



AGENDA

MILWAUKIE PLANNING COMMISSION Tuesday October 13, 2009, 6:30 PM

MILWAUKIE CITY HALL
10722 SE MAIN STREET

- 1.0 **Call to Order - Procedural Matters**
- 2.0 **Planning Commission Minutes** – Motion Needed
 - 2.1 August 25, 2009
- 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: Parking Code Amendments
Staff Person: Ryan Marquardt
- 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:**
 - October 27, 2009 1. TBD
 - November 10, 2009 1. TBD

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. Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at www.cityofmilwaukie.org
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at 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. **TME 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:

Jeff Klein, Chair
Dick Newman, Vice Chair
Lisa Batey
Teresa Bresaw
Scott Churchill
Paulette Qutub
Chris Wilson

Planning Department Staff:

Katie Mangle, Planning Director
Susan Shanks, Senior Planner
Brett Kelter, Associate Planner
Ryan Marquardt, Associate Planner
Li Alligood, Assistant Planner
Alicia Stoutenburg, Administrative Specialist II
Paula Pinyerd, Hearings Reporter

**CITY OF MILWAUKIE
PLANNING COMMISSION
MINUTES
Milwaukie City Hall
10722 SE Main Street
TUESDAY, August 25, 2009
6:30 PM**

COMMISSIONERS PRESENT

Jeff Klein, Chair
Lisa Batey
Teresa Bresaw
Scott Churchill

STAFF PRESENT

Katie Mangle, Planning Director
Susan Shanks, Senior Planner
Li Alligood, Assistant Planner
Brad Albert, Civil Engineer
Bill Monahan, City Attorney

COMMISSIONERS ABSENT

Dick Newman, Vice Chair
Paulette Qutub
Chris Wilson

1.0 Call to Order – Procedural Matters

Chair Klein called the meeting to order at 6:35 p.m. and read the conduct of meeting format into the record.

2.0 Planning Commission Minutes

2.1 July 14, 2009

Commissioner Bresaw moved to approve the July 14, 2009 Planning Commission meeting minutes as presented. Commissioner Batey seconded the motion, which passed unanimously.

3.0 Information Items–None.

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: Harmony Rd Office Annexation
Applicant/Owner: Paul Norr/Anson Baker
Address: 5885 SE Harmony Rd
File: A-09-01
Staff Person: Li Alligood

42 **Chair Klein** called the hearing to order and read the major quasi-judicial hearing format
43 into the record.

44

45 **Li Alligood, Assistant Planner**, cited the applicable approval criteria of the Milwaukie
46 Municipal Code (MMC) as found on 5.1 Page 4 of the packet, which was entered into the
47 record. Copies of the report were made available at the sign-in table.

48

49 **Chair Klein** asked if any Commissioners had any ex parte contacts to declare. There
50 were none. Chair Klein, Commissioners Bresaw and Churchill visited the site, but no
51 Commissioner declared a conflict of interest, bias, or conclusion from a site visit. No
52 Commissioner's participation was challenged by any member of the audience.

53

54 **Ms. Alligood** presented the staff report via PowerPoint. She explained she was not
55 extensively familiar with County zoning and could not explain differences between
56 Industrial Zones I2 and I3, which were both designated Light Industrial Uses.

57

58 **Commissioner Batey:**

- 59 • Asked if the existing driveway on Harmony Rd would be usable.
- 60 • **Brad Albert, Civil Engineer**, responded that the zone change triggered a traffic
61 study of the site. One recommended condition of approval required the Applicant
62 to close the access to reduce accesses on Harmony Rd, and take access from
63 the business park driveway directly to the west, which was already restricted to
64 right in-right out only.
- 65 • The driveway shared with the mini storage off Harmony Rd was proposed for
66 expansion and would also be right in-right out.
- 67 • Asked for clarification about the Title 4 comments.
- 68 • **Ms. Alligood** explained that staff focused on the Johnson Creek Title 4
69 Employment Lands because it was the only area affected by the zoning
70 amendment. Title 4 Employment Lands were scattered throughout the
71 Manufacturing (M) and Business Industrial (BI) Zones so were not indicated on
72 the map.

73

74 **Commissioner Churchill** agreed he was curious as well about how the Applicant's tiny
75 parcel got Title 4 designation when the adjacent parcels, which would have similar
76 zoning in the end, did not.

- 77 • **Ms. Alligood** responded that it was not necessarily singled out, but more that it
78 expanded primarily into the County. The tail end of the Title 4 area was in the City,
79 but a large swath continued to the southeast in the county. She indicated on the map
80 that the area surrounding the subject site was Title 4. She believed the area was
81 Title 4 due to existing conditions, but was uncertain why the area was laid out as it
82 was.

83

84 **Chair Klein** asked how big of a structure could be built on the subject site.

- 85 • **Ms. Alligood** replied that buildings were sized according to lot coverage and setback
86 standards in the BI Zone.
- 87 • **Katie Mangle, Planning Director**, offered to look up the information and report later
88 in the meeting.

