



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

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

April 24, 2018

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

Staff: Brett Kelper, Associate Planner
Vera Koliias, Associate Planner
Edward Trompke, City Attorney

Absent: Adam Argo

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

2.2 January 23, 2018

Commissioner Hemer moved and Commissioner Jones seconded to approve the January 9, 2018, and January 23, 2018, Planning Commission minutes as presented. The motion passed unanimously.

3.0 Information Items

Brett Kelper, Associate Planner, confirmed a public hearing that was originally scheduled for this meeting was rescheduled to May 22, 2018, due to changes in the application by the applicant.

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: Milwaukie High School Lake Road Sports Complex
Applicant/Owner: 3J Consulting/North Clackamas School District
Address: 2905 SE Lake Rd and 11250 SE 27th Ave
File: CSU-2018-001, VR-2018-003, P-2018-001
Staff: Brett Kelper, Associate Planner

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

Commissioner Hemer declared a potential ex parte conflict as he communicated with Gabe Storm, who had commented on the application and was involved in youth baseball, regarding his preference for artificial or natural turf. Mr. Storm responded that although his preference was natural turf, artificial turf provided benefits in terms of maintenance and reducing weather disruptions, etc.

Commissioner Burns noted that, upon his site visit, he noticed a difference between the applicant's report and the actual site as the report stated there was a pedestrian walkway connecting the parking lot to the field. However, at the site the walkway was inaccessible due to cars parked where the walkway should be.

Brett Kelper, Associate Planner, presented the staff report via PowerPoint. The proposal was part of the school improvement bond projects and was for the Milwaukie High School sports complex. He described the two sites that included both the high school sports fields along Lake Rd and the Milwaukie Elementary School sports fields to the north on 27th Ave. The primary project elements included refurbishing and reconfiguring the existing fields, installing artificial turf and lighting for the varsity fields, replacing current buildings and adding a number of other buildings and structures, and adding and improving pathways, lighting, bike parking, and parking areas.

Mr. Kelper noted that the artificial field turf and lighting would expand the use of the fields and would be in use up to 10 p.m. The parking determination was for 96-97 spaces and the variance request was to allow for field light poles to exceed the 50 ft standard up to 80 ft. These improvements would be an intensification of the site with regarding to time of day and weather allowance; however, the capacity of the site would not increase and therefore did not require a traffic impact study. He displayed plans and described the improvement elements across the site, noted features of the existing site conditions, and reviewed the approval criteria for the Community Service Use, Parking Determination, and Variance Request.

Mr. Kelper reviewed the Key Issues related to sufficient parking, neighborhood compatibility, and safe and public access as follows:

- The proposal was to improve the parking configuration and add 16 new parking spaces to the existing 81 spaces plus a gravel area. The peak usage was expected to remain similar.
- Compatibility: Comments had been received regarding screening, light pollution, and noise. The extended season and hours of use would increase the use intensity. A photometric analysis had been submitted and light spill and pole height for the field and pathway lighting appeared reasonable at the neighboring boundaries. The applicant could address the noise issue with regard to the announcement system.
- Currently the fields acted as a type of park. However, the proposal would restrict public access to focus access primarily to school athletics. Staff prioritized pedestrian connections to and within the site and recommended additional or improved connections between the elementary school parking lot to the path, between Lake Rd and the parking lot, and from 30th Ave and/or 31st Ave to the fields.

Mr. Kelper noted the issue of stormwater management on the site. The City was aware of the issue and would work with the applicant to address the issues through the permit review process. He clarified that the catch basin located near 2805 SE Lake Rd was not a connected stormwater catch basin but the stormwater system was scheduled for replacement in the Capital Improvement Plan and included connecting that basin to the system.

The runoff from the fields would be dealt with through catch basins under the fields. Regarding the stormwater quality issue, the code did not distinguish between artificial and natural turf; both were considered pervious materials. At this point in the process, the plans were preliminary and a full stormwater management report would not be required until the permitting phase of the project. What the stormwater report indicated regarding infiltration would dictate the specifics of how the stormwater would be managed.

Mr. Kelper reviewed the recommendations to approve the applications, and noted key conditions of approval for additional pedestrian connections, screening and buffering at the perimeter of the site, and hours of use for lighting and the announcement system. He reviewed the decision-making options.

