



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

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

May 28, 2019

Present: Kim Travis, Chair
John Henry Burns, Vice Chair
Adam Argo
Joseph Edge
Greg Hemer
Lauren Loosveldt
Absent: Robert Massey

Staff: Denny Egner, Planning Director
David Levitan, Senior Planner
Vera Koliass, Associate Planner
Justin Gericke, 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

Denny Egner, Planning Director, noted updates to the Forecast for Future Meetings and added that the Elk Rock Estates public hearing was to be opened and continued to July 23, 2019. The joint session with the Design and Landmarks Committee would be scheduled for a later date.

4.0 Audience Participation — This is an opportunity for the public to comment on any item not on the agenda.

Jean Baker, 2607 SE Monroe St, stated that the Historic Milwaukie Neighborhood District Association (NDA) was not notified of the public hearing that was to follow regarding the Monroe Apartments and so asked for a postponement of the hearing to allow time for the NDA to review the application and to prepare any comments.

Mr. Egner explained that the presentation and testimony would go forward but the hearing would remain open and be continued to the June 25 meeting to allow for proper notice to the Historic Milwaukie NDA. He added that the materials were available on the City website for review.

5.0 Public Hearings

- 5.1 Summary: Monroe Apartments Building Height Variance
Applicant/Owner: Dean Masukawa, LRS Architects
Address: Monroe Street & 37th Avenue

File: VR-2019-003

Staff: Vera Kolas, Associate Planner

Chair Travis called the hearing to order and read the conduct of quasi-judicial hearing format into the record. She verified that the application was for a building height variance and not for the entire development. Public testimony should address the approval criteria for the height variance only.

Vera Kolas, Associate Planner, presented the staff report via PowerPoint. The overall project proposal was for a 234-unit multifamily development which would go through a two-part approval process. The application tonight was part one for a variance to the building height only, to allow for a fifth story to one of the proposed buildings. The second part of the approval process for the overall project would likely go through either a Type II or Type III review process. She reviewed the meetings held to-date on the project including preapplication conferences and meetings with the Hector Campbell and Ardenwald NDAs.

Ms. Kolas stated that the subject site was located in Central Milwaukie, an area that underwent an extensive public process to develop the Central Milwaukie Land Use and Transportation Plan which provided a framework for transportation and development, to create a cohesive vision, and to facilitate public and private investment. The subject site, known as the McFarland site, was identified as an opportunity site for redevelopment. She described the site and surrounding area that included residential, multifamily, and commercial uses. The site was zoned General Mixed Use and allowed multifamily residential by right. The site had a history of industrial uses and hazardous material contamination. Long-term remedial controls were in place and the Department of Environmental Quality (DEQ) would be involved with any development on the site.

The proposal was for a 234-unit multifamily development, including live-work units, in five buildings. Building 1 of the development was proposed to be five stories, using two height bonuses of residential use and green building which required Type III review. The minimum density for the site was 180 units and maximum was 361 units.

Ms. Kolas reviewed the approval criteria and how the proposal met the criteria as follows:

1. *Proposal avoids or minimizes impacts to surrounding properties:* Building 1 would be sited on the interior of the site, at a lower elevation, and 150 ft from Monroe St and 180 ft from 37th Ave. Distance and slope reduced the height appearance of the building from Monroe St and 37th Ave.
2. *Proposal was creative with exceptional design and materials and complemented nearby areas:* The proposal improved a vacant and contaminated site, included high-quality materials and design, was designed to blend with the surrounding neighborhoods, and the additional building height would allow for more space for landscaping and open space.
3. *Proposal would provide public benefit:* The building height would provide transition between a high commercial use area to multifamily and single-family residential areas; would allow for additional plantings to contribute to the tree canopy; and would include green building features to contribute to sustainability goals. A multiuse path was also included in the overall proposal.
4. *Proposal provides adequate transitions to adjacent neighborhoods:* The site itself was a transition point between commercial and residential areas. The site landscaping and building siting also mitigated the impacts to surrounding neighborhoods, and the additional building height used the site more efficiently and preserved open space.

The Design and Landmarks Committee (DLC) reviewed the proposal and recommended approval of the variance with a recommendation to reduce the massing of the gable ends which would reduce the overall height. Although the hearing would be continued, staff recommended approval and **Ms. Kolias** reviewed the decision-making options.

Ms. Kolias confirmed that the applicant was aware that 4-stories were allowed by right but wanted to maintain the design of the development with 3-story buildings along Monroe St and 37th Ave, and so elected to proceed with the Type III variance review process.

