



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

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

October 23, 2018

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

Staff: David Levitan, Senior Planner
Vera Kolas, Associate Planner
Tim Ramis, City Attorney

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

Mr. Levitan noted tonight was Commissioner Jones' last Planning Commission meeting and thanked him for his service on the Commission and Design and Landmarks Committee (DLC).

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: City Hall Chambers
Applicant/Owner: City of Milwaukie
Address: 10722 SE Main St.
File: HR-2018-001
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 noted that he sent an email regarding the Climate Action Plan (CAP) and the need for the City to go paperless to the City Council, staff, and other community leaders, including Commissioner Edge. He read the email message into the record. As it related to the current hearing item, he urged the City Manager to consider including electronic devices in the future dais to allow paperless access to meeting materials.

Commissioner Edge declared an ex parte contact, noting he was present at the October 1 meeting of the Design and Landmarks Committee (DLC). He did not participate in the discussion.

Vera Kolias, Associate Planner presented the staff report via PowerPoint and reviewed the Historic Resources and Downtown Design Review applications as well as the requested modification to the Community Service Use. The DLC's recommendations to the Commission were included in the staff report. She presented the submitted revised drawings that reflected the DLC's recommendations. Staff recommended approval of the applications and that the Commission include a condition to address any potential conditions from the State Historic Preservation Office (SHPO) once its review was complete.

Lauren Loosveldt, DLC Chair, described the DLC's recommendations to retain or protect the existing historic south side windows, provide more transparency in the roll-up doors, and install security barriers, such as bollards or landscaping, on the site at Main St.

Chair Travis called for the applicant's testimony.

Damien Farwell, City Fleet and Facilities Supervisor, described the deteriorating conditions of the windows in the 1938 building, their effect on the building, and the costs related to window maintenance and replacement. The goal was to identify a type of replacement window for the garage bay that would inform future decisions to replace windows, especially in the west facing façade within the next year. Currently, there were different window designs throughout the building and the goal for replacement windows was for low maintenance and to closely match the original design. He believed the fiberglass clad window option, with its frame dimensions and setback, was the best replacement option when compared to the original windows. Custom trim could be added.

Tracy Orvis, Project Architect, Di Loreto Architecture, compared two of the replacement window types currently seen in the building via PowerPoint, noting the differences in key elements like setbacks, window jambs, mullions, muntins, etc. She also presented the wood and fiberglass clad window options proposed for replacement.

Ms. Orvis and **Mr. Farwell** addressed questions from the Commission as follows:

- The fire pole would be repurposed inside the room in some way.
- The only window replacement that would require some brick to be removed was where the new ADA entrance would be constructed. The size of the existing window would remain the same.
- The top cornice design of the existing wood windows could not be replicated by the fiberglass window option. The design team was working with the manufacturer to find a way to attach an over clad of wood to mimic the design.
- The design team was still working out the details regarding the flashing technique and would be working with an envelope consultant to protect the windows from environmental conditions to protect window and minimize maintenance.
- Physical samples of the two proposed window types were presented and questions were addressed about the options and characteristics of each. Removable muntins were an option on the fiberglass window and the wood window option design most closely represented the original.
- The level of detail SHPO would provide on the project was uncertain. SHPO review usually occurred after a structure was already on the National Register of Historic Places, but City Hall was simply eligible and not yet on the registry, so the project team was surprised that SHPO needed to be involved.
- The existing driveway would be maintained allow for vehicular access to the garage bay.

Removable bollards would be used in case the garage served a different function in the future.

- Staff wanted to proceed with the hearing even without SHPO's comments, knowing the project might have to change based on SHPO's response, particularly about the windows. The Facilities Department wanted the project to move forward quickly. Staff wanted the interior and exterior work done at the same time.

Ms. Loosveldt said the DLC reviewed the sections of glazing and still had concerns about the proposed fiberglass condition being significantly off from the historical profile of the existing windows. She wanted to know if the design team had researched alternatives and considered working with other manufacturers for a custom product to get closer to the historic profiles.

