



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

City Hall Council Chambers
10722 SE Main Street
www.milwaukieoregon.gov

FEBRUARY 13, 2018

Present: Kim Travis, Chair
John Henry Burns, Vice Chair
Adam Argo
Joseph Edge
Sherry Grau
Greg Hemer

Staff: Denny Egner, Planning Director
David Levitan, Senior Planner
Vera Koliias, Associate Planner
Dan Olsen, City Attorney

Absent: Scott Jones

1.0 Call to Order – Procedural Matters*

Chair Travis 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

2.1 December 12, 2017

Commissioner moved Hemer and Commissioner Argo seconded to approve the December 12, 2017 Planning Commission minutes as presented. The motion passed unanimously.

3.0 Information Items

Denny Egner, Planning Director, welcomed Joseph Edge as a new Commissioner.

Commissioner Edge said he lived in Oak Grove, just south of Milwaukie, but was a lifelong resident of the area and attended school in Milwaukie. He looked forward to the opportunity to serve on the Planning Commission.

Mr. Egner added that the new Community Vision document was distributed to the Commission for their reference notebooks.

4.0 Audience Participation –This is an opportunity for the public to comment on any item not on the agenda.

Charles Mays, Casa de Tamales, thanked the City for the new Parking Enforcement Officer. He added that the Milwaukie Bay Park was in need of maintenance.

5.0 Public Hearings

5.1 Summary: Jackson St Driveway Variance
Applicant/Owner: Ann and Bodo Heiliger
Address: 5047 SE Jackson St

File: VR-2017-013
Staff: Vera Kolas, Associate Planner

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

Gene Zaharie, 5273 SE Jackson St, noted that only three of the Commissioners stated they had visited the site and questioned if that caused concern for the Commissioners considering that half of the Commission had not visited the site.

Commissioner Argo responded that that the Commission received a detailed staff report for the proposal and property.

Vera Kolas, Associate Planner, presented the staff report via PowerPoint. She described the background of the house and property, and noted that the house was constructed with a front yard setback of less than 15 ft. The previous owner had converted the attached garage to living space without permits. The applicant sought permits to bring the property into compliance and was informed of the residential off-street parking requirements, with which the property could not comply. The applicant was seeking a variance to the parking requirement to allow for the parking space to be within the front yard setback.

Ms. Kolas noted the key question was if the request was reasonable and added that the effort and cost of constructing a new driveway on the west side of the house would not have a corresponding benefit to the neighborhood to require that alternative. One of the recommended conditions was to bring the current driveway access more into compliance. She reviewed the comment received and decision-making options.

Chair Travis called for the applicant's testimony.

Bodo Heiliger, 5047 SE Jackson St Milwaukie, and **Dan Jensen, applicant's father-in-law**, noted that final approval for the permits to bring the converted garage into compliance was contingent on the approval of this variance request. **Mr. Jensen** added that, although the cost of paving the driveway was high, they would not prefer to have the driveway located on the west side as that would take away most or all of the front yard.

Chair Travis called for public testimony.

Gene Zaharie, 5273 SE Jackson St, stated that he attended the recent Hector Campbell Neighborhood District Association meeting and the NDA Chair had spoken in favor of the variance request.

Commissioner Hemer asked staff if Jackson St was on the Safe Routes to School project list.

- **Mr. Heiliger** stated that it was not part of the SAFE program.
- **Mr. Egner** added that Jackson St was a local street and priority was given to streets that made connections such as park to park or school to park, etc., which Jackson St would not be considered for that.

Chair Travis closed the public testimony.

Planning Commission Deliberation

Commissioner Hemer agreed with Commissioner Burns' suggestion to allow for the apron to be constructed at the time that Jackson St was improved.

- **Commissioner Edge** agreed, although parking requirements may be different in 15-20 years and therefore the condition may not be applicable. He believed the current driveway was consistent with the neighborhood and unimproved street, and the cost of the apron was excessive for little gain.
- **Mr. Egner** was unclear of the implications of removing the requirement as set by the Engineering Department. However, the Commission could remove the condition from their approval but that may not remove the Public Works standard for paving the driveway.
- **Commissioner Burns** said he was not inclined to require additional asphalt for the apron as Jackson St was very unimproved.

