



## AGENDA

### MILWAUKIE PLANNING COMMISSION Tuesday, September 9, 2014, 6:30 PM

MILWAUKIE CITY HALL  
10722 SE MAIN STREET

- 1.0 **Call to Order - Procedural Matters**
- 2.0 **Planning Commission Minutes** – Motion Needed
- 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 Hearings** – Public hearings will follow the procedure listed on reverse
- 6.0 **Worksession Items**
  - 6.1 Summary: Moving Forward Milwaukie Plan and Code Amendments drafts overview with Walking Tour of Downtown  
Staff: Denny Egner for Li Alligood
- 7.0 **Planning Department Other Business/Updates**
- 8.0 **Planning Commission Discussion Items** – This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 **Forecast for Future Meetings:**
  - September 23, 2014
    - 1. Public Hearing: CPA-14-01 21<sup>st</sup> Avenue Extension Removal
    - 2. Worksession: Moving Forward Milwaukie Downtown Plan and Code Amendments drafts overview
  - October 14, 2014
    - 1. Public Hearing: CPA-14-01 21<sup>st</sup> Avenue Extension Removal *tentative continuation*
    - 2. Public Hearing: Moving Forward Milwaukie Downtown Plan and Code Amendments *tentative*

### Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

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@ci.milwaukie.or.us](mailto:planning@ci.milwaukie.or.us). Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at [www.cityofmilwaukie.org](http://www.cityofmilwaukie.org)
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.
5. **TIME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

#### **Public Hearing 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 Commissioners.

1. **STAFF REPORT.** Each hearing 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 recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission 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 COMMISSIONERS.** The commission 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 commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

*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 Planning Commission:**

Sine Bone, Chair  
Wilda Parks, Vice Chair  
Shannah Anderson  
Scott Barbur  
Greg Hemer  
Shaun Lowcock  
Gabe Storm

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

Denny Egner, Planning Director  
Li Alligood, Senior Planner  
Brett Kelver, Associate Planner  
Vera Kolias, Associate Planner  
Alicia Martin, Administrative Specialist II



# MILWAUKIE

*Dogwood City of the West*

**To:** Planning Commission

**Through:** Dennis Egner, Planning Director

**From:** Li Alligood, Senior Planner

**Date:** September 2, 2014, for September 9, 2014, Worksession

**Subject:** Moving Forward Milwaukie Briefing #6:  
Downtown Use and Design Standards

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## **ACTION REQUESTED**

None. This is a briefing for discussion only. This is the sixth in a series of project briefings to the Planning Commission. Staff is seeking feedback about draft code amendments for downtown Milwaukie, specifically related to downtown use and design standards.

## **BACKGROUND INFORMATION**

The *Moving Forward Milwaukie: Enhancing our Commercial Districts* (MFM) project began in July 2013 and will continue into early 2015. The project was preceded by the *Fresh Look Milwaukie: Downtown Road Map* project (January – June 2013). The goal of the MFM project is to achieve appropriate development and redevelopment in the city's commercial areas by removing barriers and creating incentives.

The MFM project is focused on bringing new activity to Milwaukie's commercial districts: downtown, central Milwaukie, and the neighborhood main streets of 32nd & 42nd Avenues. The major phases of the project are:

- Market Study (completed December 2013);
- Opportunity Site Development Concepts (completed March 2014);
- Downtown and Central Milwaukie Action & Implementation Work Program (draft document being reviewed by Council);
- Downtown Plan and Code Amendments (anticipated fall/winter 2014);
- Central Milwaukie Land Use & Transportation Plan, and Plan and Code Amendments (anticipated fall/winter 2014); and,

- Neighborhood Main Streets Plan and Code Amendments (anticipated spring 2015)

#### A. History of Prior Actions and Discussions

- **August 26, 2014:** Staff provided an overview of key proposed downtown code amendments and draft Central Milwaukie concepts. The Commission discussed the proposed code amendments and provided suggestions for Central Milwaukie.
- **June 24, 2014:** The Commission was briefed on the draft Action and Implementation Work Program, and provided feedback about key policy issues, specifically: reducing the number of zones in downtown; ground floor uses; and pedestrian-friendly development and design standards; and how to approach the PARs. The Commission agreed with the approaches proposed by the draft Action and Implementation Plan.
- **May 27, 2014:** The Commission was briefed on the draft Action and Implementation Matrix, and provided feedback about recommended policy and regulatory changes.
- **February 11, 2014:** The Commission was briefed on the opportunity site development concepts, including building form and financial feasibility, and provided input into the final versions.
- **November 12, 2013:** The Commission was briefed on the results of the market study and provided input into its findings.

