

MILWAUKIE PLANNING COMMISSION
PUBLIC HEARING
TUESDAY, MARCH 27, 1990

COMMISSIONERS PRESENT

Chairman Littlehales
Patricia Lent
Carolyn Tomei
Betty Fulmore

STAFF PRESENT

Maggie Collins
Community Dev. Dir.
Dave Krogh,
Assistant Planner
Shirley Richardson,
Hearings Reporter

COMMISSIONERS ABSENT

Angus Anderson
Don Trotter
Bob Vial

1.0 CALL TO ORDER

Chairman Littlehales called the meeting to order at 6:35 p.m. He explained to the audience that the four Commissioners present did constitute a quorum.

2.0 PROCEDURAL QUESTIONS - Chairman Littlehales explained the hearing format. He then asked the audience if there were any questions. There were none.

3.0 CONSENT AGENDA

3.1 PLANNING COMMISSION MINUTES: March 13, 1990

Carolyn Tomei moved to approve the Minutes of March 13, 1990 as amended. Pat Lent seconded. MOTION PASSED 3-0 with one abstention. Betty Fulmore was not at that meeting.

4.0 PUBLIC COMMENT -- None.

5.0 PUBLIC HEARINGS

5.1 APPLICANT: Oregon Liquor Control Commission
PROPERTY OWNER: Oregon Liquor Control Commission
LOCATION: 9079 S.E. McLoughlin Blvd. (Tax Lot 100 of Map
T1S, R1E, 26AA)

PROPOSAL: Community Service Overlay Review for government office expansion in the M Zone (CSO-90-01).

Chairman Littlehales opened the hearing and asked the Commissioners to declare any ex parte contacts. There were none. Chairman Littlehales announced that the criteria to be used for this hearing will be from the Community Service Overlay portion of the Zoning Ordinance, Section 3.20.4.A.

Dave Krogh explained that this proposal was a request by the Oregon Liquor Control Commission to add 13,000 sq. ft. of office space and an expansion of their existing parking lot area. He then showed some slides and projections of the proposed expansion.

Dave Krogh reported that a letter was received from the State Highway Division indicating that there will be a realignment of Ochoco. This realignment will affect the proposed site plan for the expanded parking lot. The Applicant is proposing 239 parking spaces. With 216 staff people, OLCC meets and exceeds parking requirements by 23 spaces. If the realignment causes a loss of 7 parking spaces, they will still meet their parking lot requirements.

Staff has reviewed the application and feels the requirements of the Zoning Ordinance are met. The Oregon Liquor Control Commission is requested to provide a new site plan which will reflect the modifications needed as a result of the realignment of Ochoco Street. Staff recommends approval of this request with suggested conditions.

APPLICANT'S PRESENTATION

Speaking: Joachim Grube, Architect, Yost Grube Hall, P.C. Architecture and Planning, 1211 S.W. Fifth Avenue, Suite 3700, Portland OR 97204

Mr. Grube stated that he concurred with the Staff Report. He provided some additional graphic information in the form of charts and drawings. A detailed site plan was submitted that reflected proposed changes and expansion, including the realignment of Ochoco Street. Mr. Grube indicated that they are willing to cooperate fully with the Planning Department.

Chairman Littlehales asked if the alignment will be taken into consideration at the time of construction or when the realignment of the street is completed? Mr. Grube explained that the permanent landscaping will be done at construction time.

At the time the State does the realignment, the State will take care of their side of the property.

Chairman Littlehales asked if all Public Works requirements for excavation in the flood plain area will be met? Mr. Grube indicated that they do not plan to have any fill on their construction. All requirements will be met.

TESTIMONY IN FAVOR OF APPLICATION - None.

QUESTIONS OR COMMENTS - None.

TESTIMONY IN OPPOSITION OF APPLICATION -- None.

CLOSING COMMENTS - None.

DELIBERATION AMONG COMMISSIONERS

Chairman Littlehales moved to approve the Community Service Overlay (CSO-90-01) with the findings and conclusions as proposed by Staff, and changing conditions to read:

1. Development shall follow that as shown on a modified site and elevation plans to be provided, except that minor modifications may be allowed by Staff.
2. Remain as is.
3. A revised parking lot configuration plan shall be provided for Staff's approval showing parking spaces, space and maneuvering area dimensions, landscaping, lighting, and reflecting the Ochoco realignment. Specifications provided shall meet standards of Section 5 (parking) of the Zoning Ordinance.
4. Remain as is.

Pat Lent seconded. MOTION CARRIED 4-0.

5.2 APPLICANT: Patricia A. Lee
PROPERTY OWNER: Patricia A. Lee
LOCATION: 12415 S.E. 65th Court (Tax Lot 6800 of Tax Map T1S, R2E, 32CC)
PROPOSAL: Multiple Variances for Covered Deck in R-7 (VR-90-01)

Chairman Littlehales opened the hearing and explained that the criteria being used comes from the Zoning Ordinance Section 7.02, Variance Criteria. He then asked the

Commissioners if they had any ex parte contacts to declare. There were none.

Dave Krogh explained that Patricia Lee was not here but her son was present. This proposal is for setback and lot coverage variances in an R-7 zone to allow a covered deck to remain. The deck was constructed without permits. It extends into the normal street front and side setbacks required by the R-7 Zone. This new construction has caused the lot to exceed the normal lot coverage allowance for structures.

In November of 1989 a City inspector noticed the construction underway and stopped to inform the contractor of the City permit requirements. The owner did come into the Planning Office and it was determined that a variance was necessary. A variance application was given to the owner. Because of the holiday season, it was requested that the variance be submitted after the first of the year. In January City inspectors noticed the completion of the structure. The owner was contacted and indicated that she thought the contractor had taken care of the permit requirements. The owner was informed that the permit process was not completed. Subsequently the owner did submit a variance application. Dave Krogh then showed some slides of the subject property and the constructed deck.

Staff did evaluate the proposal and found that the first three criteria are not met. The fourth criterion is met. After looking at the structure, there was an obvious improvement to usefulness and appearance of the site. Even though all the criteria were not met, there is an issue of circumstances; the Applicant did not have control over what had occurred, and the deck does not adversely affect other properties. An alternative option and suggested findings were offered in the Staff Report. Staff is pursuing enforcement procedures that apply to the building contractor.

APPLICANT'S PRESENTATION

Speaking: James Lee, 12415 S.E. 65th Court, Milwaukie

Mr. Lee explained that the construction of the deck was intended for positive progress and improvement to his residence. If the porch has to be removed, it will cause a hardship on his widowed mother and the family. He indicated that he realized that they have gone over in lot coverage,

but felt the fact that they have excess landscaping which should make up for the lot coverage requirement.

TESTIMONY IN FAVOR OF APPLICATION.

Five neighbors, who comprised the audience, all concurred in favor of the construction of the deck. No questions or comments were added.

QUESTIONS OR COMMENTS - None.

TESTIMONY IN OPPOSITION OF APPLICATION - None.

DELIBERATION AMONG COMMISSIONERS

Pat Lent asked if the slope on the property would be a cause for uniqueness? Dave Krogh reported that the slope probably had nothing to do with the setback requirements.

Carolyn Tomei asked if the deck could be closed in and become a living space? Dave Krogh reported that if the variance is approved, the owner would have the option of enclosing the deck. The variance would cover anything that was within the new setback area that is established.

Carolyn Tomei asked if there was a precedence for this issue? Dave Krogh reported that this application is unique. That is why Staff offered pro and con findings for the Commission to review.

The Commission discussed the criteria and the unique circumstances of this application. Dave Krogh reported that no negative calls have been received from neighbors since notification about the deck.

Pat Lent moved that after review of Staff Report, including the nine findings on pages 2 through 5, that the Commission approve VR-90-01 based on the three factors on page 6 of the Staff Report. Factors 1, 2, and 3, change "do" to "does," and include three conditions:

1. As stated in the Staff Report.
2. The Applicant to paint brace posts and underpinnings to match the house and to provide a paint plan subject to approval by Staff.

3. Conditions 1 and 2 be completed within 90 days or the variance approval will be void.

Chairman Littlehales seconded.

Pat Lent amended her motion to included the conclusions and delete the recommendations as stated on page 5 in the Staff Report. Chairman Littlehales concurred. MOTION CARRIED 4-0.

Maggie Collins indicated that language would be prepared for a statement to indicate the variance criteria were reviewed and addressed.

Recess was taken at 7:55 p.m. and the meeting reconvened at 8:05 p.m.

6.0 CONSIDERATION ITEMS -- None.

7.0 OLD BUSINESS

7.1 Update on Safeway Proposal

Maggie Collins reported that the City has been discussing with Safeway some possible relocation to a different area in downtown Milwaukie. Safeway is looking into moving out of downtown or to another site in the downtown area. Safeway is facing a situation where they need a more visible location, more room for future expansion, and an increase in customer base. Considerations are being discussed for solutions to Safeway's circumstances. Market studies are being initiated by Safeway for several sites.