Mr. Kelper responded to questions from the Commission as follows:

- Although there was an historic survey showing 28th Ave to be platted as a public right-of-way, it was never recorded and vacated and acted as a private drive. There was an access agreement between the school district and the properties along 28th Ave.
- A transportation demand management plan could be added as a condition to promote carpooling or for advertising the elementary school parking, etc.
- The Transportation System Plan provided general direction to improve and provide connections when available, but not necessarily specifics.
- Capital improvement projects were slated for the year to improve the stormwater management of the area, particularly a replacement of the clay pipe system near the site and reconfiguration work around the Main St and light rail bridge area.
- Prior to the school improvement applications, the parking at the Lake Rd fields was included in a variance request for the high school for its minimum required parking. However, with the recent approval of the high school renovation project, these spaces were removed from the high school parking count.
- There was minimal conflict between the elementary school parking during school hours and parking for activities.
- Regarding concerns about the environmental impacts of artificial turf, staff believed there was inconclusive evidence around the debate. No study was done regarding impact to wildlife that may use the fields as the site was not a designated natural resource area.

Mr. Kelper displayed and read into the record an email sent prior to the meeting from Gabe Storm. Mr. Storm was in support of the project and assured the lighting and noise would likely be minimal. He was concerned that Milwaukie-area nonprofit sports organizations were not included in the applicant's list of users of the site but rather seemed to focus on private sports clubs. He believed it gave the wrong impression for how the facilities would be used and by whom. Mr. Storm wanted to ensure that community youth organizations be served before adult and youth for-profit organizations.

Mr. Kelper noted other comments received.

Chair Travis called for the applicant's testimony.

Andrew Tull, 3J Consulting, 5075 SE Griffith Dr Beaverton OR 97005, and David Hobbs, North Clackamas School District, 4444 SE Lake Rd Milwaukie, thanked the Commission and staff, and introduced the project team. **Mr. Tull** noted he would begin by addressing some of the questions raised during the staff presentation.

- He acknowledged the organizations not included on the list of users for the facilities but assured the commitment to the youth leagues in the area.
- The current lighting options were technologically-advanced and reduced light pollution greatly. Regarding the parking and pathway lighting, the proposal met the criteria and lower light fixtures often become maintenance issues due to vandalism, etc.
- The proposed parking for the high school was comparable to surrounding school jurisdictions.
- The assumption was the field hours of use would generally be between 4:00 and 8:00 p.m. There also was little to be concerned about regarding the noise levels from the announcement systems.
- The proposal was a maintenance upgrade and therefore it was not the time to be looking at the TSP or Comprehensive Plan for possible connections, etc.

Mr. Tull proceeded with the applicant's presentation and reviewed the elements for the field improvements and site improvements. The site improvements were minimal due to budget constraints but value engineering had been done to ensure that the most effective improvements could be completed within the budget to provide an equitable level of service for the high school students.

Mr. Tull requested two changes to the proposed conditions as follows:

- Condition 1.c.3 called for a pedestrian sidewalk to be constructed along 28th Ave between Lake Rd to the proposed parking lot. The district requested instead to create a marked walkway rather than a new sidewalk due to cost concerns and possible effects on stormwater management. In addition, the pathway was not a primary access route for students.
- Condition 1.c.4 required providing pedestrian connections at either 30th Ave or 31st Ave. The district's concerns were that the access was to be limited to school sports teams and authorized users and would be locked when not in use to provide secure access and maintain the improvements. Also, additional connections could encourage parking on neighborhood streets which neighbors did not support. The current proposal met pedestrian connectivity requirements without the need for additional connections.

The applicant responded to questions from the Commission as follows:

- **Mr. Hobbs** stated the primary reasons for restricting access to the improved fields were to protect the turf from damage and limit sanitary contamination from dogs, etc.
- The goal of the district was to allow for the high school and local teams to complete more games at this facility rather than the need for away games due to turf and weather conditions, etc. The primary use of the facility would be for the students with renting the facility to private clubs as a secondary use.
- Additional measures to secure school sites was a priority for the district. Although the sites were locked and secured during school hours, there would be access afterhours.
- **Marc Bargenda, Heery International**, noted the lighting system would be on a remote and timing system.
- A study had not been done on the toxicity or warming of artificial turf. The district preferred artificial turf as it provided a better playing environment and longer seasons for the students.
- **Dan Hoff, Harper Hoff Peterson Righellis**, explained the proposal was for a 2-inch turf with 10 inches of rock below for better and more natural drainage. He reviewed the benefits of artificial turf which included reuse of materials; no mowing maintenance, irrigation, or fertilizing required; the field acted as a self-mitigating and cooling porous surface; and

reduced travel time due to more home games. He added the turf and gravel configuration often had a better infiltration curve than natural turf. He believed artificial turf would not produce polluted stormwater and recent studies did not show a correlation between turf and cancer rates in communities or levels of toxicity from the turf in runoff. He believed there were environmental benefits to using artificial turf.

