



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

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

NOVEMBER 13, 2018

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

Staff: Denny Egner, Planning Director
Vera Koliass, 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. provide

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

Denny Egner, Planning Director, briefed the Commission on upcoming key meetings including the Housing Forum. A joint meeting with Council and the Comprehensive Plan Advisory Committee (CPAC) would be held to discuss housing-related issues and the Neighborhood Hub Project.

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 – *This item was taken out of order.*

5.1 Summary: City Hall Council Chambers Remodel (continued from 10/23/18)
Applicant/Owner: City of Milwaukie
Address: 10722 SE Main St
File: HR-2018-001
Staff: Vera Koliass, Associate Planner

Chair Travis called the hearing to order and read the conduct of a quasi-judicial hearing format into the record. **Commissioner Hemer** and **Commissioner Edge** noted their ex parte contacts declared at the October 23rd meeting. No other declarations were made.

Vera Koliass, Associate Planner, presented the staff report via PowerPoint providing an overview of the proposed City Hall remodel. She reviewed the changes in the revised site plan and focused on the issues regarding replacement of seven windows. The State Historic Preservation Office (SHPO) believed the new proposed window replacement was a better option than the one submitted previously, but suggested restoration of the original windows as

an alternative. Staff recommended the City make a good-faith effort to restore the three windows on the south façade that were in good condition but recommended replacing those in poor condition with fiberglass-clad wood windows. Staff also recommended replacement of the other, non-original windows in the building with fiberglass-clad wood windows or similar.

Lauren Loosveldt and Mary Neustradter, Design and Landmarks Committee (DLC) members, said the DLC's preference was for the building's windows to be restored but that the appearance of any replacements should be very close to the existing windows. The DLC encouraged the applicant to research more window replacement options from SHPO's list, and to provide information on the cost of restoration. Regarding energy efficiency, SHPO said the windows could accommodate two panes of glass and if storm windows were installed, energy efficiency goals could be met or exceeded. The DLC also recommended that the fire pole remain in its original location and state as it was historically significant.

Chair Travis called for the applicant's testimony.

Damien Farwell, Milwaukie Fleet and Facilities Supervisor, stated two contractors from SHPO's list were willing to bid and both contractors confirmed the east end windows could be restored. Installing double-glazed windows in the original frames was not possible because the window was not deep enough. He reviewed the potential cost of restoration, and noted that the cost could be higher due to prevailing wage requirements set by the Bureau of Labor and Industries (BOLI). Restoring the best three windows would cost much less because of their good condition and he believed the windows could be restored in place. The spreadsheet in the packet contained pricing for a custom window which would better replicate the original wood window.

Tracy Orvis, Di Loreto Architecture, presented cross sections and gave a detailed explanation of the proposed window options, and added that the team wished to retain the original setback and proportions of the windows as much as possible.

Mr. Farwell noted modern wood windows did not last as long due to inferior wood. He explained that during restoration of the south windows, the frame would be left in place which would not allow addition of insulation, flashing, and weather seals, nor would it allow assessment of the frame's condition. It appeared water was infiltrating into the sills. No down side existed to restoring and maintaining the east windows because of their good condition. He further clarified that if the contractor was required to conduct an inspection, they would likely remove the windows and cause some damage or destroy the windows completely. He believed that the contractor would re-mill new wood to replace the damaged parts.

Chair Travis closed public testimony.

Planning Commission Deliberation

Commissioner Edge noted that City Hall was a historic landmark and therefore he was comfortable if work on the building costs more. He suggested that the fire pole should remain on-site but still allow the office space to function appropriately, and to include an interpretative plaque for the public

Commissioner Hemer noted the fiberglass windows in the diagrams matched the original windows better than the wood windows did. He believed the window replacements should have

a pre-World War II appearance. He recommended that fire pole stay onsite with an interpretative sign.

Mr. Egner said a recommendation to restore all replacement windows to a pre-World War II appearance should go back to the DLC and acknowledged that such a recommendation would not preclude him from seeking the advice of the DLC, nor would it prohibit an applicant from making any proposal they wished to. The Commission agreed to make a vote on future replacement windows separate from their vote on the application before them tonight.

Commissioner Burns supported the restoration of the south and east windows.

Chair Travis agreed that standards for City Hall should be higher because it was designated a historic building and added the Commission's decision could set a precedent for others to follow.

The Commission agreed to recommend locating the bollards near the sidewalk, to make them removable to allow access, and recommended only four holes for the bollards instead of eight.

Commissioner Hemer moved and Commissioner Edge seconded to approve application HR-2018-001, adopting the recommended Findings in Attachments 1 and 2 and Option 3 for the windows. The motion and recommendations passed unanimously.

Commissioner Hemer recommended that the fire pole stay on site with an interpretative sign, and further recommended electrical outlets on the dais for electronic devices for those who wished to go paperless.

5.2 Summary: Summary: Housekeeping 2018 Code Amendments Round 2
File: ZA-2018-004
Staff: Vera Koliass, Associate Planner

Chair Travis called the hearing to order and read the conduct of a legislative hearing format into the record.