8.0 OTHER BUSINESS

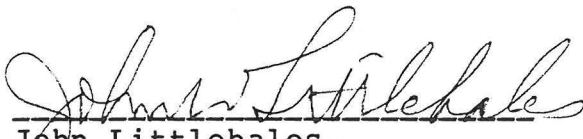
8.1 Status Report on Aeration Towers

Maggie Collins reported that there are no anticipated changes in the design and location of the aeration towers that would deviate from the Commission's approval last year. No review process is necessary for construction of the towers. The revenue bond will be on the ballot. The City will be asking for approval of 1.5 million dollars in revenue bonds. The 1.5 million dollars is not paid back through property taxes. These funds will be paid back by water user fees over a long period of time. The decision to put this issue on the ballot came from City Council taking the lead to make sure that the Milwaukie water supply

is safe and that this water supply can be used in the future. Portland or Clackamas could supply water for the future, but this is not economical. Water fees and storage and maintenance facilities will result in a financial impact. Negotiations will need to be made as to permanent transmission facilities. The City is taking the position that the state-of-the-art cleaning of the water through these towers will enable Milwaukie to keep its own water resources.

9.0 NEXT MEETING: April 10, 1990

Pat Lent moved to adjourn the meeting of March 27, 1990. Betty Fulmore seconded. MOTION PASSED UNANIMOUSLY 4-0. Meeting adjourned at 8:56 p.m.



John Littlehales,
Chairman



Shirley Richardson,
Hearings Reporter

AGENDA
MILWAUKIE PLANNING COMMISSION
Milwaukie Center, 5440 S.E. Kellogg Creek Dr.
Tuesday, March 27, 1990, at 6:30 p.m.

1.0 Call to Order

2.0 Procedural Questions

3.0 Consent Agenda

3.1 Planning Commission Minutes: March 13, 1990

3.2 City Council Minutes: March 6, 1990

4.0 Public Comment

This is an opportunity for the public to comment on any item not on the agenda.

5.0 Public Hearings (see Public Hearing Procedure on reverse)

5.1 Applicant: Oregon Liquor Control Commission

Property Owner: Oregon Liquor Control Commission

Location: 9079 SE McLoughlin Blvd. (Tax Lot 100 of Map T1S, R1E, 26AA)

Proposal: Community Service Overlay Review for Government Office Expansion
in the M Zone.

5.2 Applicant: Patricia A. Lee

Property Owner: Patricia A. Lee

Location: 12415 SE 65th Court (Tax Lot 6800 of Tax Map T1S, R2E, 32CC)

Proposal: Multiple Variances for Covered Deck in R-7.

6.0 Consideration Items - None

7.0 Old Business* - None

8.0 Other Business

8.1 Status Report on Aeration Towers

9.0 Next Meeting:

9.1 April 10, 1990

The Milwaukie Planning Commission welcomes your interest in these agenda items. Feel free to come and go as you please.

Commissioners:	John Littlehales, Chairman	Staff:	Maggie Collins, Community Development Director
	Angus Anderson		Anne Nickel, Development Coordinator
	Betty Fulmore		Dave Krogh, Assistant Planner
	Patricia Lent		Shirley Richardson, Hearings Reporter
	Carolyn Tomei		
	Don Trotter		
	Bob Vial		

* Information request sheets - delivered at meeting.

Public Hearing Procedure

1. Staff Report
2. Correspondence
3. Applicant's presentation
4. Public testimony from others in support of application
5. Comments or questions from interested persons who are neither proponents nor opponents
6. Public testimony from those in opposition to the application
7. Questions from the Planning Commission
8. Rebuttal testimony from Applicant
9. Closing of public hearing
10. Commission discussion/action

The Planning Commission's decision on these matters may be subject to further review or be appealed to the City Council. For further information, contact the Milwaukie Community Development Department office at 659-5171.

CITY OF MILWAUKIE
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

DATE: March 27, 1990
FILE NO.: CSO-90-01

APPLICATION: Community Service Overlay
APPLICANT: Oregon Liquor Control Commission
PROPERTY OWNER: Oregon Liquor Control Commission
LOCATION: 9079 SE McLoughlin Blvd.
(Tax Lot 100 of Tax Map T1S, R1E, 26AA)

PROPOSAL

The Applicant requests approval of a Community Service Overlay (CSO) review in an M (Manufacturing) Zone to allow for expansion of government office facilities.

DISCUSSION

The Oregon Liquor Control Commission (OLCC) operates offices and a warehouse/distribution facility on 11.53 acres located at 9079 SE McLoughlin Blvd. OLCC desires to expand their office space by 13,000 sq. ft.

Government offices are a use subject to CSO review through Section 3.20.A.2. of the City Zoning Ordinance. The OLCC warehouse/distribution facility, however, is nonconforming to the M (Manufacturing) Zone and is not a referenced government use by the CSO review section. This CSO review does not affect the warehouse/distribution use on this site.

FINDINGS

Criteria for this proposal are those of Section 3.10.4.A of the Zoning Ordinance. Findings for each criteria are addressed as follows:

1. The requirements of the underlying zone are met.

Comments: Standards of the M Zone are met as follows:

	<u>M</u> <u>Zone</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area (ac.)	-	11.53	11.53
Set backs (ft.):			
Front	20	60	60
Corner side	10	410	390
Side	None*	0	0
Rear	None*	90	90
Height (ft.)	45	12	12
Landscaping (min.)	15%	47%	41%

*Except if abutting residential property (which is not the case for this site).

Site access will remain as is with the exception that the second curb cut on the McLoughlin frontage road south of Ochoco will be widened to accommodate onsite parking lot expansion.

Parking information including space requirements has not been provided at the time of this report. OLCC has noted that onsite parking area will be expanded to both accommodate new office staff and those staff currently parking along the frontage road. Verification of parking space needs and layout can be provided for through a condition of approval. Staff will, however, request the parking information be provided prior to the March 27th hearing for the Commission's review.

Transition area provisions are not applicable as this site is not adjacent to residentially zoned properties.

2. Specific standards for the uses formed in subsection .7, .8, .9 and .10 are met.

Comments: Of the above, only subsection .10 relates to the proposed OLCC office expansion. Criteria of Subsection .10 will be addressed as follows:

- a. **Utilities, streets, or other improvements necessary for the public facility or institutional use shall be provided by the agency constructing the use.**

Public Works' memo (Exhibit 3) has indicated utilities requirements for this site. As indicated, the applicant may extend existing sewer and water lines to serve the new addition. Also, storm water collection must be provided with outlets to Johnson Creek. No street improvements are specified.

- b. When located in or adjacent to a residential zone, access should be located on a collector street if practical. If access is to a local residential street consideration of a request shall include an analysis of the projected average daily trips to be generated by the proposed use and their distribution pattern, and the impact of the traffic on the capacity of the street system which would serve the use. Uses which are estimated to generate fewer than twenty (20) trips per day are exempted from this Subsection 2.

This criterion is not applicable as the site is not located in or adjacent to a residential zone and does not access a local residential street.

- c. When located in a residential zone, lot area shall be sufficient to allow required setbacks that are equal to a minimum of two-thirds the height of the principal structure. As the size of the structure increases, the depth of the setback must also increase to provide adequate buffering.

This criterion is not applicable because the site is not located in a residential zone. Subject property is zoned M (Manufacturing).

- d. The height limitation of a zone may be exceeded to a maximum height of 50 feet provided Subsection 3 is met.

This criterion is not applicable because the proposed office addition is for a one-story height (approximately 12 feet).

- e. Noise generating equipment shall be sound buffered when adjacent to residential areas.

This criterion is not applicable because the proposed office addition is not adjacent to residential areas. Surrounding uses are industrial and related uses as allowed by the M (Manufacturing) Zone.

- f. Lighting shall be designed to avoid glare on adjacent residential uses and public streets.

Lighting would be provided for this proposal in conjunction with new parking lot construction. No residences are adjacent, however, public streets do front this site on the north and east. A parking lot configuration plan is required, and lighting can be made a consideration of this plan as a condition of approval.

- g. Where possible, hours and levels of operation shall be adjusted to make the use compatible with adjacent uses.

This proposal will not alter the existing hours of operation (usually 8 a.m. to 5 p.m.) for the office use onsite. No information is evident that would imply these hours of operation are incompatible with other uses of the area. Considering surrounding zoning is M (Manufacturing), hours of operation are less a concern than if adjacent properties were residential.

3. The hours and levels of operation of the proposed use can be adjusted to be reasonably compatible with surrounding uses.

Comments: Hours of operation have already been addressed in item 2.g. above.

CONCLUSION

Criteria of Section 3.20.4.A. of the Zoning Ordinance are met as discussed above, provided that conditions of approval are required.