#### KEY DISCUSSION ITEMS

The Downtown and Riverfront Land Use Framework Plan ("Framework Plan"), which is the adopted vision for downtown, describes 3 "fundamental concepts":

1. Anchors and Attractors – businesses at either end of Main Street that draw substantial pedestrian traffic and provide additional customers for downtown businesses.
2. Main Street as a healthy retail street – establishing a "lively storefront retail character with a pedestrian emphasis and 24-hour use." Key land use components of this character include:
  - Retail on both sides of the street
  - Continuous retail facades with no interruptions
  - Anchor retail at both ends of Main Street
  - Retail on all four corners of intersections
3. Connecting downtown to the river – signaled pedestrian connections to the riverfront and development of Riverfront Park.

These fundamental concepts are implemented through a combination of use, development, and design standards. Staff will provide a series of briefings in September and October touching on each of these aspects of the downtown regulations and proposed changes to those regulations. This briefing will focus on downtown use standards and an overview of urban design considerations for downtown Milwaukie.

**A. Downtown use standards**

The downtown use standards are intended to implement fundamental concepts 1 and 2 by encouraging businesses on Main Street that will draw pedestrian traffic and contribute to a lively retail environment. The current regulatory approach is to restrict permitted uses on the ground floor of Main Street buildings to just three:

- Retail
- Eating/drinking establishments (e.g. cafes, restaurants, wine bars, etc.)
- Manufacturing and production (only permitted in combination with a retail or eating/drinking establishment)

Personal/business service uses, such as hair salons, tanning salons, and pet grooming are limited to 25% of any building on Main St.

Through the *Fresh Look Milwaukie: Downtown Road Map* ("Fresh Look Milwaukie") project and the *Moving Forward Milwaukie* project, the community has expressed support for increasing the range of permitted uses on the ground floor of Main Street, as long as they continued to provide pedestrian interest and vitality.

The Plan and Code review memo proposes some key revisions to the downtown use standards. These revisions are intended to implement the fundamental concepts of the Framework Plan while providing greater flexibility for Main St business and property owners.

1. Reducing the number of zones. Currently, there are 5 downtown zones (Downtown Commercial, Downtown Office, Downtown Residential, Downtown Storefront, and Downtown Open Space). Each zone has a list of permitted uses, many of which are limited in certain areas, such as on Main Street. See Attachment 1 for the current list of zones and permitted uses.

The proposed approach would combine 4 of the zones into a Downtown Mixed Use (DMU) zone, and retain the Downtown Open Space zone as an Open Space zone that could potentially be applied to other parks in the city.

2. Expanding permitted uses on Main St. The proposed approach would expand the range of permitted uses on the ground floor of Main St buildings between Scott St and Washington St. Figure 1 provides an overview of existing and proposed use standards.

**Figure 1. Overview of proposed revisions to downtown use standards.**

Use	Existing	Proposed
Eating/Drinking Establishment	<ul style="list-style-type: none"> <li>• Required on ground floor on Main St north of Washington</li> <li>• Restricted to 5,000 sf south of Washington</li> <li>• Not permitted in Open Space zone</li> </ul>	<ul style="list-style-type: none"> <li>• Permitted on ground floor on Main St and throughout the downtown</li> <li>• Permitted in Open Space zone as a conditional use</li> </ul>

