



# CITY OF MILWAUKIE

## PLANNING COMMISSION MINUTES

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

May 22, 2018

**Present:** Kim Travis, Chair  
Adam Argo  
Joseph Edge  
Sherry Grau  
Greg Hemer  
Scott Jones

**Staff:** David Levitan, Senior Planner  
Mary Heberling, Assistant Planner  
Tim Ramis, City Attorney

**Absent:** John Henry Burns, Vice Chair

### 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 — None

### 3.0 Information Items

**David Levitan, Senior Planner**, noted a Climate Action Fair and Summit was scheduled for the following Thursday, May 31, at the Portland Waldorf School.

**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: 23<sup>rd</sup> Ave ADU  
Applicant/Owner: McCulloch Construction / Dennis Osterlund  
Address: 10565 SE 23<sup>rd</sup> Ave  
File: VR-2018-002, ADU-2018-001  
Staff: Mary Heberling, Assistant Planner

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

**Mary Heberling, Assistant Planner**, presented the staff report via PowerPoint and clarified that the Commission's review was for the Variance Request. She reviewed the site features that included the building was a contributing historic resource in the Comprehensive Plan and the natural resources of Scott Park Pond. The proposal was for a 3-door garage with an Accessory Dwelling Unit (ADU) on the second floor; the variance requests were for a 1,100 sq ft building footprint and for a 20 ft front yard setback.

**Ms. Heberling** noted the key issues with regard to the scale of the proposed structure and the impacts of the front yard setback to the property to the north.

- The allowed maximum for ADUs was 800 sq ft and the proposal was for 1,100 sq ft as the applicant believed it would be proportionate to the property.
- The proposal included a front porch entryway and staff recommended a walkway from the either the driveway or the street in order to create a better pedestrian element.
- The proposed 20 ft front yard setback was primarily for the benefit of the property to the north as the structure would be directly adjacent to the building to the north if it met the 40 ft setback. Landscape screening would be included and staff recommended that windows of the ADU would be located in the top third of the building for additional privacy screening.

Staff recommended approval of the variance request with the findings and conditions as presented. **Ms. Heberling** reviewed the decision-making options.

**Ms. Heberling** verified that the setback was required for the ADU. If the property was divided and developed, setbacks would be less and density would be higher.

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

**Dennis Osterlund, 3048 SE Crystal Springs Blvd, Portland OR**, stated that he bought the property for his company but needed a garage and saw the opportunity to increase density, which was needed in the area, by including an ADU in the garage construction. The building would match the architecture and style of the 1923 house on the property. **Mr. Osterlund** introduced John McCulloch as the general contractor who had a reputation for high-quality renovations on historic homes.

**John McCulloch, McCulloch Construction, 1729 NE Siskiyou St, Portland OR**, noted his experience with extensive renovation and restoration of historic homes and research on historic styles. He said the roofline height of the ADU was to match the main structure. For egress, the condition for the upper level window location could not be met.

**Mr. Osterlund** added that he was excited about the project to restore the main building to its original historic charm and for the new structure to fit nicely with the location.

**Chair Travis** closed public testimony.

### **Planning Commission Deliberation**

**Commissioner Hemer** suggested to remove Condition 1d regarding locating the windows in the top third of the building; otherwise, he supported the proposal.

**The Commission** agreed that the proposal was sensitive to the northern neighbor and fit with the original building well.

**Commissioner Hemer moved and Commissioner Edge seconded to approval land use applications VR-2018-002 and ADU-2018-001 for 10565 SE 23<sup>rd</sup> Ave with the recommended findings and conditions as amended. The motion passed unanimously.**

## **6.0 Worksession Items**

6.1 Summary: Comprehensive Plan Block 1 Draft Goals and Policies Review

Staff: David Levitan, Senior Planner

**David Levitan, Senior Planner**, presented the staff report via PowerPoint. The Comprehensive Plan update project was split into goal blocks with sets of topic areas, which then would be pinned down by Council resolution. The Block 1 Policies topics included Public Involvement, Urban Growth Management, Economic Development, and History/Arts/Culture. Once the policies were determined, they would then be reviewed against the quadruple bottom line and for redundancy between policies prior to adoption by ordinance.

**Mr. Levitan** reviewed the background for the development of the Block 1 Policies with regard to Comprehensive Plan Advisory Committee (CPAC) meetings and a town hall for community feedback on priorities, etc. The next steps included conducting an online survey, holding Planning Commission and City Council worksessions, and a final CPAC meeting for Block 1 prior to the final resolution at Council in July.

**Mr. Levitan** reviewed and discussed with the Commission proposed policies that were related to the Commission as follows:

Public Involvement:

- A proposed policy was for the Commission to serve as the Community Involvement Advisory Committee which would involve dedicated meetings to address public involvement issues and opportunities. Another public involvement policy outlined better opportunities for input from the Neighborhood District Associations (NDAs) on decisions by the Commission and City Council.
  - **Chair Travis** noted that the Community Involvement Advisory Committee was required by state law and therefore the City was violating Goal 1 by not currently having that entity in place. Many other communities had that committee embedded in the Planning Commission.
  - **Mr. Levitan** stated that that Committee would review how the NDAs were involved in the land use planning process and decision-making, and would evaluate public comments, project outreach, and public meetings held during the year, etc., and then provide guidance on any improvement needed.
  - **Commissioner Edge** noted that Clackamas County had a standalone committee that focused on all matters of public involvement and supported the idea of a similar committee for the city that would review all public engagement outside of only land use.
  - **Ms. Heberling** added that there were other policies within the Public Involvement goal that were overarching for the entire city and formed a roadmap for engagement.
  - **The Commission** agreed that a standalone committee outside of the Commission would be beneficial for the city. The group also discussed involving the industrial and manufacturing areas as currently there were no NDAs in those areas.
  - **Mr. Levitan** clarified that the upcoming joint session with City Council regarding technological change in the city was more focused on land use and transportation as they related to changes such as shared economies, autonomous vehicles, etc. Through this project, it was recognized that the city needed to stay lean and nibble in order to evolve with how the public communicated in the future.