RECOMMENDATION

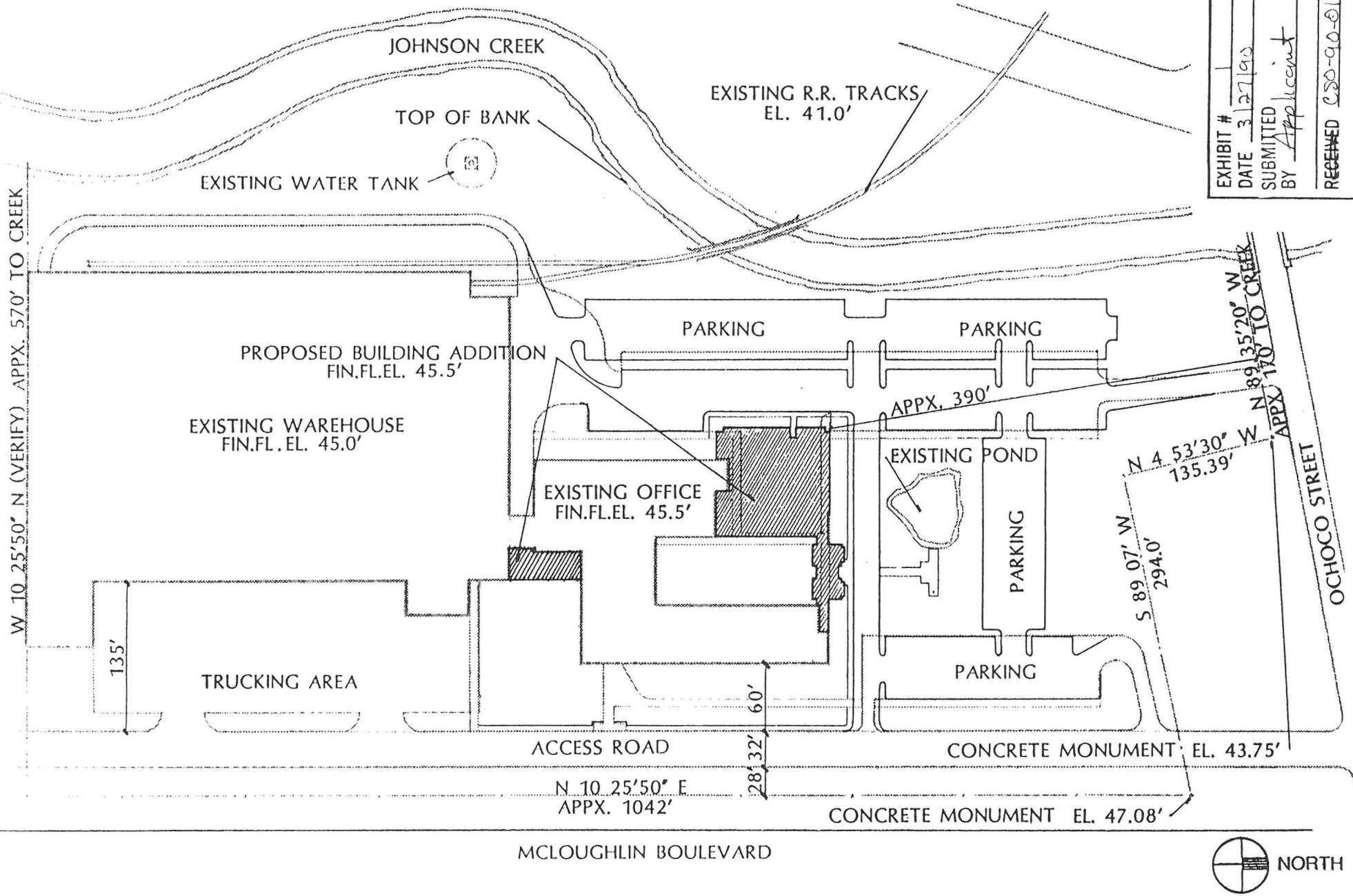
For approval of CSO-90-01 with the following conditions:

1. Development shall follow that as shown on the site and elevation plans except that minor modifications may be allowed by staff.
2. Requirements of the City's Office Engineer (Exhibit 3) and Building Official (Exhibit 4) shall be met.
3. A parking lot configuration plan shall be provided for Staff's approval showing parking spaces, space and maneuvering area dimensions, landscaping, and lighting. Specifications provided shall meet standards of Section 5 (parking) of the Zoning Ordinance.
4. All conditions shall be met prior to occupancy.

EXHIBITS

1. Site Plan
2. Elevation (Large copy to PC only)
3. Public Works; Memo
4. Building Official's Memo
5. Application/Narrative
6. Notice

EXHIBIT # _____
 DATE 3/27/90
 SUBMITTED BY Applicant
 RECEIVED CSO-90-01



OFFICE ADDITION OREGON LIQUOR CONTROL COMMISSION — SITE PLAN

OWNER: OREGON STATE LIQUOR CONTROL COMMISSION
 SECTION: NE 1/4 NE 1/4 SEC 26 T.I.S. R.I.E. W.M.
 TAX LOT: 11E26AA 00100

SCALE: 120' PER INCH
 DATE: JANUARY 9, 1990

TO: PLANNING

FROM: Paul Roeger *PHR*
Office Engineer

RE: CSO-90-01
OLCC

DATE: March 1, 1990

RECEIVED

MAR 01 1990

PLANNING

City sanitary sewer and water are provided to the existing building and may be extended to the new addition. Additional sanitary sewer and water system development charges will be charged for the additional plumbing fixtures installed.

Storm water from the building roofs must be collected in a piping system and run to Johnson Creek. Storm water from the parking lot must be collected in inverted syphon catch basins and run to Johnson Creek. Outlets to Johnson Creek must provide protection from erosion of the bank.

The 100-year flood elevation in the vicinity of the proposed building is about 44.5 feet above seal level (USC&GS Adjustment of 1927). The floor elevation of the existing building and the proposed building is 45.5 feet, one foot above the 100-year flood elevation, as required. The floodway width at the location is 240 feet, which would normally be 120 feet each side of the centerline of the creek. No fill may take place within the floodway without keeping the same cross-sectional area at all locations along the creek. A full hydraulic analysis must be done in order to do any filling and/or excavation within the floodway. The design would need to be fully engineered.

Full engineering plans for site improvements must be submitted to Public Works for approval prior to construction.

PHR/cjl

EXHIBIT #	<u>3</u>
DATE	<u>3/27/90</u>
SUBMITTED BY	<u>Staff</u>
RECEIVED	<u>CSO-90-01</u>

TO: PLANNING
FROM: Jim Mishler
Building Official
RE: CSO-90-01
DATE: February 28, 1990

RECEIVED

FEB 28 1990

PLANNING

The pre-application meetings that we have had with OLCC's architectural firm have been extremely helpful in answering Building Code and Fire Marshall concerns with this proposed project.

All applications shall conform to the requirements of currently adopted codes and ordinances.



Jim Mishler
Building Official

RJM/cjl

EXHIBIT #	<u>4</u>
DATE	<u>3/27/90</u>
SUBMITTED BY	<u>Staff</u>
RECEIVED	<u>CSO-90-01</u>

CITY OF MILWAUKIE
PLANNING DIVISION
10722 S.E. MAIN ST.
MILWAUKIE, OR 97222
(503) 659-5171

Office Use

File Number _____

Received By _____

Date Received _____

Fee _____ Receipt # _____

P/C Hearing Date _____

application for:

COMMUNITY SERVICE OVERLAY

<u>OWNER</u>	<u>*APPLICANT</u>
NAME <u>Oregon State</u> <u>Liquor Control Commission</u>	NAME <u>Same</u>
ADDRESS <u>9079 S.E. McLoughlin Blvd.</u> <u>(Formerly 9201 S.E. McLoughlin Blvd.)</u>	ADDRESS _____
CITY <u>Milwaukie</u> STATE <u>OR</u>	CITY _____ STATE _____
TELEPHONE <u>653-3011</u> ZIP <u>97222</u>	TELEPHONE _____ ZIP _____
SIGNATURE _____	SIGNATURE _____

DESCRIPTION OF PROPERTY

ADDRESS 9079 S.E. McLoughlin Blvd.

LEGAL T 1S R 1E S 26 ~~RA~~ TAX LOT(S) 00100 LOT SIZE(S) 14.97 A
(Acres/Sq. Feet)

See attached

PROPERTY OWNERSHIP LIST:

Please attach a typewritten list of the names and addresses of the property owners located within 500 feet of the subject property (See Attached Map and Example Form #1). On a separate sheet of paper, please list the appropriate Tax Lots and Tax Map numbers for those to be notified (Example Form #2). Owners may be obtained from a title insurance company or from the County Assessor's Office. If the property ownership list is incomplete, this may be cause for postponing the hearing.

The Zoning Ordinance requires that a sign be posted at the site 10 days prior to the hearing. The applicant is responsible for placing the sign at the site and returning the sign to the Planning Office after the hearing. A refundable deposit of \$40.00 for the sign is required, which will be refunded at the time the sign is returned.

USE(S)

EXISTING Office/Warehouse PROPOSED Same

STRUCTURE(S)

EXISTING One building PROPOSED Addition to building

EXHIBIT # <u>5</u>
DATE <u>3/27/90</u>
SUBMITTED BY <u>Applicant</u>
<u>3 pages</u>
RECEIVED <u>CSO-70-01</u>

BRIEF PROJECT DESCRIPTION One story (13,000 sf. addition to

existing office area of building and additional on site parking

COMPREHENSIVE PLAN DESIGNATION Manufacturing ZONING M

PREVIOUS ACTION(S) INCLUDING DATE None

*If the applicant is not the property owner, Documentary Evidence of authority to act as the agent must be attached to this application.

