

CITY OF MILWAUKIE
PLANNING COMMISSION MINUTES
TUESDAY, SEPTEMBER 12, 2006

COMMISSIONERS PRESENT

Jeff Klein, Chair
Dick Newman, Vice Chair
Lisa Batey
Teresa Bresaw
Catherine Brinkman
Scott Churchill

COMMISSIONERS ABSENT

None

STAFF PRESENT

Katie Mangle,
Planning Director
Susan Shanks,
Associate Planner
Brett Kelter,
Assistant Planner
Gary Firestone,
Legal Council
Shirley Richardson,
Hearings Reporter

1.0 CALL TO ORDER

The meeting was called to order at 6:31 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 CONSENT AGENDA -- None

4.0 INFORMATION ITEMS -- City Council Minutes

City Council minutes can be found on the City web site at
www.cityofmilwaukie.org

5.0 PUBLIC COMMENT -- None.

6.0 Public Hearings

6.1 Applicant:	Kent Slack for Rowe Middle School
Owner:	North Clackamas School District
Location:	3606 SE Lake Road
Proposal:	Allow the installation of a non-illuminated reader board sign
File Number:	CSO-06-04
NDA:	Lake Road

Chair Klein opened the hearing on Community Service Overlay Review 06-04, a Minor Quasi-Judicial hearing to consider the installation of a non-illuminated reader board sign at Rowe Middle School. The criteria to be addressed can be found in the Milwaukie Zoning Ordinance Section 19.301, Residential Zone R-10; Section 19.321, Community Service Uses; Subsection 19.1011.3 Minor Quasi-Judicial Review; and Title 14, Sign Ordinance.

Chair Klein asked if there were any conflicts of interest or ex-parte contacts to declare. **Commissioner Brinkman** stated that she works for a law firm in town and they have represented the School District in the past but it was not related to this case; she does not feel this will impact her ability to vote on this issue. **Commissioner Bresaw** stated that she is a member of the Lake Road Neighborhood Association and lives ten blocks from the subject site; she does not feel this will impair her ability to vote.

Chair Klein asked if any member of the Planning Commission visited the site; 5 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

Susan Shanks reviewed the staff report with the Commission. She explained that this will be the last Community Service Overlay review under the old regulation. Community Service Uses from now on will be reviewed under the new Community Service Use regulations. Kent Slack, representing Rowe Middle School, is proposing to install a non-illuminated reader board sign at Rowe Middle School along the sites Lake Road frontage.

Rowe Middle School is a community service use; these uses are allowed one free monument sign per the Sign Code. Signs larger than 16 sq. or higher than 6 feet require Commission review and approval. The proposed sign is larger and taller than what would be outright permitted.

A computer presentation was made in conjunction with the staff report showing the subject site and surrounding area.

The proposed Rowe Middle School Sign is

- Non-illuminated
- Double sided
- Perpendicular to SE Lake Road
- Sign face – 8 feet wide x 5 feet tall
- Pole support – 2 @ 6 feet tall
- Overall height 11 feet.

The school is in an R-10 zone and the proposed sign meets all the applicable R-10 development standards and CSO standards specific to schools. Staff believes that the proposed sign meets the Community Service Use Public Benefits Test. The sign is a needed communication tool. It will enable the school to directly communicate with students, parents, it's taxpayer base, the local community, etc. There were comments about visibility along SE Lake Road; for it to be a public benefit it needs to be visible.

The key issues include:

- Community service use public benefits test
- Communication tool for school
- Optimal visibility

Recommend Conditions of approval

- Reasonably visible to those traveling in both directions on SE Lake Road
- No right-of-way or vision clearance area encroachment
- Finding 5D should indicate that nothing in this finding should be construed to limit or in any way restrict the content of the proposed sign.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Batey asked why the sign could not be located closer to the driveway where the trees are smaller and can be moved. **Ms. Shanks** stated that the applicant has not ruled out other locations; this is the proposed location.

Commissioner Batey asked if the sign was placed in the proposed location could the applicant later cut down the trees that were blocking the visibility of the sign. **Ms. Shanks** stated that the tree is on private property; assuming the tree is not in the right-of-way, it could be removed. The City Engineer suggested locating the sign farther from the right-of-way to consider future widening of Lake Road.

CORRESPONDENCE

Chair Klein asked if there had been any correspondence received since the mailing of the packet. **Ms. Shanks** stated there was no additional correspondence.

APPLICANT PRESENTATION

Speaking: Kent Slack, Rowe Middle School, 3606 SE Lake Road, Milwaukie

Mr. Slack stated that staff did a wonderful job with the presentation. The entrance referred to by Commissioner Batey is the bus entrance. The tree she is concerned about is large; with some simple pruning it could be rectified. The physical plant operator (landscaper) suggested the location of the sign; if it did not

seem like an impediment to him, he felt it would be okay. He is amenable to the sign in an alternate location but the Shell Street entrance is where the parents drop off and pick up their kids. As far as road widening and proposed future improvements, he spoke to the City Engineer and was told that most of the proposed improvements will be on the far side of Lake Road and that the sidewalk along the school's frontage would not be moved.

QUESTIONS FROM THE COMMISSIONERS

Commissioner Klein asked staff to make comments on whether the road would be widened to the south side. **Ms. Shanks** stated that Mr. Weigel, City Engineer, was the one that made the recommendation. The applicant spoke with Brenda Schleining, City Engineer, who told him not to be concerned about the improvements going any further than the sidewalk. The sidewalk is new; hopefully when they planned the sidewalk they took into consideration the future improvements to Lake Road and they are not going to dig up the sidewalk and move it five feet to the south.

Mr. Firestone stated that the sidewalk was installed in anticipation of the future widening of Lake Road. If it is outside the right-of-way now, it is outside of the right-of-way. If the city expands the right of way and it is not connected with development, the city will be responsible.

Commissioner Bresaw stated that she was on the Commission when the sidewalk was constructed and they said it potentially could be moved. **Mr. Slack** stated that Brenda had indicated that the sidewalk could be moved closer to the school if necessary. He has no problem moving the sign closer to the school.

Chair Klein asked Mr. Slack what he felt the difference was between the pole sign versus a monument sign. **Mr. Slack** stated that visibility was the consideration. He did not think the trees would be an impediment and he did not feel they will be a problem when pruned.

Commissioner Churchill noted that vandalism occurs on monument signs; however, he hasn't seen a lot of it around this community. In this situation, he could support a condition for the monument sign because of the limbs being in the way. This sign could support a monument sign with a larger base. He likes the fact that the sign is not illuminated.

Commissioner Brinkman stated a pole sign is more for a commercial use and a monument sign would fit better in the neighborhood for the school.

Chair Klein stated that if vandalism is the concern, the sign should have to be higher than six feet. He feels that a monument sign would be more appealing.

Mr. Slack stated that he considered the fact that there is a pole sign for the high school and used that in his considerations. **Commissioner Brinkman** stated that the sign for the high school was constructed at a different time with neighbors with different community desires. There has been a shift in attitude in the community now about pole signs and visual clutter; monument signs, which are lower scale, are more desired.

Commissioner Churchill stated that a monument sign would be under the trees and would easily be seen from a distance. **Mr. Slack** stated that the pole sign was preferred because it was easier for traffic coming up on the school to be able to see the sign before they get to the school. It is possible to put the sign at the northwest corner of the property; however he does not feel it is the best solution.

