

CITY OF MILWAUKIE  
PLANNING COMMISSION MINUTES  
TUESDAY, JUNE 27, 2000

**COMMISSIONERS PRESENT**

Donald Hammang, Chair  
Judith Borden  
Barbara Cartmill  
Tracy Cook  
Mike Miller  
Howard Steward  
Doug Ouderkirk

**COMMISSIONERS ABSENT** -- None

**STAFF PRESENT**

Alice Rouyer,  
    Planning Director  
Don Arambula,  
    Consultant  
Mary Dorman  
    Consultant  
Gary Firestone,  
    City Attorney  
Shirley Richardson,  
    Hearings Reporter

1.0 CALL TO ORDER

The meeting was called to order at 6:37 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 PLANNING COMMISSION MINUTES

**Tracy Cook** moved to approve the Planning Commission minutes of June 13, 2000, as presented. **Barbara Cartmill** seconded. MOTION CARRIED 5-0 with one abstention. Judith Borden was not at that meeting..

Ayes: Hammang, Cartmill, Cook, Miller, Ouderkirk, Steward; Nays: None.

4.0 INFORMATION ITEMS -- City Council Minutes

4.1 City Council Worksession Minutes  
City Council Minutes

5.0 PUBLIC COMMENT

Speaking: Kyle Jacob, 10500 SE 44<sup>TH</sup> Avenue, Milwaukie

**Mr. Jacob** stated that some of his neighbors received a brochure regarding the King Road Neighborhood Center. This encompasses the King Road Supermarket,

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which is now going out of business. Several neighbors on the surrounding streets have not received a copy of this notice. He did not receive a copy of the notice. He voiced concern that if the City is going to make changes in a shopping center, the people in that neighborhood should be notified. Even though this is a zone change, all neighbors should have been notified. He did not receive the questionnaire about the riverfront. He asked if the Planning Commission would address the King Road Neighborhood Center.

**Alice Rouyer** explained that the King Road Neighborhood Center is an area plan as part of the Comprehensive Plan amendment. This is not a rezoning action. A Ballot Measure 56 notice was sent to all the property owners in the area that is designated on the Plan. Staff will review the list to make sure that all the neighborhoods around the area, the neighborhood chairs, and all the leaders have received this mailing.

6.0 PUBLIC HEARINGS

- 6.1 Applicant: City of Milwaukie  
Owner: N/A  
Location: Downtown Milwaukie  
Proposal: Public testimony hearing on the City's proposal for a Zoning Ordinance Amendment to amend the Zoning Map, Comprehensive Plan, Zoning Ordinance, and Municipal Code affecting properties in downtown Milwaukie.  
File Numbers: ZA-00-01  
NDA: Historic Milwaukie

**Chair Hammang** opened the public hearing on File Number ZA-00-01 to amend the Zoning Map and Comprehensive Plan for downtown Milwaukie. He explained that tonight's portion of the hearing is to allow public testimony on the City's proposal for Zoning Ordinance amendments. There will be no decision tonight, only public testimony. The hearing will be continued and left open for additional testimony should other information come up that was not addressed tonight. The criteria to be addressed is found in Section 900 of the Milwaukie Zoning Ordinance.

**Chair Hammang** asked if there were any conflicts of interest or ex-parte contacts to declare. There were none. He asked if any member of the Planning Commission visited the site; seven hands were raised. No one who visited the site spoke to anyone at the site or noted anything different from what is indicated in

the staff report. No one in the audience challenged the impartiality of any Commission member or the jurisdiction of the Planning Commission to hear this matter.

#### STAFF REPORT

**Alice Rouyer** reported that tonight the Commissioners would be considering a package of amendments to adopt a new land use framework and vision for downtown Milwaukie. Staff has been working on this project for about 18 months. Over the past few months, the public has been invited to a series of town hall meetings and comments have been taken. The purpose of tonight's meeting is to listen to a staff presentation on the amendments, listen to public comment on the proposal and to let staff know what more information is needed by the next meeting to help make a decision on this proposal.

Don Arambula, Urban Design Consultant; Randy McCourt, Transportation Consultant; Mary Dorman, Amendment Writer; and Gary Firestone, City Attorney, were introduced.

There are seven pieces to this package that will be considered tonight:

1. The land use framework plan document. This will be a new ancillary document to the Comprehensive Plan.
2. Comprehensive Plan text amendments. These are changes in the policies that relate to downtown. Zoning Ordinance text amendments include the new zones and the development and design standards and the new use standards.
3. Municipal Code text amendments that include sign code revisions, Subdivision Ordinance revisions, giving new responsibility to the Design and Landmarks Commission, changing the Historic Review Commission to a new Design and Landmarks Commission.
4. Authorizing Public Works standards so the downtown public area requirements can be adopted (streetscape standards).
5. Comprehensive Plan Map amendments.
6. Zoning Map amendments.
7. Public area requirements document for downtown.