COMMUNITY SERVICE OVERLAY PROCEDURE

1. Initial discussion between Applicant and Staff. Applicant may request, or Staff may determine, that a Pre-Application Conference is necessary.
2. If Pre-Application Conference is necessary, and the completed form is returned to Staff by any Friday, the conference will be scheduled on the following Thursday afternoon at 1:30 or 2:30 PM.
3. At least 25 days prior to the Planning Commission hearing, a complete application is filed including twelve (12) copies of the following information:
 - a) Site Plan, drawn to scale, indicating both existing and proposed; structures, setbacks, lot line dimensions, lot area, easements and/or utility lines, as well as structures on adjacent lots.
 - b) Narrative, include a description of the project and compliance with the Comprehensive Plan and Zoning Ordinance, including:
 - 1) The requirements of the underlying zone are met.
 - 2) Specific standards for the use, found in subsections .7,.8, .9 and .10 are met.
 - 3) The hours and levels of operation of the proposed use can be adjusted to be reasonably compatible with surrounding uses.
 - c) Tax Map, indicating Tax Lot involved, and Vicinity Map.
 - d) Proof of ownership or authorization as agent. (ONLY 1 COPY NEEDED)
 - e) Detailed plans for the specific project including Elevation drawings, to scale and Floor plans.
 - f) Information required by other applicable provisions of local, state or federal law.
 - g) Additional material requested by Staff.
4. Staff checks application for completeness, including payment of fees. If not complete, the Applicant will be notified within seven days.

COMMUNITY SERVICE OVERLAY PROCEDURE NARRATIVE

OREGON LIQUOR CONTROL COMMISSION PROPOSED BUILDING ADDITION

FEBRUARY 8, 1990

The Oregon State Liquor Control Commission has determined a need to add to the existing office facilities on their property. They have projected an increase of 13,000 square feet to accommodate their needs. This addition will be placed to the north and west of the existing building. No addition to the warehouse facility is scheduled as part of this project.

The existing parking area will be revised and expanded to provide additional parking for employees and visitors on site. As a result of this expansion, all employee parking will be accommodated on site.

No encroachment on the minimum setbacks required by the current zoning occurs as a result of this proposed addition.

No change in building height will occur as a result of the proposed addition.

Site access will not be significantly changed. One existing curb cut will be widened to facilitate access.

No change in the transition area is anticipated.

The proposed addition makes no change in the existing use of the property.

The hours and levels of operation of the property will remain as they currently are.

The OLCC owns 14.97 acres, of which approximately 11.53 acres are on the east side of Johnson Creek. Currently, approximately 47% of the 11.53 acres is landscaped area. The proposed addition will leave approximately 41% as landscaped area.

GLA:jjf:3760A

CITY OF MILWAUKIE



Date: March 7, 1990

File # CSO-89-01

NOTICE OF PUBLIC HEARING

To: Property Owners and Residents
On: Tuesday, March 27, 1990, beginning at 6:30 p.m.
At: Milwaukie Center
5440 S.E. Kellogg Creek Dr.

The Milwaukie Planning Commission will consider a request by The Oregon Liquor Control Commission (applicant/property owner) for approval of a Community Service Overlay Review for expansion of government office space within the M (Manufacturing) Zone on the property located at 9079 SE McLoughlin Blvd. (Tax Lot 100 of Tax Map T1S, R1E, 26AA).

The site is shown on the reverse of this letter.

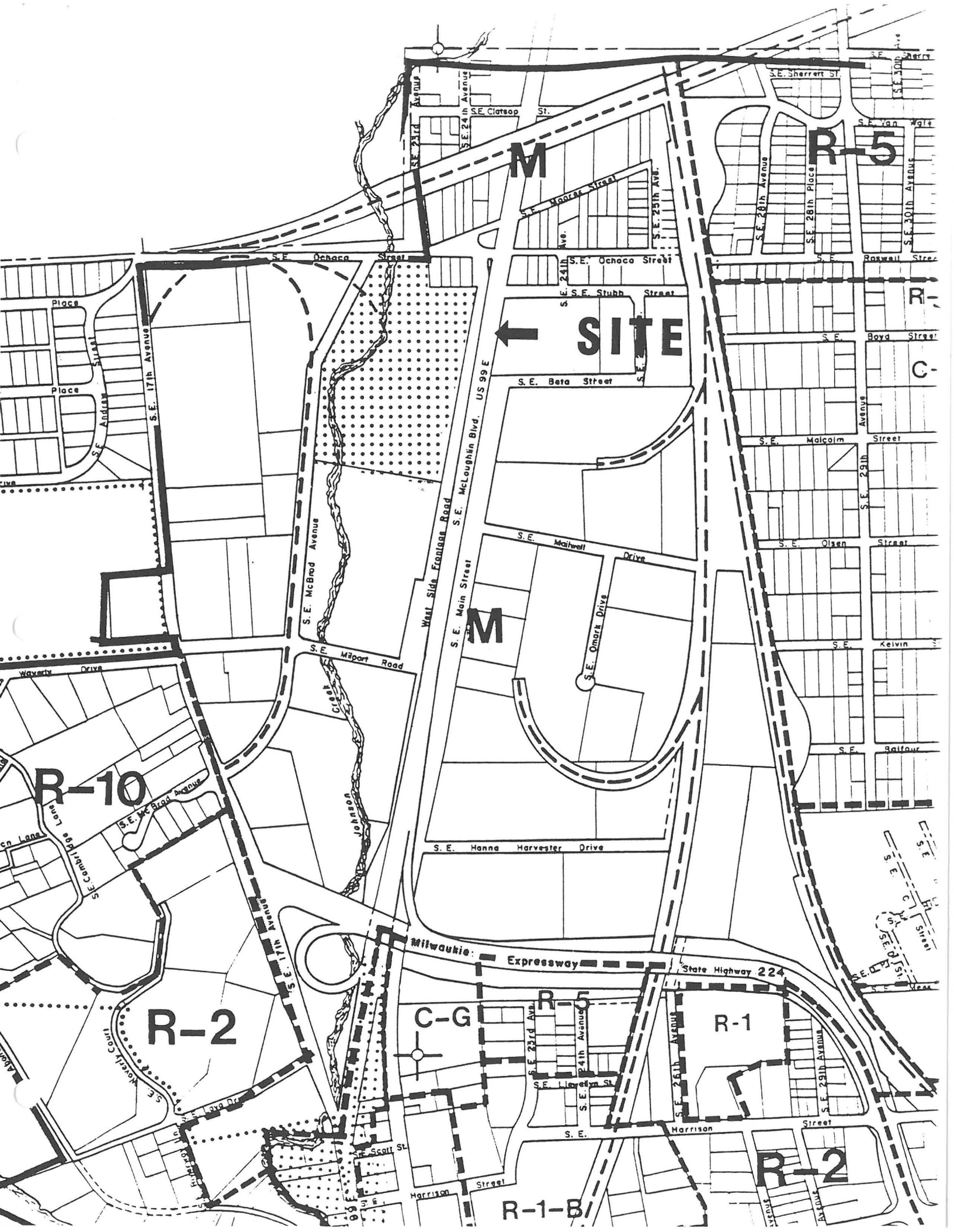
The criteria which will be used by the Planning Commission in reaching a decision are shown on the attached sheet(s). Testimony and comments must be directed at this hearing towards the criteria identified.

Interested persons are invited to attend this hearing or to submit comments in writing prior to the meeting time. Written testimony may be submitted in advance to the Community Development Department or in person at the hearing. Those wishing to present verbal testimony, either pro, con, or to raise questions, will be asked to speak following the applicant's testimony.

A copy of the application and all documents and evidence relied upon by the applicant are available for public review at the Community Development Department located at City Hall. Copies of these can be provided at reasonable cost. A Community Development Staff Report will be available for public review at the Ledding Library, local information shelf, after 5:00 p.m., Tuesday, March 20, 1990, and at City Hall in the Community Development Department, Tuesday, March 20, 1990, after 4:00 p.m. Copies of applicable City ordinances and the Comprehensive Plan are also available for review at these locations.

If you have any questions, please call the Community Development Department at 659-5171.

EXHIBIT #	<u>6</u>
DATE	<u>3/27/90</u>
SUBMITTED BY	<u>Staff</u>
	<u>3 pages</u>
RECEIVED	<u>CSO-90-01</u>



← SITE

M

R-5

R-10

M

R-2

C-G

R-5

R-1

R-2

R-1-B

Milwaukee Expressway

State Highway 224

West Side Frontage Road

S.E. Main Street

S.E. McLaughlin Blvd. US 99 E

S.E. Mainwell Drive

S.E. Onark Drive

S.E. Hanna Harvester Drive

S.E. McBrood Avenue

S.E. Milport Road

Johnson Creek

S.E. Ochocho Street

S.E. Ochocho Street

S.E. Stubbs Street

S.E. Beta Street

S.E. Malcolm Street

S.E. Olsen Street

S.E. Kelvin Street

S.E. Ralfour Street

S.E. Sherrert St.

S.E. 23rd Avenue

S.E. 24th Avenue

S.E. Clatsop St.

S.E. 25th Avenue

Moore Street

S.E. 25th Ave.

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Roswell Street

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. 4 AUTHORITY TO GRANT OR DENY A COMMUNITY SERVICE USE

- A. An application for a Community Service Use may be allowed if:
1. The requirements of the underlying zone are met.
 2. Specific standards for the uses found in subsections .7; .8. .9 & .10 are met.
 3. The hours and levels of operation of the proposed use can be adjusted to be reasonably compatible with surrounding uses.