Commissioner Hemer moved and Commissioner Edge seconded to approve application VR-2017-013 for 5047 SE Jackson St with the recommended findings and conditions as amended to remove Condition 1.A. The motion passed unanimously.

5.2 Summary: Ledding Library Temporary Locations
Applicant/Owner: Amy Winterowd/City of Milwaukie
Address: 9600 SE Main St
File: CSU-2017-009
Staff: Vera Kolas, Associate Planner

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

Vera Kolas, Associate Planner, presented the staff report via PowerPoint. The proposal was for the City of Milwaukie to use a portion of the TriMet Park and Ride location on SE Main St as a temporary location for the Ledding Library during the reconstruction project. She reviewed the land use history for the site and noted that the application was for a new approval for the use of the site by the library. The proposal for the temporary modular building had been revised due to a change in availability and the new proposal was distributed to the Commission. She described the property features and its proximity to downtown. Additional square footage of the site would be occupied by bicycle racks, ADA features, garbage screening, and 10-11 parking spaces for library use. There would be self-contained sanitary tanks and would be managed by a company. The modular building would be in place until approximately September 2019 and no permanent library-related improvements were proposed.

Ms. Kolas reviewed the key issues and noted the use was compatible with the surrounding areas as there were a variety of industrial uses in the area that functioned with a variety of hours. The site was close in proximity to downtown and was accessible to pedestrian and bicycle traffic. She confirmed that a permit was not required to park in the Park and Ride parking lot.

Chair Travis called for the applicant's testimony.

Amy Winterowd, Plan B Consultancy, 696 McVey Ave Ste. 202 Lake Oswego, OR 97034, and Katie Newell, Ledding Library Director, provided the applicant's testimony.

Ms. Winterowd reviewed the background for the project regarding the bond measure passed

by citizens with the intent of renovation and remodeling of the Ledding Library. However, through due diligence, issues such as safety and seismic hazards compared with the cost/benefit analysis, it became clear that remaining onsite during construction would prove hazardous. Sites for a temporary location for the library were researched but were found to be limited for the needed criteria such as within the library district, accessibility to public transit, walkability, short lease term, etc. In addition, use by the library of the TriMet property would be at no cost to the City.

Commissioner Edge was concerned about access from the bus stop to the temporary building for disabled or mobility-impaired patrons.

Ms. Winterowd responded that she was open to additional suggestions but added that the property was very flat compared to the current library site. She noted that the proposal met the requirements.

Vice Chair Burns asked if co-locating with the Oak Grove Library had been considered.

Ms. Newell responded that Oak Grove was the last remaining branch of the Clackamas County Library, was overcrowded, had minimal parking, and could not facilitate the Ledding Library staff or materials. The temporary location would allow for current staff and materials to serve current patrons.

Mr. Egner noted that the intent of the proposal was as a temporary location for the library and therefore not require extensive site improvements.

Chair Travis closed public testimony.

Planning Commission Deliberation

Commissioners Argo and Hemer, and Vice Chair Burns supported the proposal.

Commissioner Edge would like to see some form of separation for pedestrians between public transit stop and the building.

Chair Travis acknowledged that the project was new to everyone and that once it got underway, issues would arise and would be addressed accordingly.

Commissioner Hemer moved and Commissioner Argo seconded to approve application CSU-2017-009 for the Ledding Library temporary location at 9600 SE Main St with the recommended findings and conditions as presented. The motion passed unanimously.

6.0 Worksession Items

- 6.1 Summary: Comprehensive Plan Update Project update
Staff: David Levitan, Senior Planner

David Levitan, Senior Planner, presented the staff report via PowerPoint. He reviewed the background of the project to-date regarding the Comprehensive Plan Advisory Committee (CPAC), background reports, upcoming events and meetings, and the consultants involved with the project.

Mr. Levitan reviewed the CPAC membership that included representatives from most of the Neighborhood District Associations (NDAs), City Council, downtown businesses, and Chair Travis as the Planning Commission liaison. The NDA members were key in supporting direct community feedback and participation. The CPAC's charter focused on harnessing the community connection, to help shape public involvement, and to refine policy priorities. The Comprehensive Plan had not been updated in 30 years and the update was focused on reorganizing the Plan, removing redundancies, and to make it a more readable document. **Mr. Levitan** reviewed the CPAC meetings held to date and the feedback received. He noted that the new Arts & Culture topic was not included in the current Comprehensive Plan.