Retail	<ul style="list-style-type: none"> <li>• Required on ground floor on Main St north of Washington</li> <li>• Restricted to 5,000 sf south of Washington</li> </ul>	<ul style="list-style-type: none"> <li>• Permitted on ground floor on Main St and throughout the downtown</li> <li>• Restricted to 10,000 sf per use; more than 10,000 sf requires Type III Conditional Use review</li> </ul>
Personal/ business services	Limited to 25% of ground floor on Main St	<ul style="list-style-type: none"> <li>• Permitted on ground floor on Main St and throughout the downtown</li> <li>• Restricted to 10,000 sf per use; more than 10,000 sf requires Type III Conditional Use review</li> </ul>
Traditional Office	Not permitted on ground floor on Main St	Permitted on ground floor on Main St and throughout the downtown
Commercial recreation	Limited to 25% of ground floor on Main St	Permitted on ground floor on Main St and throughout the downtown
Repair	Not permitted on ground floor on Main St	Permitted on ground floor on Main St and throughout the downtown
Day care	Not permitted on ground floor on Main St	Permitted on ground floor on Main St and throughout the downtown
Commercial lodging	Only permitted in DC and DO zones	Permitted throughout downtown and throughout the downtown
Manufacturing and production	Limited to 5,000 sf; only permitted in combination with retail or eating/drinking establishment use	Expand types of manufacturing and production permitted.
Residential Use	Above the first floor	<ul style="list-style-type: none"> <li>• Above the first floor plus ground floor behind commercial use</li> <li>• On the ground floor north of Harrison St</li> </ul>

Currently, there is no maximum size for any permitted uses downtown. The proposed approach would allow retail and personal/business service use of up to 10,000 sf per use. If the use is larger than 10,000 sf, it would need to be permitted through Type III Conditional Use review.

As shown in Attachment 2,<sup>1</sup> most local or independent chain retail uses are smaller than 10,000 sq ft. However, some uses, such as a movie theater or a grocery store/supermarket, could trigger Type III review. For example, the average size of an urban Trader Joe's is 12,000 sq ft.<sup>2</sup>

3. Prohibited and Limited Uses. No additional prohibited uses are being proposed. Some uses are proposed to shift from outright permitted to conditional uses. See Figure 2 for an overview.

**Figure 2. Overview of proposed limited and prohibited uses.**

Use	Existing	Proposed
Parking facility	Permitted	Conditional Use

**Key Questions** - Staff is seeking Planning Commission feedback about the proposed list of permitted uses in the downtown. Are the following proposals appropriate?

- Main St ground floor uses
- Proposed maximum size limitation for retail uses
- Ground-floor residential uses

## B. Urban design concepts

In addition to use standards, the fundamental concepts of the Framework Plan are implemented through development and building design standards. Generally, these standards are intended to create a visually interesting, pedestrian-friendly, vibrant downtown district.

Like many communities in the area, much of downtown Milwaukie developed during the "streetcar era" of the early 1900s. Traditional commercial development of the era shared several common features:

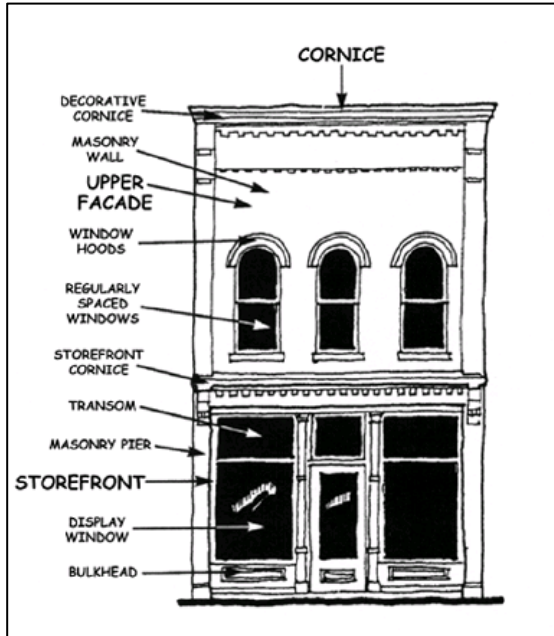
- 2-4 story buildings constructed of brick or wood
- Commercial façade consisting of three parts (see Figure 3):
  - Storefront with display windows: A basic retailing strategy is to draw people in by allowing them to see the merchandise and activity within the store.
  - Upper façade: With regularly-spaced windows; typically included offices or housing.
  - Cornice or top: Visually "caps" or finishes the building. Can also serve as a visual screen for rooftop mechanical equipment.
- Built to the sidewalk ("zero setback")

<sup>1</sup> This is an excerpt from 2009 Downtown Milwaukie Market Analysis & Business Development Strategy, available at [www.milwaukieoregon.gov/sites/default/files/fileattachments/downtown\\_milwaukie\\_market\\_analysis\\_2009.pdf](http://www.milwaukieoregon.gov/sites/default/files/fileattachments/downtown_milwaukie_market_analysis_2009.pdf).

