



# CITY OF MILWAUKIE

## PLANNING COMMISSION MINUTES

City Hall Council Chambers  
10722 SE Main Street  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

April 10, 2018

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

**Staff:** Denny Egner, Planning Director  
Vera Koliias, Associate Planner  
Tim Ramis, City Attorney

**Absent:** Adam Argo  
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 January 9, 2018 – Postponed to April 24, 2018

### 3.0 Information Items

**Denny Egner, Planning Director**, noted that the Comprehensive Plan Town Hall was successful with good turnout and feedback from the community. Another town hall would be held in about 6 months on the next block of policies and goals. Staff would work on drafting the results for presentation to the Comprehensive Plan Advisory Committee.

**Mr. Egner** added that Lauren Loosveldt, the Design and Landmarks Committee (DLC) Chair, and he would give a presentation on the Downtown Design Guidelines update project the DLC and staff were working on.

#### 3.1 Downtown Design Guidelines Presentation

**Mr. Egner** noted the presentation was provided by the consultant team of SERA Architects which was given to the DLC on April 2, 2018. SERA Architects was hired to provide guidance and recommendations for updating the Downtown Design Guidelines document. He reviewed the project goals, noting that there was a disconnect between the Guidelines and the Zoning Ordinance Development Standards.

**Lauren Loosvelt, DLC Chair**, noted that the project's overall goal was to weave the guidelines and standards together in a way that was clear for the applicants, staff, and the DLC and Planning Commission. The recommendation from SERA was to establish a Vision, Principles, and a Land Use Framework as the structure for the Design Guidelines document. Design elements would be further organized with purpose or intent, prescriptive design standards, and guidance on how to meet the purpose or intent of the elements. She reviewed the Design

Elements Catalog and how the group would address each piece. Approaching the project through this format seemed to be the most feasible way to achieve the overall goal.

**Mr. Egner** invited one or two Commission members to join the group for the upcoming meetings for the project. He reviewed the next steps and noted the goal was to develop a code amendment package for the Commission to review.

**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: Ledding Library Reconstruction  
Applicant/Owner: Hacker Architects/City of Milwaukie  
Address: 10660 SE 21<sup>st</sup> Ave  
File: CSU-2018-002, NR-2018-001, DR-2018-001, P-2018-002  
Staff: Vera Kolas, Associate Planner

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

**Commissioner Hemer** declared an ex parte contact that he had a brief conversation with the Library Director and staff regarding the April 24, 2018 public open house.

- No one challenged the Commissioner's objectivity in regard to the application.

**Vera Kolas, Associate Planner**, presented the staff report via PowerPoint. She described the project site which included the Ledding Library and Scott Park, as well as natural resources and habitat conservation areas (HCAs). Funded by a bond measure passed by citizens to improve the library, the proposal was to replace the existing library with a new single story, 20,000 sq ft library on the existing library site and would include a reconfigured parking lot, stormwater planters, and other landscape elements.

**Ms. Kolas** displayed a site plan and noted the applications included a major modification to the Community Service Use (CSU) approval, a Natural Resource review as the project would involve some disturbance of the water quality resources (WQRs) and HCAs, Downtown Design Review with review and recommendation by the DLC, and a Parking Modification to allow 28 parking spaces, rather than the maximum 24 spaces for the library, in order to account for the use of Scott Park.

**Lauren Loosveldt, DLC Chair**, presented the DLC's Design Review and recommendations to the Commission that included redesign of the northern section along the parking lot sidewalk, to increase the transparency to a minimum of 25%, and ornamental lighting along Harrison and additional canopy lighting near the proposed monument sign.

**Ms. Kolas and Ms. Loosveldt** reviewed the key issues as follows:

The proposal met all downtown site and building design standards but for five elements within code sections regarding horizontal building façade, weather protection, ground floor wall openings, ground-floor windows, and roofs. However, the proposal met the intent and guidelines for those items not met in the proposal.

- Although the building did not technically meet the requirement to break up the façade, the

design elements of transparency and shape were appropriate for the proposal.

- The proposed weather protection was wider than the requirement at the pedestrian entrance and was appropriate.
- Ground floor wall openings must include 40% of openings, windows, and doors. The proposal was just under 20% and was to limit thermal gain and exposure to the residential development on the western façade. The DLC recommendation was to increase to 25% and to focus the increase on the northwest corner near the children's reading library.
- Regarding the minimum height for the bottom edge of windows, the disparity was due to a topographical change and the rise of the sidewalk.
- The proposed roof was an undulating shed roof design and it did not include a parapet or cornice, but staff believed the design met the intent of the standard.