.10. SPECIFIC STANDARDS FOR INSTITUTIONS: PUBLIC/PRIVATE AND OTHER FACILITIES NOT COVERED BY OTHER STANDARDS

1. Utilities, streets or other improvements necessary for the public facility or institutional use shall be provided by the agency constructing the use.
2. When located in or adjacent to a residential zone, access should be located on a collector street if practical. If access is to a local residential street consideration of a request shall include an analysis of the projected average daily trips to be generated by the proposed use and their distribution pattern, and the impact of the traffic on the capacity of the street system which would serve the use. Uses which are estimated to generate fewer than twenty (20) trips per day are exempted from this Subsection 2.
3. When located in a residential zone, lot area shall be sufficient to allow required setbacks that are equal to a minimum of two-thirds the height of the principal structure. As the size of the structure increases, the depth of the setback must also increase to provide adequate buffering.
4. The height limitation of a zone may be exceeded to a maximum height of 50 feet provided Subsection 3 is met.
5. Noise generating equipment shall be sound buffered when adjacent to residential areas.
6. Lighting shall be designed to avoid glare on adjacent residential uses and public streets.
7. Where possible, hours and levels of operation shall be adjusted to make the use compatible with adjacent uses.

CITY OF MILWAUKIE
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

DATE: March 27, 1990
FILE NO.: VR-90-01

APPLICATION: Setback and Lot Coverage Variances in R-7

APPLICANT: Patricia A. Lee

PROPERTY OWNER: Patricia A. Lee

LOCATION: 12415 SE 65th Court
(Tax Lot 6800 of Tax Map T1S, R2E, 32CC)

PROPOSAL:

Setback and lot coverage variances in R-7 to allow a covered deck to project within the normal street front and street side setbacks and to exceed the normal lot coverage allowance for structures.

BACKGROUND:

The covered deck in question already exists. It was constructed without a building permit.

In November of 1989 a City inspector observed the construction of a deck underway without a permit. The contractor and owner were informed of the need for a building permit and setback variance and a one month time period for application submission was provided. In January, 1990 City inspectors verified that the construction had been completed contrary to instructions. The owner was given two weeks to submit the variance request or citations would be issued. The owner did comply, submitting the variance on February 14, 1990.

DISCUSSION:

This property is located in the Cedarcrest Subdivision (Block 6, Lot 23). This area is designated Low Density Residential, zoned R-7, and developed with single family detached residences.

The site plan provided (Exhibit 1) is off-scale. The street side "property lines" shown are actually the curb line for Hemlock Street and 65th Court. Public Works' memo (Exhibit 4) indicates the public right-of-way is 9 feet behind the curb line. Staff has superimposed the right-of-way boundary onto the site plan (see Exhibit 2).

Exhibit 2 shows the existing setbacks for the covered deck as being 10 feet from Hemlock Street and 18 feet from 65th Court. Since R-7 requires 20 foot setbacks from both streets, a variance of 10 feet is required for the Hemlock Street setback and a variance of 2 feet is required for the 65th Court setback.

A new storage shed has also been provided on the lot. This unit sits behind the house (on the west side) and does appear to meet the 5 foot side setback requirement. A building permit is not required for small (under 120 square feet in area and has less than 10 feet in height) storage sheds.

This lot has an area of approximately 8000 square feet. Staff has calculated the following lot coverage and vegetation:

Lot Coverage:	House	1368	
(sq. ft.)	Deck (front)	327.75	
	Deck/shed	364	
	Deck (side)	285	
	Deck (rear)	341.25	
	Total	2686	= 33.6%
Lot Coverage allowed:		2400	= 30%
(sq. ft.)			
Vegetation (sq. ft.):		2960	= 37%
Vegetation Required:		2400	= 30%
(sq. ft.)			

This lot meets R-7 vegetation requirements but exceeds lot coverage by 3.6% (286 square feet).

FINDINGS:

1. The covered deck was constructed without a permit in violation of City building and zoning requirements.
2. A variance of 2 feet (65th Court frontage) and a variance of 10 feet (Hemlock Street frontage) is required from the normal street side R-7 setback requirement of 20 feet. This would allow a setback of 18 feet from 65th Court and 10 feet from Hemlock Street.
3. A variance of 3.6% (286 square feet) is required for lot coverage. The structural development on this lot is 2686 square feet for a lot coverage of 33.6 %. The R-7 zone only allows a 30% lot coverage (2400 square feet out of the 8000 square foot lot total).

4. A Minor Quasi-Judicial review is required since one of the variances requested (the 10 feet fronting Hemlock Street) exceeds 25% of the standard.
5. If these variances are approved, the applicant would be required to complete the building permit process and the covered deck inspected for structural integrity.
6. Variance criteria from Section 7.02 of the Zoning Ordinance are addressed as follows (both pro and con findings will be provided):
 - a. **Whether the property in question has unique, exceptional, or extraordinary conditions which do not apply generally to other properties in the vicinity. Such conditions shall relate to the land or physical characteristics of the development as distinct from uses allowed in the zone, or from the personal conditions or economic circumstances of the Applicant.**

Pro: The Applicant indicates the position of the house on this property is such that usable deck area is limited to the locations chosen. Locating the covered deck as chosen helps to balance the appearance and composition of the house. Limiting the deck to the rear of the house would reduce its usefulness and give the house an "out of shape" appearance. Functional utility governed the size of deck chosen.

Con: Nothing is unique or unusual about this lot and the configuration of the house. This is a typical corner lot of many located within Cedarcrest Subdivision. This lot is better situated than most corner lots in that it is nearly square rather than rectangular shaped. The square shape provides increased lot depth allowing greater building flexibility internally. The illegal construction constitutes a personal condition which is distinct from the issue of unique physical conditions. The size of the deck was governed by personal desire.

- b. **Whether the requested variance is the minimum necessary to permit the applicant to enjoy the use of his property in a manner substantially the same as others in the same zone, so that the applicant will not be granted a special privilege.**

Pro: The variances requested are the minimum necessary to allow the existing covered deck to remain in place. Most other lots in the Cedarcrest Subdivision are not corner lots and have greater flexibility over development placement. This proposal would put this site's development potential closer to that of a non-corner lots. Non-corner lots have lesser side setback requirements (5 and 10 feet) than do corner lots (5 and 20 feet).

Con: Other residences in the area do not have "wrap-around" decks. Allowing an illegally constructed deck to remain may constitute a special privilege.

- c. **Whether there are feasible alternatives which would obviate the need for the variances, or overcome the difficulty with less adverse effects upon other properties.**

Pro: The Applicant has not addressed alternatives, however, a wrap-around style deck could not be constructed on this site without a variance. A deck on the front (65th Court side) of the house of 6 feet wide would meet R-7 setbacks but have limited function as a deck due to the narrowness. No deck on the Hemlock Street side could be constructed because the southeast corner of the house is already at a 20 foot setback from the right-of-way edge (property line).

The only other option is for a limited scope deck on the rear of the house (west side). This, however, does not meet the desire of the Applicant.

These variances will not adversely affect other properties. These decks face the adjacent streets and do not encroach upon setbacks with adjacent properties. This deck also upgrades the appearance of this house, of benefit to neighborhood appearances and property value retention. In addition, other houses in the area probably exceed lot coverage requirements because of large garages, decks, and storage sheds. The 3.7% exceeded by this proposal is minimal.

Con: The Applicant did not address the alternatives question. Viable alternatives could have included a 6 foot deck on the front of the house (65th Court side) and a large deck off to the rear without need for a variance. A 6 foot deck, although narrow, is still functional. These reductions in deck size would have allowed the Applicant to meet the lot coverage requirements. The deck on the south (Hemlock Street) side of the house is a desired design feature, and not a necessity. A wrap-around deck is uncommon for this neighborhood and may not "fit".

- d. **Whether the variance would have benefits to the Applicant which would outweigh its adverse effects upon other properties or the public welfare.**

Pro: The Applicant benefits by obtaining a new, functional, covered deck which increases the usefulness and value of this property. No adverse effects are evident to other properties. The neighborhood is actually benefitted by the new construction and improvements to the site. Adverse effects because of the 3.7% lot coverage exceeded are negligible.

Con: The Applicant has benefited by obtaining a new covered deck of value. The deck design (wrap-around) is different, however, from what exists in the area. This may pose aesthetic problems in the future. This proposal also reduces the amount of green (lawn) area on this lot which might have been avoided if proper permits would have been obtained initially.

7. The City Office Engineer has indicated (in Exhibit 4) that lot lines are 9 feet behind the curb of both streets (65th Court and Hemlock Street). The structures in place are also outside of the clear vision area required for corner lots.
8. The City Building Official has indicated follow-up building permit requirements if the variance is approved (see Exhibit 5).
9. A letter of support for the approval (Exhibit 7) has been received from a neighbor, Gerald L. Rice of 6506 SE Hemlock.

CONCLUSION:

Because the construction took place prematurely, Staff has attempted to analyze the proposal from both pro and con viewpoints. The pros and cons were then balanced and evaluated. Conclusions by criterion are addressed as follows:

Criterion a is in conflict. No unusual physical features are evident to warrant this request. The lot in question is less restricted (as a corner lot) than most other corner lots because of its squarish shape. Personal desire or economic circumstances are not justification for these variances.

Criterion b is in conflict because a special privilege may be granted if this illegal construction is approved without compliance with all variance criteria.

Criterion c is in conflict because other alternatives were not even addressed by the Applicant. This construction occurred without proper permits to the desired specifications of the Applicant. Personal desire is not a justification for meeting Criterion c.

