



# CITY OF MILWAUKIE

## AGENDA

December 2, 2019

### DESIGN AND LANDMARKS COMMITTEE

Milwaukie City Hall  
10722 SE Main St  
[www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

**1.0 Call to Order — Procedural Matters**

**2.0 Meeting Notes** – Motion Needed

2.1 November 12, 2019

**3.0 Information Items**

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

**5.0 Public Meetings** — None

**6.0 Worksession Items**

6.1 Summary: Downtown design review process (continued)  
Staff Person: Brett Kelter, Associate Planner

**7.0 Other Business/Updates**

**8.0 Design and Landmarks Committee Discussion Items** — This is an opportunity for comment or discussion for items not on the agenda.

**9.0 Forecast for Future Meetings:**

Dec. 2, 2019	Downtown design review update (regular meeting)
Jan. 6, 2020	Downtown design review update (regular meeting)
Jan. 21, 2020	Annual joint meeting with City Council

### Milwaukie Design and Landmarks Committee Statement

The Design and Landmarks Committee is established to advise the Planning Commission on historic preservation activities, compliance with applicable design guidelines, and to review and recommend appropriate design guidelines and design review processes and procedures to the Planning Commission and City Council.

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov). Thank You.
2. **DESIGN AND LANDMARKS COMMITTEE MEETING MINUTES.** Approved DLC Minutes can be found on the City website at [www.milwaukieoregon.gov](http://www.milwaukieoregon.gov).
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at [www.milwaukieoregon.gov](http://www.milwaukieoregon.gov).
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.

#### Public Meeting Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Committee members.

1. **STAFF REPORT.** Each design review meeting starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommendation with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Committee was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMITTEE MEMBERS.** The committee members will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the Committee will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC MEETING.** The Chairperson will close the public portion of the meeting. The Committee will then enter into deliberation. From this point in the meeting the Committee will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMITTEE DISCUSSION AND ACTION.** It is the Committee's intention to make a recommendation this evening on each issue on the agenda. Design and Landmarks Committee recommendations are not appealable.
11. **MEETING CONTINUANCE.** Prior to the close of the first public meeting, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Design and Landmarks Committee will either continue the public meeting to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony.

*The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.*

#### **Milwaukie Design and Landmarks Committee:**

Cynthia Schuster, Chair  
Brett Laurila, Vice Chair  
Mary Neustadter  
Tracy Orvis  
Evan Smiley

#### **Planning Department Staff:**

Denny Egner, Planning Director  
David Levitan, Senior Planner  
Brett Kelter, Associate Planner  
Vera Kolias, Associate Planner  
Mary Heberling, Assistant Planner  
Tempest Blanchard, Administrative Specialist II

**CITY OF MILWAUKIE  
DESIGN AND LANDMARKS COMMITTEE  
NOTES**

Johnson Creek Facility  
6101 SE Johnson Creek Blvd  
Tuesday, November 12, 2019  
6:30 PM

**COMMITTEE MEMBERS PRESENT**

Cynthia Schuster, Chair  
Brett Laurila, Vice Chair  
Mary Neustadter  
Evan Smiley

**STAFF PRESENT**

Brett Kelter, Associate Planner (staff liaison)

**OTHERS PRESENT**

(none)

**MEMBERS ABSENT**

Tracy Orvis

**1.0 Call to Order – Procedural Matters**

**Chair Cynthia Schuster** called the meeting to order at 6:39 p.m.

**2.0 Design and Landmarks Committee Notes**

2.1 October 17, 2019

**Chair Schuster** called for any revisions to the October meeting notes; there were none, and the notes were approved unanimously.

**3.0 Information Items**

**Associate Planner Brett Kelter** initiated a round of quick introductions since new member Evan Smiley had been able to attend.

**4.0 Audience Participation – None**

**5.0 Public Meetings – None**

**6.0 Worksession Items**

6.1 Downtown design review process (continued)  
Staff Person: Brett Kelter, Associate Planner

**Mr. Kelter** distributed copies of an email sent earlier in the afternoon from **Committee Member Tracy Orvis** providing some ideas for discussion (since she was not able to attend the meeting). **Chair Schuster** handed out copies of some ideas and questions she had generated for the meeting. The group's discussion picked up by reviewing the group's work from the last meeting, with the following summary highlights:

**F. Windows**

- In Standard 1-C, reference Element E (Doors and Entrance Locations) in addition to Element D (Façade Transparency).
- In Standard 2-D, perhaps the text should reference the Historic Preservation code (MMC Section 19.403).