**Ms. Kolias** reviewed the Design Guidelines and described how the proposal met the guidelines with regard to Milwaukie Character, Pedestrian Emphasis, and Architectural Guidelines.

**Ms. Loosvedt** added that the DLC was pleased with the design and thought it was exemplary of what the design guidelines were meant to address, particularly with regard to Milwaukie Character.

The second key issue was if the request for modification to the off-street parking requirements was reasonable.

- The new building would require a minimum of 20 and maximum of 24 parking spaces. However, parking for Spring Park was not addressed in the code.
- The proposal for 28 spaces included 2 accessible spaces and 2 carpool spaces, therefore the modification request was for the additional 4 spaces.
- Staff believed the request was reasonable and recommended approval.

The third key issue was if the proposal adequately addressed impacts to natural resources. A map was displayed of the current building footprint and included the Habitat Conservation Areas (HCAs) and Water Quality Resources (WQRs). Technical reports and alternatives analysis were required and were included in the application. Both the existing and proposed buildings were located in the mapped HCA and WQR, and much of the construction of the new building within the HCA and WQR would occur within the footprint of the existing building and parking lot and was sited as such to minimize impacts. **Ms. Kolias** reviewed the proposed mitigation plans for both temporary and permanent disturbance.

**Ms. Kolias** reviewed the decision-making options and the key recommended conditions which included removal of the Scott Park Master Plan, a photometric plan, detailed planting plan, construction management plan, redesign of elements as recommended by the DLC, and a revised parking lot design or variance as needed. Staff recommended approval with the findings, conditions, and other requirements as presented in the packet. She reviewed the comments received with regard to the impacts to the natural resources and tree removal, design of the building, bike rack design, and the Scott Park Master Plan.

Staff answered questions from the Commission as follows:

- **Ms. Kolias** believed the case could be made for approval of a variance for the parking lot design.
- The proposed contemporary light fixtures did a better job at casting light directly down rather than the historic acorn fixtures that spilled more light in all directions. **Mr. Egner** added that

Public Works received approval to replace the existing acorn fixtures in downtown with an improved design to reduce light pollution.

- The right-of-way of 21<sup>st</sup> Ave was not a full-width ROW; it was dedicated as part of the North Main Village development. If a full ROW was dedicated, it would require a dead-end cul-de-sac with a turnaround which the site could not support; 21<sup>st</sup> Ave functioned more like a private driveway. In addition, City Council removed the planned 21<sup>st</sup> Ave extension to Main St from the Downtown and Riverfront Framework Plan in 2014.
- The Scott Park Master Plan did not distinguish the boundaries between the park and the library.
- This project was the first development project in recent time where there was a conflict between the Public Works Standards and the Portland Stormwater Manual regarding onsite stormwater management. Due to the poor infiltration and high-water table of the site, the Public Works Standard of meeting existing standards for stormwater could be applied.

**Chair Travis** called for the applicant's testimony.

**Leila Aman, Development Manager and Library Project Manager**, and **Ann Ober, City Manager**, acknowledged staff that were part of the project team including Library and Finance staff and noted the members of the Library Task Force. **Ms. Aman** reviewed community outreach done and noted an Open House was scheduled for April 24 to present the design to the public.

**Ms. Ober** explained that the deed restrictions were very specific for a library use and for a park on the Scott Park portion of the property. The original design was for 32,000 sq ft but had been reduced to 20,000 sq ft due to property restrictions and construction cost increases; additionally, the construction costs continue to increase which was driving the pace of the project. **Ms. Aman** introduced the architecture team for the remainder of the presentation.

**Tyler Nishitani** and **Scott Mannhard, Hacker Architects, 1615 SE 3<sup>rd</sup> Ave Portland OR 97214**, presented for the applicant. **Mr. Mannhard** noted the design opportunity for this project that the site affords as the location was both in an urban environment and in a park setting. An analysis was done to determine the suitability of the current building for renovation, and the conclusion was that the city would benefit more with a new 1-story building compared to a 2-story renovation. He reviewed the factors that produced that conclusion which included better building resiliency and performance, flexible programming, accessibility, budget flexibility, easier supervision, park engagement, and interior acoustics of a new 1-story building.