Criterion d appears to be met. Adverse effects are difficult to ascertain because of this construction. The usefulness and appearance of the subject property has been improved.

RECOMMENDATION:

Based on the above assessment, Staff recommends denial of VR-90-01 with the provision that the illegal construction be removed within 30 days and that any new construction follow proper permit requirements.

If, however, the Commission finds that the circumstances surrounding the construction of the deck without permits merit considerations and that removal of the already-constructed addition would cause undue hardship to the Applicant, VR-90-01 could be granted based on these factors:

1. Granting these variances will not adversely affect other properties and no objections have been raised by adjacent property owners.
2. Granting these variances do not encroach upon setbacks with adjacent properties, as the decks in question face public streets.
3. Granting these variances may be in keeping with the lot coverages of other neighboring residences by virtue of such items as garages, decks, and storage sheds; as such, the 3.7% increment over R-7 lot coverage standards may be considered a minimal encroachment which in this case, will carry negligible adverse affects.

If VR-90-01 is approved based on the above factors, Staff recommends the following condition be applied:

1. That the Applicant complete the building permit process and follow all requirements as stipulated by the City Building Official.

EXHIBITS:

1. Site Plan
2. Site Plan (staff modified)
3. Application
4. Office Engineer's Memo
5. Building Official's Memo
6. Notice/Map/Criteria
7. Letter of Support

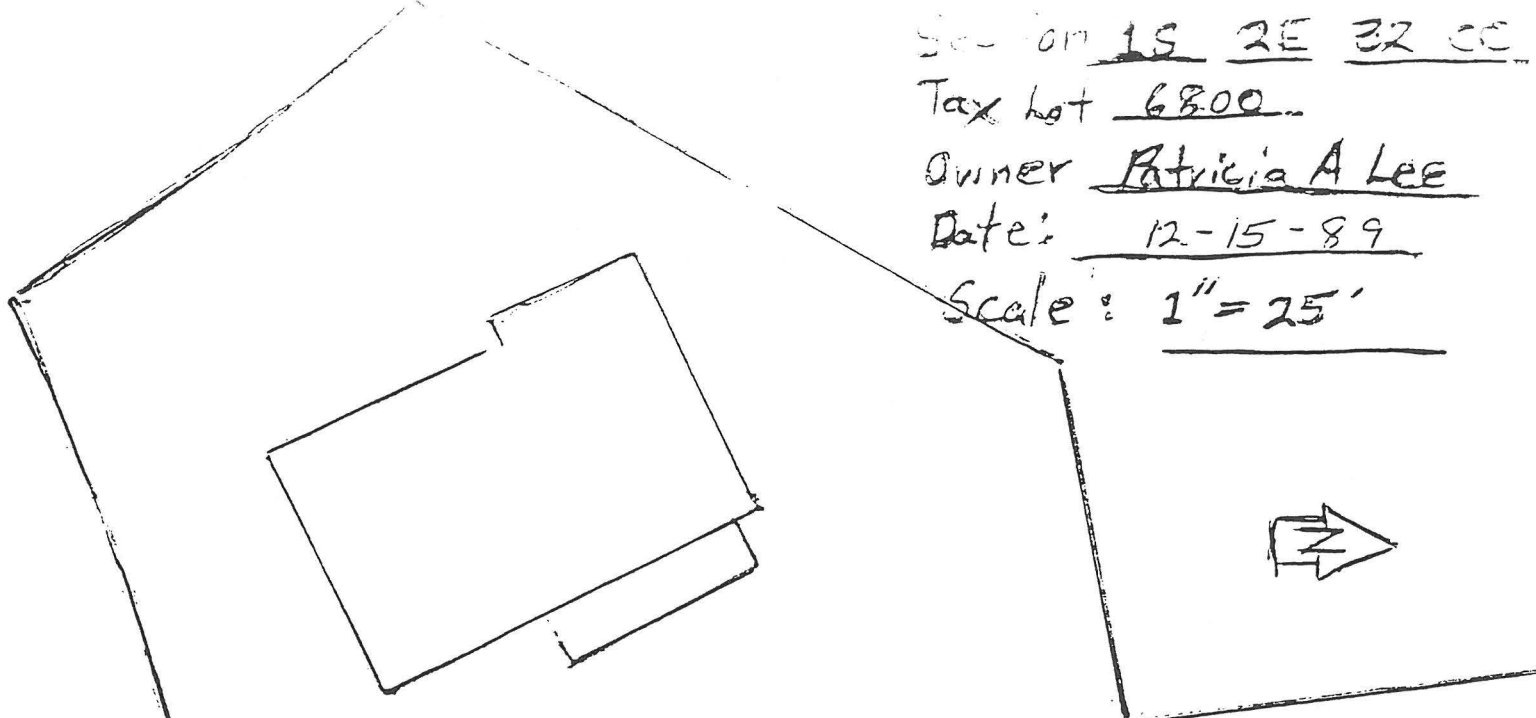
Section 1S 2E 32 CC

Tax lot 6800

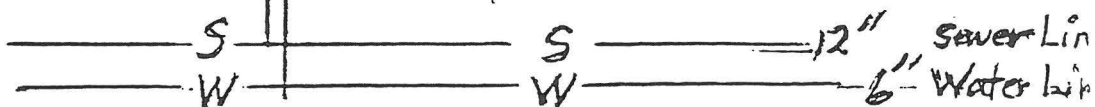
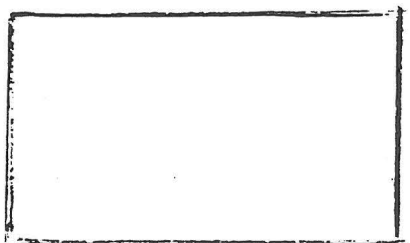
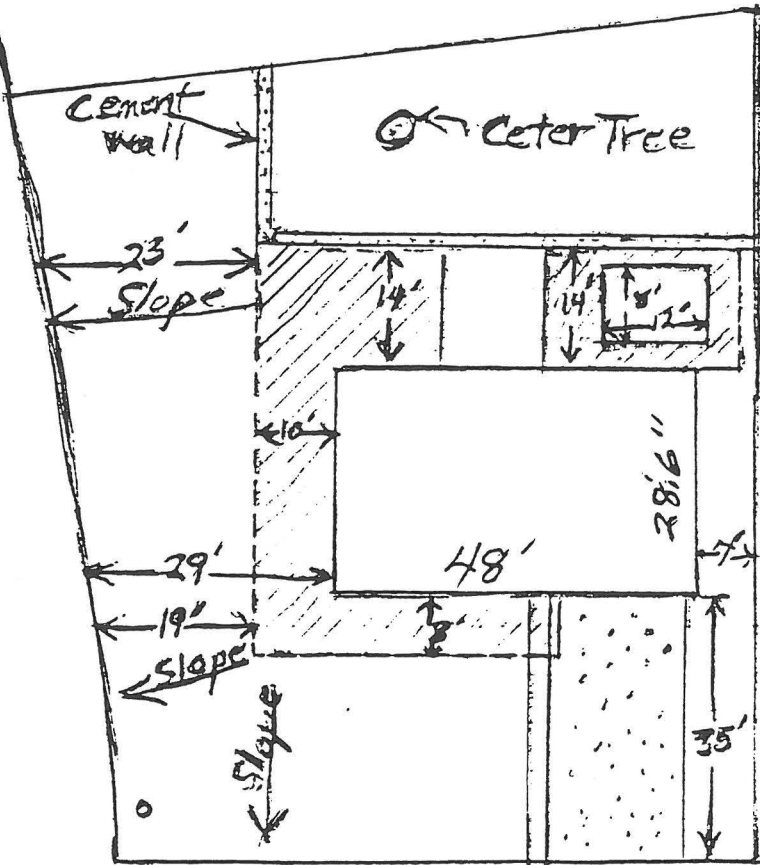
Owner Patricia A Lee

Date: 12-15-89

Scale: 1" = 25'