89

90 **Commissioner Bresaw** said that based on the pictures, the Applicant proposed parking
91 behind the building.

- 92 • **Ms. Alligood** responded that was the proposal. If the Applicant did come in with an
93 actual development proposal, then staff would work with them to refine the site plan.

94

95 **Ms. Alligood** confirmed that no further public comments had been received.

96

97 **Chair Klein** called for the Applicant's testimony.

98

99 **Paul Norr, Attorney at Law, 5550 SW Macadam Ave, Suite 330, Portland, OR,**
100 presented the Applicant's testimony as follows:

- 101 • He distributed two handouts that were entered into the record as follows:
 - 102 • Exhibit 1: Site area map indicating City of Milwaukie Zoning and Title 4
103 Employment Lands surrounding the subject site.
 - 104 • Exhibit 2: Proposed building elevations by Mitch G. Gilbert, Architect, for TRG
105 Logistics office remodel, dated December 16, 2008.
- 106 • He commended staff for their help in educating the Applicant and focusing on what
107 was needed for a successful application.

- 108 • The application was to bring the property into the City so that City services could be
109 provided, allowing for redevelopment of the site.
- 110 • Regarding zoning, he utilized Exhibit 1 to show that the site was entirely surrounded
111 by BI zoning, which was really the only zone that made sense and allowed for use of
112 such a small site in an appropriate manner.

113

114 **Mitch Gilbert, Architect, 239 NW 13th Ave, Suite 207, Portland, OR**, presented
115 PowerPoint slides showing building elevations and stated that the plan was to convert
116 the existing house into an office, giving it a complete facelift to improve the look.

- 117 • The carport on the end would be removed, the garage would be incorporated into the
118 building, and a 26 ft by 26 ft storage space would be added on the other end.
- 119 Though the displayed picture showed shingles, a metal roof was now proposed and
120 board and batten siding with a stone veneer wainscot all the way around was being
121 considered.
- 122 • A proposed timber frame porch would focus onto Harmony Rd, although it would not
123 be the main entrance because parking was located at the rear of the building. The
124 Applicant wanted to have a nice street presence. The cedar trees in front would be
125 trimmed to open up the front.

126

127 **Commissioner Bresaw** thanked the Applicant for making a nice plan. She appreciated
128 the efforts made to improve the front of the building, making it presentable to the street.

129

130 **Chair Klein** commented that the street side of the building appeared to be the rear of
131 the building based on utilization.

- 132 • **Mr. Gilbert** agreed that most people probably would not walk up to the street side of
133 the building, but perhaps the business would direct visitors around to the front
134 entrance of the building. Traffic engineering required that the driveway be farther
135 from Harmony Rd.

136

137 **Commissioner Bresaw** commented that the building had a good percentage of
138 windows but noted no windows existed on the west elevation. She asked if that side was
139 visible to anyone other than the neighbors.

- 140 • **Mr. Gilbert** replied that an existing wood fence faced the industrial parking lot. The
141 west elevation of the building was not really visible from the street.

142

143 **Commissioner Batey** asked if the Applicant anticipated that the property would remain
144 fenced.

145 • **Mr. Gilbert** believed the Applicant wanted to keep it fenced, but the fence type and
146 materials had not been chosen. They wanted to open it up to traffic and allow
147 visibility while also providing some security.

148

149 **Mr. Norr** noted that a preliminary traffic analysis had been completed. A more formal
150 review based on the actual site plan would be done as part of the development review.

151 • Two concerns the Applicant had heard to date regarded closing the driveway to
152 Harmony Rd and sharing access, and moving the access point to the parking lot
153 behind the building, as far from Harmony Rd as possible, to avoid queuing conflicts.

154

155 **Commissioner Bresaw** commented the Commission often saw site plans and pictures,
156 but sometimes the builder or owner ran out of money and started cutting corners. The
157 visual effects and nice materials were the first to go. However, the proposed plans
158 looked very nice as presented.

159

160 There were no further questions for the Applicant.

161

162 **Chair Klein** called for public testimony in favor of, neutral, and opposed to the
163 application. There was none.

164

165 **Ms. Mangle** responded to Chair Klein's earlier question about the building size allowed.
166 In the BI Zone, the height limit was 3 stories or 45 ft, whichever was less. There were no
167 lot coverage standards, but 15% of the site had to be landscaped. Both standards were
168 similar to what was also required in the M Zone, but the BI Zone had some design
169 standards regarding materials and development of the buildings at the staff level
170 development review.

171

172 **Commissioner Churchill** asked if the map on Exhibit 1 showing Title 4 zones was
173 consistent with what staff recognized.

174 • **Ms. Alligood** clarified that the map was prepared for the Applicant to demonstrate
175 that the BI Zone surrounded the site. Title 4 zones were to the south of the BI Zone.

176

177 **Chair Klein** closed public testimony for A-09-01 at 7:02 p.m.