Speaking: Don Arambula, Krandal Arambula, 520 SW Yamhill, Suite 4, Portland 97204

**Dan Arambula** showed slides of the subject site and surrounding area. The boundary for the downtown area is from Highway 224 down to Kellogg Lake,

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from the Willamette River to the railroad tracks. Some of the zoning pieces include areas outside these boundary lines. Two main guidelines were followed throughout this process to build off the strengths and minimize weaknesses to create a better community and the second is to insure economic success.

Alternatives were developed and presented to the public. There are four main components of the land use framework: (1) fundamental concepts, (2) area plans, (3) open space, and (4) priorities. The fundamental concepts were to reconnect to the river to create a greenway that would connect underneath McLoughlin Blvd. and connect to a public park. The second part would be to establish two anchors, one at the north and the other at the south. Between these anchors would be a retail street turned into a thriving retail center.

There are a series of area plans proposed. The Housing Area North consists of multi-family residences and open space. There is a transition of lower density housing towards adjacent neighborhoods as you get closer to McLoughlin Blvd. The second area is currently Milwaukie Lumber and will be generally multi-family housing at higher density with some green organizing space-taking advantage of the adjacent junior high space as an amenity. The Store Front/Main Street Area extends from Harrison Street on Main Street down to Washington Street. This will be a mixed-use district primarily of retail and restaurant uses at ground floor. Above that will be a mix of uses for housing with options for residential development with parking behind.

Anchoring the south end of Main Street would be an arts entertainment and office area. This will be a campus with a large pedestrian mall in the middle. The intent of this is that it will be a regional attractor. Along the edge will be the public areas along the Willamette River. There is proposed a parks and open space area that includes a festival lawn and reclamation of Kellogg Creek to more of a natural state. One option is to remove the dam and fish ladder. This also includes a greenspace and a greenbelt that would be used as a connection to the neighborhoods down to Elk Rock Island.

There is an auto-oriented commercial area adjacent to McLoughlin Blvd. This could be a grocery store or a larger use. There will also some other smaller retail and office development within this area. A hotel is proposed on the current WasteWater Treatment Plant site. This will allow for great views, adjacent to the water, and adjacent to the other anchors that includes office and entertainment areas. There will be an open space and amenity framework that include a rail-trail (off-street pedestrian loop so a pedestrian can walk through downtown in comfort

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without having to walk along roadways and priority projects that include key triggers (changes to the riverfront park and changes in the transit area). Another part of the amenities is the circulation framework which include general circulation requirements (street trees, bikeways, lighting); street standards (right-of-way plan for all public streets and street vacations); and the details that describe all the pieces of the streetscape (transit center, consistency, detailed design).

Speaking: Alice Rouyer, Planning Director, Johnson Creek Facility, 6101 SE Johnson Creek

**Alice Rouyer** reviewed the Comprehensive Plan Map (Exhibit C), the Zoning Map (Exhibit E), and the proposed new use standards, development standards, and design standards. Changes to the Comprehensive Map include the change from a regional center to a town center. The Zoning Map amendments include the following new zones:

DOS (Downtown Open Space) -- for more park uses along the riverfront;  
DO (Downtown Office) -- is for an office complex on the southern end of downtown and a hotel use in the current Sewerage Treatment Plant area;  
DS (Downtown Storefront) -- which tends to have active retail along Main Street as well as the option of having residential and office on the upper levels;  
DC (Downtown Commercial) -- is located to the northwest edge of downtown to provide for larger scale commercial uses such as a grocery store;  
DR (Downtown Residential) -- towards the northern end of downtown;  
CL (Commercial Limited) -- which is being retained as commercial at this time until the property owner indicated that he wants to participate in the project.

The downtown mixed-use overlay has been eliminated. New development standards cover minimum lot size, floor area ratios, building height, residential density provisions, street setbacks, ground floor retail requirements, and off-street parking.

Graphics were shown on building height, ground floor windows along Main Street, ground floor uses along Main Street (Retail/Restaurant), and the downtown overlay zone.

The primary impacts of these amendments are traffic. Concerns have been raised about cut-through traffic in the adjacent neighborhoods to Highway 224 and some of the employers of big uses in and around Highway 224.

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The Transportation Impact Survey has just been completed and staff and the public have not had a chance to review it for comment. **Alice Rouyer** suggested that the Commission leave the public testimony portion of the hearing open so that comments can be made on the Transportation Study at the next Planning Commission meeting.

Speaking: Randy McCourt, DKS Associates, 1400 SW Fifth Avenue, Portland

**Randy McCourt** reported that over the last couple of weeks, his firm has put together an intensive investigation of the traffic conditions of downtown Milwaukie. He reviewed the report with the Commission.

There are several different kinds of streets and lots of different levels of volume. About ten different intersections were inventoried for intersection turning movements in peak times, daily traffic and speed on other streets, and McLoughlin Blvd. There is a wide range of volume on different streets. The primary streets through the downtown area are Harrison and Washington. They carry the majority of traffic. Lake Road out to the south and the east is the next busiest. Other residential streets such as 27<sup>th</sup>, 28<sup>th</sup>, and 29<sup>th</sup> carry about 200 cars a day.

