



CITY OF MILWAUKIE

PLANNING COMMISSION MINUTES

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

January 25, 2022

Present: Lauren Loosveldt, Chair
Joseph Edge, Vice Chair
Amy Erdt
Greg Hemer
Adam Khosroabadi
Robert Massey
Jacob Sherman

Staff: Steve Adams, City Engineer
Jennifer Backhaus, Engineering
Tech III
Justin Gericke, City Attorney
Vera Koliyas, Senior Planner
Laura Weigel, Planning Manager

Absent:

(00:11:50)

1.0 Call to Order — Procedural Matters*

Chair Loosveldt 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>.

(00:12:24)

2.0 Meeting Minutes

(00:12:26)

2.1 September 28, 2021 Meeting Minutes

The September 28, 2021 minutes were approved with a 7-0 vote.

(00:13:14)

2.2 October 12, 2021 Meeting Minutes

The October 12, 2021 minutes were approved with a 7-0 vote.

(00:13:53)

2.3 October 21, 2021 Meeting Minutes

The October 21, 2021 minutes were approved with a 7-0 vote.

(00:14:31)

2.4 October 26, 2021 Meeting Minutes

The October 26, 2021 minutes were approved with a 7-0 vote.

(00:15:04)

3.0 Information Items

No information was presented for this portion of the meeting.

(00:15:15)

4.0 Audience Participation

No information was presented for this portion of the meeting.

(00:16:05)

5.0 Community Involvement Advisory Committee (CIAC)

Laura Weigel, Planning Manager, presented an update to the committee. As requested during the joint NDA/PC meeting on October 21, 2021, staff developed a Land Use 101 presentation which will be presented to NDA members March 31, 2022. **Chair Loosveldt** requested that planning commissioners be included in the meeting invitation.

Commissioner Hemer asked if the CIAC has written bylaws to govern and guide the committee. **Weigel** responded that the CIAC bylaws are included within the Planning Commission bylaws.

Commissioner Sherman asked staff how the City plans to comply with Oregon House Bill 2560 which requires all public meetings to be remotely accessible for community member participation. **Weigel** responded that the City is continuing to hold all public meetings online and will maintain an online component when meetings resume in person.

(00:20:37)

6.0 Hearing Items

(00:20:40)

6.1 VR-2021-012, 9285 SE 58 Dr

Vera Koliass, Senior Planner, noted a request submitted by the applicant to continue the public hearing to April 12, 2022.

Commissioner Hemer motioned to continue the public hearing to a date certain of April 12, 2022. The motion was approved by a 7-0 vote.

(00:24:34)

6.2 VR-2021-017, 2206 SE Washington St, Dogwood Station

Koliass shared the staff report. The applicant proposed a six-story residential building with 55 workforce priced units at 80% area median income (AMI). The proposal includes 43 off-site parking stalls available for lease on two other

downtown sites but no on-site parking. Although the proposed six-story building complies with the maximum measured building height, it exceeds the maximum allowed stories (5) and requires a height variance. The proposal includes a parking quantity modification to allow the required on-site parking spaces to be located off-site parking with no parking on-site.

Kolias presented approval criteria for the building height variance which include consistency with Downtown Design Guidelines, exceptional quality or positive unique relationship to other structures, views, or open space, and preservation of important views to the Willamette River, limiting shadows on public open spaces. Additionally, the project must provide public benefit beyond those required by base zone standards and increase downtown vibrancy and/or help meet sustainability goals. The Design and Landmarks Committee (DLC) recommended approval of the development with conditions to the commission. The DLC recommended the applicant provide a view study of the location, information on building materials used to break up the vertical aspect of design, and photos of materials as installed.

Kolias presented the approval criteria for the Parking Quantity Modification which include reasonableness given proximity to transit, implementation of a Transportation Demand Management Program (TDM), and/or demonstration that characteristics of the site users will reduce vehicle use and parking demand. With by-right reductions the development is required to provide 38 off-street parking spaces. The proposal includes 43 off-site parking spaces available for lease at two properties. 20 spaces available at 10282 SE Main St, ½ mile from the development, approximately an eight-minute walk, and 23 spaces nearby at 2305 SE Washington St, located across SE Washington St. The proposal also includes lobby monitors for tracking nearby TriMet stop departure times, a designated ride share pickup and drop-off location in front of the building, a Zip Car available to tenants located across the street on TriMet property, and 82 bike parking spaces.

The staff recommendation was to approve the various applications and adopt the recommended Findings and Conditions of Approval.