Commissioner Batey noted that there is no parking on Lake Road, which would make a monument sign easier to read. **Commissioner Brinkman** stated that the higher sign would be a distraction to the drivers. **Mr. Slack** stated that the smaller trees would also obstruct a monument sign; a taller sign would be visible from a distance. The student store is funding this sign.

TESTIMONY IN FAVOR -- None

QUESTIONS OR COMMENTS -- None

OPPOSITION TO APPLICATION -- None

ADDITIONAL COMMENTS FROM STAFF

Ms. Shanks noted that the current smaller trees are at the sign base level now; the smaller trees would obstruct the face now as proposed. Even though a taller sign may be visible it won't be necessarily any more legible. Brenda Schleining, City Street Engineer, is in the process of designing the street widening project; she would have the most up-to-date information. She would have more information on whether the right-of-way will get wider on the south side.

QUESTIONS FROM THE COMMISSIONERS REGARDING CLARITY

Commissioner Bresaw asked if notification was given of the proposed sign application. **Ms. Shanks** stated that notification went out to everyone within a 300-foot radius from the subject site. There were two comments from the neighborhood association, Forest Frick and Paul Hawkins, in favor of the sign. **Ms. Shanks** stated that no one in the community objected to the pole sign (height).

Chair Klein stated that the monument sign would come closer to the shifting values of the neighborhood. He would trade the monument sign for the pole sign even though there is an issue with the square footage.

APPLICANT'S CLOSING COMMENTS

Mr. Slack stated that he wants what is best for the neighborhood and the students. He will defer to what the Commission thinks is best.

Chair Klein closed the public testimony portion of the hearing and opened it to discussion among the Commissioners.

Commissioner Bresaw stated that she does not feel the monument sign is any nicer looking than the pole sign; the neighbors did not complain about the pole sign. **Commissioner Klein** stated that he feels that the neighborhood would have chosen a monument sign if given the opportunity. He suggested talking to the neighborhood association about helping with the funding of the sign.

Gary Firestone stated that issues being considered are size (square footage) and height. With the existing grade of the road and the grade of the site of the sign there still needs to be a decision on how high the sign can be from the grade of the road.

Commissioner Batey stated that the sign is relatively low and not as troubling as high signs. Visual clutter is not an issue here. The site begs for a monument sign because of the site conditions.

Commissioner Churchill stated that in consideration of the scale of the sign he is in favor of a monument sign. He would suggest basing the sign height on road height. He is concerned about the inconsistency in the sign ordinance where schools are restricted to a sign face of 4 feet. He would support a monument sign with a base that does not exceed one foot above the roadbed; basically 6 feet above road base. **Ms. Mangle** noted that the code allows for a 16 sq.ft. sign outright unless there is Planning Commission approval.

Commissioner Brinkman stated that she is in favor of the larger monument sign because the size of the lot requires a bigger sign and because of the particular needs of the school to advertise. She would not agree to the same if it were a community organization that wanted this large of a sign.

Discussion followed on where to set the height. **Commissioner Churchill** suggested using the crown of the road perpendicular to the sign as a base height and going up from there. This would be visible from a car.

Ms. Mangle suggested using the curb height as the starting point of the sign. **Ms. Shanks** recommended a 7-foot height maximum from the top of the curb.

Commissioner Newman stated that he felt the sign base on the Wichita example was not appealing; it doesn't look any better than the proposed pole sign to him. **Mr. Churchill** stated that the base could be made of concrete, which would appear to give more mass and be more aesthetically pleasing.

Commissioner Churchill suggested a condition that there could be no future front sign illumination. **Ms. Mangle** stated that the code allows for external illumination, but not internal illumination.

Staff was asked to prepare findings to support a monument sign. **Gary Firestone** suggested that the motion reflect the revised findings and conditions be with regard to sign scale and content.

Commissioner Churchill moved to approve a monument sign for Application CSO-06-04 that has a maximum height of 7.0 feet above the curb that is perpendicular to the location of sign and that findings be amended to be consistent with the scale of the monument sign. Further, recommended Finding 5D that nothing in this finding shall be construed to limit or otherwise restrict the content of the proposed sign and if in the future the applicant would like to propose illumination, it will come before the Commission for process. **Commissioner Newman** seconded the motion.

Ayes: Batey, Bresaw, Brinkman, Churchill, Newman, Klein

Nays: None

The motion carried 6-0.

Recess was called at 7:40 p.m. and the meeting reconvened at 7:47 p.m.

- 6.2 Applicant: Ali Townsend for Milwaukie High School
 Owner: North Clackamas School District
 Location: 11300 SE 23rd Avenue
 Proposal: To replace an existing manual reader-board sign at
 Milwaukie High School with a double-sided electronic
 reader-board sign
 File Number: CSU-06-05
 NDA: Historic Milwaukie

Chair Klein opened the hearing on Community Service Use 06-05, a Minor Quasi-Judicial hearing to consider the replacement of the existing manual reader-board sign at Milwaukie High School with a double-sided electronic reader-board sign, while placing certain restrictions on its operation. The criteria to be addressed can be found in the Milwaukie Zoning Ordinance Section 19.306, Residential Zone R-2; Section 19.321, Community Service Use; Subsection

19.1011.3 Minor Quasi Judicial Review; and from the Milwaukie Sign Ordinance Subsection 14.08.090, Conditional Community Service Use Signs, Subsection 14.12.020, Prohibited Signs; Subsection 14.16.010, Sign Districts Including Residential Zones; and Section 14.20 Signs in Public Rights-of-Way.

Chair Klein asked if there were any conflicts of interest or ex-parte contacts to declare. **Commissioner Churchill** noted that about three feet of his property is within a 300-foot radius of the subject site. He does not feel this will impair his ability to vote on this issue. **Commissioner Brinkman** stated that she works for a law firm that has represented the School District in the past. She does not see any bias or financial gain to her because of this hearing and will be voting on this issue.

Chair Klein asked if any member of the Planning Commission visited the site; 6 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

Brett Kelter reviewed the staff report with the Commission. The high school is an approved community service use; however no former community service overlay application included a review of a sign. The sign code does allow signs for community service uses if they are limited to 16 sq.ft. in area and a maximum height of 6 feet. The proposal in this case exceeds those dimensions and that is the reason for the Planning Commission review. A computer presentation was made in conjunction with the staff report.

The proposed sign will be a little over 4-feet tall and about 10-feet wide (40 square feet) mounted on a pole with a maximum height of 25 feet above grade. It is proposed to be a double-sided reader board sign that is electronically controlled. The sign is proposed to be "on" all the time with messages changing every 10 seconds.

There is a sign currently on the site and the proposal is to locate the new sign in the same exact location of that sign. A building permit was filed in 1991 for the current sign, a manual reader board sign erected to be visible from both directions of traffic. The current sign is 4' high by 8' long (32 square feet) mounted on a pole with a maximum height of 17'4". It is an internally illuminated cabinet sign that operates with light sensor (dusk to dawn). It did not receive community service review.

The key issues in this application for a sign are height and size, hours of operation, frequency of message change, level of illumination, and location.

The proposed height of the new sign would be 25 feet to the top with an area of 40 sq.ft. Staff is recommending keeping the sign no higher than the existing sign (approx. 17 feet, 4 inches) with an area of 40 sq.ft. as proposed. The banner across the top will always say Milwaukie High School; the three lines beneath the banner will be the electronic portion that will change every 10 seconds. The hours of operation proposed are "on" all the time; staff is recommending 6:00 a.m. to 10:00 p.m. An example was shown of how often the message would change for a 10-second interval sign. The Commission was shown a video provided by the applicant who gave an example of the levels of illumination at the Oregon City High School sign.