<sup>2</sup> According to various online sources.

- Continuous "street wall" is created by buildings located at the same setback. This provides a sense of formality and enclosure for the pedestrian.

**Figure 3. Traditional façade components.**



Many of Milwaukie's current downtown development and design standards are intended to continue this traditional development pattern by requiring a certain percentage of ground floors windows and doors, the use of specific exterior materials, and interior dimensional standards for new development. At the Commission meeting, staff will review key design features that contribute to a pedestrian-friendly retail environment and then lead the Commission on a short walking tour of the downtown.

## ATTACHMENTS

Attachments are provided as indicated by the checked boxes. All material is available for viewing upon request.

	PC Packet	Public Copies	E-Packet
1. MMC Table 19.304.3: Downtown Zones - Uses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Typical Selected Business Sizes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Key:

PC Packet = paper materials provided to Planning Commission 7 days prior to the meeting.

Public Copies = paper copies of the packet available for review at City facilities and at the Planning Commission meeting.

E-Packet = packet materials available online at <http://www.milwaukieoregon.gov/planning/planning-commission-111>.



**19.304 DOWNTOWN ZONES - EXCERPT****19.304.3 Uses****A. Permitted Uses**

Uses allowed in the downtown zones are listed in Table 19.304.3 with a “P.” These uses are allowed if they comply with the development and design standards, any applicable design guidelines, and other regulations of this title.

**Table 19.304.3  
Downtown Zones—Uses**

<b>Use Categories</b>	<b>Downtown Storefront</b>	<b>Downtown Commercial</b>	<b>Downtown Office</b>	<b>Downtown Residential</b>	<b>Downtown Open Space</b>
<b>Residential</b>					
Rowhouse	L[1]	N	N	L[1]	N
Multifamily	L[10]	P	N	P	N
Second-floor housing	P	P	P	P	N
Senior and retirement housing	N	P	N	P	N
<b>Commercial/Office<sup>1</sup></b>					
Automobile repair	N	L[2]	N	N	N
Commercial recreation	P	P	P	N	N
Eating/drinking establishment	P	P	L[3]	N	N
Financial institution	P	P	P	N	N
Hotel/motel	N	P	P	N	N
Manufacturing and production	L[11]	L[11]	L[11]	L[11]	N
Office, professional and administrative	L[4]	P	P	L[5]	N
Parking facility	P	P	P	N	L[6]
Personal/business services	L[7]	P	P	L[5]	N
Retail trade	P	P	L[3]	L[5]	N
Theater	P	P	P	N	N
Community service uses	L[8]	L[8]	L[8]	L[8]	L[8]
Day care/childcare	L[9]	L[9]	L[9]	L[9]	N
Marinas, boat ramp	N	N	N	N	P
Parks, plazas, open space	P	P	P	P	P

The following provisions describe the use limitations and correspond with the footnote numbers for uses listed with an “L” in Table 19.304.3.