Over the last ten years there has been a growth of traffic on McLoughlin and Highway 224 at a range of about 10%. The study shows that the roads in the immediate downtown area have not grown in traffic. There is regional growth in traffic in the area, but to the greatest extent traffic conditions have been very stable. The speed of traffic has an influence on how people perceive the downtown area. The straight streets, like Monroe, have the greatest speeds. Washington Street and 27<sup>th</sup> Avenue have slower speeds, however, the speeds are above the posted speeds in the area. Even though the volumes are quite low, the speeds are upwards.

Vehicle traffic, pedestrian flow, bicycle flow, and transit flow in the area were reviewed for traffic operation. McLoughlin and Harrison are the key bottlenecks. It currently operates near capacity, and has operated near capacity since it was built. There has been a 10% increase in traffic that is a result of expansion of traffic in the off-peak direction. Other downtown intersections generally operate well with less than a half-minute delay for most vehicles.

There are cues of cars (backup of traffic) that go back 300-600 feet. This blocks intersections in adjacent areas. It plays a significant role in the circulation of the downtown.

Three scenarios were reviewed: (1) what's on the ground today and what does that generate; (2) what is going to be on the ground if zoning stayed as it is today; and (3) the proposed re-zoning amendments. The evening peak traffic was compared for each scenario. Comparing the proposed land use to the existing condition, the amount of trip generation is about 8% (130 trips in the evening peak) higher. The trips are distributed differently however than they are today. In the future, there will be a greater traffic flow to the east towards Clackamas Town Center, Sunnyside Road, and I-205.

Regional growth will have more of an impact on the key routes such as McLoughlin and Highway 224 than the proposed downtown development. The cueing on McLoughlin will be changed. This will result in modification to signal timing and the operation plan to assure that the cueing is kept to a minimum.

The amount of access on McLoughlin plays a key role in terms of operation and capacity. The access spacing centers will be a key element towards capacity. The operation of McLoughlin can be improved by getting better signal spacing on the roadway.

Traffic control needs are identified in the Plan in terms of new signals, pedestrian crossings, and the needs for additional traffic signals for capacity purposes in the downtown.

**Alice Rouyer** stated that after reviewing some of the traffic analysis this week, it might be appropriate for the neighborhood to initiate a traffic mitigation process. To start the process, there must be consent from 50% of the traffic owners along the street where the request is being made.

QUESTIONS FROM THE COMMISSIONERS -- None.

CORRESPONDENCE RECEIVED

**Alice Rouyer** reported that two letters were received, one from Milwaukie Lumber and one from Teresa Bresaw.

TESTIMONY IN FAVOR -- None.

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Speaking: Dave Strauss, 16418 SW 129<sup>th</sup> Terrace, Tigard

**Mr. Strauss** stated that he is a member of the Milwaukie Downtown Development Association. He is on the Board of Directors. He is a property owner of a building in Milwaukie, 10605 -- 10607 -- 10609 -- 10611 -- 10613 S.E. Main Street. He is very familiar with the area as his parents moved to Oak Grove when he was 4-1/2 years old (30 years ago). He opened a business in Milwaukie in 1968 and operated it for several years.

In his years here as a resident of Milwaukie, he has seen many attempts at a downtown renewal. Main Street is not what it used to be. Something needs to be done to help the area. He is very excited about this proposal, it is a real plan. He urged the Planning Commission and the City to move ahead with this excellent Plan. He supports it fully.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Jim Bernard, 12255 SE 41<sup>st</sup> Court, Milwaukie

**Mr. Bernard** stated that he is a property owner in downtown and he lives in Milwaukie. He chairs the Riverfront Board and is President of the Milwaukie Downtown Development Association.

The Association is in support of the Plan amendments. His property is on the corner of Washington and it has been in the family 75 years. He is currently looking for new property and he is excited about the new Plan. The MDDA and the membership are behind the Plan.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Rosemary Crites, 4917 Aldercrest Road, Milwaukie

**Ms. Crites** stated that her property is outside the downtown boundary. She travels through Milwaukie a lot and she is thrilled to find out what is going on in the downtown area. There is nothing here for seniors or children. The only thing that is friendly is the Sunday Farmers Market. She as a resident, encourages the Commission to go ahead with these plans. It affects all of Milwaukie and the quality of living for the residents.

QUESTIONS FROM THE COMMISSIONERS -- None.

QUESTIONS OR COMMENTS

Speaking: Sally Jacob, 10500 SE 44<sup>th</sup> Avenue, Milwaukie

**Ms. Jacob** asked if anyone had ever thought of a real lighthouse? She would not come down to the riverfront to visit a boutique shop; however, she would visit a lighthouse. She stated that she watched a show on OPB and all across the nation people are rebuilding their lighthouses. She can image children visiting a lighthouse. It would add an interesting attraction for Milwaukie.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Roger Cornell, 2708 SE Monroe, Milwaukie

**Mr. Cornell** stated that last week he provided a written document outlining his concerns. He expressed concern about the increased traffic through the neighborhoods and the possible negative impact on neighborhood livability due to high-density housing and the revitalization of the downtown. He has met with staff and discussed this issue many times.