Staff recommends the following conditions of approval:

- Size limit to what was proposed – 4 feet by 10 feet (40 square feet in area)
- Maximum height limited to that of existing sign (approximately 17 feet)
- Hours of operations – 6 a.m. to 10 p.m. every day
- Maximum frequency of change – every 10 seconds
- Brightness to be reduced as needed so as not to be a nuisance (Planning Director to determine)
- Sign shall not be in public right-of-way

QUESTIONS FROM THE COMMISSIONERS -- None

CORRESPONDENCE

Chair Klein asked if there had been any correspondence received since the mailing of the packet. **Ms. Mangle** stated that this afternoon Mr. Randall Welch, a member of the Design and Landmarks Committee submitted comments that he does not feel that the look and feel of the sign is in line with the Downtown Framework Plan. **Mr. Welch** stated that he feels that the sign would not be appropriate in this location. **Mr. Kelter** noted that he received a call late last week from Tim Rippee, a city resident who asked about details of the hearing and indicated general support for the proposed sign.

APPLICANT PRESENTATION

Speaking: Leslie Townsend, 6581 SE Eunice Street, Milwaukie

Ms. Townsend stated that her daughter, Ali, took this on as a senior project. She is not present tonight, as she is playing in a soccer game. Ali Townsend has been on Student Council for several years and has had to actually manually change the sign for several years. She thought that they were going to just have to raise the money to get the new sign; as the project progressed, it was realized that more is involved (coming before the Planning Commission and securing three bids for the sign). There is one bid from \$30,000 (Ramsey Signs). It will cost less (\$15,000) if the existing pole is used; however, the sign would be smaller and would not

include "Milwaukie High School" or have the same electronic capacity. The principal and Ali Townsend decided to pursue the \$30,000 sign option.

There were no concerns from Ali Townsend or the school principal about the sign not being allowed to be on all night.

QUESTIONS FROM THE COMMISSIONERS

Chair Klein asked for clarification of the electronics on the two bids. **Ms. Townsend** stated that the existing pole would not hold a sign that has "Milwaukie High School" on the sign with three lines of electronic message on the same sign; it is a structural issue. She is still trying to pursue the other two bids for the school district.

\$300 has been raised through car washes and alumni functions. She plans on sending letters requesting funds to alumni, neighborhood association, and North Clackamas Chamber businesses. She would like to see the project done. She is also asking the ASB (Council) and Honor Society to take on the project should she not be able to complete it in her last year at Milwaukie High.

TESTIMONY IN FAVOR -- None

QUESTIONS OR COMMENTS -- None

OPPOSITION TO APPLICATION -- None

ADDITIONAL COMMENTS FROM STAFF -- None

QUESTIONS FROM THE COMMISSIONERS REGARDING CLARITY

Commissioner Churchill questioned the illumination impact on the neighborhood. **Commissioner Newman** stated that he did not feel the tape truly depicted the glare of the illumination.

Commissioner Brinkman asked if there are code provisions regarding moving signs. **Mr. Kelter** stated that there are some restrictions in the sign code regarding revolving signs: they are required to rotate no more rapidly than once every 10 seconds. Moving signs (including electronically moving signs) are prohibited except for public service signs, though staff has recognized that deciding what is a public service message, and what is not, is unconstitutional because it regulates content. Under this current interpretation of the sign code, electronic reader board signs are allowed. The Planning Commission cannot control the content but can regulate height, brightness, frequency of change, etc.

APPLICANT'S CLOSING COMMENTS

Ms. Townsend stated that the school games are finished about 9:00 p.m.

Chair Klein closed the public testimony portion of the hearing and opened it to discussion among the Commissioners.

Commissioner Bresaw stated that in general this sign is acceptable at 17 feet -- no higher.

Chair Klein stated that if the existing pole is used, the height of the sign face could be as proposed; he likes staff's recommendations as proposed.

Commissioner Brinkman stated that she couldn't support this proposal because the nature of the community doesn't support this type of sign. This sign will be in a residential area and wouldn't be appropriate. It is in the downtown area and it doesn't work with the future plans. She has concerns about traffic distraction. She does not feel that a moving sign is right for a school area; more focus should be on the driving. She does not feel the glowing sign is appropriate.

Commissioner Churchill stated that just because this is between a residential zone and downtown zone does not mean that this area should have it. He would like to see pole signs eliminated as much as possible -- especially an illuminated sign. **Mr. Welch** in his letter has indicated that he feels it changes the feel of the neighborhood.

Commissioner Bresaw noted that across the street from this sign is a church; there are no windows where people would look out and see the sign. **Commissioner Churchill** stated that there is a clear view of the sign from a residence on the north side of Washington Street.

Commissioner Churchill stated that there is a meeting tonight regarding parking issues in downtown; he feels this is the reason people are not here for this proposal. **Commissioner Churchill** disclosed that he talked with neighbors and they indicated that they would not be at the hearing because there was another meeting to attend. He did not discuss any details about the hearing with the neighbors.

Commissioner Batey stated that she doesn't know to what extent the neighborhood was informed about the proposed sign. **Commissioner Brinkman** stated that she did not assume that both sides of the issue were presented at the neighborhood association meeting. She noted that **Mr. Ed Zumwalt**, Chair of the Historic Milwaukie NDA Land Use Committee, did not have any comments on this proposal.

Mr. Firestone stated that the decision has to be made on the information presented to the Commission tonight.

Commissioner Batey asked the Planning staff who was noticed for the hearing. **Mr. Kelter** stated that notice was sent to a list of those within 300 feet of the site, three members of the land use committee and additional interested parties and neighbors.

Chair Klein asked if there is another area for a pole-mounted sign that would be a better or feasible location. **Mr. Kelter** stated that there is not another location on school property with the level of exposure for the sign. The residential impact of the sign along the frontage of the school or at the Lake Road entrance is much greater than on Washington Street.

Commissioner Batey asked if there is an option to defer a decision until the Design and Landmarks Committee (DLC) could review this proposal. **Ms. Mangle** stated that this is not in the downtown zone and not under the authority of the Design and Landmarks Committee. There could be a condition that the DLC advise the Commission or staff on a review of the sign at this location. The DLC review would be subject to the 120-day clock; the application was deemed complete on July 28th.

Commissioner Churchill stated that if the sign faced north and looked directly towards a commercial area, it would be acceptable. The fact that it is in between residential and downtown presents a problem.

Commissioner Brinkman voiced concern for the illuminated large pole sign being in this area between residential and downtown. There is a lot of residential area that backs the school field. **Commissioner Klein** noted that the field next to the proposed sign location is being used at least two evenings a week for some sort of game. The fields are lighted and the sign is next to the scoreboard and not that much of an impact. The majority of the impact is non-residential.

Commissioner Klein asked the City Attorney what options are available if there is no majority on the Commission. **Mr. Firestone** stated that the Commission could declare a denial because there is no majority or forward it on to City Council to reach an agreement. **Ms. Mangle** stated that the Commission could propose approval with conditions that approve the design in every way except for the matter of location, or table the hearing until the applicant can be present and bring a representative from the sign company to answer Commission questions.

Commissioner Churchill moved to table the hearing for application for Community Service Use 06-05 to September 26, 2006 at 6:30 p.m. to allow the applicant to provide more information. **Commissioner Brinkman** seconded the motion.