178

179 **Commissioner Churchill moved to recommend A-09-01 as presented with**
180 **Attachment 1 to go on to City Council for approval. Commissioner Batey**
181 **seconded the motion, which passed unanimously.**

182

183 **Chair Klein** announced that he liked the Applicant's design, but if they turned it into a tilt-
184 up, bulk building, tagging would occur. He hoped the presented design would be what
185 was actually completed.

186

187 **Ms. Mangle** said the Applicant first presented the plans to the County, who sent them to
188 the City of Milwaukie because County staff determined that the City would require
189 annexation for more sewer service.

190

191 The Commission took a brief recess, reconvening at approximately 7:10 p.m.

192

193 **6.0 Worksession Items**

194 6.1 Summary: Smart Development Code Assessment Action Plan draft

195 Staff Person: Katie Mangle/Susan Shanks

196 **Susan Shanks, Senior Planner**, stated that the Smart Development Code audit was
197 underway with the consultant and was near the end of Phase 1, which was funded by
198 the State's Transportation Growth Management (TGM) Program. The funding followed
199 the State's fiscal year, so staff hoped to receive funding for Phase 2 soon.

- 200 • She displayed an abbreviated version of the Milwaukie Action Plan table from the
201 epacket that condensed the information gathered about the identified problems.
- 202 • The table delineated six categories: Residential Design Standards with 3 sub
203 categories; Housing Variety including accessory dwelling units, townhouses, and
204 duplexes; Review Processes and Procedures; Downtown Zones; Manufacturing
205 Zones; and Commercial Zones. Commercial Zones was a topic area added as a
206 result of input from the Planning Commission.
- 207 • The Code sections were identified for each area in the table, as well as the
208 desired outcome and problem statements discussed in the longer memo from
209 Angelo Planning Group. The table identified where existing Code language

- 210 merely needed to be refined and where it was necessary to develop new
211 language or a new Code.
- 212 • There were no Code guidelines regarding infill compatibility and multi-family
213 residential design standards. Pursuing that as a project would entail development of
214 new Code language. The guidelines for townhouses were referenced in different use
215 zone sections, but were very confusing and not explicit. Clear direction and Code
216 language regarding townhouses was missing and so could be considered a new
217 Code language project.
 - 218 • Commercial Design Standards were missing from the current Code and the
219 Manufacturing Zone should perhaps be rewritten rather than tweaked.
 - 220 • Next Steps in the table included Urban Design support, Additional Analysis and
221 Research, City Council and Planning Commission Worksessions, and Public
222 Outreach Effort.
 - 223 • Outside help was needed with Urban Design Support to develop graphics or
224 study Code language for architectural design input.
 - 225 • Additional Analysis and Research were areas that required more than using and
226 tweaking the model Code. The different options required evaluation regarding
227 what would fit in Milwaukie.
 - 228 • The Public Outreach column indicated areas where the City needed input from
229 the public.
 - 230 • The Priority Column was staff's view of where each different Code project would fall
231 based on what was heard from the Planning Commission and City Council. Tonight's
232 discussion was about prioritizing issues because it was possible that funding would
233 be limited or that staff would not be able to handle the workload.
- 234
- 235 **Commissioner Bresaw** stated that her neighbor's high priority was the fact that he
236 could not build his detached garage with office above because the Code was too strict.
237 He wanted his garage's roof to match the slope of his house's roof, which meant a taller
238 structure because the garage had a wide footprint.
- 239 • **Ms. Shanks** responded that in 2002 the Accessory Structure Standards and Design
240 Standards were radically altered in response to the pole barn scenario, limiting the
241 footprint for detached accessory structures. Due to other development standards, if
242 an accessory structure was too close to the property line or if there was already too
243 much lot coverage, an accessory structure could not be altered.

- 244 • If Accessory Dwelling Units (ADUs) were included in the Code project, some key
245 questions were: should ADUs be allowed as detached structures and should they be
246 allowed as detached structures within existing detached structures, like garages. The
247 design standards for detached accessory structures would need to be reviewed
248 because 2 stories were not possible with a 15 ft maximum height.

249

250 **Ms. Mangle** noted that staff wanted to be sure they were characterizing projects
251 correctly and hoped the Action Plan Table would be helpful for immediately guiding the
252 grant application next month. For items that did not get immediate funding, the table
253 would also be used as a template for expressing and defining other projects, like the
254 Sign Code and Historic Resources, which were not captured by the grant. The Action
255 Plan Table would help keep track of the different problems in the city. Feedback on that
256 was also requested.

257

258 **Commissioner Churchill:**

- 259 • Assumed that prioritizing Downtown Design Standards as medium was because
260 good controls were already in place.
- 261 • **Ms. Shanks** clarified that some key questions were about whether the prohibited
262 materials list was too restrictive. The Design Standards project also focused on
263 what uses were not wanted versus what was wanted. The Design Standards
264 were very subjective in general, so something was missing in terms of graphics,
265 stating what was desired, and perhaps looking at the prohibited materials list
266 because it did not keep up with the evolving materials available in construction
267 today.
- 268 • **Ms. Mangle** added that the City did have standards, but could do better because
269 some areas had no standards. Feedback from the Commission indicated that
270 they did not want to reduce the standards or use restrictions.
- 271 • Downtown was a very high priority for City Council.
- 272 • Agreed that downtown was important, although there seemed to be a lot of
273 downtown-centric focus at times. Fair standards were in place, but a restrictive list
274 would be helpful.
- 275 • Noted that townhouses and duplexes were a lower priority on the list, but there could
276 be some horrendous looking townhouses. Perhaps that should be a higher priority.

