

**CITY OF MILWAUKIE  
PLANNING COMMISSION  
MINUTES  
Milwaukie City Hall  
10722 SE Main Street  
TUESDAY, October 13, 2015  
6:30 PM**

**COMMISSIONERS PRESENT**

Sine Bone, Chair  
Shane Abma  
Shannah Anderson  
Adam Argo  
Greg Hemer

**STAFF PRESENT**

Denny Egner, Planning Director  
Li Alligood, Senior Planner  
Brett Kelter, Associate Planner  
Shelby Rihala, City Attorney

**COMMISSIONERS ABSENT**

Shaun Lowcock, Vice Chair  
Scott Barbur

**1.0 Call to Order – Procedural Matters\***

**Chair Bone** called the meeting to order at 6:40 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**

**3.0 Information Items**

**Denny Egner, Planning Director**, noted the annual update to City Council on the Commission and its work program was scheduled for November 3rd.

**Chair Bone** introduced the new Commissioner, Adam Argo.

**Commissioner Argo** noted he lived in the Linwood neighborhood and had served for the past year on the Design and Landmarks Committee. He was a transportation planner with a Portland firm.

**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**

5.1 Summary: Riverway Ln Pool/Slope Project  
Applicant/Owner: Gary Klein  
Address: 10795 SE Riverway Ln  
File: NR-2015-003  
Staff: Brett Kelter

**Chair Bone** called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

**Brett Kelder, Associate Planner**, presented the staff report via PowerPoint. He reviewed the two application types, site location, and the zoning and overlay designations. The proposal included the removal of the existing pool, regrade and revegetate the slope and area, and possibly replacing the pool with a smaller pool and deck. The primary concern was adequate mitigation to the Water Quality Resource (WQR) and Habitat Conservation Areas (HCA), and he outlined the detail of the native plantings and mitigation plan. Staff recommendation was for approval with the findings and conditions as presented.

**Chair Bone** called for the applicant's testimony.

**Gary Klein, 10795 SE Riverway Ln**, introduced **Melanie McCandless of OTAK**. He displayed site photos to explain the issues and changes proposed to the property and area.

**Ms. McCandless** reviewed the potential timeline for the project.

**Chair Bone** closed public testimony.

**It was moved by Commissioner Hemer and seconded by Commissioner Abma to approve NR-2015-003 for 10795 SE Riverway Ln with the findings and conditions as presented. The motion passed unanimously.**

- 5.2 Summary: Moving Forward Milwaukie Neighborhood Main Streets Code Amendments #1  
Applicant: City of Milwaukie  
File: ZA-2015-002  
Staff: Li Alligood

**Chair Bone** called the hearing to order and read the conduct of quasi-judicial hearing format into the record.

**Li Alligood, Senior Planner**, presented the staff report via PowerPoint. This was the third phase of the Moving Forward Milwaukie project. Public outreach indicated that the community wanted a neighborhood-focused commercial district where new buildings and development were attractive and pedestrian-friendly.

- The proposal was to apply a new Neighborhood Mixed Use (NMU) zone to the commercial areas along 32<sup>nd</sup> Ave and the 42<sup>nd</sup> Ave and King Rd commercial area. Use standards would regulate the types of uses and businesses that could locate in the district. The key proposals for the development standards would regulate size, location, and massing of new buildings that would create small-scale, pedestrian-friendly environment. The design standards of the proposed General Mixed Use (GMU) zone would be applied. Some existing uses and buildings would become nonconforming under the proposed new code. Currently a Type III review was required for any expansion; however, the proposal was to allow for a Type II streamlined process for changes to uses and buildings to come closer into compliance with standards.

**Ms. Alligood** reviewed comments received and addressed the key concerns regarding impact on existing businesses that would become nonconforming, parking and noise impacts, and the types of permitted businesses.

- Nonconforming uses would be allowed to remain as long as desired.

- Off-street parking was required for new development as well as was buffering between commercial and residential properties.
- Regarding noise impacts, uses of concerns would require conditional use review and the Planning Commission could condition hours of operations through that process. Transition areas between residential and commercial would provide minimum setbacks. Complaints could be addresses through the noise ordinance.

Staff recommendation was for the Commission to recommend approval to City Council for approval of the zoning map and ordinance amendments.

**Chair Bone** called for public testimony.

**Karen Olsen, 3039 SE Malcom St**, was concerned about parking lot lighting, pollution mitigation for remodeling or demolition, and parking lot noise for lots required to be in the rear abutting residential properties.

- **Ms. Alligood** noted that lighting was required for lots with 10 or more parking spots, but there were standards for lighting to prevent light spill.
- Pollution mitigation would be handled through the building code. Noise could be handled through the noise ordinance.

**Joaquin Olsen, 32<sup>nd</sup> Ave and Malcom St**, was in support of small-businesses. His concern was about the lack of sidewalks off of 32<sup>nd</sup> Ave.

- **Ms. Alligood** noted sidewalks were generally required for more intense development.
- **Mr. Egner** added that Council was currently looking at ways to fund construction of more sidewalks throughout the city.

**Barbara Edmunds, 3023 SE Boyd St**, was concerned if abutting properties to businesses along 32<sup>nd</sup> Ave could become parking lots or the like. Also concerning was development without required parking.

- **Ms. Alligood** noted properties zoned residential would not allow commercial uses.
- On-site parking was required for residential and commercial development.

**Don Sparks, 10527 SE 44<sup>th</sup> Ave**, generally opposed proposals that were restrictive to vehicles.

**John Wiley, 4135 SE Jackson St**, owned several commercial buildings on 42<sup>nd</sup> Ave. He was concerned regarding setbacks and parking requirements for future development of those properties.

- **Ms. Alligood** noted that should those properties redevelop, there was a variance process available.

**Ms. Alligood** responded generally that the proposals were not focused on discouraging automobiles but more about urban form and prioritizing pedestrian access along these streets. Regarding treating the two areas differently through zoning, the long-range planning goals were for the two areas to become more pedestrian-friendly and vibrant and eventually come closer together.

**Chair Bone** closed public testimony.

Planning Commission Deliberation