Chair Travis confirmed there was no further testimony and closed the public testimony portion of the hearing.

The Planning Commission discussed waiting for SHPO's report, respecting the proper procedure and timeline, and providing the DLC opportunity to see SHPO's comments to make an informed recommendation to the Commission. Delaying the hearing would also allow the design team time to explore design options per the DLC's recommendations. **Commissioner Edge** hoped to have a revised proposal reflecting a compromise between the City and DLC. **Vice Chair Burns** preferred to move forward for efficiency, adding that a condition could be crafted about SHPO's pending recommendations.

Ms. Kolias clarified via Ms. Loosveldt that the DLC was not pushing solely for wood windows but that other options for fiberglass windows would be a better match to the original design.

Commissioner Hemer suggested having an interpretive sign and perhaps, a picture of an old fire truck, near the fire pole when it was relocated. He also suggested moving the bollards into the right-of-way because the fire bay driveway area was used as a plaza during City events.

Commissioner Jones asked if the delay from SHPO had resulted because the applicant had not submitted the materials in a timely matter.

Ms. Kolias explained staff did not believe submitting to SHPO was necessary because the building was not listed on the National Registry but learned it was necessary after speaking with SHPO

Vice Chair Burns moved and Commissioner Argo seconded to continue the hearing to a date certain of November 13, 2018. The motion passed 6 to 1 with Commissioner Jones opposed.

- 5.2 Summary: Housekeeping 2018 Code Amendments
Applicant/Owner: City of Milwaukie
Address: 10722 SE Main St.
File: ZA-2018-005
Staff: Vera Kolas, Associate Planner

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

Ms. Kolias presented the staff report via PowerPoint, reviewing the background and proposed amendments, which were limited specifically to public recreational trails and pathways to increase the maximum width to 12-ft to reflect ODOT's existing standards. The key issue regarded whether allowing low impact, at-grade paths or trails up to 12-ft in width and set back 150 ft from the river was consistent with Goal 15. She described the Kronberg Park Trail project, which facilitated the proposed amendments to exempt these specific public trails and pathways from Type III review. The only comment received was from the Department of Land Conservation and Development (DLCDD), which suggested revising Code definitions regarding "change of use" and "intensification" to justify a local clarification for the construction of such trails, rather than adding such pathways to the list of activities exempted from Type III review. These changes were made in the proposed code language. Staff recommended approval of the proposed amendments, which were tentatively scheduled for public hearing at City Council on November 20, 2018 should the Planning Commission recommend approval. She addressed clarifying questions about the City's current review processes for pathways within Natural Resource and Water Quality Resource (WQR) areas and explained the 150 ft setback was the minimum required by Goal 15, adding the City's overlay zones extended well beyond that.

Commissioner Hemer expressed concern about constructing 12-ft pathways without any review or input by the general public, especially in the Willamette Greenway. Parks and natural resource areas should have master plans vetted through the public process.

Ms. Kolias clarified Kronberg Park did have a master plan that currently included a 10-ft path. A Type III review, which included a public hearing, would be required to widen the path to 12 ft. The Kronberg Park Trail project would still be posted within the park and follow all noticing requirements of a Type II Natural Resources review.

Commissioner Edge expressed concern about the 150-ft rule excluding much of Kellogg Lake from Willamette Greenway Review. Kellogg Lake was a natural floodplain of the Willamette River and a functional part of the greenway. Although much of the area was WQR and Habitat Conservation Area (HCA) and would be captured in the Natural Resources Review, it was not just recreational and scenic. 'Natural' was listed first and 'recreational' last and there was a reason for that sequence. He was hesitant to exclude portions of Kellogg Lake that were more than 150 ft from the river from Greenway Review.

Ms. Kolias noted that because much of the Kellogg Lake area was WQR and Habitat Conservation Area (HCA), it would be captured in the Natural Resources Review.