Mr. Egner added that as part of the Block 1 policy process, the project team would reach out to the NDAs for feedback on neighborhood nodes and to share information regarding the planning and policy process.

Chair Travis was in the Public Involvement topic group at the last meeting and she described that the group brainstormed ideas around improving public involvement, etc. There would be five meetings for each policy block and she looked forward to future discussions and outcomes at the meetings. The other topic groups included Economic Development, Urban Growth Management, and Arts & Culture.

Mr. Levitan noted that the City Manager, Ann Ober, had suggested the need to provide a foundation regarding the role of the City and the true role of the Comprehensive Plan to prevent more vision-related actions, etc. A matrix that incorporated existing Plan policies, policy language from the Vision, and policy priorities established at earlier meetings would be the framework for the discussion at the next meeting. The policies would be arranged in a way that would make it easy for the members to think through what the community's priorities would be, what policies should be included while meeting state-wide planning goals and being consistent with the community vision and other City documents.

Mr. Levitan reviewed the Background Reports that provided context for each topic area and included questions to consider for policy language. A condensed summary of each topic would be included at the beginning of each Plan element. He reviewed the Block 1 topics and added that although the Arts and Culture topic was not related to a state-wide goal, it was raised as an important topic that came through the Community Visioning process. There would be three CPAC meetings, a town hall, and an online open house in the next months and staff would return to the Commission to review recommended policies in July. He reviewed additional outreach planned with the non-English speaking community, youth engagement, artMOB and Milwaukie Museum, and coordination with the Climate Action Plan process.

Mr. Egner noted that the purpose of the topic blocks was to pin down policies into a document to be organized and critiqued until the hearing process began. Each topic block related to a state-wide planning goal. He added that the Climate Action Plan would likely effect a number of city activities and departments with topics around land use, transportation, and energy and building. Staff would request that representatives for the Climate Action Plan present the project to the Commission.

Mr. Levitan described the concept of neighborhood hubs that resulted from the Community Vision process. Staff would attend all NDA meetings in March to begin the discussion and the consultant would help the design and economic analysis for the neighborhood hubs. Staff would return to the Commission to review that work.

Mr. Levitan reviewed the key questions for the Commission regarding specific policies, updates from staff, and policy recommendation worksessions.

Mr. Egner noted that, regarding the Urban Growth Management Area (UGMA), the agreement with Clackamas County needed to be updated as soon as a draft was agreed upon. Then, depending on the results of the updated Comprehensive Plan, the agreement may need to be revisited to ensure consistency between the two. He discussed issues around annexation of and services to the larger tracts of land on the edge of the city. However, many services had been given to other special districts and there was little incentive for properties to annex into the city, and some of the city's zoning was lower density than the correlating county zoning.

Commissioner Hemer voiced concerns about the possible lack of diversity of the CPAC. He was also concerned about the focus on downtown through the process while potentially underrepresenting the east side of the city. Although the Comprehensive Plan stated that the NDAs would be advisory to the Planning Commission City Council and should be notified of any land use or legislative decisions, the current CPAC membership did not include two of the NDAs and therefore excluded their participation. He felt the communication between the project team and the NDAs and Land Use Committees had been inadequate.

7.0 Planning Department Other Business/Updates

Mr. Egner noted that staff was proposing an amendment to remove the Scott Park Master Plan from the Comprehensive Plan. The plan had not been updated or implemented in 30 years and conflicted with the proposed Ledding Library reconstruction design. This proposal was determined to be the best solution for the situation. In addition, the Urban Renewal Plan included a project to update the Scott Park Master Plan.

A proposal for the Comprehensive Plan update project was to remove all the park master plans as ancillary documents to the Comprehensive Plan.

8.0 Planning Commission Discussion Items

9.0 Forecast for Future Meetings:

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| February 27, 2018 | 1. Public Hearing: CSU-2017-010 Rowe Middle School Improvements |
| March 13, 2018 | 1. Public Hearing: CSU-2017-007 Milwaukie High School Renovation |

Meeting adjourned at approximately 8:48 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Kim Travis, Chair