

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, April 14, 2015
6:30 PM**

COMMISSIONERS PRESENT

Sine Bone, Chair
Shaun Lowcock, Vice Chair
Shannah Anderson
Greg Hemer
Gabe Storm

STAFF PRESENT

Denny Egner, Planning Director
Vera Kolas, Associate Planner

COMMISSIONERS ABSENT

Scott Barbur

1.0 Call to Order – Procedural Matters*

Chair Bone 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

2.1 January 13, 2015

It was moved by Commissioner Hemer and seconded by Commissioner Storm to approve the January 13, 2015, Planning Commission minutes as presented. The motion passed unanimously.

3.0 Information Items

Denny Egner, Planning Director, noted City Council adopted the provisions for medical marijuana facilities which would go into effect May 1, 2015. The City had received one business registration application for a facility in the Island Station neighborhood. Recreational marijuana facilities would need to be addressed once that time came later in the year.

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 - None

6.0 Worksession Items

6.1 Summary: Moving Forward Milwaukie Central Milwaukie Plan and Code Amendments
Staff: Vera Kolas

Vera Kolas, Associate Planner, presented the staff report via PowerPoint. She reviewed the Central Milwaukie area, project goals, and vision. Tonight's discussion focused on follow-up

from the previous worksession on three specific areas of the proposed code amendments, which she reviewed before getting feedback from the Commission.

Land Use Review / Public Notification:

- Currently, only Type I review was required for any development in Central Milwaukie but for development of the Murphy or McFarland site and part of Providence Hospital site, which required Type III review.
- The proposed amendments would allow for Type I review for any development in Central Milwaukie that met all standards, including those specific sites; a Type II variance process would be available for revisions to the standards.
- Concerns were raised about owners and residents of abutting properties of potential development that would receive no notice of proposed development through the Type I review process.
- Two potential approaches to consider: allow for input or inform the public.
 - Option 1 would allow for input through Type II review and notice for projects greater than 25,000 sq ft or modifications equal or greater to 25% of the gross floor area. This option would increase the cost, risk, and process timeline.
 - Option 2 would have the proposal remain the same but would include notice to the Neighborhood District Associations (NDAs).
 - **Commissioner Anderson** asked about the impact for staff time and cost.
 - The cost to the applicant and the process for staff was more involved for a Type II review.

Flex Space Overlay:

- The purpose of the proposed design standards was to establish a baseline level of design for new development that met the project's goals. A Flex Space Overlay Zone was proposed for the Murphy Opportunity Site including along 32nd Ave.
- The proposed standards were organized based on their relationship to the public right-of-way. However, development on the Murphy Site might be along driveways rather than public streets, so those standards may not apply. Those standards not related to the public right-of-way included exterior building materials, roofs, and screening.
- The questions for the Commission focused on if the proposed design standards should apply or if a more practical set of standards be developed for that area, if the 32nd Ave frontage should be excluded from the overlay zone, and if the proposed boundary was correct.

Minimum Street Setback on 32nd Ave.:

- Currently there was no minimum setback along 32nd Ave and the proposal was to maintain that, with a maximum setback of 10 ft along the key commercial streets and 20 ft along other streets.
- The future cross-section would be a 60 ft right-of-way, which would allow for a comfortable pedestrian space.

Questions and Feedback from the Commission:

Public Notification:

- Notification without the opportunity for input was appropriate. Due to the size of potential development, some notice seemed reasonable; people would be interested.

- A Type II review process would be triggered for the Murphy and McFarland sites due to the Preliminary Circulation Plan for development sites over 3 acres.
- Notice to all of the NDAs would be beneficial for any development applications submitted since that area was more or less in contact with most of Central Milwaukie.
- **Peter Watts, City Attorney**, reiterated that the higher the level of review required, the greater the uncertainty for the developer. The Commission should ensure that the design standards were at a high enough level in order for a Type I review process to be sufficient.
- As long as a proposed development met all of the design standards and regulations, there should be no need for public input; the level of standards and review should be relied upon.

Flex Space Development:

The Commission invited DJ Heffernan to present his comments regarding the Flex Space Overlay Zone.

DJ Heffernan, 2525 NE Halsey St Portland, represented John Murphy, the property owner of the Murphy Site, and had submitted a letter with his concerns and comments. He presented a PowerPoint on flex buildings, which were generally designed for light industrial with flexible spaces for lease, and gave examples of flex space buildings that would not meet the proposed design standards. He reviewed his comments and key recommendations regarding the proposed standards:

- That either the overlay not be along 32nd Ave or at least pushed back about 100 ft, as he did not believe these types of buildings were appropriate there.
- There should be no requirement for public street frontage or access; a typical flex space building would not be buildable if they were required to have all frontage along a public street.
- For the proposed circulation plan to apply and function well, there needed to be an internal accessway network to the buildings.
- Other items included primary entrances should be located to suit the tenant needs.
- No requirements for eaves or screening, and rooftop equipment screening only near the edge of the buildings.
- In response to a Type II variance for design standards, he reiterated that certainty was important for development. There should be design standards developed specifically for flex space development.

The Commission and staff discussed flex space items and options.

The Transportation System Plan included a connection between C St and Llewelyn St through the Murphy site, primarily for pedestrian and bicycle access, and would require dedication for street easements.

- **Mr. Heffernan** suggested waiting for proposed development on the site before dedicated street easements. Creating those rights-of-way may limit how the property could be developed. He noted traffic patterns for industrial trucks in and out of the site.
- **Mr. Egner** asked for direction regarding the bicycling and pedestrian access through the internal accessways through the site.

Commissioner Hemer proposed that the area proposed for the Flex Space be reduced to not include the north section of the property along 32nd Ave. In recognizing the variety of

complexities with flex space and development and design standards, perhaps it would be more appropriate to not have flex space along a public street.

Commission Anderson asked how the current proposed flex space area was developed.

- **Commissioner Hemer** and **Chair Bone** verified it was at a project advisory committee meeting and explained the logic for not including the southeast corner in the flex space overlay.

Chair Bone noted it was a difficult issue to balance. On one hand, the standards were the standards and for a reason, and if having a flex space overlay would not accommodate those standards, than should there be a flex space overlay zone? However, the goal was to make development easier, so perhaps should there be two sets of design standards to accommodate flex space.

Ms. Kalias offered to bring back possible design standards specifically for flex space. She added that there were no design standards in Central Milwaukie right now. She noted the next steps and the public hearings schedule.

7.0 Planning Department Other Business/Updates

8.0 Planning Commission Discussion Items

Mr. Egner noted that there was a recorded seminar on Planning Commission Ethics he was interested in bringing to the Commission for viewing.

Chair Bone and the **Commission** agreed that Commissioner Lowcock be made Vice Chair now that Wilda Parks has stepped down due to her new role as City Councilor.

9.0 Forecast for Future Meetings:

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| April 28, 2015 | 1. Public Hearing: CPA-2015-001 MFM Central Milwaukie Plan and Code Amendments #1 |
| May 12, 2015 | 1. Public Hearing: CPA-2015-0012 MFM Central Milwaukie Plan and Code Amendments #2 |
| | 2. Public Hearing: CSU-2015-001 GracePointe Church parking expansion |

Meeting adjourned at approximately 8:34 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II



Sine Bone, Chair