History, Arts, and Culture:

- In the current Comprehensive Plan, historic preservation was part of the natural resources and environmental section as different resources were lumped together into one chapter.

However, through the visioning process and the amount of interest in the History, Arts, and Culture topics, it was determined that a specific chapter for the topic area should be created. One proposed policy was to incentive the provision of spaces for art and gathering places on development sites. This would encourage developers, through the land use planning process, to consider how those elements could enhance benefits for the community.

- **Commissioner Hemer** noted that he was pleased to see both visual and performing arts included in this policy group.
- Although historic preservation was important, some structures were beyond preserving. However, a culture that wanted to protect historic resources was invaluable and a better approach than relying on rules, etc.
- The catch between preserving an older home and its materials and constructing new homes that were more energy efficient, etc., came with complications. Incentives should be for the right outcomes and adjust per situation.
- **Chair Travis** pointed to the proposed policy to ensure that changes to historic resources be consistent with both state and federal criteria as well as the community's priority. This gave the community the opportunity to revisit the processes around those changes.

#### Urban Growth Management:

- The Urban Growth Management policies called for the city to have a more aggressive approach and to pursue annexations within the urban growth management area (UGMA). However, the majority of the UGMA already had urban services and so there was little ground for the city to require annexation.
  - **Commissioner Hemer** noted that there were many neighboring areas along the boundary of Milwaukie that would consider Milwaukie as their city or neighborhood, such as Oak Grove adjacent to Island Station, or to the east of the Lewelling and Linwood neighborhoods. He encouraged the city to invite the neighboring communities into the NDAs and felt it would be more of a positive strategy.
  - **Mr. Levitan** agreed that the community feeling was what Milwaukie had to offer and neighborhood outreach would be the place to start.
  - **Commissioner Edge** added that the area to the southeast of the city boundary did not have neighborhood representation as the community planning organization was dormant but the area was within the Milwaukie UGMA. Milwaukie had the opportunity to provide incentives to that area to annex and believed policies should be developed around that goal.
  - **Chair Travis** asked that Commissioner Edge attend the next CPAC meeting in her place as she was unable to attend.

#### Economic Development:

- Proposed policies included language that allowed the city to adapt to industry trends and emerging technologies, to provide flexibility of uses within underutilized industrial areas, and to incentive community amenities in employment areas.
  - **Mr. Levitan** added that a major focus of the project was around creating neighborhood hubs, which the project was receiving feedback from NDAs on currently.
  - The neighborhood hub meetings with the NDAs had been different per NDA with regard to proposals and similar goals of the communities.
  - **Commissioner Hemer** noted the difficulty with the Linwood neighborhood due to the limited natural hubs, limited sidewalks, etc. He added that the neighborhood was frustrated with plans being developed with no actual results; it was detrimental to community engagement. He hoped the neighborhood hubs concept could show results.

- **Chair Travis** agreed with the idea of neighborhood hubs but was unclear how to get to the goal. She noted that there were also other policies that focused on community amenities that would help the city move toward these goals.
- **Commissioner Edge** noted that if neighborhood hubs were a common theme and interest of the community, perhaps land use should be looked at with regard to manufacturing and distribution within residential neighborhoods to allow brewpubs to locate within communities and be economically viable, etc.
- **Mr. Levitan** added that within the downtown mixed-use zone, manufacturing was allowed as long as there was a retail component to the use.
- **Commissioner Edge** added that the concept of "shared economy" uses should be looked at more closely as services such as Lyft and Air BnB were not necessarily "shared." Also, the approval standards for allowing employment through home-based businesses should be crafted carefully.
- **Mr. Levitan** clarified that the purpose of that policy was to expand the employment opportunities within the city as it would be difficult to accommodate the estimated growth due to the lack of available land.

**Mr. Levitan** asked the Commission to share if there were policies that should be added, deleted, and revised, and ideas around how the Commission could be better involved with the development of Block 2 policies. He agreed to share the final Block 1 policies with the Commission prior to the City Council meeting in July.

## 7.0 Planning Department Other Business/Updates

### 7.1 ~~Keil Gardens Subdivision Extension Request~~

## 8.0 Planning Commission Discussion Items

**Commissioner Edge** updated the Commission on the Design and Landmarks Committee's project to revise the Downtown Design Guidelines. He asked for feedback on if there should be thresholds in place to trigger a Type III review process for development that did not meet the Type II approval criteria; if the deviation from the standard was less than the threshold, it would not require the higher review process.

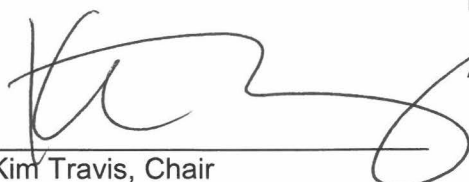
**The Commission** discussed the nuances of standards and agreed to send Commissioner Edge their thoughts and ideas.

## 9.0 Forecast for Future Meetings:

- |               |  |
|---------------|--|
| June 12, 2018 | 1. Joint Session with City Council: Technological Change in the City |
| June 26, 2018 | 1. Worksession: Comprehensive Plan Update – Block 1 Policy Review    |

Meeting adjourned at approximately 8:52 p.m.

Respectfully submitted,



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Kim Travis, Chair

Alicia Martin, Administrative Specialist II