Ayes: Batey, Bresaw, Brinkman, Churchill, Klein

Nays: None

The motion carried 6-0.

Ms. Mangle stated that staff will contact land use leaders, and neighbors noticing them of this meeting.

Suggestions for more information include:

- Attendance from the applicant, principal and/or representative from the sign company
- Foot candle illumination level
- Possible placement in another area of the school
- Explanation of other options explored
- Staff take pictures of sign looking outward at Clackamas and Oregon City High Schools – pictures from the front yard of residences where the illumination will impact on 27th
- Examples of other signs of same dimensions and dimensions of the proposed sign
- Zoning boundaries

7.0 WORKSESSION ITEMS -- None.

8.0 DISCUSSION ITEMS

Ms. Mangle suggested opening the meeting to discussion of the sign code. **Commissioner Batey** stated that because of the recent hearings, it would be nice to have a worksession on revising the sign code. **Commissioner Brinkman** stated that there is a shift in community attitudes about pole signs and electronic signs; it is important to recognize these concerns.

Ms. Mangle stated that because there is no updated sign code staff is put in a difficult situation of constitutionality. One example is that billboard signs are now treated as freestanding signs thus being allowable in more uses than is desired. It is recommended that the sign code be addressed as soon as possible; the City Attorney has suggested that a policy statement be drafted that would apply to many of these types of reader board signs/changing signs.

Ms. Mangle stated that there are a number of issues that can be improved upon regarding the sign code; however it will take more time to address the entire sign code. Doing the entire sign code might spur on concerns around other issues that do not need to be immediately addressed. The Commission has planned to address Section 1400 and traffic studies as the next projects on the work plan list; to address the entire sign code would mean delay of those other issues.

Ms. Mangle noted that the sign code hearing and a worksession on Understanding Traffic Studies 101 is scheduled for the next meeting on September 26, 2006. Since the hearing tonight was continued it was the consensus of the Commission to delay the traffic studies worksession.

9.0 OLD BUSINESS -- None.

10.0 OTHER BUSINESS / UPDATES

10.1 DLC Review of North Main Lights, Art

Ms. Mangle reported that in 2005 the Planning Commission approved the North Main Project. The Design and Landmarks Committee was asked to review elements of the project, which was done last April. There are two things that the DLC wanted to wait on until the project was closer to completion; lights on the site and the plaza. On July 29th the DLC reviewed the lights and approved them as proposed. The sculptures were aesthetically pleasing and the artwork is very nice. The North Main project has met all of their approval criteria in terms of design.

10.2 Matters from the Planning Director

There is a scheduled ribbon-cutting event for 3 Bridges Project on October 19th from 10:30 a.m. to Noon.

Ms. Mangle reported that a memo was sent to the Commissioners on the County decision on the Harmony Park Apartments. The County is acknowledging that the property, though they may be allowed to get land use approval from the County, must annex to the City before they get services and apply to Title III, Water Quality Resources regulations to the site.

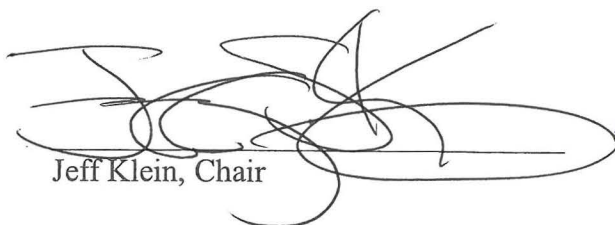
11.0 NEXT MEETING -- September 27, 2006

11.1 CSO-06-04 – Ali Townsend for Milwaukie High School

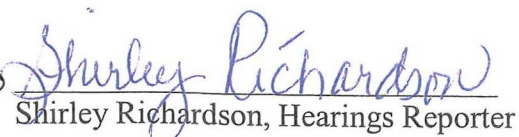
11.2 Sign Code Hearing

Commissioner Bresaw moved to adjourn the meeting of September 12, 2006. **Commissioner Brinkman** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:24 p.m.



Jeff Klein, Chair



Shirley Richardson, Hearings Reporter

MILWAUKIE PLANNING COMMISSION

MILWAUKIE CITY HALL
10722 SE MAIN STREET

AGENDA TUESDAY, SEPTEMBER 12, 2006 6:30 PM

		ACTION REQUIRED
1.0	Call to Order	
2.0	Procedural Matters If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. Thank You.	
3.0	Planning Commission Minutes Approved PC Minutes can be found on the City web site at: www.cityofmilwaukie.org	Motion Needed
4.0	Information Items – City Council Minutes City Council Minutes can be found on the City web site at: www.cityofmilwaukie.org	Information Only
5.0	Public Comment This is an opportunity for the public to comment on any item not on the agenda	
6.0	Public Hearings	Discussion and Motion Needed For These Items
6.1	Type of Hearing: Minor Quasi-Judicial Applicant: Kent Slack for Rowe Middle School Owner: North Clackamas School District Location: 3606 SE Lake Road Proposal: Allow the installation of a non-illuminated reader board sign File Number: CSO-06-04 NDA: Lake Road Staff Person: Susan Shanks	
6.2	Type of Hearing: Minor Quasi-Judicial Applicant: Ali Townsend for Milwaukie High School Owner: North Clackamas School District Location: 11300 SE Washington Street Proposal: To replace an existing manual reader-board sign at Milwaukie High School with a double-sided electronic reader-board sign File Number: CSU-06-05 NDA: Historic Milwaukie Staff Person: Brett Kelter	
7.0	Worksession Items	
8.0	Discussion Items This is an opportunity for comment or discussion by the Planning Commission for items not on the agenda.	Review and Decision
9.0	Old Business	
10.0	Other Business/Updates	Information Only
10.1	DLC Review of North Main Lights, Art (verbal presentation)	Review and Comment
11.0	Next Meeting: 9/26/06 – Worksession – Understanding Traffic Studies 101 Hearing – Sign Code The above items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.	

Forecast for Future Meetings:

10/10 – Hearing – CPA-05-02 Spring Park Master Plan
Hearing – CSO-06-03 & WG-06-03 Spring Park

Milwaukie Planning Commission Statement

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

Public Hearing Procedure

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** The staff report is followed by any verbal or written correspondence that has been received since the Commission was presented with its packets.
3. **APPLICANT'S PRESENTATION.** We will then have the applicant make a presentation, followed by:
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **COMMENTS OR QUESTIONS.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** We will then take testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** When you testify, we will ask you to come to the front podium and give your name and address for the recorded minutes. Please remain at the podium until the Chairperson has asked if there are any questions for you from the Commissioners.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all testimony, we will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. We will then enter into deliberation among the Planning Commissioners. From this point in the hearing we will not receive any additional testimony from the audience, but we may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION/ACTION.** It is our intention to make a decision this evening on each issue before us. Decisions of the Planning Commission may be appealed to the City Council. If you desire to appeal a decision, please contact the Planning Department during normal office hours for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** The Planning Commission may, if requested by any party, allow a continuance or leave the record open for the presentation of additional evidence, testimony or argument. Any such continuance or extension requested by the applicant shall result in an extension of the 120-day time period for making a decision.
12. **TIME LIMIT POLICY.** All meetings will end at 10:00pm. The Planning Commission will pause hearings/agenda items at 9:45pm to discuss options of either continuing the agenda item to a future date or finishing the agenda item.

The Planning Commission's decision on these matters may be subject to further review or may be appealed to the City Council. For further information, contact the Milwaukie Planning Department office at 786-7600.

