



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

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

September 25, 2018

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

Staff: David Levitan, Senior Planner
Brett Kelter Associate Planner
Justin Gericke, City Attorney

Absent: John Henry Burns, Vice Chair
Sherry Grau

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 March 13, 2018

Commissioner Hemer moved and Commissioner Edge seconded approval of the March 13, 2018 Planning Commission Minutes as presented. The motion passed unanimously.

2.2 March 27, 2018

Commissioner Hemer moved and Commissioner Jones seconded approval of the March 27, 2018 Planning Commission Minutes as presented. The motion passed unanimously.

2.3 May 22, 2019 (Sent 9/20/19)

Commissioner Hemer moved and Commissioner Argo seconded approval of the May 22, 2018 Planning Commission Minutes as presented. The motion passed unanimously.

3.0 Information Items

David Levitan, Senior Planner, noted the next meeting of the Comprehensive Plan Advisory Committee (CPAC) was scheduled for October 1, and would be preparing for the Town Hall for the Block 2 Goals and Policies scheduled for October 15

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: Harmony Park Apartments
Applicant/Owner: Cascadia Planning + Development Services/HPA 2, LLC
Address: 6115 SE Harmony Rd
File: VR-2018-005, NR-2018-002, DEV-2018-006
Staff: Brett Kelter, Associate Planner

Chair Travis called the hearing to order and read the conduct of quasi-judicial hearing format into the record. She asked if any Commissioner wished to declare any bias, ex parte contact, or conflict of interest.

Commissioner Hemer declared a potential conflict of interest, and stated he knew Mr. Williams and had worked with him on various projects in the past. He also reported ex parte contact at the Linwood NDA, where a brief discussion took place about the proposed project; however, he did not participate in that discussion.

Brett Kelper, Associate Planner, presented the staff report via PowerPoint and reviewed the proposal and the natural resource and variance request applications. Staff recommended approval and reviewed the decision-making options. He answered questions from the Commission as follows:

- Staff was not familiar with the County's requirements for plantings between sidewalk and Harmony Rd but understood street trees were required. However, plantings in the right-of-way were not subject to the on-site landscaping requirements. The required public improvements were tied to the property's frontage on Harmony Rd, even though access would be taken from a shared driveway on the adjacent property to the west. No changes were proposed to the shared driveway entrance.
- Parking lot landscaping provided for stormwater management, shade, aesthetics, reduced heat-island effect, and breaking up the expanse of pavement. Stormwater facilities could count as interior perimeter landscaping.
- Staff recommended a condition of approval to require at least 15 bicycle parking spaces in addition to the proposed interior covered bike parking.
- The applicant proposed that the new building share the existing garbage and recycling facility of the neighboring building, which was not ideal. However, service frequency would increase to accommodate the new building. Staff consulted with the applicant and Waste Management and considered a variety of options to accommodate garbage and recycling service, given the configuration of the parking and structures on the property.
- The proposed parking exceeded the minimum requirement, so parking could be reduced to accommodate stormwater quality basins. However, a water quality facility with an underground detention pipe was recommended and preferred.
- **Mr. Kelper** noted the design standard elements that were not being met but added they were small details.
- Regarding the pedestrian path, staff recommended to eliminate the looped portion of the pedestrian path but noted elements that could meet the common open space requirement. The mitigation area could double as the common open space because there was some limited access on the path and the scenic amenity space would also include benches or picnic tables. Eliminating the loop could enhance the buffer of the vegetated corridor. The City's natural resource consultant had suggested a more accessible interior loop as an alternative to eliminating the proposed loop.
- There was a brief discussion about Habitat Conservation Areas (HCAs) and the process for identifying HCA boundaries. As part of the natural resource analysis of the Comprehensive Plan, any concerns about general HCA boundary inaccuracies throughout the city would need to be addressed at a policy level

Chair Travis called for the applicant's testimony.

Steve Kay, Cascadia Planning and Development Services, representing the applicant, acknowledged the site had many challenges, including environmental constraints, access restrictions, and a limited development area. The applicant concurred with all findings presented by staff and believed the proposed conditions of approval could be accommodated.

Mr. Kay addressed questions from the Commission as follows.

- The applicant agreed the loop was a desirable amenity, but it did not have to be included in the project to move forward.

- Tree protection measures would be put in place with fencing to ensure no damage. Trenching adjacent to the tree would be necessary; however, the root zone continued in other directions where it could be protected
- The bicycle parking standard was a 2 ft by 6 ft, horizontal space. However, the applicant believed the standard and the condition as written could be met as vertical bike storage was an option.
- Orienting the structure along the west property line to further avoid the Water Quality Resource (WQR) area would create conflicts with the access point, access aisle, and parking. The applicant did not see an overall positive benefit with that approach.

Chair Travis called for public testimony regarding the application.

Hans Thygeson, 14020 Johnson Rd, believed this was a good project and it met Milwaukie's need for housing. Any challenges with the site could be met by design so as to be minimal. He supported the project.

Chair Travis closed public testimony.