He asked that the Commission request an integrated neighborhood traffic plan be developed and included to mitigate the impact of increased traffic through the adjacent historic neighborhood before they accept the proposed zoning changes. Further, he asked that the Commission consider what traffic safeguards would they request if this were proposed in their neighborhood and what assurances can be required to mitigate the impact of increased traffic. He suggested that the Commission require an integrated neighborhood traffic plan be included in any zoning proposal.

QUESTIONS FROM THE COMMISSIONERS

**Chair Hammang** noted that staff has suggested that the neighborhoods pursue traffic mitigation requests. He asked if this process has been started? **Mr. Cornell** stated that his neighborhood is going to start that process. He asked that the Commission request a proposal on how the traffic can be mitigated.

**Barbara Cartmill** asked how Mr. Cornell felt about the Plan in general? **Mr. Cornell** stated that the Plan has some very positive aspects. He is in favor of

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revitalizing the downtown area. He wants to proceed with caution regarding the traffic impacts. The traffic coming in and out of the neighborhoods needs to be addressed.

Speaking: Arlene Miller, 11402 SE Beckman, Milwaukie

**Ms. Miller** stated that she agrees that Milwaukie needs a facelift and she looks forward to the changes. She is totally against high-rise, high-density housing. In all the town halls that she attended, the people were not in favor of the housing density. The survey result should show that this is not wanted in the downtown area. She suggested that the Southgate Theatre area be used for high density. This would make the livability and visitation of downtown more pleasing.

She comes to downtown Milwaukie to use the facilities here often (library, post office, shops, car repair, etc.). If there is high-density housing, she will not feel comfortable coming to downtown Milwaukie. Traffic is a concern. She concluded that she likes the idea of the riverfront with the park, the retail shops, the school as a community center, but she would not like to see anything over two stories high. This is her home too. Milwaukie is unique, let's keep it unique.

**Ms. Miller** stated that she would like to see another town hall where the new maps are shown to the residents.

QUESTIONS FROM THE COMMISSIONERS

**Barbara Cartmill** asked what specifically, Ms. Miller did not like about the high-rises? **Ms. Miller** stated that she did not like the idea of tall buildings. She likes the idea of seeing open spaces, the river, and trees. High-rises will reduce the visual affect of the downtown. **Barbara Cartmill** explained that there are height restrictions throughout the different areas in downtown. Only one of the areas has the 70-foot proposal. The others are not as tall. **Alice Rouyer** pointed out height restrictions on the view-scape map. Staff feels that allowing for better views to the river, or higher buildings in the office area, is appropriate and will attract the right kinds of office developer in downtown.

**Don Arambula** stated that the general circulation requirements of the public area requirements in Figure 1.5 specifically addresses view corridors. There is a concerted effort to maintain the view corridors along the roadway. Efforts have been made to assure that the tree plantings are columnar in form and do not block the views. These are maximum heights and this will be a market-driven plan.

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There is no assurance that any of the buildings will be six stories high. The intent is to provide flexibility. One of the amenities is the Willamette River. There is a need to get a little higher in order to have these views. This will not impact neighborhood views. None of the proposed buildings can be characterized as high-risers.

Speaking: Rob Kappa, 12143 SE 38<sup>th</sup>, Milwaukie

**Mr. Kappa** stated that Mr. Cornell gave an excellent report on the traffic issues. He would like to see a Concurrency Program added to the process and consideration. As development in downtown Milwaukie occurs, the traffic impacts to Harrison, Monroe, Washington, and Lake Road are mitigated. There is no funding to accomplish this. He suggested that the findings to Council include a funding mechanism in the City of Milwaukie that will help accomplish these improvements. More capacity is being added to the streets without adequate improvements to address traffic and the pass-through traffic issue. He suggested bumping down one or a combination of one of the collector streets to a neighborhood street (Washington, Monroe, and Harrison).

Another concern is storm water runoff. As the downtown is developed and the streets mitigated, runoff should be addressed.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Ed Zumwalt, 10888 SE 28<sup>th</sup>, Milwaukie

**Mr. Zumwalt** stated that he is a member of the Library Board. He has been authorized by the Chair and other members to report that they have studied the rezoning plan and as it stands now, they endorse it. The Board must review any changes.

As Chair of the Historic Milwaukie Neighborhood Association, again he will repeat that some people want downtown Manhattan and some want Mayberry. What they would like in their neighborhood is no traffic congestion, no parking problems, no air/noise pollution, no over-crowding, safe streets, adequate infrastructure, no crime, and no graffiti. It is hoped that there is no confusion, but slow planned growth. They would like to retain the integrity of the neighborhoods. He asked that the Commission take into consideration the impact that any growth will have on adjacent neighborhoods and how carefully this growth must be planned to lessen the impact.