**Mr. Mannhard** presented the proposed design and elements, and noted how the design team considered and incorporated the surrounding natural features. He described the use of windows, entrance and interior features, design elements that accentuate the natural surroundings, use of paths around the building, exterior materials featuring wood siding and slats, and metal-like elements around the windows.

**Mr. Nishitani** reviewed the sustainable features of the project. Regarding the footprint of the proposed building, the goal was to limit the amount of new disturbance in the natural resource areas, with particular attention to the heritage trees along the east side of the site. The project was participating in Energy Trust of Oregon's "Path to Net-Zero" program and focused on two categories by reducing energy use with a robust thermal envelope with radiant heating and passive cooling, and by onsite generation by photovoltaic panels on the western roof edge. He noted that the current library's Energy Use Intensity (EUI) was 146 and the proposed library

would have a target EUI of 23 with potential for a lower rating with use of solar generation.

**Mr. Mannhard** continued by reviewing the design guidelines and standards. He displayed the original proposal presented to the DLC and how their recommendations were incorporated into the revised design with regard to glazing, landscaping, façade breaks and roof lines, window sill height, and sign lighting.

**Ms. Ober** clarified that, regarding the downtown acorn lights, the city was moving toward replacing the lights in downtown with dark sky compliant by the end of the calendar year. Regarding the glazing, she acknowledged that the architects were being conservative with the window design as the cost was quite high for the proposed glass.

**Chair Travis** called for public testimony.

**Chris Carter, 10554 SE Main St**, asked how the proposal addressed lighting and how it affected the adjacent apartments and condominiums as the current library cast a lot of light toward those properties.

**Toy Lim, 10605 SE 21<sup>st</sup> Ave**, directly across from the library, was concerned regarding the proposed parking and turnaround in terms of the driveways of North Main Village. She questioned if the tree located in a bump out in the driveway would remain as she understood it was the property of the condo association and not the city. Also, she asked if the current fountain at the corner of Harrison St and 21<sup>st</sup> Ave would be removed.

**Lisa Lashbrook, 4342 SE Rockwood St**, was a member of the Park and Recreation Board (PARB) and noted that the group had discussed making the northern portion of Scott Park a children's garden that could be used by the children's library patrons and staff. The proposed pathway from the library directed toward the amphitheater rather than toward the park and asked that the proposed pathways be adjusted to accommodate future improvements to the park.

**Gary Klein, 10795 SE Riverway Ln**, was a member of the Historic Milwaukie Neighborhood District Association (NDA) and the PARB, and was in support of updating the library for improved safety and energy standards. However, he was concerned that the bond measure was originally to remodel or reconstruct but now the proposal was for a complete tear-down and rebuild with a footprint twice as it was currently. The city was working toward more tree protection standards through the Tree Board and so he was concerned about the number of trees removed for this project and the pace of the project to move ahead before the tree code amendments were adopted.

**Chair Travis** called for the applicant's rebuttal to public testimony.

The Applicant Team responded as follows:

- The lighting would be engineered to be both code compliant as well as to best practices and the photometrics for both proposed lighting fixtures would be considered. However, the minimum light level was required for safety. In addition, the proposed parking configuration eliminated headlights being directed toward the apartments.
- Regarding vehicle turnaround, an area about the size of a parking space at the north end of the parking lot would be striped to provide a turnaround space.
- Although trees in the ROW are the responsibility of the adjacent property owner, the tree in

- the bump out was slated for removal for the new drive area and parking lot configuration.
- The proposed pathway could be easily reconfigured and reconstructed if the new park master plan called for it. The pathway provided immediate and direct access to the amphitheater, code compliant egress from the building, and the curved design indicated it was not an entrance to the building.
  - A proposed tree code was forecast for adoption within the year. However, the code for tree removal on city-owned properties called for additional processes to demonstrate minimum impact on natural resources. The proposal was designed specifically around the large heritage tree at the south side of the property and the oak tree line to the east. The three trees slated for removal were abutting the current building.

**Chair Travis** closed public testimony.

### **Planning Commission Deliberation**

**Commissioner Hemer** recognized the library as a community gathering place and the proposed design enhanced the community use. He appreciated the sustainability elements of the proposal. He supported an additional condition regarding the pathway to Scott Park.