277

- 278 The Commission and staff continued with the following discussion points:
- 279 • Duplexes might not require many code changes, but townhouses were basically not
280 in the Code and should be somehow tied to the multifamily residential design.
- 281 • Townhouses did not currently exist in the Code except explicitly in the downtown
282 area, so townhouse questions were in part about design, but more about whether
283 and where they should be allowed, and with what limitations.
- 284 • **Ms. Shanks** explained that townhouses could be 2 attached homes on separate
285 lots, so by definition did not become a multi-family residential development.
- 286 • Staff had updated the Action Plan Table since preparing the version supplied
287 in the epacket and included questions such as:
- 288 • Should townhouses be outright or conditionally allowed in all residential
289 zones or just some zones? What review process should be required?
290 What lot sizes were appropriate? What were the best tools to ensure
291 compatibility?
- 292 • The Code currently implied that a townhouse lot could be much narrower in
293 R5 and R7 zones, but perhaps that was not appropriate.
- 294 • Townhouses added into a residential area just added density, and traffic had to
295 be fed through the neighborhood to get to the transportation corridor.
296 Townhouses could be located throughout the City, but should be in close
297 proximity to major roads.
- 298 • Some owner-occupied townhouses looked very nice, especially when builders
299 put more money into the front and detail so they had better curb appeal.
- 300 • Building townhouses required balancing expensive development costs and
301 making the buildings look nice. Generally, the lots were smaller and the land was
302 less expensive, so perhaps higher design standards could be required to provide
303 a quality development but also affordability.
- 304 • Along 9th Ave in San Francisco and the 122nd Ave area in Portland were a
305 series of townhouses that would not be appropriate in density and mass in
306 Milwaukie. Controls would be necessary if townhouses were considered as a
307 project. The appropriate development type was needed for an appropriate
308 density.
- 309 • **Ms. Mangle** clarified staff had wanted feedback about housing variety, not out of
310 necessity, but to consider that a range of housing types was not allowed in

- 311 Milwaukie. The issue was more about allowing a variety to provide housing for aging
312 Milwaukie citizens and for those unable to afford houses on large lots.
- 313 • It was not an urgent issue, but the available vacant lots were smaller and staff
314 was receiving inquiries about allowable uses. There were not many inquiries from
315 developers, but from citizens wanting to convert garages to ADUs.
 - 316 • **Commissioner Batey** believed the issue was important because it was silly that
317 Norm Scott could not build 3 attached houses, which made more sense for his
318 property layout than requiring 2 duplexes. Others had also commented that
319 putting several townhouses on a lot was more desirable than another
320 manufactured home. A line had to be drawn between having the flexibility to build
321 3 townhouses on a lot versus knocking down 3 houses and building 20 homes.
 - 322 • The corner lot across from Corbett Fish House in John's Landing had a nice
323 series of townhouses with parking underneath that transitioned nicely with the
324 surrounding single-family residential area. Townhouses could be done sensibly,
325 yet atrocities were also seen even with the same restrictions in place.
 - 326 • Two recent requests had been received for ADUs, but the process was too onerous.
 - 327 • Huge lot size requirements existed for duplexes, essentially requiring another full lot.
 - 328 • Commercial design standards and commercial uses were part of the General
329 Commercial (CG) Zone for the 42nd Ave and King Rd area. The areas around
330 Safeway were not all zoned commercial, but a commercial core was surrounded by
331 residential. The commercial core was a good example of an area of concern
332 because commercial zoning was so general. The Planning Commission and DLC
333 had discussed the design standards for the area for a long time, but the uses were
334 also important because the Code promoted strip mall development in that area,
335 which would not best serve the community as a neighborhood center.
 - 336 • Periodic review to update the Comprehensive Plan was still a project that might
337 take a year or two to proceed. The King Rd Neighborhood Center Master Plan
338 was included in the Comprehensive Plan long ago. Periodic review and updating
339 of that master plan was another way to tackle it because some issues might have
340 more to do with brownfield redevelopment, site cleanup, and site acquisition,
341 which were really not zoning code issues.
 - 342 • Sellwood was broken into 3 distinct, different areas: Tacoma, 13th St, and 17th
343 Ave, and the chain of everything flowing in the area was nice. Milwaukie has not
344 looked at other areas of the city, but instead focused on making the downtown