**Mr. Zumwalt** stated that the first priority is to ask the City to implement an integrated traffic management strategy to be developed in conjunction with the planned downtown growth. His neighborhood association will take a complete survey of every resident in their neighborhood to determine what steps should be taken with traffic flows to insure safety and livability in the neighborhood. The survey will be coordinated with the Lake Road Neighborhood and the results will be turned in to the Planning Department.

#### QUESTIONS FROM THE COMMISSIONERS

**Mike Miller** asked how the neighborhood association views this Plan? **Mr. Zumwalt** stated that when it first came out, there was a negative reaction to the high-density and traffic problems. Now residents are willing to work with the City to make the Plan work and be proud of the downtown area.

Speaking: Dick Jones, 3205 SE Vineyard Road, Oak Grove

**Mr. Jones** stated that he attended the open house on May 31<sup>st</sup>. *The Clackamas Review* had a very nice article on the Plan. He has three issues of concern. The ban on drive-throughs and gas stations is perceived as anti-auto. However, he feels you can be pedestrian friendly and still have autos. Moving towards this concept may result in erosion of the quality of life. Drive-through banking and restaurants are both identified with increased personal safety, especially in the evenings and especially for women with children.

The three largest gas stations along McLoughlin Blvd. are all in downtown Milwaukie. If these stations go away, every driver in the region is going to be affected because as gas stations decrease, competition goes down, and the price of gasoline goes up.

Another concern is the retail main floor issue with several floors of housing above. He asked if retailers building the structures were going to be able to attract the kind of financing that they would need to complete their projects? Will there be a point down the road where there becomes a need for a tax-increment-financing district in order to redevelop downtown? This could have negative results on the City and the County.

**Mr. Jones** voiced concern about no parking as outlined on Page 37 of the report. This is going to become a pressing issue with the boaters and fishermen. During

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fishing season, there is parking all along McLoughlin. He asked if there would be additional areas along the river for parking.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Teresa Bresaw, 12744 SE Weedman Ct, Milwaukie

**Ms. Bresaw** stated that she is the Co-chair of the Lake Road Neighborhood Association. She voiced concern about the maximum heights of the buildings proposed. She can visualize a three or four story retirement village, but would not like to see a seven story rental apartment building. She would like to see town houses, condos, row houses, etc. encouraged for downtown.

She stated that she hopes there will be incentives for building homeowner occupied residences. Milwaukie is a small town and people like this atmosphere but they also realize that more people living in downtown would be helpful in supporting the businesses. Possibly a three to four story structure would be a better compromise.

**Ms. Bresaw** voiced concern about the transit center being close to the library. This will discourage people from visiting the library. She asked if the Commission could consider moving the transit center a little further north.

QUESTION FROM THE COMMISSIONERS -- None.

Speaking: Gary Kline, 3115 NE 58<sup>th</sup>, Portland 97213

**Mr. Kline** stated that he has property at 10795 SE Riverway Lane in Milwaukie. It is in the CL zone on the map. He is happy with the Plan for the downtown area. He is glad to hear that the City wants to make it viable for all property owners. It is a great idea to reconnect to the river from both the north and south. He asked what the height restriction is for the DLS zone and his CL zone? **Alice Rouyer** stated that there are existing height restrictions for the CL zone.

**Mr. Kline** asked what traffic impacts would result when there is a park around the property with a 65-foot building on it? He feels that he is in the CL zone right in the middle of all this development. **Alice Rouyer** stated that all of the area along the riverfront is limited commercial. The proposed rezoning is for the downtown open space on the properties that the City owns. Mr. Kline has the CL zoning on

his property and the City is not going to change this designation unless he consents to the change.

#### QUESTIONS FROM THE COMMISSIONERS

**Barbara Cartmill** asked if the City has property in the downtown area that can be considered for a land swap? **Alice Rouyer** stated that these are things that the City Attorney and City Manager must address. She is not aware of any land swap possibility.

**Chair Hammang** asked if this land swap issue was relevant to the Comprehensive Plan amendment decision before the Commission? **Gary Firestone** stated that this is considered background information. When it comes to deciding whether to adopt the Plan, a decision has to be made as to whether it complies with the criteria in the Comprehensive Plan, State law, Metro regulations, etc. The relevant issues are set forth in the Comprehensive Plan and other regulatory documents.

**Mike Miller** asked the size of the property? **Mr. Jones** stated that it is less than a half an acre.

Speaking: Linda Hatlelid, 8617 SE 36<sup>th</sup>, Milwaukie

**Ms. Hatlelid** stated that 1,162 people responded to the postal survey items #1, Restore Johnson Creek through #17, New Play Fields. This is a 7-8% response. There are approximately 20,000 residents in Milwaukie. She asked why 92% of the residents do not get a voice in this issue. She asked that a vote be taken so majority rules, not the minority.