Ms. Koliass presented the staff report, and noted the package included both simple housekeeping amendments and significant changes in policy which she summarized via PowerPoint.

Discussion on the amendments included the following key comments and clarifications:

- The new process for Temporary Uses would not apply to Special Events.
- Banners advertising apartments for lease, for example, would be exempt from the six-month time limit. The phrase "six-months" would be changed to "180 days" for consistency.
- The amendment to the Land Division Code regarding boundary changes within a subdivision required a replat and a phrase was added for clarification.
- Consideration needed to be given to specifying other public entities when defining "public park" and the issue may be brought to Council for their preference.
- The current Code considered commercial sale of eggs in a residential zone as an agricultural use.
- Live/work space could be separated by walls on the same story of a building and did not require separation by floors.
- Staff would work closely with the Tree Board to avoid conflicts between the Board's list of

acceptable trees, any Code amendments, and the City's list of nuisance trees to be avoided. **Commissioner Grau** believed the list of acceptable trees was overly prescriptive and believed strongly that any changes should not add to the burden of selecting the proper tree.

- Changes to planting standards for parking lots would apply to private developments as well.
- Regarding pedestrian connectivity between closed-end developments, the proposed amendments provided clarification.

- A key issue involved green building standards.
 - Staff proposed creating a new section in the Code and to revise the standards to qualify for the height bonus by allowing for a variance. The language for a green building certification suggested using LEED Silver or a higher standard. Concern has been expressed that Green Globes and Earth Advantage were not stringent enough to increase energy efficiency.
 - **Commissioner Grau** pointed out green building programs could add to the cost of a project and less-expensive options like Earth Advantage could allow a greater building height for affordable housing.
 - Three questions were received regarding the Measure 56 notice asking to clarify that the green building standards were not applicable unless a developer was requesting a height bonus. Staff recommended approval of the proposed green building standard changes and was tentatively scheduled to present the Commission's recommendation to Council on December 18th.

Chair Travis closed public testimony.

Planning Commission Deliberation

The Commission discussed building height variances, green building standards, and affordable housing in the Downtown Mixed Use (DMU) zone as follows:

- Receiving a variance to building heights downtown was a high bar to clear but the end result would be more consistent with policies in the Comprehensive Plan than what could be achieved without the variance.
- Green building standards should not be too prescriptive or expensive as it may discourage a developer from building affordable housing. Earth Advantage and International Living Future Institute (ILFI) standards should be an option.
- Allowing a height bonus for providing housing, then use of a green building standard or affordable housing for an additional floor bonus was suggested.
- Creating a second tier of green building standards when a proposed development met an applicable to-be-developed affordable housing standard was suggested as well.

Mr. Egner said staff would bring language including green building standards for affordable housing and a first cut on a definition for a level of affordable housing to the Commission's November 27th meeting.

Commissioner Edge moved and Commissioner Grau seconded to present the recommendations for ZA-2018-004 to City Council with the modification to 19.510 as discussed. The motion passed unanimously.

6.0 Worksession Items

- 6.1 Summary: Summary: Comprehensive Plan Update Project update – *This item was taken out of order.*
Staff: David Levitan, Senior Planner

Mr. Egnor suggested to focus tonight on the policies being presented at the Comprehensive Plan Advisory Committee's (CPAC) December 3rd, noting priorities and solutions would need to be applied retroactively to the economic policies that had already been worked on by the Commission.

Discussion about the Comprehensive Plan updates included the following key comments:

- Education was needed in the small group discussion to address housing economics in order to present the pros and cons of development. Also noted was that more regulation could mean higher costs which may limit the amount of private development. **Mr. Egnor** pointed out that staff were aware of impacts on development cost.
- Some focus should be given now to key concepts that might impact other policies so as to not discover such relationships near the end of the project. For example, a goal related to climate change might impact transportation.
- All four policy areas should be viewed through the lens of Super Action 1 because it seemed like a lot of references have been limited to the energy and climate change section. The Community Rating System (CRS) of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) could be leveraged to benefit flood insurance rate payers within the city which would ultimately benefit other policy areas like natural hazards and climate change, water quality, open space, and sufficient parks.

7.0 Planning Department Other Business/Updates

Mr. Egnor would distribute consent forms to Commissioners Grau, Burns, and Edge.

8.0 Planning Commission Discussion Items

Mr. Egnor noted the DLC met last week to discuss requirements for mid-block connections in the multifamily standard where the street frontage was more than 200 ft.

9.0 Forecast for Future Meetings:

November 27, 2018 1. TBD

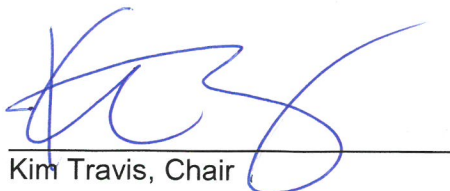
December 11, 2018 1. TBD

Commissioner Edge said he would not be at the November 27, 2018 meeting and asked that materials be sent early so he had time to get responses back by email.

Meeting adjourned at approximately 9:00 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Kim Travis, Chair