- 345 area feasible when two-thirds of the population accessed the 42nd Ave and King
346 Rd shopping center.
- 347 • One question on the Action Plan Table was whether there should be 6 different
348 commercial zones when Milwaukie was not geographically a large city and did not
349 have a lot of commercially-zoned land.
 - 350 • **Ms. Shanks** asked if standards should be considered and developed that
351 addressed the Comprehensive Plan's broader use and scale of use issues that
352 were not currently embodied in the Code, and also develop those standards for
353 other key districts in the City, including the Ardenwald neighborhood.
 - 354 • The Neighborhood District Associations (NDAs) had been built on a 2-
355 dimensional geographic plan rather than the synergy of true neighborhoods, such
356 as their events, grocery stores, and restaurants. Such elements pull a
357 neighborhood together, even if on the edge of an NDA area.
 - 358 • At present, neighborhood services like yoga studios and martial arts schools were
359 not allowed in some Milwaukie zones, so the Code was very outdated in that way.
 - 360 • Safeway was not nearly as busy as it used to be. And now, without the ability to walk
361 there safely, people get in their cars and could drive to other places, Fred Meyer's,
362 New Seasons, Trader Joe's, or Safeway, and Safeway is low on that list. When
363 people have more than groceries to buy, they will not go to Safeway.
 - 364 • **Commissioner Batey** explained that she would personally put commercial
365 design standards as high and downtown uses as medium. She was uncertain
366 about townhouses, but was inclined to put them as medium.
 - 367 • **Chair Klein** responded that in the grand scheme of where they were prioritized
368 on the Action Plan Table, all of those other things were more important right now
369 than certainly townhouses, duplexes, and ADUs. If he were to rank them 1 to 10,
370 those would be toward the bottom of the list. Even though they're very important.
371 He did not mind them being low, but they were important.
 - 372 • **Commissioner Bresaw** asked why the design standards for single-family
373 architectural design and townhouses could not be addressed at the same time.
374 She believed townhouses should be allowed.
 - 375 • **Ms. Shanks** clarified that the issue was not so much about design, but
376 whether townhouses were even allowed and where. Single-family
377 architectural design was really about design and would need to be addressed
378 first.

379 • Adult foster care homes were built as massive single-family housing. None of the
380 defined Code projects on the Action Plan Table would address adult foster care
381 homes, but the massing and size could be addressed under design if it was a new
382 construction. Converting an existing home was another matter.

383

384 **Commissioner Churchill** compared Milwaukie today with successful neighborhood
385 forms such as Clinton St and Alberta St in Portland. Without a creative application of
386 zoning and restrictions of use, Milwaukie would always be very segmented and remain a
387 bedroom community to Portland. The richness and culture of the community had to be
388 allowed to grow instead of using a very rigid layout from zone to zone.

389 • King Rd was too wide and not appropriate for any formation of the desired
390 neighborhood form. In looking at the 6 key areas, he wondered how the culture and
391 richness could be addressed.

392

393 **Chair Klein** stated it came back to how the City moved people through the area. The
394 key was to draw people to the 42nd Ave and King Rd area through projects that added
395 pedestrian access, safety, shade, and took people out of the mentality of driving
396 wherever they wanted to go.

397

398 **Commissioner Bresaw** emphasized that landscaping was the key to softening the
399 streetscape everywhere, including the asphalt corridor of King Rd.

400

401 **Commissioner Churchill** believed landscape was a portion of the solution, but also the
402 scale and nature of the public, semi-private, and private spaces that made a streetscape
403 work well. Parts of Hawthorne Blvd and Clinton St were good from a scale standpoint,
404 but Hawthorne Blvd was a little dense at times, which was not appropriate for Milwaukie.

405

406 **Ms. Mangle** noted the question was how to promote a village feel that could work within
407 the desired scale. The larger shopping centers could maybe be improved in the future
408 through redevelopment, but would still be shopping centers along the highway. Pockets
409 within town had the potential to better serve the neighborhoods, building the village feel
410 that many Milwaukie citizens yearned for, particularly on the commercial side.

411

412 Key discussion points continued as follows:

- 413 • The Island Station business district was a key area that would be ripe for
414 redevelopment with light rail because it was across from the station. Safe pedestrian
415 access and successful businesses would be necessary there because neighbors
416 would walk to get on light rail.
- 417 • Village neighborhood nodes were a combination of the streetscapes, public areas,
418 and private areas. Hopefully, the Transportation Code Amendments (TCA) would
419 provide more flexibility regarding design.
- 420 • One TCA idea involved having the neighborhoods help identify and develop a
421 design for key streets, so that a plan was in place when development occurred.
422 Currently, a more reactive process took place when developers applied for
423 permits. A proactive process was best so the neighborhood could have a
424 streetscape design plan in place.
- 425 • A key challenge for redeveloping the Island Station business area was that the sites
426 were small and most likely did not have conforming parking under the current
427 standards. If the area was developed as more of a walk-to commercial node, then
428 hopefully the parking standards could take that into consideration.
- 429 • The Code provided a laundry list of uses allowed in general commercial, and also
430 addressed the scale and design of a business. The Code did not speak to newer
431 business types like yoga studios and doggie daycares, which were revitalizing some
432 neighborhood commercial areas in other parts of the region. Issues of concern
433 included streetscape, parking, and the correct scale and use of new construction for
434 the neighborhood. Single-operator businesses like tax accountants or chiropractors
435 often inquired about small, affordable business spaces in commercial areas.
- 436 • Allowing neighborhood commercial uses would cause changes throughout the
437 neighborhood because people would want to move there, businesses would
438 become more successful, and then more people would want to locate there.
- 439 • **Chair Klein** commented that considering and applying the 'big picture' planning
440 concepts being discussed was what he always envisioned as the Planning
441 Commission's job. It was time to apply different ideas to the community even though
442 it would raise issues.
- 443 • Parking standards were a key tool in killing good village nodes. For development in
444 nodes, parking standards needed to be completely relieved. At 42nd Ave and King
445 Rd, onsite parking requirements destroyed the great sense of neighborhood at the
446 four corners of the node until it looked like a modified strip mall. The pedestrian