Milwaukie Planning Commission:

Jeff Klein, Chair
Dick Newman, Vice Chair
Lisa Batey
Teresa Bresaw
Catherine Brinkman
Scott Churchill

Planning Department Staff:

Katie Mangle, Planning Director
Susan Shanks, Associate Planner
Brett Kelter, Assistant Planner
Ryan Marquardt, Assistant Planner
Jeanne Garst, Office Supervisor
Karin Gardner, Administrative Assistant
Marcia Hamley, Administrative Assistant
Shirley Richardson, Hearings Reporter



To: Planning Commission
Through: Katie Mangle, Planning Director *KM*
From: Susan P. Shanks, Associate Planner *SPS*
Date: September 12, 2006
Subject: File: CSO-06-04
 Applicant: Kent Slack for Rowe Middle School
 Address: 3606 SE Lake Road
 NDA: Lake Road

Action Requested

Approve application CSO-06-04 and adopt the recommended findings and conditions in support of approval. This action would allow the installation of non-illuminated reader board sign at Rowe Middle School.

Project Description

The applicant proposes to install a double-sided, freestanding reader board sign to announce school activities and other relevant school information. The sign would not be externally lit or internally illuminated. It would be oriented perpendicular to SE Lake Road along the school's SE Lake Road frontage, and it would be located outside of clear vision areas where SE Lake Road intersects the school's driveway and Shell Lane.

The sign face would be 5 feet high by 8 feet wide, and it would be held off the ground by two 6-foot poles. This height would hopefully minimize vandalism, and it would place the highest point of the sign 11 feet above grade. The letters would be 6 inches tall, and there would be four rows of letters. Letters would be changed manually.

Background Information

Rowe Middle School is a community service use located in a Residential R-10 zone. The proposed reader board sign is not an outright permitted sign in the R-10 zone; however, community service uses are allowed one freestanding or monument sign as long as the sign face is under 16 square feet in area and the sign is no higher than 6 feet above grade. The sign proposed by Rowe Middle School is 40 square feet in area and approximately 11 feet above grade. Planning Commission review and approval is therefore required.

COMMUNITY DEVELOPMENT DEPARTMENT

Engineering • Operations • Planning • Building • Fleet • Facilities
 6101 S.E. Johnson Creek Blvd., Milwaukie, Oregon 97206
 PHONE: (503) 786-7600 • FAX: (503) 774-8236

Key Issue

1. Is the proposed reader board sign in the general public interest and do the benefits to the public outweigh the potential adverse impacts?

Analysis of Key Issue**Key Issue #1 – Is the proposed reader board sign in the general public interest and do the benefits to the public outweigh the potential adverse impacts?**

Installation of the proposed sign would benefit the school, current and former students, current and former parents of students, and the public at large. No adverse impacts have been identified. Nearly all North Clackamas schools presently have a reader board sign to announce school related activities and events. Rowe Middle School, on the other hand, provides school information through its newsletter, which only goes to parents of current students. Not having the ability to communicate information about community and school events is a disservice to the school, current and former students, current and former parents of students, and the public at large.

Staff believes that the size, height, and general location of the proposed sign is in the public's interest. However, the public would be best served if the sign were strategically located so as to be reasonably visible to vehicles traveling along SE Lake Road in both directions. Staff believes that the proposed location may not be the most suitable given the large tree to the west of the proposed sign, as this tree may interfere with sign visibility to those traveling eastbound on SE Lake Road. Trimming this tree would be one option. Please refer to Attachment 3 and Photo 1 (below) for more detail.

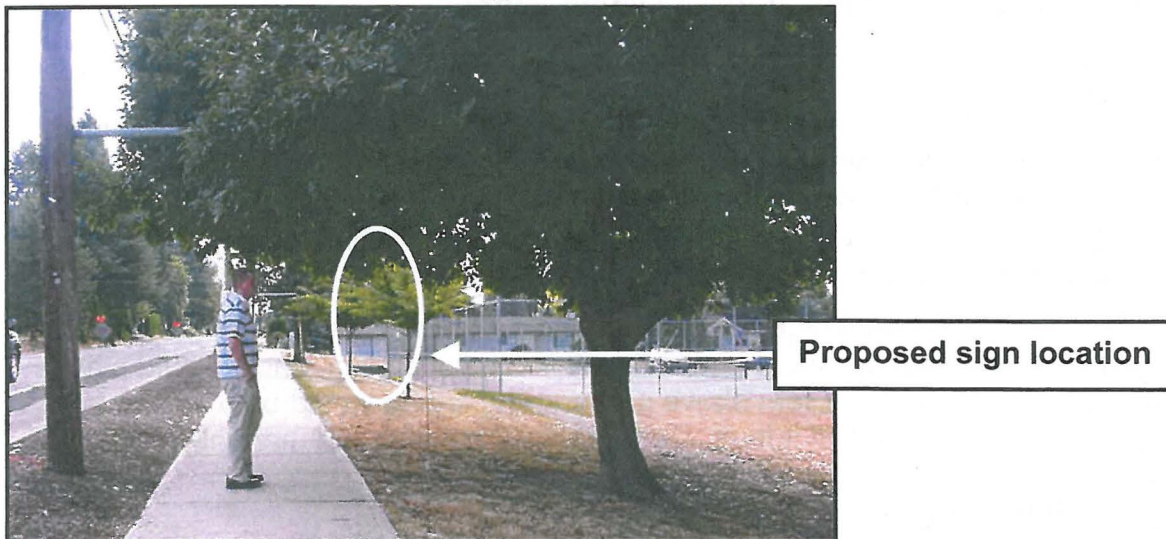


Photo 1: Looking east along SE lake Road at large tree to the west of the proposed sign location.

Another option for improved visibility would be to locate the sign along the school's frontage farther to the west where there are a series of smaller trees. Sign visibility would be further improved if one or more of these trees were removed and/or relocated. Please refer to Photo 2 (on next page) for more detail.



Photo 2: Looking east along SE Lake Road at a series of small trees to the east of the school's driveway.

Code Authority and Decision Making Process

The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance and Sign Ordinance as follows:

Milwaukie Zoning Ordinance

Section 19.301	Residential Zone R-10
Section 19.321	Community Service Uses
Subsection 19.1011.3	Minor Quasi-Judicial Review

Milwaukie Sign Ordinance

Subsection 14.08.090	Conditional and Community Service Use Signs
Subsection 14.16.010	Residential Zone Sign District
Section 14.20	Signs in Public Rights-of-Way

This application is subject to minor quasi-judicial review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In minor quasi-judicial reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The final decision on these applications, which includes any appeals to the City Council, must be made by November 3, 2006, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

Comments

City departments, state and regional agencies, the neighborhood district association, and interested parties reviewed the applicant's proposal. The following is a summary of the comments received by the City. See the corresponding attachments for further details.

1. Zach Weigel, City Engineer. SE Lake Road is an arterial roadway. The right-of-way width is currently 60 feet, and the future proposed right-of-way width is 73 feet. The proposed reader board sign installation does not trigger right-of-way dedication; however, future improvement of SE Lake Road may require relocation of the sign at the current proposed location. Engineering staff recommends that the sign be located outside the future proposed right-of-way width of SE Lake Road. Engineering staff also requires that the proposed sign not encroach or be located in the public right-of-way. See Attachment 5 (Comments) for more information.
2. Tom Larsen, City Building Official. See Attachment 6 (Comments) for more detail. The Building Official requires the sign to be designed by a structural engineer. See Attachment 5 (Comments) for more detail.
3. Ron Schumacher, Deputy Fire Marshal for Clackamas County Fire District #1. The Fire Marshal has no comments on this proposal. See Attachment 5 (Comments) for more detail.
4. Lake Road Neighborhood District Association (NDA). The NDA Land Use Committee's comments are summarized below. See Attachment 5 (Comments) for more detail.
 - Installation of a reader board sign benefits the school and the public.
 - A different location would make it more visible to cars traveling along SE Lake Road.