Chair Loosveldt asked why the architecture criterion was not applicable to the DLC review of the project. **Kolias** responded that MMC 19.907.2 allows the applicant to elect to have the project reviewed under multi-family design guidelines where architecture is not an applicable approval criterion. The applicant was able to choose which design guidelines to review the project under because it is an all-residential building. The applicant elected to design the building to the multi-family design guidelines in MMC19.505.3.

Chair Loosveldt asked what effect the leased parking spaces will have on the minimum parking requirements of the lots which are leasing parking spots. **Kolias** responded that there will be no effect on the required parking of either lot leasing parking spaces to tenants of the development. **Commissioner Hemer**

asked if the proposed off-site parking lease agreement could create a standalone parking lot and whether that would violate restrictions in the Downtown Mixed-Use (DMU) zone. **Kolias** responded that the lease agreements are for periods of three years with options to renew, therefore the sites would not have to remain standalone parking lots. **Commissioner Hemer** asked whether the number of off-site parking spaces would need to be guaranteed should the lease with one or both sites not renew. **Kolias** responded that a condition of approval requires the ongoing implementation of a TDM which includes a provision to provide 43 off-site parking spaces available for lease. **Commissioner Hemer** asked how compliance with the conditions of approval will be ensured by the City. **Kolias** responded that violation of any one of the conditions of approval would violate the land use agreement and the development would have to return to compliance. **Vice-Chair Edge** asked whether the conditions of approval should be made more flexible. **Justin Gericke, City Attorney**, responded that the Commission could revisit the TDM program if the transportation demand of the development changes. **Commissioner Sherman** asked whether the applicants have considered implementing other strategies to manage transportation demand. **Kolias** deferred to the applicant team.

The Applicants shared a presentation showing the building design, site massing scale, and an overview of the TDM program. Key components of the TDM program include proximity to nine TriMet bus stops and a Max stop within 1/8 of a mile, transit displays in the lobby of the building, an available Zip Car, 43 off-site parking spaces, and 82 bike storage spaces.

Commissioner Hemer asked whether the proposed additional spaces being built in the property across from the development will include any charging stations for electric vehicles. **The Applicant Team** responded that the new spaces will not include charging stations initially but may later add stations.

Commissioner Sherman asked for additional information about securing funds to provide workforce priced units. **The Applicant Team** responded that the developers plan to use a multi-faceted approach to ensure workforce priced units at 80% AMI. The approach includes the use of a \$350,000 grant from Metro and plans to use funds from the City Construction Excise Tax and Oregon Housing and Community Services grants, the development qualifies for both funding sources. **Commissioner Khosroabadi** asked how the development plans to move forward if sufficient funding is not secured. **The Applicant Team** responded that although the developers intend to secure funding, if sufficient funding is not secured the units would be scaled up towards 100% AMI. **Commissioner Sherman** asked for clarification regarding how long the units will continue to rent at 80% AMI. **The Applicant Team** responded that the affordability period is partially dependent on funding sources. The secured Metro grant requires units be affordable for a period of at least 15 years. **Commissioner Khosroabadi** asked if affordability periods from different grant sources compounded. **The Applicant Team** responded that the affordability periods from multiple grant sources do not compound but the development will meet the

required affordability period.

Vice-Chair Edge asked whether the Applicant Team has experience facilitating off-site parking with other projects. **The Applicant Team** responded that they do not as the city of Portland, where they have other projects, does not require off-street parking for workforce housing developments.

Commissioner Erdt asked if there was sufficient space for multiple cars to load and unload. **The Applicant Team** responded that there is a loading zone in front of the property.

Commissioner Hemer asked whether the applicant team planned to incorporate any components of the current building in the development in accordance with the DLC request. **The Applicant Team** responded that they are considering various ways to honor the DLC request and incorporate materials from the current building. **Chair Loosveldt** asked why several of the approval criteria for pedestrian emphasis are not considered applicable. **The Applicant Team** responded that responses to those specific approval criteria were not requested from planning staff although the team is confident they would meet the criteria if applicable. **Kolias** added the pedestrian emphasis approval criteria were not relevant to the design review as the review was for the height variance only.

Guy Benn, representing **TriMet**, expressed support for the development's TDM program and use of off-site parking.

The Planning Commission discussed the approval criteria. **Vice-Chair Edge** noted support for the application and its consistency with City policies. Edge referenced condition of approval #3 and support for requiring the ongoing implementation of a TDM program. Edge additionally expressed a preference to eliminate the off-site parking requirement for further flexibility. **Commissioner Erdt** expressed support for the application package and support for increasing the capacity of the loading zones. **Commissioner Massey and Commissioner Khosroabadi** expressed support for the application package and specifically for the proposed TDM program. **Commissioner Hemer** expressed opposition to the application package because of the lack of on-site parking.