- Standard 2-F is not necessary, as the need is covered by Element D (Façade Transparency).
- It was agreed that there probably should be a separate standard addressing residential ground-floor windows, applicable to the north end of Downtown. Designs should provide a visual connection between the street and living area (including living rooms, dining rooms, and kitchens but excluding bedrooms and bathrooms).
- Move “opaque” from Standard 4-A to become a new 4-D, prohibited only on Main St frontages.
- Establish a new general Standard 1-B that limits the use of spandrel glass to floor lines and parapets.
- Establish a general standard (1-D, or maybe a new standard 3?) to address visible parking areas above the street level, where fronting on primary and secondary streets (not alleys). The standard should require that frameworks and fenestration be provided. A guidance point should be established for this concept as well.
- The guidance points for this element (and perhaps for all elements) should be organized into sub-categories. For example, Guidance point 1 is about Transparency; points 3, 5, 6, 7, and 8 are about Design.

#### **G. Corners**

- Regarding a question about whether a standard was needed for active exterior spaces or uses, it was suggested that Standard 1-E effectively deals with this. However, it’s still a good question about whether to somehow codify active spaces and uses.
- In Standard 1-E, specify the phrase “maintained plantings” and clarify that one needs to utilize at least 2 of the 3 options to meet this standard. Look at the language provided by Ms. Orvis’s email for cues on creating a guidance point(s).
- Within the general language for Standard 1, clarify that one needs to utilize at least 2 of the options to meet this standard.
- Reformat Guidance point 1 to be more of a bulleted list.
- In Guidance point 2, the concept of “plaza” seems too big; consider replacing “plazas” with “active exterior spaces” or a similar phrase. Actually, keep “special paving materials” in point 2 and create a new point 3 for the “active exterior spaces” concept.

The group wrapped up its work on this item for the evening and agreed to pick up with Element H (Building Massing) at the next meeting.

#### **7.0 Other Business/Updates**

- 7.1 Discuss 2019-20 Work Program draft  
Staff Person: Brett Kever, Associate Planner

**Mr. Kever** referred back to the draft 2019-20 work program included in the packet and asked whether there was any additional feedback. The members had no further comments or suggestions but did identify a few potential questions and topics for discussion with the City Council at the upcoming joint meeting: (1) inventory of historic properties, (2) committee involvement in design review for opportunity sites, (3) more decision-making authority for the

committee, and (4) discretionary versus clear and objective options for downtown design review.

Other general updates:

- **Committee Member Evan Smiley** would prefer to receive a hard copy of the packet materials; **Vice Chair Brett Laurila** would prefer to receive only the electronic packet.
- **Vice Chair Laurila** is moving his architectural office out of Milwaukie at the end of the year and will be working out of his home.
- Question: Is “Block 14” still the name for the opportunity site across Main St from City Hall? *[Note: Mr. Kelter confirmed that the current working name is the “Harrison and Main” site.]*

#### **8.0 Design and Landmarks Committee Discussion Items – None**

#### **9.0 Forecast for Future Meetings**

December 2, 2019     Regular meeting

December 3, 2019     Annual joint meeting with City Council (approx. 7:05 p.m.)

January 6, 2020     Regular meeting

**Chair Schuster** adjourned the meeting at 8:07 p.m.

Respectfully submitted,  
Brett Kelter, Associate Planner

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Cynthia Schuster, Chair



# CITY OF MILWAUKIE

**To:** Design and Landmarks Committee

**Through:** Dennis Egner, Planning Director

**From:** Brett Kelter, Associate Planner

**Date:** November 27, 2019

**Subject:** Worksession Items

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**BACKGROUND:** Downtown design review process (continued)

This draft focuses on the next design element up for committee discussion (Element H -- Building Massing).

## Downtown Design Review

MMC Subsection 19.508.4 (Building Design)

### Element H –Building Massing [*and Height?*]

#### Purpose/Intent

To shape building massing so as to promote compatible building scales, relationships between adjacent downtown buildings, and an inviting pedestrian realm on the street.

*[Does this language reflect the standards below?]*

#### Design Standards

##### 1. Height

The minimum building height standards apply to new commercial, office, residential, and mixed-use buildings. *[What types of new buildings do the standards not apply to? Also, make sure these standards do not conflict with the standards in Element B (Wall Structure & Building Design Detail).]*

- A. Minimum building heights are specified in Table 19.304.4. The minimum building height of 25 ft shall be met along all street frontages for a depth of at least 25 ft from the front of the building.
- B. Base maximum building heights are specified in Figure 19.304-4. Height bonuses are available for buildings that meet the standards of Subsection 19.304.5.B.3.
- C. Buildings shall provide a setback of at least 18 in for any street-facing portion of the building above the base maximum height as identified in Figure 19.304-4.
- D. Rooftop structures related to shared outdoor space—such as arbors, trellises, or porticos related to roof decks or gardens—shall not be included in the building's maximum height calculation, as long as they do not exceed 10 ft high.
- E. Height Bonuses

To incentivize the provision of additional public amenities or benefits beyond those required by the baseline standards, height bonuses are available for buildings that include desired public amenities or components, increase downtown vibrancy, and/or help meet sustainability goals. A building can utilize up to 2 of the development incentive bonuses of this subsection, for a total of 2 stories or 24 ft of additional height, whichever is less, above the height maximum specified in Figure 19.304-4.

