

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, January 8, 2013
6:30 PM**

COMMISSIONERS PRESENT

Lisa Batey, Chair
Clare Fuchs, Vice Chair
Sine Adams
Shaun Lowcock
Wilda Parks
Gabe Storm
Chris Wilson

STAFF PRESENT

Steve Butler, Planning Director
Ryan Marquardt, Senior Planner
Damien Hall, City Attorney

1.0 Call to Order – Procedural Matters*

Chair Batey 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.ci.milwaukie.or.us/meetings>.

2.0 Planning Commission Minutes

2.1 November 13, 2012

It was moved by Commissioner Parks and seconded by Commissioner Wilson to approve the November 13, 2012, Planning Commission minutes as presented. The motion passed with Commissioners Fuchs, Adams, and Storm abstaining because they weren't at that meeting.

3.0 Information Items—This item was taken out of order.

Chair Batey introduced and welcomed the new members of the Planning Commission, Sine Adams, Gabe Storm, and Alternate Commissioner Pascal Sauton. She invited them to share their reasons for joining the Planning Commission.

Commissioner Adams stated she moved to Portland in 2004 and has an MA in Planning from PSU. She moved to Milwaukie two years ago and currently is a transportation planner in Portland. She is interested in planning concepts and wants to give back to her community by sharing her knowledge.

Commissioner Storm had been on the Budget Committee for almost 4 years before joining the Planning Commission. He originally moved to Milwaukie in 1988 and moved back 7-8 years ago to start a family. He owns a business in Milwaukie and does graphic design and web design. He is interested in being on the Planning Commission because it plays such an important part in setting the direction for the community.

Alternate Commissioner Pascal Sauton said he owns Milwaukie Kitchen and Wine on Main Street. He has lived in Portland for 16 years. He wants to be involved with the Planning

Commission in order to participate in his community, and noted he is hoping to have his business in Milwaukie for a long time and enjoys the City and community around it.

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: Public Area Requirements & Downtown Code
Applicant: City of Milwaukie
File: ZA-12-02
Staff: Ryan Marquardt, Senior Planner

Chair Batey opened the public hearing for ZA-12-02 and read the conduct of continued legislative hearing into the meeting record. No conflicts of interest were declared.

Commissioner Storm abstained from participating in the hearing.

Ryan Marquardt, Senior Planner, presented the revised amendments pursuant to the Commission's direction on November 27, 2012. Staff was requesting a recommendation on the amendments from the Planning Commission to the City Council.

He reviewed the history of the current zoning regarding downtown zones, use regulations, and design and development standards. the summer of 2012, Council directed staff to make some limited zoning amendments to address the frequently occurring issues, including the public area requirements.

Mr. Marquardt noted key issues of the revised proposed amendments:

Public area requirements (PARs):

- Required for new development, or significant redevelopment, in downtown.
- Exemption for changes of use and additions of less than 1,500 sq ft (decreased from 3,000 sq ft per direction from Planning Commission).
- Traffic mitigation could be required if a change in use increased the number of trips.
- Reimbursement of Fee in Lieu of Construction (FILOC) payments for permits issued between August 2012 and the effective date of this ordinance.

Ground-floor uses on Main Street:

- Current requirement was for only retail or restaurant uses on that frontage.
- Allowance for up to 25% of a building area for personal/business services.
- Internal space dimension requirements for new construction to accommodate retail and restaurant uses.

Stand-alone retail and restaurant uses in the Downtown Office Zone:

- Remove requirement of retail and restaurant uses as part of office development or other outright permitted uses.
- Ground floor square footage limit of 5,000 sq ft.
- Allowance of an additional 5,000 sq ft for manufacturing associated with the primary use, to a maximum of 10,000 sq ft total.

Day care and downtown-oriented manufacturing and light industrial uses.

- Clarify downtown-oriented manufacturing and light industrial uses as specifically allowed if associated with a retail storefront or restaurant.
- Allow day care up to 3,000 sq ft as an outright use in downtown.

Mr. Marquardt answered questions from the Planning Commission.

Chair Batey opened public testimony.

Dion Shepard, Historic Milwaukie NDA, liked a moratorium on PARs, but wondered how needed improvements would occur. She felt the reimbursement should go back further. She thought it wasn't right to remove "transit center" from the table, and was concerned about the number of zones in such a small area and about height requirements.