Planning Commission Deliberation

Commissioner Jones believed the highest and best use for any adjacent development would probably be a similar style and scale of multi-family structures. The impacts of modifying the proposal would have a significant downside and could cause a reduction in either the usable square footage of the units or in the overall number of units, and then would not meet the minimum density. The Commission was not tasked with design review perspective, though the project generally met some of the design guidelines. He did not recommend running the semi-public pervious walkway alongside the building. Overall, he supported the conditions of approval but was undecided on the removal of the loop.

Commissioner Edge noted the developers chose to stay south of the creek, which was important, and although he did not want to see encroachment into the buffers, the applicants were entitled to development. The required mitigation replacement on the south side of the creek was appropriate and sorely needed. With regard to the loop, he preferred seeing that mitigation area clearly preserved and did not want any additional permanent disturbance to the new water quality resource buffer.

- He supported eliminating the loop and adding a condition that any stormwater planter not be placed anywhere outside of the parking lot. He confirmed for Commissioner Hemer that he would not be opposed to a new parking spot to put in a water quality resource at the back end.
- The new condition should be flexible but state that the stormwater feature should not create additional permanent disturbance on the water quality resource buffer. Locating it in a parking space would be fine.

Mr. Roller believed adding such a condition would guide how to prioritize the elements and added that opportunity existed to do below-ground facilities as the applicant proposed.

Commissioner Hemer believed the loop could exist with vegetation on the inside and the benches removed, but the loop could be eliminated.

Commissioner Argo stated that acceptance of the replacement ratio condition was his biggest issue. He agreed with eliminating the loop and adding the flexible condition suggested regarding water quality placement.

Chair Travis expressed concern about the safety of the pedestrian walkway to the garbage and recycling. The turn into the site was sharp and she did not believe having only crosswalk markings would be safe in that location.

Commissioner Argo noted he did not believe the Commission should condition a way for people to get their trash out. At other times, the traffic was not as intense and visibility was reasonable.

Mr. Kelder suggested adding the new condition under Condition 1.B.2 as Condition 1.B.2(d) as these were the findings related to water quality resource disturbance, and read as “With final stormwater calculations, ensure that any new stormwater treatment facility does not result in new permanent water quality resource (WQR) disturbance.”

Mr. Kelder clarified that some mitigation would be needed on the north side of the creek to achieve the recommended replacement requirement. Some removal of invasive species would allow for more planting, but the applicant would determine where on the north side.

Commissioner Hemer moved and Commissioner Edge seconded to approve applications VR-2018-005 and adopt the recommended findings and conditions found in Attachments 1 and 2, with the addition of Condition 1.B.2(d) as discussed. The motion passed unanimously.

6.0 Worksession Items
There were none.

7.0 Planning Department Other Business/Updates

Mr. Levitan noted that the Town Hall on the Block 2 of the Comprehensive Plan Update was scheduled for October 15 and hoped the Commissioners could attend. He reviewed the topics in review and the timeline for those policies. A separate subcommittee or an additional CPAC meeting may be dedicated solely to housing as it merited its own discussion. He added that the author of “The Color of Law” would provide a Milwaukie-centric analysis based on his research. The CPAC, Planning Commission, City Council, and the public would be invited but the date had not yet been determined.

8.0 Planning Commission Discussion Items

Commissioner Hemer asked if this policy block would cover the HCA.

Mr. Levitan replied that currently, the City was working on the Willamette Greenway, Natural Hazards, Climate Change and Energy, and Parks and Recreation topics. The next block would include more natural resources. He confirmed the Climate Action Plan (CAP) was scheduled for approval at the next City Council meeting on October 2. The CAP would list action items to implement the City’s strategy. Discussion was needed about how the CAP influenced policy development especially related to land use and transportation planning. The CAP included topics beyond the domain of the Comprehensive Plan, which was a different document with a different purpose.

Chair Travis recalled discussion at the first CPAC meeting about how the CAP and Comprehensive Plan were connected. The neighborhood hubs and survey feedback were also discussed, and Chair Travis noted that she had conceptual drawings for anyone who was interested. The need for economic analysis around neighborhood hubs, what the potential was for redevelopment, and what resources the City had to encourage that development was also discussed.

Mr. Levitan noted they were reviewing, refining, and creating a series of typologies which would vary depending on the location and surrounding uses of the hubs, and that these would influence the economic and market analysis. He also noted that the neighborhood hubs discussion would naturally dovetail with the housing discussion, most notably the opportunity for increased housing options in these areas.

Commissioner Argo noted the placemaking aspects of the hubs with connections, access, and improvements, and asked if there would be a prioritization of those associated investments.

Mr. Levitan replied that economic analysis would factor in needed infrastructure improvements, connectivity, and what would be included in the phases of the SAFE Program.

9.0 Forecast for Future Meetings:

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| October 9, 2018 | 1. Worksession: Comprehensive Plan Update project update |
| October 23, 2018 | 1. Public Hearing: HR-2018-001 City Hall Remodel |
| | 2. Public Hearing: ZA-2018-005 Housekeeping Code Amendments #1.5 |

Chair Travis confirmed the Commission agreed the Comprehensive Plan update could be moved to October 23 after the Town Hall Meeting.

Mr. Kelver added the joint session with City Council would be October 16 for the annual update.

Commissioner Hemer confirmed he would attend the joint session to represent the Planning Commission.

Meeting adjourned at approximately 8:52 pm.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Kim Travis, Chair