Commissioner Sherman expressed support for the height variance based on the provision of affordable units and support of adding further conditions of approval to ensure the provision of affordable units. **Commissioner Khosroabadi** asked if there were mechanisms the Commission could employ to ensure the provision of affordable housing. Khosroabadi suggested approving the application contingent on securing grants which enable the development to provide affordable units. **Gericke** added that the Commission cannot use the provision of affordable units as an approval criterion or condition of approval for land use applications unless specifically noted in the code. **Vice-Chair Edge** noted support for approval of the height variance regardless of the number of affordable units provided. Edge asked whether lowering the minimum required

off-site parking was possible if the TDM program shows an excess of off-site parking spaces. **Gericke** responded that the minimum requirement of 43 off-site spaces is needed to satisfy the approval criteria for the parking modification application. Gericke further noted that a reduction in required off-site parking spaces could be granted through an additional parking modification application in the future, if appropriate.

Vice-Chair Edge asked whether the proposed loading space complies with the standard. **Kolias** responded it does comply with the standard requiring one loading space. There is room to add an additional loading space just East of the property in front of the adjacent property.

Chair Loosveldt asked whether ADA parking requirements are met. **Kolias** responded that, to her knowledge, ADA parking requirements are a proportion of on-site parking spaces; because there are no on-site parking spaces there is no requirement to provide ADA accessible parking. **Commissioner Hemer** asked if there are ADA requirements when building or adding spaces to existing parking lots. **Gericke** responded that any ADA requirements would require accessibility to the building on the site the parking is located and not another building, off-site, which the parking spaces are being leased to residents of. **Chair Loosveldt** expressed opposition to the application package because of various issues with the off-site parking spaces. **Commissioner Khosroabadi** asked how wide the proposed loading zone is. **Commissioner Sherman** responded the loading zone is 35 feet wide. **Steve Adams, City Engineer**, noted that the applicant could request several of the new parking spaces being constructed on the off-site lot be ADA compliant. **Commissioner Massey and Vice-Chair Edge** noted support for adding a condition of approval which requires a proportion of new parking spaces to be ADA compliant. **Commissioner Sherman and Chair Loosveldt** noted support for adding a more explicit condition of approval requiring two new ADA spaces to be in the off-site parking lot closer to the proposed development. **Kolias** responded that the applicant team supports building two ADA spaces when constructing the additional parking spaces in the lot across from the development. But, the applicant team cannot guarantee the spaces will be built as the property owner can determine what spaces will be constructed. **Commissioner Khosroabadi** suggested keeping the loading space adjacent to the property and converting the loading spaces in front of the property into two ADA parking spaces.

VR-2021-017, Dogwood Station, was approved with the findings and conditions of approval presented in the staff presentation with a 6-1 vote.

(03:35:42)

7.0 Planning Department Other Business/Updates

(03:35:42)

7.1 Planning Commission Elections

Chair Loosveldt opened the discussion on annual elections for the Chair and Vice-Chair positions. **Commissioner Khosroabadi** expressed interest in holding the Vice-Chair position. **Commissioner Sherman** expressed interest in holding either the Chair or Vice-Chair positions. **Commissioner Hemer** expressed support for all members of the commission to hold an officer role during their tenure. **Chair Loosveldt and Vice-Chair Edge** expressed interest in retaining their respective officer roles. **Commissioner Khosroabadi and Commissioner Sherman** expressed support for renewing both Chair Loosveldt's and Vice-Chair Edge's term in their respective officer role.

Commissioner Hemer motioned to renew Chair Loosveldt's position as Planning Commission Chair for 2022. The motion was approved with a 7-0 vote.

Commissioner Hemer motioned to renew Vice-Chair Edge's position as Planning Commission Vice-Chair for 2022. The motion was approved with a 7-0 vote.

(03:45:03)

8.0 Planning Commission Committee Updates and Discussion Items

Commissioner Hemer announced a Ledding Library Lecture Series presentation on February 2, 2022 entitled 80 years from Incarceration – Japanese American Story. Presenters include Amy Mishima Peterson of the Japanese American Museum of Oregon (JAMO), Commissioner Sherman, and City Councilor Desi Nicodemus.

Chair Loosveldt requested staff explore the possibility of adding a Native Lands Acknowledgment to Planning Commission meetings.

Weigel noted that Planning Commission meetings will remain online through Zoom for the next two meetings due to the Omicron variant and continued high transmissibility of the COVID-19 virus.

(03:51:41)

9.0 Forecast for Future Meetings

February 8, 2022	Canceled
February 22, 2022	Work Session: Income restricted Housing Code Incentives Work Session: Oregon Senate Bill 458 – Code Amendments

Meeting adjourned at approximately 10:09 p.m.

Respectfully submitted,

Will First, Administrative Specialist II