- 447 neighborhood connection was also lost because driving to the location was
448 encouraged. Developers were encouraged when they did not have to provide
449 parking.
- 450 • On 42nd Ave north of King Rd, 50% of the lots were multi-family, but pedestrian
451 access was not great. The Safeway parking lot was never full, indicating that the
452 parking standard was set too high; too many parking spaces were required.
 - 453 • It was difficult to find the perfect balance with multi-tenant sites where tenants
454 moved in and out of buildings. A complicated calculation was utilized to arrive at
455 what seemed an appropriate parking requirement for the Safeway site. However,
456 if a property owner wanted to build another building at a later date, perhaps the
457 parking requirements could be reevaluated with a parking study.
 - 458 • Traffic codes looked at traffic generation as a part of a use, which was good
459 information, but could perhaps be set aside when the density around a node was
460 needed.
 - 461 • As a discussion and learning tool, perhaps one or two nodes could be used as
462 conceptual test sites for how the City might model nodes from a zoning standpoint.
463 Transportation and development plans could be considered to lay out new policies
464 and generate ideas for discussion regarding zoning flexibility. Key elements for
465 successful nodes could be identified, such as no onsite parking, proximity to transit,
466 etc.
 - 467 • University of Oregon graduate students might be interested in a conceptual test
468 project that could be taken to the neighborhood to aid in creating policies.
 - 469 • Communities did not immediately accept change, so by conceptually applying a
470 model to a node, the fallout could be observed from a zoning standpoint along
471 with what it would take to achieve the plan at that node. The pros and cons could
472 then be studied as a discussion tool.
 - 473 • Dieringer's Properties developed the Safeway property and might have feedback
474 regarding the results of abiding by Milwaukie's Code.
 - 475 • Property developers like Dieringer's Properties did not necessarily
476 understand the idea of nodes because they developed classic one-story
477 developments with parking lots in front. For the richness of a neighborhood,
478 another architectural firm with a different sense was needed.
 - 479 • **Chair Klein** understood Dieringer's Properties did have other plans in mind
480 for the site.

- 481 • Public meetings to present hypothetical projects to improve existing sites would
482 help citizens understand changes needed to improve the city and start ideas
483 flowing. The WinCo parking lot on SE 82nd Ave was an example of a badly
484 organized parking lot.
- 485 • Planning and architecture tools do not explain “richness.” Along SE 22nd Ave
486 south of SE Division St was a very rich node with a co-op grocery mini-node.
487 Parking was on the street, but the area was successful. It was unlikely an entire
488 neighborhood would accept the change required in bringing about such a node.
489 Unfortunately, neighborhood buy-in would result in more of what existed.
- 490 • If the richness of the node neighborhood was important to Milwaukie, it would
491 have to be found in Portland and applied to Milwaukie. Property owners at the
492 core of intersections would be affected, but those areas were typically
493 commercially zoned already.
- 494 • The Wichita Town Center was a commercial node at the edge of the city with
495 drive-up and walk-up traffic.
- 496 • Form and use were both important in using different neighborhood nodes to play
497 out different scenarios in a combination of form-based and Euclidean zoning
498 approaches with a particular zoning form in place and then put in appropriate
499 uses.

500

501 **Ms. Mangle** explained that Commissioner Batey had suggested 2 proposed
502 modifications to the Action Plan Table. She asked whether the entire Commission
503 supported that change.

- 504 • Finalizing the plan would be discussed at the next meeting. A joint worksession with
505 City Council would likely be held in late October.
- 506 • She clarified that lunch trucks were allowed in the City on private property as long as
507 their wheels were kept on so they were considered vehicles, not structures. The
508 vehicles could not take required spaces away from existing buildings. The City would
509 not issue parking permits for City parking lots, but the lunch trucks’ presence was
510 allowed given certain caveats of the Zoning Code.
- 511 • She was intrigued by comments made about the Parking Code and would include
512 them when staff returned with the Parking Code Amendments draft.

513

514 **Ms. Shanks** believed holding a worksession with City Council would be helpful so
515 Council could hear directly from the Planning Commission about the commercial zones
516 and other neighborhood nodes outside of downtown and why downtown was not
517 considered a priority.

518

519 **7.0 Planning Department Other Business/Updates**—There was none.