##### 1) Residential or Lodging

New buildings that devote at least 1 story or 25% of the gross floor area to residential OR lodging uses are permitted 1 additional story or an additional 12 ft of building height, whichever is less. The residential height bonus cannot be used in combination with the lodging height bonus.

## 2) Green Building

New buildings that receive certification (any level) under an American National Standards Institute (ANSI) approved green building rating system (e.g., LEED, Earth Advantage, or other certification outlined in MMC Section 19.510) are permitted 1 additional story or an additional 12 ft of building height, whichever is less. Height bonus eligibility shall be verified at the time of building permit submittal and shall be contingent upon submittal of green building certification. The height bonus may be binding under a development agreement and height bonus awards may be revoked, and/or other permits or approvals may be withheld, if the project fails to achieve certification.

## 3) Affordable Housing

New buildings that provide at least 1 story or 25% of the gross floor area as affordable housing, defined as 80% of median family income, are permitted 1 additional story or an additional 12 ft of building height, whichever is less. *[May need to refine the language to establish some certification or monitoring.]*

*[In general, need to make sure Community Development staff is aware of possible implications of any height bonuses on various tax abatement and other incentive programs.]*

Additional building height may be approved through Type III variance review, as per MMC Subsection 19.911.6.

Reference to MMC Table 19.304.4 (Summary of Downtown Development Standards)

Building Height Standards	Downtown Mixed Use zone (DMU)	Open Space (OS)
Minimum	25 ft	None
Maximum	45 ft (up to 69 ft with bonuses)	15 ft

## 2. Building Transitions and Step-backs

- A. For properties north of Harrison St and located within 50 ft of a lower-density residential zone (i.e., R-10, R-7, or R-5), any new building shall be located at least 6 ft *[not sure what setback is desired by the group]* from any adjacent property line. This requirement supersedes the applicability of the transition area measures provided in MMC Subsection 19.504.6.
- B. For any property in the Downtown Mixed Use (DMU) zone, within 50 ft of the property line abutting lower-density residential zones (i.e., R-10, R-7, or R-5), any new building shall provide a step-back of at least 6 ft for any portion of the building above 35 ft in height above grade. *[Note to modify the standard to protect solar access (e.g., on a certain day of the year, at a certain time of day, the proposed building shall not shade the adjacent site past a certain point). Also need to more clearly address the issue of massing. Consider pulling some of the SolSmart material (provided by Cynthia) into the standards and potentially requiring a solar study of neighboring properties.]*



- C. The height bonuses allowed in Standard 1-E above cannot be applied within 50 ft of a lower-density residential zone (i.e., R-10, R-7, or R-5). *[Not clear how many properties this affects.]*

## Guidance

1. Building height in Downtown should contribute to a welcoming and pedestrian-scaled sense of enclosure and definition of the street.
2. Buildings that do not reach the minimum height standard should include other design features that strongly define the street edge and enclosure, such as façade composition, awnings, street trees and landscaping, balconies, and other features.
3. Buildings that exceed height limitations should mitigate impacts by including step-backs, façade insets, high façade permeability, and other perceived mass-reducing techniques.
4. Rooftop structure such as trellises and porticos are desirable and encouraged design features that, within limit, do not count against height limitations. Rooftop structures that exceed the 10-ft height limit should be pulled back from the building edge. *[This duplicates Standard 1-D—is it necessary to have it here as guidance?]*
5. Building massing should ensure access to light, privacy, and sky views for building occupants and people on the street.
6. The overall collection of buildings in Downtown should contribute to a varied and attractive skyline. Building massing should be differentiated to a reasonable degree from adjacent buildings.
7. Façade articulation techniques should be employed to reduce the perceived scale of large buildings and add visual interest to the built environment.
8. Where applicable, building step-backs and transition measures should be deployed to blend building massing between downtown and any adjacent residentially zoned neighborhoods.
9. *[Include approval criteria for building height variances (from MMC 19.911.6.D) as guidance?]:*
  - a. Building height should result in a project that is exceptional in the quality of detailing, appearance, and materials or should create a positive unique relationship to other nearby structures, views, or open space.
  - b. Building height should preserve important views to the Willamette River (where applicable), limit shadows on public open spaces, and ensure step-downs and transitions to neighborhoods at the edge of the DMU zone.
  - c. Building height should result in a project that provides public benefits and/or amenities beyond those required by the base zone standards, that increases downtown vibrancy, and/or that helps meet sustainability goals.

## Notes on Figures

- Consider adding a graphic to show the area of concern for building transitions.
- Consider using Cynthia's building massing graphic to beef up the Guidance section.