Hemlock



65th Court

EXHIBIT #	1
DATE	3/27/96
PREPARED BY	Applicant
FILED	VR-90-01

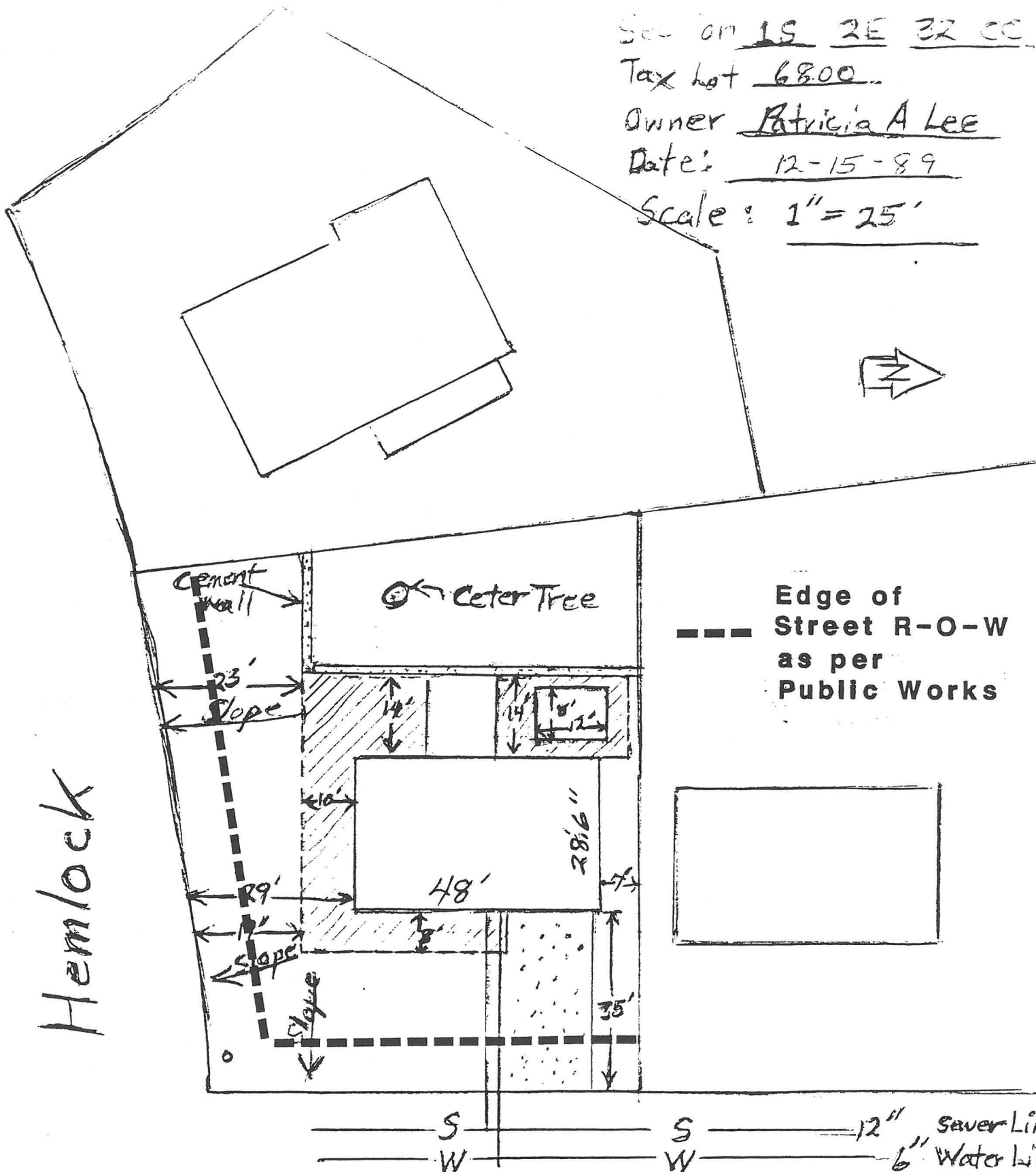
Sec on 15 2E 32 CC

Tax lot 6800

Owner Patricia A Lee

Date: 12-15-89

Scale: 1" = 25'



Hemlock

Edge of Street R-O-W as per Public Works

65th Court

EXHIBIT #	<u>2</u>
DATE	<u>3/27/90</u>
SUBMITTED BY	<u>Staff</u>
RECEIVED	<u>VR-90-01</u>

60 244

Milwaukie Planning Commission
10722 S.E. Main Street
Milwaukie, OR 97222
Phone: (503) 659-5171

MINOR
QUASI-JUDICIAL
VARIANCE
APPLICATION

FILE NO. VR-72-C
SIGN DEPOSIT \$ _____
APPL. FEE \$ _____

APPLICATION IS TO BE SUBMITTED
IN BLACK PEN OR TYPEWRITTEN ONLY

PLEASE READ CAREFULLY. Application will be processed when all questions are answered and accurate site plan is submitted in accordance with Planning Department guidelines. If you have any questions, contact the Planning Department at 659-5171.

I HEREBY REQUEST A VARIANCE from the provisions of the Zoning Ordinance on property described below. With this application, I am furnishing 5* copies of a legibly drawn SITE PLAN showing exact dimensions and arrangement of the proposal as well as elevation drawings and any other drawings, topographic surveys, photographs or other material essential to the understanding of the proposed use and its relationship to the surrounding properties as may be required by staff and/or Planning Commission. On the reverse side of this application, I am explaining circumstances for granting my request for a variance. * If site plan is larger than 8½x11, 10 copies are needed

APPLICANT: (Print) Patricia A Lee Date: 12-13-89

Mailing Address: 12415 S.E. 65th CT. Milwaukie ZIP 97222 Phone: 653-7095

PROPERTY OWNER(S): (Print) Patricia A Lee Phone: 653-7095

Mailing Address: 12415 S.E. 65th CT. Milwaukie ZIP 97222

REQUEST: A Variance on said Property for a existing Porch of Shed

ZONE CLASSIFICATION: _____ COMP PLAN: _____

Legal Description: Township 1S Range 2E Section 32CC Tax Lot(s) 06800
(Submit metes and bounds description upon request)

Property Location: 12415 S.E. 65th ct Milwaukie OR. near (cross street) Hemlock

Meeting Date: _____

In granting a variance, conditions may be attached which are found necessary to lessen the impact of the variance on nearby property, protect the general welfare of the City, and achieve the purpose of the Zoning Ordinance.

I CERTIFY that the information contained in this application is true and accurate to the best of my knowledge and I further agree to comply with the provisions of all state statutes and city ordinances and regulations regarding this application.

Signature Patricia A. Lee Date: 12-13-89

FOR OFFICE USE

Approved: _____ Denied: _____ Continued: _____ Appe _____

EXHIBIT # 3
DATE 3/27/90
SUBMITTED BY Applicant
2 pages
RECEIVED VR-40-01

CIRCUMSTANCES FOR GRANTING A VARIANCE
(Sections 7.01, 7.02, 7.03, 7.04, 7.07, 7.08 of Zoning Ordinance)

A variance may be granted only when the Planning Commission or Planning Director finds that practical difficulty, or unnecessary hardship, which is inconsistent with the spirit and intent of the Comprehensive Plan and of the Zoning Ordinance for its applicable zone, would be created by a strict and literal interpretation of its provisions with respect to the property in question.

The burden is on the applicant(s) to show how his/her/their request satisfies the circumstances for granting a variance. The following are to be thoroughly answered for staff review and Planning Commission consideration: [If you need more space, use a separate sheet]

1. For your property, explain the unique, exceptional or extraordinary conditions which do not apply generally to other properties in the vicinity. These shall relate to the land or physical characteristics of the development as distinct from uses allowed in the zone, or your personal conditions or economic circumstances.

Due to position of home, only way it could be done, without looking out of shape.

2. Explain how the requested variance is the minimum necessary to permit you to enjoy the use of your property in a manner the same as others in this zone, so that a special privilege is not granted.

Need that amount of space, it adds to the neighborhood

3. Explain feasible alternatives which would make the need for a variance unnecessary or which would have less adverse effects upon other properties.

Fits the neighborhood and everyone likes it.

4. Explain how the variance has benefits to you which would outweigh its adverse effects on other properties or the public welfare.

Has increased value of property and neighborhood

Any action or ruling of the Planning Commission may be appealed to the City Council within 15 days after the Commission has rendered its decision. Written notice of the appeal shall be filed with the City Recorder. If the appeal is not filed within the 15-day period, the decision of the Planning Commission shall be final.

TO: PLANNING
FROM: Paul Roeger *PHR*
Office Engineer
RE: VR-90-01
DATE: March 1, 1990

RECEIVED
MAR 05 1990
PLANNING

Dimensions shown on plot plan must be measured from the curb line. The right-of-way line is 9 feet behind the face of the curb. This still puts the structure behind the clear vision area as called out in the ordinance.

Public Works has no other concerns with this request.

PHR/cjl

EXHIBIT #	<u>4</u>
DATE	<u>3/27/90</u>
SUBMITTED BY	<u>Staff</u>
RECEIVED	<u>VR-90-01</u>

TO: PLANNING
FROM: Jim Mishler
Building Official
RE: VR-90-01
DATE: February 28, 1990

RECEIVED
FEB 28 1990
PLANNING

A building permit was not obtained for the work done on this property, as required by the Building Code. An investigation fee must be charged in accordance with Section 304 (e) of the Building Code. This fee must be paid whether the variance is approved or not.

The applicant or applicant's contractor needs to submit two sets of construction drawings and a building permit application to the City Public Works Department for processing and eventual issuance of a building permit (if the variance is approved). Portions of the already completed structure may need to be exposed to assure compliance with state and local codes.

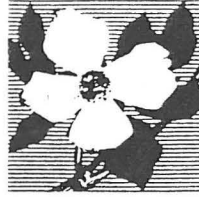
Jim Mishler

Jim Mishler
Building Official

RJM/cjl

EXHIBIT #	<u>5</u>
DATE	<u>3/27/90</u>
SUBMITTED BY	<u>Staff</u>
RECEIVED	<u>VR-90-01</u>

CITY OF MILWAUKIE



March 7, 1990

File #VR-90-01

NOTICE OF PUBLIC HEARING

To: Property Owners and Residents
On: Tuesday, March 27, 1990, beginning at 6:30 p.m.
At: Milwaukie Center
5440 S.E. Kellogg Creek Dr.

The Milwaukie Planning Commission will consider a request by Patricia A. Lee (applicant and property owner) for approval of a setback variance for a covered porch within an R-7 zone on the property located at 12415 SE 65th Ct. (Tax Lot 6800 of Tax Map T1S, R1E, 32CC).