Chair Travis called for the applicant's presentation.

Tom Messervy, President, Johnson Development Associates, noted that the developers were committed to projects that complimented and benefitted the surrounding community. He verified that the height variance did not increase density as, by code, the development could include 50% more units than what was proposed. The design of the proposed development allowed for lower-height buildings along the street to reduce impact to the surrounding neighborhoods and allowed open space, landscaping, and parking to be maximized. The development would follow one of the green building certification programs as outlined in the code and would apply to all of the development's buildings.

Dean Masukawa, LRS Architects, reviewed the site constraints and how the proposed site plan was decided upon, specifically with regard to the 5-story building. He noted the brownfield portion that made up one-third of the site and did not allow for residential development. Parking options for the site were limited due to limited on-street parking along Monroe St and 37th Ave, and from the proposed multiuse path along the west site of the property. The intent of the building's design and massing was to reflect historic context and to keep instep with the neighboring residential areas. He showed a revised design that reduced gable height as recommended by the DLC, which reduced the building height by nearly 8 ft.

Chair Travis called for public testimony.

David Aschenbrenner, Hector Campbell NDA Chair, noted that a letter in support was submitted by the NDA and that the applicant's presentation at the NDA meeting was well-received. He supported the gable height change. He added that since this was a private development and 4-stories were allowed by right, the NDA was pleased that the developers were proposing 3-stories to allow better compatibility and transition into the surrounding neighborhoods. The site had sat vacant for decades, so this development would be a great improvement.

Bernie Stout, 4647 SE Ada Ln, asked if there would be opportunity for public comment on the overall project proposal.

Mr. Egner responded that the development application was anticipated to meet the Type II administrative review process criteria, which included public notice and allowed for public comment. The decision allowed for appeal to the Planning Commission.

Commissioner Hemer moved and Commissioner Edge seconded to continue the public hearing to a date certain of June 25, 2019, at 7:30 p.m. The motion passed unanimously.

- 5.2 Summary: Elk Rock Estates – *open and continue to July 23, 2019*
Applicant/Owner: Matthew Gillis, Gillis Properties

Address: 12205/12225 SE 19th Ave
File: NR-2018-005, LC-2018-001, WG-2018-001, VR-2018-014, VR-2018-015
Staff: Vera Koliass, Associate Planner

Chair Travis called the hearing to order and read the conduct of quasi-judicial hearing format into the record. The applicant requested that the public hearing be continued to July 23, 2019.

Commissioner Hemer moved and Commissioner Argo seconded to continue the public hearing to a date certain of July 23, 2019. The motion passed unanimously.

6.0 Worksession Items — None

7.0 Planning Department Other Business/Updates

8.0 Planning Commission Discussion Items

Commissioner Hemer asked if community members could provide direct feedback to the Planning Commission and City Council regarding the housing policies. The general feeling of feedback he had received from the community was that there was limited opportunity for input and that City Council had already decided on the policies.

Mr. Egner noted that the public and CPAC members were welcome to provide public comment. The Comprehensive Plan update project was on a tight schedule and the final block of policies were scheduled to be 'pinned down' at the July 16 City Council meeting. There would also be public hearings as part of the legislative process. The town halls held were the primary method of receiving public feedback and input for the update and policies.

Chair Travis suggested that the Commission meet directly with the land use committee chairs. As a CPAC member, she assured that policies were not decided at this point.

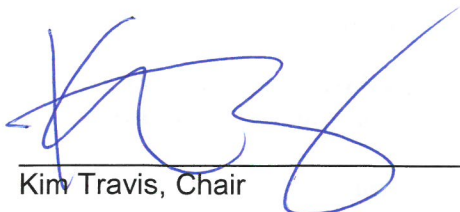
9.0 Forecast for Future Meetings:

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| June 11, 2019 | 1. Public Hearing: A-2016-006 Clackamas Community College Annexation |
| | 2. Public Hearing: WG-2019-002 Proposed Dock |
| | 3. Worksession: Comprehensive Plan Housing Policies |
| June 25, 2019 | 1. Public Hearing: NR-2018-005 Elk Rock Estates (tentative continued) |
| | 2. Worksession: Cottage Cluster/ADU Presentation & Discussion |
| | 3. Joint Session: Design Review Code with DLC <i>tentative</i> |
| July 9, 2019 | 1. Joint Session: Design Review Code with DLC <i>tentative</i> |

Meeting adjourned at approximately 7:45 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Kim Travis, Chair