- ADA access to the site could be incorporated into the pedestrian pathway at the southeast corner of the site from the bus stop on Lake Rd.
- Weekend sports schedules would likely generally be between 9 a.m. to 6 p.m.

Chair Travis called for public testimony.

In Opposition:

Hal Wacek, lives directly across from the site (no address provided), and had issues with the current use and the proposed improvements. He requested a better explanation of why the use intensification increase would not result in more traffic. The noise levels often came from the people after games as they moved from the fields to their cars parked along Lake Rd. He disagreed with the noise level assessment. He asked for a condition that the applicant adjust the lighting if it did not meet the proposal.

Patty Lang, 11877 SE 32nd Ave, stated her backyard was adjacent to the varsity bullpen. The site was not a traditional school field; it was detached from the school and vehicle use was required to access the site. Neighborhood parking for the site was a big concern as issues such as blocked fire hydrants were frequent, and a person of contact for the district to address issues was difficult to reach and unavailable during the summer. The timeframe for the site to be cleared after events was much longer than 30 minutes. She wanted more information before the application was approved and felt the information received by the applicant was not factual.

Neutral:

Sarah Roller, 11630 SE 27th Ave, noted her property abutted the fence along the parking lot. When the parking lot for the site was constructed, the level of the soil was raised to 3 ft above grade, which made the current 6 ft fence inadequate. Due to the grade, the backyard could be viewed directly from the field and requested the fence height and screening be increased between the parking lot and the properties to the west.

Michael Martin, 2725 SE Lake Rd, noted his house was the last house along the parking lot driveway. He believed due diligence had not been done on the parking issue and noted that the current frequency of use and users of the facility was not included in the application and so prevented a better assessment of the increase in intensity. He thought a traffic impact study was warranted. However, the parking and use had not been too bad, generally, although the lot filled up regularly and a sidewalk would be beneficial.

Ray Bryan, 11416 SE 27th Ave, was in support of a sidewalk along 28th Ave. He noted that what had not been discussed was the transition between games and practices. The activity came in bursts and could prove hazardous to pedestrians. He acknowledged budget constraints but believed safety should be a priority. He believed the impacts to neighborhoods and wildlife warranted the lower height for the pathway lighting. Access to the pathway around the fields should not be limited as it was a neighborhood resource.

Glenn VanBergen, 11610 SE 30th Ave, stated he was at the end of 30th Ave adjacent to the site and the dead-end was often used by spectators. If a pedestrian connection was made there, he was concerned about safety and maintenance. He questioned if the lighting height would be from the field level, if there was additional fencing along the perimeter proposed to prevent stray balls, etc., and if safety and emergency vehicle access and bus traffic were considered in the proposed parking configuration. He had environmental concerns regarding stormwater and wildlife issues.

Lloyd Wolfe, 3115 SE Lake Rd, supported the proposal. As a user of the perimeter pathway, he could attest that people and dogs did not go onto the fields. If the fields would be fenced, the path should continue to be available for use at all times.

Questions:

Ron Boley, 11563 SE 30th Ave, was in support of much of the proposal. However, he was opposed to the access requested at 30th Ave. Additional netting should be installed to prevent stray balls for the safety of the neighbors and spectators. Cost of turf replacement should be included in budget considerations for the future.

Mike Pinker, 11464 SE 27th Ave, was adjacent to the junior varsity fields and was pleased to hear improved stormwater management was proposed. His concern was for the pathway lighting between the elementary school and the fields, and that the proposal did not include lighting for the junior varsity fields. He believed lighting until 10:00 p.m. was unnecessary during the summer.

Cameron Wagner, 3920 SE Lake Rd, used the site for exercise and to walk her dog. She supported the improvements but had issue with the facility being locked and requested that the walking path be available to the public.

Chair Travis called for questions from the Commission.

Commission Hemer clarified that neighbors to the north of the site were opposed to new connections at 30th Ave and 31st Ave but those to the south of the site and other were in favor of improved or continued access from Lake Rd.

Commissioner Edge asked if there was a code enforcement process available if the light pollution became an issue once constructed and in use.