Attachments

1. Findings in Support of Approval
2. Conditions in Support of Approval
3. Proposed Sign Location Map
4. Applicant's Narrative and Supporting Documentation (to Planning Commission only)
5. Comments

ATTACHMENT 1

Recommended Findings in Support of Approval

1. The applicant proposes to install a double-sided, freestanding reader board sign to announce school activities and other relevant school information. The sign would not be externally lit or internally illuminated. It would be oriented perpendicular to SE Lake Road along the school's Lake Road frontage, and it would be located outside of clear vision areas where SE Lake Road intersects the school's driveway and Shell Lane.
 - A. The proposed sign would be 40 square feet in area (5 feet by 8 feet) per display surface
 - B. The proposed sign would be mounted on two 6-foot poles, which would place the highest point of the sign approximately 11 feet above grade.
 - C. The proposed sign would be oriented so as to have a display surface visible to both eastbound and westbound traffic on SE Lake Road.
 - D. Each display surface would have up to four rows of text that would be changed manually.
2. Application CSO-06-04 has been processed and public notice has been provided in accordance with Milwaukie Municipal Code (MMC) Section 19.1011.3 – Minor Quasi-Judicial Review.
3. The proposal is subject to the following provisions of the MMC Zoning Ordinance and MMC Sign Ordinance as follows:

Section 19.301	Residential Zone R-10
Section 19.321	Community Service Uses
Subsection 19.1011.3	Minor Quasi-Judicial Review
Subsection 14.08.090	Community Service use signs
Subsection 14.16.010	Residential Zone Sign District
Section 14.20	Signs in Public Rights-of-Way
4. MMC Section 19.301 – Residential Zone R-10. All applicable R-10 development standards are listed below.
 - A. MMC Subsection 19.301.3.G limits the maximum height of structures in the R-10 zone to 35 feet. The proposed sign is 11 feet in height. This standard is met.
 - B. MMC Subsection 19.306.3(I) requires that a minimum of 35% of lot area be left or planted with vegetation. The proposed concrete pad, within which the sign's two supporting poles would be installed, is 30 inches by 60 inches for a total of 12.5 square feet. Rowe Middle School has a vast expanse of vegetated area that is planted in grass. The concrete pad for the proposed sign would eliminate an insignificant percentage of the lot's vegetated area. This standard is met.

5. MMC Section 19.321 – Community Service Uses.

A. MMC Subsection 19.321.4.A.1 requires that development standards of the underlying zone are met. As demonstrated by Finding 4, all applicable standards of the underlying zone are met.

B. MMC Subsection 19.321.4.A.2 requires that the specific standards for the proposed use, as found in subsections 19.321.7 to 19.321.10, are met.

The only applicable standard in MMC Subsection 19.321.7, Specific Standards for Schools, requires that fifteen percent of the total site be landscaped. As demonstrated by Finding 4B, this standard is met.

C. MMC Subsection 19.321.4.A.3 requires that the hours and levels of operation of the proposed use are reasonably compatible with surrounding uses. The surrounding uses are predominantly single family residential. The proposed sign would be located on private property, would not be externally lit or internally illuminated, and would not be located in any required clear vision areas. The Planning Commission finds that, as proposed, the application complies with MMC Subsection 19.321.4.A.3.

D. MMC Subsection 19.321.4.D requires that the public benefits of the proposed use are greater than the negative impacts, if any, on the neighborhood.

Installation of the proposed sign would benefit the school, current and former students, current and former parents of students, and the public at large. No adverse impacts have been identified. Nearly all North Clackamas schools presently have a reader board sign to announce school related activities and events. Rowe Middle School, on the other hand, provides school information through its newsletter, which only goes to parents of current students.

Examples of information that could be shared via the proposed sign include, but are not limited to, the following: voting reminders for school bond measures; notices of upcoming sporting events, school plays, parent conferences, field trips, school closure, late start dates, and community events; special announcements about the school, staff, or students; and, any other announcement the school or school district feels would be important to share with the community. A reader board sign would also enable the school to communicate directly with its taxpayer base. Not having the ability to communicate this kind of information is a disservice to the school, its current and former students, current and former parents of students, and the public at large.

The Planning Commission finds that the size, height, and general location of the proposed sign is in the public's interest. However, the public would be best served if the sign were strategically located so as to be reasonably visible to vehicles traveling along SE Lake Road in both directions. The proposed location may not be the most suitable given the large tree to the west of the proposed sign, as this tree may interfere with sign visibility to those traveling eastbound on SE Lake Road. Trimming this tree would be

one option. Another option for improved visibility would be to locate the sign along the school's frontage farther to the west where there are a series of smaller trees. Sign visibility would be further improved if one or more of these trees were removed and/or relocated. As conditioned, the application will comply with MMC Subsection 19.321.4.D.

6. MMC Subsection 14.08.090 limits freestanding signs for community service uses that did not include sign review at the time of Planning Commission approval to a per-display surface area of 16 square feet and an overall height of six feet above grade. Staff has not found any record of a previous sign approval by the Planning Commission for Rowe Middle School. The proposed sign would exceed the maximum standards for both display surface area and overall height. The applicant, therefore, has requested a hearing by the Planning Commission to obtain approval.

The Planning Commission finds that the proposed sign's size (40 square feet per display area) and height (11 feet) are appropriate and reasonable given the use of the site as a school.

7. MMC Subsection 14.16.010 sets standards for signs in residential zones. Rowe Middle School is located on residentially zoned property. Freestanding signs in residential zones are limited to 16 square feet per display surface and a maximum height of six feet above grade. Because of its classification as a community service use, however, Rowe Middle School can request Planning Commission approval of a sign that exceeds these limits pursuant to MMC Subsection 14.08.090.
8. MMC Chapter 14.20 restricts the placement of signs in the public right-of-way. Signs for purposes of public direction and safety may be placed in the right-of-way. The Planning Commission finds that the proposed sign's purpose is not for public direction and safety and, therefore, shall not encroach or be located in the right-of-way. As conditioned, the application will comply with MMC Chapter 14.20.

ATTACHMENT 2

Recommended Conditions in Support of Approval

1. Final site and engineered plans shall be in substantial conformance with the plans approved by this action—except as otherwise modified by these conditions—that were stamped received July 6, 2006 by the Milwaukie Planning Department.
2. At the time of submission of a sign permit, the applicant shall:
 - a. Demonstrate that the proposed sign will not encroach or be located in the public right-of-way or vision clearance areas.
 - b. Demonstrate that the proposed sign is reasonably visible to vehicles traveling eastbound and westbound on SE Lake Road.

Proposed Sign Location

SE LAKE RD

SE 37TH AVE



Proposed Sign Location
Rowe Middle School
3606 SE Lake Road

0 5 10 20 30 40 Feet

1 inch equals 33 feet



MEMORANDUM

TO: Community Development Department
THROUGH: Paul Shirey, Director of Engineering
FROM: Zach Weigel, Civil Engineer
RE: Community Service Overlay – 3606 SE Lake Road
CSO-06-04
DATE: August 4, 2006

Proposal: Install a double-sided, freestanding reader board sign to announce school activities and other school information at Rowe Middle School.