She would like to see the City of Milwaukie return to representing the majority point of view. The residents would like to vote on issues such as downtown riverfront issues, #1-17, tree ordinance, storm sewer increases, etc. She is tired of the City reacting to a minority response and passing it off as the majority point of view.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Judy Fowler, 3925 SE Monroe, Milwaukie

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**Ms. Fowler** stated that she has lived at this address for 21 years. She asked where the boat ramp is on the new maps? **Alice Rouyer** explained that this proposal ultimately envisions the boat ramp going away. However, City Council has heard comments from residents about the ramp. There is a commitment with the State to maintain the boat ramp in its present location until a suitable relocation for the boat ramp can be found within the County. The elimination of the boat ramp will not take place until this relocation requirement is fulfilled.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Lou Casale, 2916 SE Monroe, Milwaukie

**Mr. Casale** stated that he has had a real estate office in Milwaukie since 1964. A Zoning Ordinance must not violate the rights of individuals and property holders as provided for under the due process provision of the 14<sup>th</sup> Amendment of the U.S. Constitution. Tests usually apply in determining the validity of an ordinance that requires:

1. The power of the Planning Commission must be exercised in a reasonable manner.
2. The provisions must be clear and specific.
3. The ordinance must be free from discrimination.
4. The ordinance must promote public health, safety and general welfare under the policy power concept.
5. The ordinance must apply to all properties in a similar manner. Not the whim of the City Council or any political group or groups without this control, land use competition would be unorganized and probably based upon individual's desire or greed, which would destroy not only the values, but the usefulness of the community

The City Council and the Planning Commission have power. It is important to the Community that the Council and Commission are free of personal or political influence. If Council wants a zone change to convert our livable and healthy small town for high-rises with thousands of new people moving in, it will result in congested roads, more drivers, more pollution, more demands on the City, demands on the police force, schools, etc. He asks at what costs and price of livability in the City is worth this change? The people who own these parcels of land become richer and the poor become poor. Taxes and service costs go up. The land value of the zone change will increase by leaps and bounds for investors who partake of this venture.

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**Mr. Casale** stated that he cannot see seven story buildings in Milwaukie or in any of the neighboring towns. This is leading to the downward destruction of Milwaukie. How many times must the citizens of Milwaukie have to fight for their rights? This issue should be put to a vote of the people. He hopes that the City residents will vote no for the zone change and keep the small town atmosphere with the proper growth. He submitted information to the Commission on some research that he has done on zoning.

QUESTIONS FROM THE COMMISSIONERS -- None.

Speaking: Robert Malco, 6406 SE Plum Drive, Milwaukie

**Mr. Malco** stated that he has been involved with some of the neighborhood meetings. Overall he appreciates what the City has done to involve the citizens of Milwaukie in this project. He does not feel that this has been crammed down the throats of the people of Milwaukie. He is concerned about the idea of developing the density of downtown. It is his understanding that if residents of Milwaukie don't want the higher density, then they have to live with a larger tax bite if development is to occur.

He asked if there would be a smaller density, maybe about half the rate? This would mitigate the traffic problems. Why is there a need for so much density? He likes the Mayberry aspect of Milwaukie and likes where he lives. Milwaukie does not have to be like Portland.

**Mr. Malco** stated that he likes the tiered effect for the height of the buildings. The 65-75 foot height seems excessive. For livability aspects and small town aspects, a four-story building is tall enough. He asked if more parking is planned for the downtown area? A parking structure could be provided to allow for parking for shoppers, boaters, people using the transit center, etc.

TESTIMONY IN OPPOSITION -- None.

Recess was taken at 8:37 p.m. and the meeting reconvened at 9:00 p.m.

ADDITIONAL COMMENTS FROM STAFF

**Alice Rouyer** asked Randy and Don to explain the differences between traffic generation of residential versus office/commercial uses and what traffic implications are associated with keeping the CC zone on some of the properties.

**Randy McCourt** stated that even without this Plan the way the land is zoned today, there is potential for land uses to occur in a pattern that is consistent with the Comp Plan and the Zoning Ordinance. Table 5, under Zoning Build Out, there are at least 50,000 and on the outward side this figure could double or triple that would be on top of what is existing. It would be on top of this Plan. Table 7 compares different types of residential to retail/industrial development. The retail, fast food, and bank area are elements under the CC zoning that generates some of the highest trip making. The housing at 100 units per acre is not the highest trip generation. If it were converted to a bank, office, or retail use, there would be substantially more trip generation.

This is a result of where the trips come from and where they go. The type of housing proposed that head due east up Harrison is substantially different from the amount of traffic that comes from this area from the residential area to the downtown area. If all the housing is eliminated, there will be an increase in the amount that heads east. If you put housing in the downtown, a substantial amount of that traffic is to MLK, the Sellwood District or to downtown Portland. To have some housing in the downtown and to have some housing in the context of not having all commercial, retail, or office, plays a big difference on how the traffic patterns are.

**Mike Miller** asked why people who live in apartments would go out less number of times than a person who lives in a house? **Randy McCourt** stated that single family homes are dealing with a higher number of household participants. There are trips to school, trips to the recreation center, trips to the pool, trips to the store, etc. When you are dealing with multi-family housing, usually you are dealing with a single head of household. They make a trip to work and generally that is all they do in a day. When you average this out, the net is less travel than single-family residential.