520

521 **8.0 Planning Commission Discussion Items**

522 **Chair Klein** noted that new Thai and Hawaiian restaurants were opening downtown.

523 • He noted Clinton St was a very successful business district as well as a bike corridor.

524

525 **Commissioner Batey** believed the 21st Ave and Clinton St, and 26th Ave and Clinton St
526 areas provided better examples for Milwaukie than the New Seasons Seven Corners
527 area because she did not envision supermarkets going into the nodes.

528

529 **9.0 Forecast for Future Meetings:**

530 September 8, 2009 1. Worksession: Parking Code Amendments project briefing

531 2. Worksession: Smart Code Assessment Action Plan draft

532 II –*tentative*

533

534 September 22, 2009 1. Joint Session with Riverfront Board: Kellogg plant
535 restoration design UO project –*tentative*

536 2. Worksession: Parking Code Amendments project briefing

537 II –*tentative*

538 **Ms. Mangle** reviewed the upcoming meetings, and confirmed the Commission wanted to
539 discuss neighborhood nodes with regard to Parking Code Amendments at the
540 September 8 meeting to keep the draft moving forward.

541 • The joint session with the Riverfront Board planned on September 22 was not for
542 Riverfront Park. A University of Oregon architecture class did a design studio on
543 designing big sites to work with nature as part of Title 13 Nature in Neighborhoods.
544 Their academic test site was the Kellogg Creek Treatment plant and how it could be
545 redeveloped in a way that was good for habitat and fed healthy ecosystems around
546 the river.

- 547 • She heard the project designs were very captivating, illustrating the issues and
548 the potential for doing very exciting things on such challenging sites. Individuals
549 were being collected for the Natural Resources Advisory Group for the Title 13
550 project, and they would be invited to attend the joint session as well.
- 551 • The Parking Code Amendments could be discussed in a worksession after the public
552 meeting.
- 553 • The Riverfront Park application was almost complete. A preparatory worksession
554 with the Design and Landmarks Committee (DLC) was held 2 weeks ago to prepare
555 for the Design Review hearing, hopefully at the end of September or (early?)
556 October, so it could be heard by the Planning Commission in November.
- 557 • The City was still seeking funding for the project, but all local, State, and national
558 permits were being obtained, so that the project was shovel-ready and grants
559 were easier to obtain.
- 560 • The Downtown Milwaukie Station workshop for the Light Rail Project was scheduled
561 for October 15, 2009.

562

563 **Chair Klein** believed the Commission should represent the Parking Code Amendments
564 at City Council so that the Commission's ideas and comments did not get lost in the
565 process.

566

567 Meeting adjourned at 8:32 p.m.

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570

Respectfully submitted,

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Paula Pinyerd, ABC Transcription Services, Inc. for
Alicia Stoutenburg, Administrative Specialist II

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580 _____
Jeff Klein, Chair



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Katie Mangle, Planning Director *KM*

From: Ryan Marquardt, Associate Planner

Date: October 5, 2009 for October 13, 2009, Worksession

Subject: Off-Street Parking Chapter Amendments Draft for Review

ACTION REQUESTED

None. This is a briefing on the status of the City's Parking Code Amendment project. Staff is preparing the draft code for Planning Commission and public review. The draft revised Parking Chapter and related Commentary on Amendments documents will be provided to the Commission and on the City's website on Friday October 9.

BACKGROUND INFORMATION

The off-street parking chapter amendments are part of the Planning Department's ongoing effort to improve the Zoning Ordinance.

A. History of Prior Actions and Discussions

- **September 8, 2009:** Staff and the Planning Commission discussed alternative approaches to off-street parking regulations in neighborhood commercial areas.
- **March 10, 2009:** The Planning Commission provided feedback on the minor policy changes being considered in the proposed amendments to the off-street parking chapter, and the rationale for the changes.
- **February 10, 2009:** The Planning Commission provided feedback on the major policy changes being considered in the proposed amendments to the off-street parking chapter, and the rationale for the changes.
- **February 10, 2008:** Staff discussed the off-street parking chapter amendments scope of work with the Planning Commission.

B. Proposal Summary

The parking chapter amendments will repeal the existing chapter and replace it with a new chapter. Because the existing chapter will be repealed, staff's proposed amendment package will show only the text of the proposed amendments, rather than an underline / strikeout version to show the changes within each section. The commentary on the proposed text will explain what remains from the existing chapter, what has been modified from the existing chapter, and what is new.

The major areas of focus for the proposed amendments are described below. The sections of the proposed code associated with the changes are referenced after the description.

1) Require an Adequate but not Excessive Amount of Parking.

The quantity of off-street parking should be enough to accommodate the typical parking demand for a land use. Requiring too much parking incurs unnecessary expense for property owners and underutilizes the development potential of a property. In addition, excessively large parking areas add to the urban heat island effect, adds unnecessary impervious surfaces, and creates a vacant urban landscape.