Jean Baker, Historic Milwaukie NDA, was concerned that "public facility improvements" applied to developments throughout the city, and that the downtown code tune-up would extend to affect all of those as well. She wondered what types of traffic mitigation would be possible in downtown, and was concerned about increased traffic with new businesses. She noted that downtown Milwaukie was very walkable but felt a focus on restaurants was misguided and could turn downtown into a "restaurant row." She felt businesses that used the buildings more fully should be encouraged.

Mr. Marquardt responded by clarifying that PARs were a type of frontage improvement that was specific to the downtown zones and were a subset of the citywide public facility improvement requirements. He said that expanding reimbursements to before August 2012 would go beyond Council's direction to staff. He clarified that one stop for light rail was not considered a transit center. The proposed amendments were encouraging retail, personal services, and other uses within downtown zones. Main Street was designated as the primary pedestrian corridor for downtown and addressed differently.

He clarified that Council had directed staff to move forward with a limited set of amendments at this time and that other issues would be addressed in the larger downtown code update in the near future.

Chair Batey closed public testimony and the Commission began their deliberation.

Commissioner Lowcock expressed his confidence that these amendments would not lead to a "restaurant row." He felt that an eye should be kept on development, but he was happy with the amendments as they stood.

Commissioner Wilson wanted something even more pro-business, but felt that this was a great start. He was happy with the amendments as they stood.

Commissioner Parks agreed. She felt the amendments addressed some of the issues that have arisen over the last few years, and felt that the business community would be pleased with these small steps.

Commissioner Adams had concerns about creating a more appropriate downtown plan but felt this was a good step forward for now.

Commissioner Wilson asked about the plan for the Comprehensive Plan update project.

Steve Butler, Planning Director, said that staff was currently proposing to do a more detailed focus on the downtown policies and regulations, with the tentative goal of completion by the end of 2013. This would not be part of the Comprehensive Plan update project. A decision was still pending about when to pursue a major Comprehensive Plan update.

It was moved by Commissioner Lowcock and seconded by Commissioner Wilson to recommend approval to City Council of ZA-12-02, Public Area Requirements & Downtown Code, with the amended Attachment 1 from the memorandum from Ryan Marquardt, dated January 8, 2013. The motion passed unanimously.

6.0 Worksession Items

- 6.1 Summary: Officer Elections
Staff: Steve Butler

Damien Hall, City Attorney, reviewed the rules and procedures for elections.

It was moved by Commissioner Lowcock and seconded by Commissioner Parks to reelect Chair Batey and Vice Chair Fuchs. The motion passed unanimously.

7.0 Planning Department Other Business/Updates

- 7.1 Planning Commission Notebook Update Pages

Chair Batey mentioned a staff clarification—if any Commissioners wanted their pages updated by staff, they were requested to please bring them in after each update (not after multiple updates).

- 7.2 Adams Street Connector Beacon/Lantern Project

Mr. Butler stated this was a component of the Adams Street Connector project that would incorporate lighting with a historic and cultural aspect. He shared the presentation given to the Design and Landmarks Committee the night before, and noted the DLC was very much in favor of the project.

8.0 Planning Commission Discussion Items

- 8.1 Kellogg Lake Cleanup Project

Commissioner Lowcock asked about the status of the project and whether the Planning Department was responsible.

Mr. Butler said that the project fell primarily under the Parks and Sustainability Department, that some questions had been raised, and that they were moving forward to answer those questions.

- 8.2 Assisted Annexations

Chair Batey asked about the status of the last batch of assisted annexations.

Mr. Butler said they were going to Council soon.

Commissioner Wilson asked if there were any "island" properties related to the annexations.

Mr. Butler said that the current process in the Northeast Sewer Extension area was to ask for voluntary compliance by such property owners.

Mr. Hall explained that the term "island" referred to unincorporated property that was surrounded on all sides by City property. He clarified that staff was looking for consent-based annexations—rather than pursuing "island annexations," which wouldn't require the consent of unincorporated property owners.

8.3 Urban Growth Management Area (UGMA)

Chair Batey requested a future worksession on the UGMA work that was going on.

Mr. Butler said staff would schedule a worksession, and noted the upcoming City Council goal-setting would also clarify the process.

9.0 Forecast for Future Meetings:

January 22, 2013	1. TBD
February 12, 2013	1. Worksession: Transportation System Plan (TSP) update

It was moved by Vice Chair Fuchs and seconded by Commissioner Parks to cancel the January 22, 2013, Planning Commission meeting. The motion passed unanimously.

The meeting was adjourned at approximately 7:49 p.m.

Respectfully submitted,

Alicia Martin, Administrative Specialist II
Marcia Hamley, Administrative Specialist II



Lisa Batey, Chair