- **Mr. Kelder** stated that if there was concern about the height of the poles or insufficient information about light spill, etc., it should be discussed prior to approval.
- **Commissioner Jones** noted the concern was regarding ambient light pollution which was not captured well in photometric reports, and so if the lighting was installed according to the approval and standards set, then there would be little recourse for remediation.

Commissioner Edge asked if conditions could be applied to request signage at the end of 30th Ave and 31st Ave indicating no access to the fields as well as signage to promote parking at the elementary school.

- **Mr. Kelder** confirmed that could be conditioned.
- In additions, there was no obligation, based on access requirements per frontage, to require additional access points.

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

Mr. Tull noted that the North Clackamas School District strived to be a good neighbor to those properties around their sites. He responded to the testimony as follows:

- The applicant was not required to submit a traffic impact study as was stated by staff. The improvements would not generate the type of increase to call for a study.
- Parking on streets was permitted in accordance to the law, and enforcement by police and code enforcement was available if there were issues.
- Sports complexes were exempt from noise emission standards per the code.
- Ambient lighting or glow would end at 10:00 p.m. as would be conditioned upon approval. The proposed lighting and the photometric analysis comply with all applicable criteria. The poles would be installed at grade and would match the existing fixtures that were approved in 2014.
- Regarding fencing, a proposed condition was for repairing or replacing screening slats around the site perimeter. In addition, vegetation would be planted along the parking area perimeters.
- Access to the elementary school would be locked during school hours through a gate but would be open after hours. The perimeter of the fields would be available at all hours. The fields would be locked and would only be available to authorized personnel.
- Buses would be expected to park offsite during games.
- The site was not an identified natural resource site and therefore an environmental analysis was not required.
- Additional netting between fields and 30 ft backstops were included in the proposal.
- The applicant was willing to work with neighbors during the permitting process regarding stormwater management improvements.
- The district would educate participants on parking expectations and would work to address any possible issues.

Mr. Tull thanked the Commission for their consideration. **Mr. Tull** and **Mr. Hobbs** answered questions from the Commission as follows:

- Signage would be installed with afterhours contact information as well as signage for no access at 30th Ave and 31st Ave.
- A condition for better landscape screening along the parking area was reasonable.
- Signage and action for towing from the district's property would be allowable.
- Although the fields would be locked, access to the perimeter path would remain open.

Mr. Kelper noted that the lighting concern seemed to focus on the pathway lighting level. However, since the lighting standard was a requirement, it could be reviewed and addressed at the time of development review. He confirmed the request for additional information included:

- Lighting measurements for the parking lot
- More detail of the proposed netting and backstops
- Clarification regarding public access
- Lighting timing and scheduling
- Emergency access

Mr. Kelper added that a traffic impact study reviewed the impact of a development on the public streets system. The concerns raised regarded trips to and parking at the site and crowding of the site. He confirmed that the Commission's request was for better clarification around if the proposed parking would be adequate for the increased use and activity for the site. The concern

regarding artificial versus natural turf would need to be tied to the applicable approval criteria.

Mr. Kelter and the applicant agreed to provide additional information as requested within a week.

Commissioner Grau moved and Commissioner Hemer seconded to leave the public testimony portion of the hearing open and continue the hearing to a date certain of May 8, 2018. The motion passed unanimously.

6.0 Worksession Items — None

7.0 Planning Department Other Business/Updates

8.0 Planning Commission Discussion Items

Commissioner Hemer noted the spring plant sales were scheduled for May 12th.

Commissioner Edge met with the DLC regarding the Downtown Design Guidelines and the group reviewed the plan on how to address the update project through a systematic approach.

He added that the Park Avenue Station Area planning group would be distributing the draft request for proposals once Clackamas County and Metro reviewed it. He invited the Commissioners to pass onto him anyone they may know that would be interested in participating in that project.

9.0 Forecast for Future Meetings:

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| May 8, 2018 | 1. Public Hearing: CU-2018-001 4219 SE Covell St Vacation Rental |
| | 2. Public Hearing: ZA-2018-001 2018 Housekeeping Code Amendments |
| May 22, 2018 | 1. Public Hearing: VR-2018-002, ADU-2018-001 23 rd Ave ADU |
| | 2. Worksession: Comprehensive Plan Update project update |

Meeting adjourned at approximately 10:13 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Kim Travis, Chair

Cory Hemer Pro Temp Chair