A major focus of the proposed amendments is to ensure that the City is not requiring excessive parking for new development and redevelopment. The proposal does this by:

- Modifying some parking ratios to be more in-line with similar cities (Table 19.505.1)
- Allowing applicants to modify parking ratios by studying their actual parking demand (19.505.2)
- Providing an automatic 50% ratio reduction for pedestrian-oriented neighborhood commercial areas (19.505.3.B.1)
- Creating additional allowances to reduce required parking (19.505.3.B)
- Increasing the potential for shared parking agreements to meet minimum parking requirements (19.505.4)
- Reducing the minimum required dimensions for parking stalls and drive aisles (19.506.1)

2) Require Better Parking Area Design.

Even if the quantity of parking supplied is correct, parking areas have a negative impact if they are not designed well. Landscaping, parking area materials, circulation, and similar items are important considerations in making parking areas that look good and function well. The existing landscaping standards in the parking chapter have provided high-quality results when applied to recent developments. As a result, the basic provisions for parking lot landscaping (19.506.2 in the proposed amendments) would not be changed. The proposed amendments would create better parking area design by:

- Removing the requirement that single family residences have at least one covered parking area (Table 19.505.1 A.1).
- Allowing pervious pavement and alternate paving materials (19.506.3.A and 19.507.1.F).
- Providing better review of pedestrian and vehicle circulation in parking areas (19.506.3.C – E).

- Establishing standards for drive through facilities (19.506.3.E).
- Limiting the amount of parking area in a residential property's front yard (19.507.1.D.2)

3) Easier Implementation of the Parking Chapter.

The existing parking chapter is not well organized. Many important regulations that should be easy to find are buried within one section of the chapter. Provisions of the existing chapter related to applicability, parking modifications, and determination of ratios for unlisted uses have ambiguous criteria. The parking ratio table has an unnecessarily large number of similar land uses that are listed separately. Regulations for parking structures do not have an appropriate level of review and contain unclear incentives and regulations. In short, there are a number of problems in using and implementing the existing parking chapter. The proposed amendments address these problems by:

- Reorganizing the chapter overall
- Reducing the amount of uses in the ratio table to simpler and more broadly applicable use categories (Table 19.505.1)
- Establishing clear applicability criteria (19.502)
- Providing guidelines for reviewing and bringing non-conforming parking areas closer of conformance (19.502.3)
- Creating clear application and approval guidelines for parking ratio modifications and determination of ratios for unlisted uses (19.505.2)
- Simplifying the types of residential uses in the ratio table (Table 19.505.1 A.1-4)
- Clarifying the definition of a commercial vehicle (19.103 Definitions, 19.507.2.B)

3) Provide Flexibility Problem-Solving On Creative & Complex Projects.

The proposed amendments allow more discretion in some areas of the code to allow flexibility. The areas where some discretionary review has been added are:

- Allowing applicants to modify parking ratios by studying their actual parking demand (19.505.2)
- Allowing alternative landscaping standards (19.506.2.C)
- Allowing modified parking stall and drive aisle dimensions for structured parking (19.511.2.B)

4) Address Policy Gaps and Other Problems.

There are other problems and limitations of the existing chapter that staff is aware of. These problems are addressed in the proposed amendments by:

- Making the downtown core exempt only from the parking quantity requirements, and not from the entire chapter (19.312.4, 19.505)
- Having a maximum parking ratio for residential home facilities (Table 19.505.1 A.3)
- Specifying what needs to be included in a shared parking agreement (19.505.4.C)
- Revising the level of review, design standards, and incentives for the provision of structured parking (19.510)
- Limiting the number of RVs that can be stored on properties over 1 acre in size (19.507.2.C.1)

- Regulating gates across driveways (19.507.1.G and 19.506.3.C.5)
- Requiring on-site driveways to align with approved driveway approaches (19.506.3.C.3 and 19.507.1.E)
- Adding some performance and design standards for parking lot lighting (19.506.3.F)
- Updating the requirements for off-street loading areas (19.508)

Revisions from Prior Worksessions

At the March 10, 2009 worksession, staff presented a policy change that would have changed the parking ratios that apply to downtown. Currently, the downtown core is exempt from parking regulations and the outer areas of downtown are subject to the same regulations as the rest of the city. The proposed amendment would have eliminated minimum parking ratios commercial and office uses and required a minimum parking ratio of 1 parking space per dwelling unit for residential development.

The current proposed amendments do not include changes to parking standards for downtown that were discussed in March. The City Council is currently studying whether to develop an urban renewal plan. If the Council decides to proceed, the changes to the downtown parking regulations would be considered along with other downtown-related amendments to the municipal code.

NEXT STEPS

The draft will be posted on the City's website on Friday, October 9, 2009. Staff will seek comments on the proposed amendments by stakeholders, including, but not limited to, local developers, neighborhood district associations, and downtown business owners. Staff expects to begin the formal code amendment adoption process by December 2009.

ATTACHMENTS

None. Proposed Code and Commentary to be posted at <http://www.ci.milwaukie.or.us/departments/planning/planning.html> on Friday, October 9, 2009. Copies will be provided at the worksession.