensure certain architectural features and distinct characteristics were included in projects downtown, but enforcement of the Guidelines to achieve the “Milwaukie Character” was difficult.
- The design review process and code amendments were done to provide developers with more certainty in meeting the code standards, but now a simple building could be approved that did not fit the vision for downtown. Certain requirements, like fences, trash barrels, and street furniture, were also removed from the design review process so developers could avoid an extensive process for minor site improvements.
 - The Code could define the dimensions for a bench and then refer to the Guidelines for street furniture suggestions, but suggestions were not enforceable because the process did not provide for a Type II review.
 - Requiring applicants to apply a certain number of design options from a menu was suggested. If the recommended designs were used, it would be a Type II review, but if a different design was proposed, the review would follow a qualitative Type III review process. Unfortunately, the Guidelines did not have that much specificity.
- Currently, even with Type III, the most discretionary review, if an applicant could not meet one of the seven elements of the downtown design standards, only the Guideline(s) specifically related to that element would be discussed; there was no requirement to address all of them. To provide a clear and objective track for review, the City must be able to identify which standards and Guidelines were not met by a particular proposal. The challenge was creating “Milwaukie Character” standards.
 - Changing the Type III approval criteria so applicants must show how a project was consistent with all of the Guidelines was an option. However, to maintain the more clear and objective track, the code needed to be more robust. Currently, if the Type II standards were met, the applicant did not have to address the Guidelines.
- A nexus was needed between Type I, II, and III reviews, the code, and the application of the Guidelines, respective to the processes. The nexus could be adopted into a matrix-type document to be used by staff and applied by the City’s advisory bodies.
- A consultant could help with aligning the current Guidelines and development standards by adding any qualitative elements missing in the code and doing the detailed wordsmithing, which would shift the DLC from a writing to a reviewing mode and would move the process forward more quickly.
 - The consultant could also help update the Guidelines document and create a more distinctive break between the Type II clear and objective standards and the more discretionary Type III process. The tricky part was creating a flexible process so an applicant would not be pushed into the entire Guideline process simply because one specific requirement could not be met.
 - Further work by the consultant and DLC could result in the Guidelines document being obsolete; however, the document might take another form. The intent was to build a discretionary track that provided more freedom of design and allowed for alternative design features other than what was codified.

- Nothing could be applied to those application submittals expected before the matrix was solidified or the revised Guidelines fully implemented. Those applications would adhere to the existing code; the first was expected in May.
- Focusing more carefully on the matrix comparing the 19.304 Downtown Development Standards with the 19.508 Downtown Design Standards was suggested to help determine where there were gaps. The DLC had not been looking at the downtown development standards, but such a comparison might help alleviate some concerns about projects being approved in the interim.
- Milwaukie's downtown area was very viable, so the City was not in desperate straits to allow someone to build whatever they wanted. Having high standards was not necessarily bad, and the code was not necessarily holding development back, it was market-driven.

Mr. Egner assured staff would keep both the DLC and Planning Commission informed about any next steps as the process moved forward.

7.0 Planning Department Other Business/Updates

7.1 Planning Commission Group Photo

The Planning Commission group photo was taken for the City's website.

8.0 Planning Commission Committee Updates and Discussion Items – This is an opportunity for comment or discussion for items not on the agenda.

Commissioner Anderson reported on the last Vision Advisory Committee meeting where input received from the Town Hall and surveys had been assigned to the four areas: people, place, prosperity, planet. The Committee was now working through those Strategies, which would be posted as a draft to the Visioning website soon.

Chair Hemer thanked Commissioner Barbur for his four years of service on the Planning Commission.

9.0 Forecast for Future Meetings:

April 11, 2017 1. Worksession: Land Use Approval Criteria Discussion

April 25, 2017 1. Worksession: NMIA Review of Framework Plan and Implementation

Mr. Egner highlighted several development applications in for completeness reviews and expected before the Planning Commission soon. He addressed clarifying questions.

Meeting adjourned at approximately 8:34 pm.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Greg Hemer, Chair