1. The proposed sign fronts SE Lake Road, an arterial roadway. The existing Lake Road right-of-way fronting the proposed sign location is 60 feet in width. The required right-of-way width of SE Lake Road is 73 feet. To align with previous right-of-way dedication on the south side of SE Lake Road, a 10-foot dedication would be necessary.

The applicant is not proposing development with this application that would trigger requirements for right-of-way dedication. However, future improvement of SE Lake Road may require relocation of the sign at the proposed location. Staff recommends the sign be placed outside the planned right-of-way width of SE Lake Road.

2. Engineering staff will review sign location and clear vision requirements at the time of sign permit application.

Recommended Conditions of Approval

1. Prior to issuance of any sign permits the following shall be resolved:
 - a. The proposed sign shall not encroach into the planned public right-of-way or vision clearance areas.

**CITY OF MILWAUKIE
BUILDING
DEPARTMENT**

Memo

To: Susan Shanks, Associate Planner
From: Tom Larsen, Building Official *TL*
Date: July 27, 2006
Re: CSO-06-02 -Rowe Middle School Sign

A Building Permit is required. A structural engineer licensed in the State of Oregon shall design the sign.

Clackamas County Fire District #1

Fire Prevention Office



E-mail Memorandum

To: Susan Shanks, City of Milwaukie Planning Dept
From: Ron Schumacher, Deputy Fire Marshal, Clackamas County Fire District #1
Date: 8/4/2006
Re: CSO-06-04; Rowe Middle School Reader Board

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

COMMENTS:

The fire department has no comments on this proposal.

Attachment 5

RECEIVED

JUL 26 2006

CITY OF MILWAUKIE
PLANNING DEPARTMENT

7-25-06

To Susan Shanks
Planning Commission
6101 S.E. Johnson Creek Blvd.
Milwaukie, Ore 97206

Susan Shanks;

Regarding application for CSO modification for sign at Rowe Middle School.

Agreed that a reader board sign would be a public service for things going on at Rowe.

However, placement of sign is wrong in our opinion. It should be readable for the longest period of time, going West-East or East -West. There is a large tree about the middle of the West tennis court also a middle size tree in the middle area of the East tennis court.

Both of these trees are shown on the ariel view, but I suspect that the photo is several years old as both these trees and other trees are much larger now.

Both these larger trees will partially obstruct the vision of the proposed sign from East or from West traffic.

Suggested alternative:

Placement of sign in middle of Ball diamond side, on the road of course.

There are 5-6 small trees there. Two could be relocated elsewhere, or cut down.

This location would give much longer visibility from East or West bound traffic.

Don't know why this sign has to be so big, when in R-10 MMC Title 14 sign regulation, it specifically states that signs in this Zone will be 16 sq.ft. . That is another issue tho.

Forris Frick

Forris Frick
Lake Road Land Use Chairman
Lake Road Neighborhood Assn.

Application Referral

DATE SENT: July 19, 2006	PLANNING COMMISSION HEARING
COMMENTS DUE: August 2, 2006	TENTATIVE DATE: September 12, 2006
Site location: 3606 SE Lake Road	Review type: Minor Quasi-Judicial
Applicant: Kent Slack for Rowe Middle School	File #(s): CSO-06-02
Applicant phone: 503-297-0949	Application type(s): Community Service Use

TO:

- | | |
|---|---|
| <input checked="" type="checkbox"/> CD/PW Director <small>COVER SHEET</small> | <input type="checkbox"/> PW Operations |
| <input checked="" type="checkbox"/> Planning Director | <input type="checkbox"/> Police Dept. |
| <input checked="" type="checkbox"/> Engineering Dept. | <input type="checkbox"/> Administration |
| <input checked="" type="checkbox"/> Building Official <small>COVER LETTER</small> | <input type="checkbox"/> Susan Shanks |
| <input checked="" type="checkbox"/> Fire Marshal <small>COVER LETTER</small> | <input type="checkbox"/> Brett Kelter |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Ryan Marquardt |
| <input checked="" type="checkbox"/> NDA: Lake Road | |
| <input checked="" type="checkbox"/> NDA Liaison: Pat DuVal (Lake Road) | |
| <input type="checkbox"/> Clackamas County: | |
| <input type="checkbox"/> ODOT: | |
| <input type="checkbox"/> DSL: | |
| <input type="checkbox"/> Tri-Met: | |
| <input type="checkbox"/> Other: | |

FROM:

- | |
|---|
| <input type="checkbox"/> Katie Mangle, Planning Director (503) 786-7652
manglek@ci.milwaukie.or.us |
| <input checked="" type="checkbox"/> Susan Shanks, Assoc. Planner (503) 786-7653
shankss@ci.milwaukie.or.us |
| <input type="checkbox"/> Brett Kelter, Assistant Planner (503) 786-7657
kelverb@ci.milwaukie.or.us |
| <input type="checkbox"/> Ryan Marquardt, Assist. Planner (503) 786-7658
marquardtr@ci.milwaukie.or.us |

Planning Department
6101 SE Johnson Creek Blvd.
Milwaukie OR 97206
PHONE: (503) 786-7630
FAX: (503) 774-8236

PROPOSAL:

ZONE: R-10

Rowe Middle School would like to install a double-sided, freestanding reader board sign to announce school activities and other relevant school information. The proposed sign is 40 square feet in area (8 feet by 5 feet), approximately 11 feet above grade at the highest point, and non-illuminated. It would be located along the school's Lake Road frontage. Rowe Middle School is a community service use located in the R-10 zone. The proposed reader board sign is not an outright permitted sign in the R-10 zone; however, community service uses are allowed one freestanding sign as long as the sign face is under 16 square feet in area and the sign is no higher than 6 feet above grade. Since the proposed sign exceeds these dimensions, Planning Commission review is required.

Please comment on the following applicable code sections:

- Milwaukie Municipal Code (MMC) Section 19.301 - Residential Zone R-10
- MMC Section 19.321 - Community Service Overlay Zone
- MMC Section 19.1011.3 - Minor Quasi-Judicial Review
- MMC Title 14 - Sign Ordinance

Attachment 5

Yes! all the local schools have a sign to inform the community. Paul Hawkins



To: Planning Commission
Through: Katie Mangle, Planning Director *KM*
From: Brett Kelter, Assistant Planner *BK*
Date: September 12, 2006
Subject: File: CSU-06-05
 Applicant: Ali Townsend for North Clackamas School District
 Address: 11300 SE Washington St.
 NDA: Historic Milwaukie

Action Requested

Adopt the recommended findings and conditions in support of approval of application CSU-06-05. This action would allow the replacement of the existing manual reader-board sign at Milwaukie High School with a double-sided electronic reader-board sign, while placing certain restrictions on its operation.

Key Issues

The central question for this application is what kind of impact the proposed sign will have on various uses. How will it affect neighboring residential properties, the historic downtown area, or passing motorists? The proposed sign is different enough from the existing sign to warrant a review of the potential distractions or nuisances it may create. Several particular issues are addressed:

1. **Height and size** – Are the proposed dimensions appropriate in scale for the location?
2. **Hours of operation** – Will the electronic reader-board be on all the time or only during certain hours?
3. **Frequency of message change** – How often will messages on the electronic reader-board change?
4. **Level of illumination** – How bright are the pylons that provide the sign's illumination? From how far away will the illuminated messages be visible?
5. **Location** – Is the proposed location the best place for this sign?