Chair Travis confirmed there was no public testimony and closed the public hearing.

Planning Commission Deliberation

Commissioner Edge explained he was concerned about protecting Kellogg Lake, which functioned historically as a floodplain of the Willamette River, with the same protections afforded other areas in the Greenway.

Commissioner Hemer confirmed that the proposed code amendment language was specific only to low impact trails 150 ft from the Willamette Greenway and that the Greenway boundary would not be changed.

Staff clarified that a significant deviation from the approved master plan for Kronberg Park would

require a public process. The Planning Director would determine if a proposed path was consistent with the master plan and whether a public hearing process was required. The proposed exemption was only for the width of the path, not for additional pathways.

Vice Chair Burns believed specifying permeable paths provided a good balance between the natural resource and recreation. He was comfortable with aligning path widths to ODOT standards and did not see anything objectionable to the proposal.

Commissioner Hemer moved and Commissioner Argo seconded to recommend to City Council approval application ZA-2018-005 and adoption of the recommended findings of approval found in Attachment 2. The motion was passed unanimously.

6.0 Worksession Items

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

David Levitan, Senior Planner, reviewed the staff report, updating the Commission on the Town Hall, Online Open House, Neighborhood Hubs concept, and upcoming meetings. On November 5th, the Comprehensive Plan Advisory Committee (CPAC) would review policies and develop preliminary policy language for the Commission's feedback at the November 13th worksession. The City received a grant from the Department of Land Conservation & Development (DLCD) to look at equitable housing policies and a grant from Metro to consider cottage cluster development and how to potentially amend the code. He noted that as a severely rent-burdened community, the City was required to hold a public meeting by the end of the year. Staff was considering if that meeting would be part of the Community Housing Forum scheduled for December 6th or a separate meeting. He would request the Community Development Director provide an update to the Commission of the current housing initiatives at a future meeting.

Technical issues with the Online Open House were briefly discussed, as well as the improvements made to how public meetings were structured, which resulted in more dialogue, more input, and more being accomplished.

Commissioners Edge and Grau confirmed they were interested in working with the housing subcommittee.

- 6.2 Summary: Work Program and Bylaws Discussion
Staff: David Levitan, Senior Planner

Mr. Levitan stated the staff report provided a high-level overview about how the Council's goals and work program influenced the Commission's work, especially with regard to housing and the Climate Action Plan, which would likely result in code amendments. He noted public involvement was beginning on the Hillside Master Plan and visioning sessions would be held at Milwaukie Providence Hospital on October 24th.

Chair Travis said she wanted to meet with the Neighborhood District Association (NDA) Land Use Committee (LUC) chairs to learn more about the challenges that they saw and ways they could work better together. She wanted to anticipate any changes as updates were made to the Comprehensive Plan around Goal 1.

Commissioner Edge added it would be appropriate to talk with the LUC chairs to learn about their concerns before beginning the final block of work on the Comprehensive Plan Update.

7.0 Planning Department Other Business/Updates

7.1 Planning Commission Notebook Interim Update Pages

Commissioner Hemer read the reply he received from the City Manager regarding his email about going paperless. The Planning Commission was no longer restricted to using paper copies of the staff report. Everyone was allowed to use their electronic devices for meetings. He did not want any paper unless it was not included in the online packet.

Commissioner Grau understood the concern was really about having the Commissioners' devices seized for accusatory actions, such as messaging each other during deliberations or anything that might jeopardize the meeting.

Tim Ramis, City Attorney, believed the concern could be addressed if the Commissioners were only accessed the information available to the public online through the agenda and packet.

8.0 Planning Commission Discussion Items

There were none.

9.0 Forecast for Future Meetings:

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|-------------------|--|
| November 13, 2018 | 1. Public Hearing: ZA-2018-004 Housekeeping 2018 Code Amendments |
| November 27, 2018 | 1. TBD |

Meeting adjourned at approximately 9:13 pm.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Kim Travis, Chair