**Howard Steward** asked if there is a trip generation estimate of the housing proposed by this proposal? **Randy McCourt** noted that on Page 11 of the staff report there is a summary of the number of trips that would occur at the evening peak hour. This is the time when there is the greatest number of cars on the street. Comparing the existing zoning and the proposed plan, the figures are about the same. Comparing the development potential today, in the evening peak hour, there is about a 100-vehicle trip difference. The same relationship exists for daily and morning trips. There clearly is additional traffic with this proposal; however, there is more traffic than proposed on Harrison and McLoughlin. This does not

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mean a degraded operation. Upon review of travel patterns twenty years from now, there is a shift from travel patterns that head up and down Sellwood and McLoughlin to patterns that run more east and west towards Clackamas Town Center. There is a shift in travel patterns in downtown Milwaukie. There are some streets that are getting more traffic and some that are staying the same.

**Howard Steward** asked if the average per unit for the senior living housing is 1.3 or 1.7? **Randy McCourt** stated that it changes between the uses. In the instance of an apartment dwelling, a garbage truck makes a trip whether it is an apartment or a house. There are formulas to reflect the difference in size. Senior living has one of the lowest trip rates per dwelling unit of any land use. From a traffic standpoint, there are less people trips on the street.

**Howard Steward** asked what figure is used for apartments and how many apartments are proposed for this project? **Randy McCourt** stated that there are about two people per unit in apartment housing. **Alice Rouyer** stated that the framework plan targets about 600 additional dwelling units in the downtown area.

**Chair Hammang** noted that one of the tradeoffs for meeting the regional obligation for new housing and development, was to try and put some of this in the downtown and take some of the impact off the neighborhoods.

**Alice Rouyer** stated that some of the testimony tonight was on why there is high density. **Don Arambula** stated that this is a growth issue. Regionally the area is growing. The region is growing the most in the area of babies being born. Affordability is another issue. As prices increased, there became a need for a range of housing of types. This is an opportunity to put this growth in close proximity to downtown Milwaukie. One of the goals of the proposal was to strengthen existing uses. By adding housing in the downtown within walking distance, it makes the existing businesses more viable. Providing more non-automobile users close to downtown is for the best. Keep the density concentrated where there is the most benefit.

Parcels were located as proposed so that the large parcels can be aggregated. There are only a few parcels in the north where this type of housing will fit. Housing needs to be attached to an amenity package or green space. The lumber parcel has the greenspace of the junior high to the north. If there is no yard, this provides an outdoor space that is close and accessible. An environment has to be created to attract investors.

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Height has been expressed as a concern. Much of the concern is for garden apartments, which are generally restricted to two-story buildings. Land values and the cost per unit to pay for land and improvements lends itself to the building of more units. Design standards have been developed to maintain the character of the City. A Design Review Commission is proposed to assure high-quality development. This proposal will create support of the downtown businesses and a quality designed development in which people will want to live.

**Alice Rouyer** stated that one of the things that this proposal does well is it puts uses in appropriate places. The Main Street Plan is where focus can be placed for retail, office, and active uses in the downtown area.

**Don Arambula** stated that the scale and size of the proposed apartments are small compared to other developments. The 75-foot height maximum is about six stories. This does not mean that six stories will be used. This height is in an area where views are not being blocked, but high enough to get views of the River.

**Barbara Cartmill** commended Randy McCourt on the traffic document. She felt that it was very thorough and easy to follow. It was a consensus of the Commission that the work was high quality and very informative.

Height issues were discussed. The regional housing goals for the town center is about 450 units and this plan accomplishes these goals. Concerns were raised about a 65-foot building in the middle of downtown with all other structures being 45-50 feet. Will the government come back and say built to 65-feet because this is how they get the greatest revenue. Developers will be discouraged from building something smaller than the maximum in these areas. **Alice Rouyer** stated that when you have standard zoning and the people have a pallet of rights, the only thing that the City has a minimum on is the Floor Area Ratio and minimum building heights. No single-story buildings are possible. The reason for this is compatibility.

This is an effort to preserve the small town of Milwaukie. Most of Milwaukie is not in downtown. This is an effort to preserve the character and improve the quality of the neighborhoods. If the housing goals can be accomplished in the downtown it makes for a better community overall. **Don Arambula** stated that the reasoning behind the 65-foot height is the possibility of a Class A office space. This site offers adjacency to views of the Willamette and the greenway. This will be a prime site for that use. Along with this Class A building will need to be a

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range of income types in the downtown. The ODS site will provide jobs, but more professional type jobs can be relocated to downtown Milwaukie that will serve a variety of type of businesses. This will make the downtown healthy.

**Barbara Cartmill** stated that she talked to Arlene Miller and she is requesting another open house. Ms. Miller is upset that there weren't more neighborhoods represented here tonight. **Alice Rouyer** stated that notices were sent to 800 people, everyone in the downtown database. There were about 55 participants in two different open houses. Every effort was made to get the word out to the public.