The site is shown on the reverse of this letter.

The criteria which will be used by the Planning Commission in reaching a decision are shown on the attached sheet. Testimony and comments must be directed at this hearing towards the criteria identified.

Interested persons are invited to attend this hearing or to submit comments in writing prior to the meeting time. Written testimony may be submitted in advance to the Community Development Department or in person at the hearing. Those wishing to present verbal testimony, either pro, con, or to raise questions, will be asked to speak following the applicant's testimony.

A copy of the application and all documents and evidence relied upon by the applicant are available for public review at the Community Development Department located at City Hall. Copies of these can be provided at reasonable cost. A Community Development Staff Report will be available for public review at the Ledding Library, local information shelf, after 5:00 p.m., Tuesday, March 20, 1990, and at City Hall in the Community Development Department, Tuesday, March 20, 1990, after 4:00 p.m. Copies of applicable City ordinances and the Comprehensive Plan are also available for review at these locations.

If you have any questions, please call the Community Development Department at 659-5171.

EXHIBIT #	6
DATE	3/27/90
SUBMITTED BY	Staff
	3 pages
RECEIVED	VR-90-01

VARIANCE CRITERIA
Milwaukie Ordinances
Section 7

Section 7.01 Variances, Exceptions, Special Variances, and Plan Review. The Planning Commission or Planning Director may authorize variances from the standards and requirements of this Ordinance within the limitations prescribed in Section 7.02. In granting a variance, the Planning Commission or Planning Director may, in addition to the time limitations of Section 10.07, attach conditions which it finds necessary to lessen the impact of the variance on nearby property, protect the general welfare of the City, and achieve the purposes of this Ordinance.

Section 7.02. Circumstances for Granting Variances. A variance may be granted only when the Planning Commission or Planning Director finds that practical difficulty, or unnecessary hardship which is inconsistent with the spirit and intent of the Comp Plan and of this Ordinance for the applicable zone, would be created by a strict and literal interpretation of its provisions with respect to the property in question. The Planning Commission shall consider and make findings with respect to each of the following:

1. Whether the property in question has unique, exceptional or extra-ordinary conditions which do not apply generally to other properties in the vicinity. Such conditions shall relate to the land or physical characteristics of the development as distinct from uses allowed in the zone, or from the personal conditions or economic circumstances of the applicant.
2. Whether the requested variance is the minimum necessary to permit the applicant to enjoy the use of his property in a manner substantially the same as others in the same zone, so that the applicant will not be granted a special privilege.
3. Whether there are feasible alternatives which would obviate the need for the variances, or overcome the difficulty with less adverse effects upon other properties.
4. Whether the variance would have benefits to the applicant which would outweigh its adverse effects upon other properties or the public welfare.

Community Development Dept.
City of Milwaukie

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MAR 15 1990

PLANNING

I regardes to Tax lot 6800 at
12415 S.E. 65th Ct. on approval of a setback
variance for a covered porch.

I think the covered porch is an
improvement to my view of this home
an ~~an~~ improvement to the looks of
the area.

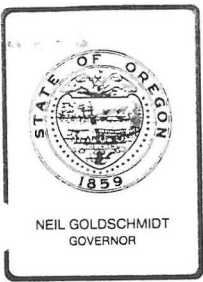
I'm for approval of a setback variance
for this property.

Gerald L. Rice

6506 S.E. Hemlock

Milwaukie, Ore

EXHIBIT #	7
DATE	3/27/90
SUBMITTED BY	Gerald L. Rice Neighbor
RECEIVED	UR-90-01



Department of Transportation
STATE HIGHWAY DIVISION

Right of Way Unit

7165 SW FIR LOOP, TIGARD, OREGON 97223 PHONE 639-7311

RECEIVED

MAR 20 1990

PLANNING

In Reply Refer to
File No.:

March 16, 1990

R/W File 6041-001
Tacoma St. Int. - 17th Connection
(McLoughlin Blvd)
Multnomah/Clackamas County

Milwaukie Planning Commission
Community Development Department
Milwaukie City Hall
10722 SE Main St.
Milwaukie, OR 97222

RE: Request by the Oregon Liquor Control Commission (OLCC)
Expansion of office space on property located at 9079 SE McLoughlin Blvd

The Oregon Department of Transportation (ODOT) is currently involved in the acquisition of property for the improvement of SE McLoughlin Blvd. One of the properties effected by this project is a parcel located at 9079 SE McLoughlin Blvd.

Attached is a right of way map outlining the area needed from the OLCC property for the McLoughlin Blvd project. Our main concern is that the Oregon Liquor Control Commission not plan any expansion into project area. OLCC is aware of the highway improvement project, and I therefore presume that the proposed expansion will not infringe on ODOT's plans.

If you have any questions, please contact me at 639-7311.

Sincerely,


Jeanne Troeh Gibson
Region Liaison Agent

cc: Jim McClure

Note to P.C.
This just received.
Please review as per
effects to CSO-
90-01.

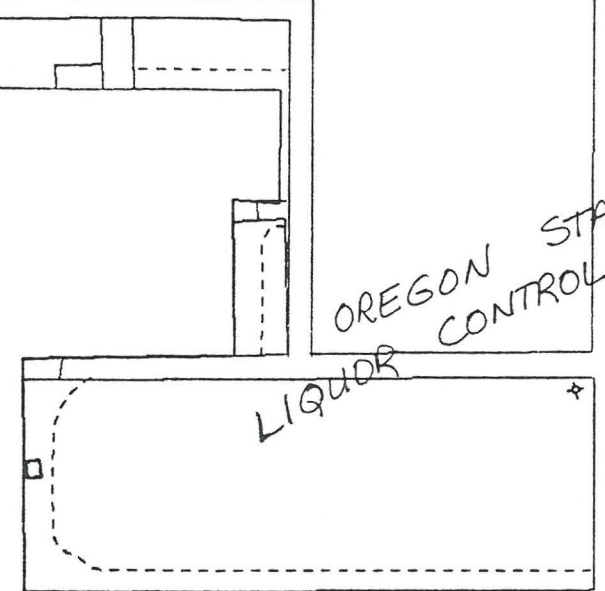
PRELIMINARY

SUBJECT TO CHANGE

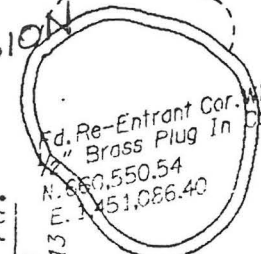
WILLIAM MEEK
D.L.C. NO. 50
GEORGE WILLS
D.L.C. NO. 58

'RW99E' C. 5+00 P.O.T.
'WF-OS' 375+00 P.O.T. (90' Lt.)

SEC. 26, T. 1S., R. 1E., W.M.
SEC. 25, T. 1S., R. 1E., W.M.



OREGON STATE
COMMISSION



'WF-OS' 377+73.95
∠ 4°32'09" Rt.

N. 660,294.365
E. 1,451,285.913

'WF-OS'
40' Radius C.L.
∠ 71°23'20"
T 20.74

'WF-OS'
180' Radius C.L.
∠ 18°19'43"
T 29.04

'WF-OS'
180' Radius
∠ 16°05'56"
T 25.46

J.B. & J.M. HARRISON
675-16
6,390± Rt.

Fd. 1/2" Pin w/ 7/8" Square Head
(10-6-88)
N. 660,549.21
E. 1,451,195.83

J.B. & W.A. TRENT
R 68-20315
693-272

Fd. 3/4" Soft Metal Plug In Concrete
(10-6-88)
N. 660,547.08
E. 1,451,360.38

William R. Davis et al
J 184-465

W.R. Davis
368-95
R 73-118

N. 11°55'55" E.

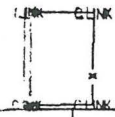
FRONTAGE ROAD

N. 16°28'04" E.

011

SE OCHOCCO

'RW99E'



March 17, 1990
9877 S.E. 33rd. Ave.
Milwaukie, Oregon
97222
654-2969

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MAR 19 1990

PLANNING

Milwaukie City Council
All Members
Milwaukie City Hall
10722 S.E. Main St.
Milwaukie, Oregon

Members of the City Council:

This letter is in reference to the nomination of Mart Hughes to the Milwaukie Planning Commission.

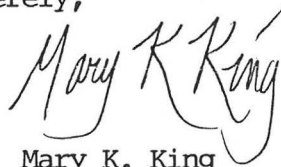
I have been involved with the planning effort in Milwaukie for the past several years, first as a concerned citizen and later as a member of the year-long Comprehensive Plan Review Committee. Through these experiences I have come to the conclusion that the composition of the Planning Commission is long on pro business, industry, profit, development members, and woefully short on pro livability, environment, citizen-concerned members.

The people of Milwaukie deserve to have a balance on the Planning Commission. Since the citizens are unable to vote on membership, it is up to the City Council to provide the balance through appointments. We need new, environmentally aware members to even out the "progress= profit and development" thrust that currently is Milwaukie's planning core.

Mart Hughes would be such a member. He is already a voice for the community. He is tremendously sincere, knowledgeable, and resourceful. His ability to mobilize the community impressive.

I hope you will seriously consider appointing Mr. Hughes to the vacant position on the Planning Commission.

Sincerely,



Mary K. King

cc. City Manager
Chair. Planning Commission
Clackamas County Review