1. Townhouse development is permitted only in a limited area of the Downtown Residential Zone as identified on the Zoning Map (see “Downtown Residential Transition Area” on Figure 19.304-1). This limited use provision is intended to provide an opportunity for owned, attached housing at a minimum density of 10 units per acre. Townhouse development is permitted only in a limited area of the Downtown Storefront Zone as identified on the Zoning Map (see “Village Concept Area” on Figure 19.304-1). Townhouses shall not be located within 50 ft of the Main Street frontage within the “Village Concept Area.”
2. Automobile/motor vehicle repair (excluding body and fender repair and painting) is permitted in the Downtown Commercial Zone when conducted within a completely enclosed building.
3. In the Downtown Office Zone, eating and drinking establishments and retail trade uses are limited to 5,000 sq ft in floor area per use on the ground floor. An additional 5,000 sq ft in floor area per use on the ground floor is allowed for manufacturing or production areas associated with, and accessory to, eating or drinking establishments or retail trade uses. For purposes of this subsection, manufacturing and production involve goods that are sold or distributed beyond or outside of the associated on-site eating or drinking establishment or retail trade use. For example, a brewing facility that distributes or sells its products elsewhere would be considered a manufacturing and production use, while a restaurant kitchen that prepares food that is purchased on-site would not be considered manufacturing or production.
4. In the portions of the Downtown Storefront Zone where ground-floor retail/restaurant uses are required (see Figure 19.304-2), office uses are only allowed on or above the second floor.
5. Office, personal service, and retail trade uses in the Downtown Residential Zone may only be developed as part of a mixed use building that includes housing. Office, personal service, and retail trade uses in the Downtown Residential Zone are limited to the ground floor; and an individual office, personal service, or retail use may not exceed 5,000 sq ft in floor area. Home occupations are permitted in accordance with Section 19.507 of this title.
6. Parking facilities in the Downtown Open Space Zone are limited to surface lots.
7. In the portions of the Downtown Storefront Zone where ground-floor retail/restaurant uses are required (see Figure 19.304-2), personal/business service uses are limited to a maximum of 25% of the ground floor area of an individual building.
8. A new community service use, or expansion/alteration of an existing community service use, may be permitted if approved under Section 19.904 and shall comply with the development and design standards of this section.
9. Day care and childcare uses are limited to 3,000 sq ft.
10. Multifamily building development is permitted only in a limited area of the Downtown Storefront Zone as identified on the Zoning Map. See “Village Concept Area” on Figure 19.304-1.
11. Manufacturing and production are only permitted in combination with a retail or eating/drinking establishment use.



## TYPICAL SIZE OF SELECTED BUSINESSES

Merchandise or Service Category/Business	Median	National	Local Chain	Independent
Specialty Retail				
Appliances	5,956	6,292	5,911	~
Art Gallery	1,802	~	1,802	1,907
Beauty Supplies	1,807	1,634	2,450	1,829
Bike Shop	3,440	~	~	2,596
Bookstore	10,093	23,000	9,990	2,740
Cameras	2,000	2,000	~	~
Children's Wear	3,913	4,879	3,054	2,105
Family Shoe Store	4,000	4,113	5,100	2,460
Family Wear	8,000	8,500	3,474	5,132
Gift/Cards	4,200	4,900	3,780	1,653
Hardware	13,200	13,900	~	~
Home Accessories	7,595	10,215	5,365	2,462
Jewelry	1,500	1,610	1,968	1,200
Luggage	2,500	2,499	~	~
Men's Clothing Store	3,500	4,319	3,065	2,750
Pet Supplies	7,995	17,600	3,201	3,200
Record/Tapes	4,464	6,178	~	2,017
Sporting Goods	8,465	22,000	4,980	2,995
Toys	7,855	12,000	~	3,344
Women's Ready to Wear	4,400	4,503	3,960	2,145
Convenience				
Drugstore/Pharmacy	10,920	10,860	16,668	4,977
Supermarket	50,420	49,071	51,495	23,300
Bakery	1,990	4,000	~	1,700
Gourmet Grocery	18,000	~	~	~
Wine/Liquor	3,440	~	6,237	2,920
Personal Services				
Day Spa	2,875	~	2,563	3,060
Women's Hair Salon	1,400	1,450	1,250	1,361
Nail Salon	1,200	~	1,200	1,200
Health Club	10,249	9,548	5,508	10,249
Mail/Packaging/Photocopying	1,278	1,240	~	1,236
Tailor/Alteration	950	~	900	1,035
Video Rental	6,000	6,333	4,240	4,733
Drycleaners	1,800	~	1,800	1,649
Day Care	4,000	~	~	3,901
Laundry	2,114	~	2,150	1,955
Restaurants				
Restaurant with Liquor	5,204	6,669	5,600	3,362
Restaurant without Liquor	3,581	6,500	3,025	2,625
Bar/Cocktail Lounge	3,821	~	~	3,821
Ice Cream Parlor	1,137	1,144	1,137	1,116
Coffee/Tea	1,578	1,650	1,624	1,400
Entertainment - Cinema	35,022	37,161	35,022	21,250

Source: Urban Land Institute, "Dollars and Cents of Shopping Centers"