**Commissioner Argo** supported the proposal with the recommended conditions. He appreciated the design, the sustainability features, and how the proposal fit the site considering the natural resource constraints. He believed it would provide a long-term and valuable resource for the community.

**Vice Chair Burns** supported the proposal although he was concerned about parking and congestion around parking. He believed that it would be an asset to the community given the constraints on the site. He disagreed with the proposed stormwater management plan as redevelopment was an opportunity to make improvements to stormwater management systems.

**Commissioner Edge** acknowledged that the issue with the city code was related to the inability for infiltration on the site and agreed this was a loophole in the code. He believed it was in the purview of the Commission to determine that the proposal did not meet the criteria for stormwater. He believed the corner treatment at Harrison St and 21<sup>st</sup> Ave was inadequate and should be treated as an important civic space. He was disappointed in the amount of permanent disturbance area to the natural resources. This project was an opportunity for the city to showcase its value of the natural environment and a two-story building in an urban setting on a constrained site was a common approach and should have been considered in order to prevent further encroachment in the natural resources. Although the building and materials were pleasing, the footprint of the structure should have been reduced and he was disappointed with the proposal.

**Commissioner Grau** agreed that the construction costs were a factor and was unsure if a two-story building could have been financially feasible. She believed the parking spaces should be to code standards. The estimated EUI for the proposal was commendable and sustainable design was very important. She would support the proposal.

**Chair Travis** acknowledged the importance of this project to the city. She appreciated the work of the task force and the alternatives that were explored which determined that this was the best scenario given the site and budgetary restraints. She agreed with the DLC's recommendations. Although she originally supported a two-story option for reducing the footprint, the alternatives

analysis and cost constraints along with the proposed design was a good solution and proposal.

**Commissioner Hemer** asked to clarify Commissioner Edge's statement that it was in the Commission's purview to add stormwater management conditions to the approval.

- **Tim Ramis, City Attorney**, explained that the basis for approval or denial needed to be related to a specific criterion that was applicable to the application. If the applicable rule was met by the proposal, there was no basis for a condition for more stringent requirements.
- **Vice Chair Burns** noted that this issue was discussed at a previous hearing and a basis was not found for additional conditions.

**Commissioner Hemer moved and Commissioner seconded to approve applications CSU-2018-002, NR-2018-001, DR-2018-001, and P-2018-002 for the Milwaukie Ledding Library Reconstruction at 10660 SE 21<sup>st</sup> Ave with the recommended findings and conditions as amended. The motion passed 5-1 with Commissioner Edge opposing.**

**Chair Travis** thanked everyone for their participation and feedback on the project.

## 6.0 Worksession Items

- 6.1 Summary: Housekeeping 2018 Park 1 Code Amendments  
Staff: Vera Kolas, Associate Planner

**Denny Egner, Planning Director**, explained that there would be two housekeeping code amendment packages. The first would include miscellaneous housekeeping fixes as well as a definition change for "senior housing." The current definition confined a "senior housing" dwelling unit to 1 bedroom and no more than 800 sq ft, which was prohibitive for current senior housing development.

- **Commissioner Edge** noted that the group should be mindful of housing affordability, particularly with regard to senior housing.

The second package of code amendments would involve some policy issues that could take some discussion.

## 7.0 Planning Department Other Business/Updates

**Ann Ober, City Manager**, invited the Commissioners that were concerned with stormwater management to a meeting to discuss concerns and possible solutions with the Public Works Director, Planning Director, and herself.

- **Commissioner Grau** nominated Commissioners Edge and Burns.

## 8.0 Planning Commission Discussion Items

**Chair Travis** noted the next Comprehensive Plan Advisory Committee meeting was scheduled for the beginning of May.

## 9.0 Forecast for Future Meetings:

- |                |  |
|----------------|--|
| April 24, 2018 | 1. Public Hearing: VR-2018-002/ADU-2018-001 23 <sup>rd</sup> Ave ADU                           |
|                | 2. Public Hearing: CSU-2018-001 Milwaukie High School Lake Rd Athletic Fields / Sports Complex |
| May 8, 2018    | 1. Public Hearing: CU-2018-001 Covell St Vacation Rental                                       |

2. Public Hearing: ZA-2018-001 Housekeeping 2018 Part 1 Code  
Amendments

Meeting adjourned at approximately 10:10 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



~~Kim Travis, Chair~~

Greg Hener Pro-temp Chair