**Howard Steward** said that if a resident receives a notification and chooses not to participate, that is their decision. The open house survey was an invitation for a vote. Some people will choose not to provide their opinions and feedback. Every effort was made to notify the public.

**Mike Miller** stated that there are only two issues unresolved and this is excellent when you look at the size of the document. The two issues are traffic and density/height. The document speaks well for all of the work that staff has done. The Commission should be able to work with the neighborhoods to resolve the issues of density and traffic.

It was discussed and decided to leave the public comment portion of the meeting open until July 11, 2000, to allow time for people to respond to the traffic study. Staff was asked to provide the following additional information:

1. More information on the integration of a traffic plan. The neighborhood needs to submit their position to traffic control. Secondly some integration of the development plan and traffic plan needs to be developed so that there is some process to follow.
2. Staff was asked to take public comments made tonight into consideration and work out some sort of mitigation with residents. Regional impacts should also be considered. If something can be done now, rather than after all the work is done, everyone will be happier.
3. The Plan needs to be coordinated with growth and traffic. A traffic plan should be developed that is in conjunction with the development of downtown.
4. Character is another part of the formula with height, traffic and density. It is important to continue to look at what character (Manhattan or Mayberry) the City is trying to establish.

QUESTIONS FOR CLARIFICATIONS -- None.

DELIBERATION AMONG COMMISSIONERS

**Chair Hammang** left the public portion of the hearing open.

**Doug Ouderkirk** moved to continue this public hearing until July 11, 2000, leaving the public hearing portion of the meeting open to testimony on the traffic issues. **Mike Miller** seconded the motion.

Ayes: Hammang, Borden, Cartmill, Cook, Miller, Ouderkirk, and Steward; Nays: None.

THE MOTION CARRIED 7-0.

7.0 WORKSESSION

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS

9.1 Election of Officers

**Chair Hammang** opened nominations for the office of Chair. **Barbara Cartmill** moved to nominate Tracy Cook for the office of Chair. **Mike Miller** seconded the motion.

Ayes: Hammang, Borden, Cartmill, cook, Miller, Ouderkirk, Steward; Nays: None.

The motion carried 7-0.

**Chair Hammang** opened nominations for the office of Vice-Chair. **Mike Miller** nominated Judith Borden for the office of Vice Chair. **Doug Ouderkirk** seconded.

Ayes: Hammang, Borden, Cartmill, Cook, Miller, Ouderkirk, Steward; Nays: None.

The motion carried 7-0.

10.0 OTHER BUSINESS/UPDATES

10.1 Matters from the Planning Director

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**Alice Rouyer** announced that this would be the last meeting for Donald Hammang as Board Chair. She voiced appreciation to him for the time and attention given to her during her first year with the City. She stated that Donald is very civil and treats the public with the utmost respect and the City will miss his work and dedication. It was the consensus of the Commission that they will miss sharing ideas and views over the years and they wish him well with his new plans. **Gary Firestone** stated that he has enjoyed working with Donald; he has done a great job with the meetings. He makes sure that everyone is listened to and has an opportunity to participate.

A gavel was presented to Donald for his dedication of service to the Community. Staff was asked to see if the Mayor would allow Donald Hammang to come back and finish participating in the hearings on the Comprehensive Plan. **Chair Hammang** stated that he got involved in public service in a time when he thought all of the processes had gone astray and the neighborhoods were entirely ignored. Over the last number of years, he feels that significant progress has been made. People are represented in all of the processes. He feels that the Commission has succeeded if the Planning Commission follows the law and is fair. He still will be working in the City on issues in which he is interested. He thanked everyone for their faith in him.

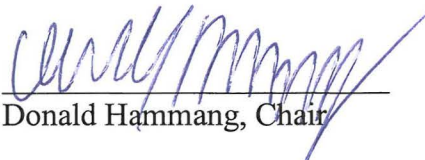
10.2 Representatives needed for the Historic Resources Commission

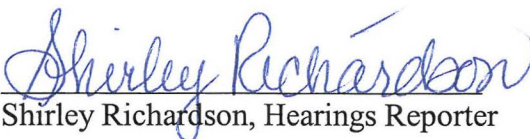
**Alice Rouyer** reported that the since Donald Hammang is stepping down, the Planning Commission Representative position is vacant for the Historic Resources Commission. **Barbara Cartmill** volunteered to serve as the representative.

11.0 NEXT MEETING -- July 11, 2000

11.1 Commission deliberation on ZA-00-01.

**Barbara Cartmill** moved to adjourn the meeting of July 27, 2000. **Mike Miller** seconded. MOTION PASSED UNANIMOUSLY. The meeting adjourned at 9:59 p.m.

  
Donald Hammang, Chair

  
Shirley Richardson, Hearings Reporter

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PLANNING COMMISSION MINUTES  
TUESDAY, MAY 23, 2000

Approved as presented.