Project Description

For her senior project, the applicant—a senior at Milwaukie High School—is working with the school district to replace the existing manual reader-board sign with a new electronic reader-board sign at the same location. The proposed sign

COMMUNITY DEVELOPMENT DEPARTMENT

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is similar to the electronic reader-board sign at Oregon City High School, with approximately 40 square feet of display surface, 30 square feet of which would contain the changing illuminated messages (see Attachment 2 – Application Packet). It would be mounted on a steel pole placing the top of the sign at 25 feet above grade. The new sign would be oriented so as to be visible to traffic moving in either direction on SE Washington Street.

The current Sign Ordinance limits freestanding signs for prior community service uses that did not include a sign review at the time of planning commission approval—the limit is an area of 16 square feet per-display surface and a maximum height of six feet.¹ The proposed sign exceeds these dimensions. Staff has not found any record of prior sign review by the Planning Commission as part of a past application for the high school as a community service use. The proposed sign is considered a new community service use and is subject to review by the Planning Commission. The Planning Commission has the discretion to impose suitable conditions to ensure compatibility of the sign with other nearby uses.² Such conditions may include but are not limited to consideration of the height, size, hours of use, brightness, and location.

Background Information

In 1991, Milwaukie High School received approval to erect the reader-board sign that currently stands along the SE Washington Street frontage at the northern edge of its athletic fields (Building Permit # 91-223). The existing sign is a plastic-faced cabinet sign with two display surfaces that are oriented to face traffic traveling either direction on SE Washington Street. It is internally illuminated by fluorescent bulbs and was approved with a timer set to turn it off at midnight every day. At four feet high and eight feet long, the existing reader-board has 32 square feet per display surface or 64 square feet of total display area. Messages are changed manually. The cabinet is mounted on a steel pole that puts the top of the sign at approximately 17 feet above grade. A scoreboard sign near the existing reader-board sign is approximately 25 feet high (see Photo 1).



Photo 1 – Looking south across SE Washington St.

Analysis of Key Issues

1. Height and size

Are the proposed dimensions appropriate in scale for the location?

As noted above, each face of the existing reader-board sign has 32 square feet of display surface, approximately 24 square feet of which is available for messages. The existing sign is mounted so that the top is 17 feet above

¹ Milwaukie Municipal Code (MMC) Subsection 14.08.090

² MMC Subsections 19.321.6.A and B

grade. The proposed sign would be larger (with 40 square feet per display surface, including 30 square feet for messages) and higher at 25 feet.

As noted earlier, no records have been found that indicate that the existing sign or the sign that it replaced in 1991 were reviewed as part of a prior application for community service use. In recent discussions about changes to the City's Sign Ordinance in relation to freestanding community service use signs, the Planning staff has suggested a maximum display area of 40 square feet and maximum height of 12 feet above grade.

The dimensions of the proposed sign would allow three rows of 10-inch-high characters to be displayed. The applicant asserts that reducing the size of the sign would make the messages more difficult to read. Staff agrees that reducing the size of the display surface will limit the sign's readability and does not believe that a new, 40 square-foot sign will adversely impact passing traffic or the character of the neighborhood. The open space provided by the athletic field keeps both existing signs (the scoreboard and reader-board) from visually dominating the area. Relative to this open area, the proposed sign is not significantly larger than the existing sign (only eight square feet larger). Staff recommends that the new sign be allowed at the size as proposed of 40 square feet per display surface.

As proposed with an overall height of 25 feet, the new sign would be approximately eight feet higher than the existing reader-board sign. The photos included in this document (see Photos 1, 2, and 3) as well as those shown in Attachment 3 (Photo Sheet) allow for some estimation of how the new sign would look at 25 feet high relative to the scoreboard. There are grade differences between the two existing signs, and the photos provide a sense of comparative perspective. Despite the fact that the existing manual reader-board sign is approximately eight feet shorter than the scoreboard sign, the two appear to be at similar heights from several angles. With the new reader-board sign at 25 feet high, it would actually appear to be taller than the scoreboard sign from several vantage points.



Photo 2 – Looking west from across SE Washington St.

Given the proximity of the proposed sign to SE Washington Street, staff does not believe that it is necessary or beneficial to allow it to be 25 feet high. Placing the sign so much higher above grade than the existing reader-board sign would diminish the pedestrian-oriented aspects of SE Washington Street. And yet, the 12-foot height limit proposed for future freestanding community service use signs would make the proposed sign less effective because it would be harder to see by pedestrians and motorists alike. As a compromise, staff recommends that the new sign be allowed to match the height of the existing reader-board sign.

2. Hours of operation

Will the electronic reader-board be on all the time or only during certain hours?

The applicant has proposed that the new sign be in operation 24 hours a day, seven days a week. Staff believes that it is not necessary for the new sign to be on all the time to be effective and that such a schedule could present a visual nuisance to neighboring residential properties. The applicant has indicated that the new sign can be programmed to show a blank screen (or effectively be turned off) for particular periods of time. Staff recommends that approval of the sign be conditioned with the daily hours of operation limited to 6:00am to 10:00pm.

3. Frequency of message change

How often will messages on the electronic reader-board change?

Messages on the existing reader-board sign must be changed manually. Because the proposed sign would be controlled electronically, it can be programmed to have messages change at almost any interval of time. The applicant proposes to have messages change approximately every 10 seconds.

In recent discussions about changes to the Sign Ordinance, Planning staff has proposed a maximum rate of change of 10 seconds for electronic reader-boards. Staff recommends that approval of the sign be conditioned with the maximum rate of change set no higher than every 10 seconds.

4. Level of illumination

How bright are the pylons that provide the sign's illumination? From how far away will the illuminated messages be visible?

The existing sign is an internally illuminated cabinet sign. Staff has no quantitative information about the sign's level of brightness, though direct observation shows the sign to cast undiffused light on the immediate vicinity. The scoreboard sign that stands next to the reader-board sign location is also illuminated, but it is oriented to face the athletic track and field and grandstand and not SE Washington Street. The tall field lights that stand nearby are used primarily during athletic events and are oriented toward the playing fields.

The red pylon lights that form electronically controlled messages would illuminate the proposed sign. Staff is concerned about the potential visual impact of these lights, especially at night when the lights do not need to be as bright to be seen. According to the applicant, the lights can be dimmed by up to 90 percent of their maximum brightness. Staff recommends that approval be conditioned upon the adjustment of the new sign's brightness to a level deemed acceptable by the Planning Director.

5. Location

Is the proposed location the best place for this sign?

The applicant proposes to locate the new sign in the same spot that the existing sign occupies— inside the fence at the north end of the athletic track and field, next to the scoreboard sign and near the sidewalk along the SE Washington Street frontage. The sign would be oriented so that one side faces eastbound traffic on SE Washington Street and the other side faces westbound traffic. SE Washington Street is classified as a collector street.



Photo 3 – Looking west down SE Washington St.

The zoning in the immediate area is a mix of various residential zones: R-2 at the northeast corner of SE 25th Avenue and SE Washington Street; R-5 at the southwest corner of SE 27th Avenue and SE Washington; R-1-B directly across SE Washington Street and extending west toward SE 21st Street and the downtown area. Despite the predominance of residential zoning, there are few private residences within 300 to 500 feet of the proposed sign (see Photo 4). Most of the area is used by the high school, a church, professional offices, and parking. The total number of residences that would be directly impacted by the new sign appears to be very small.

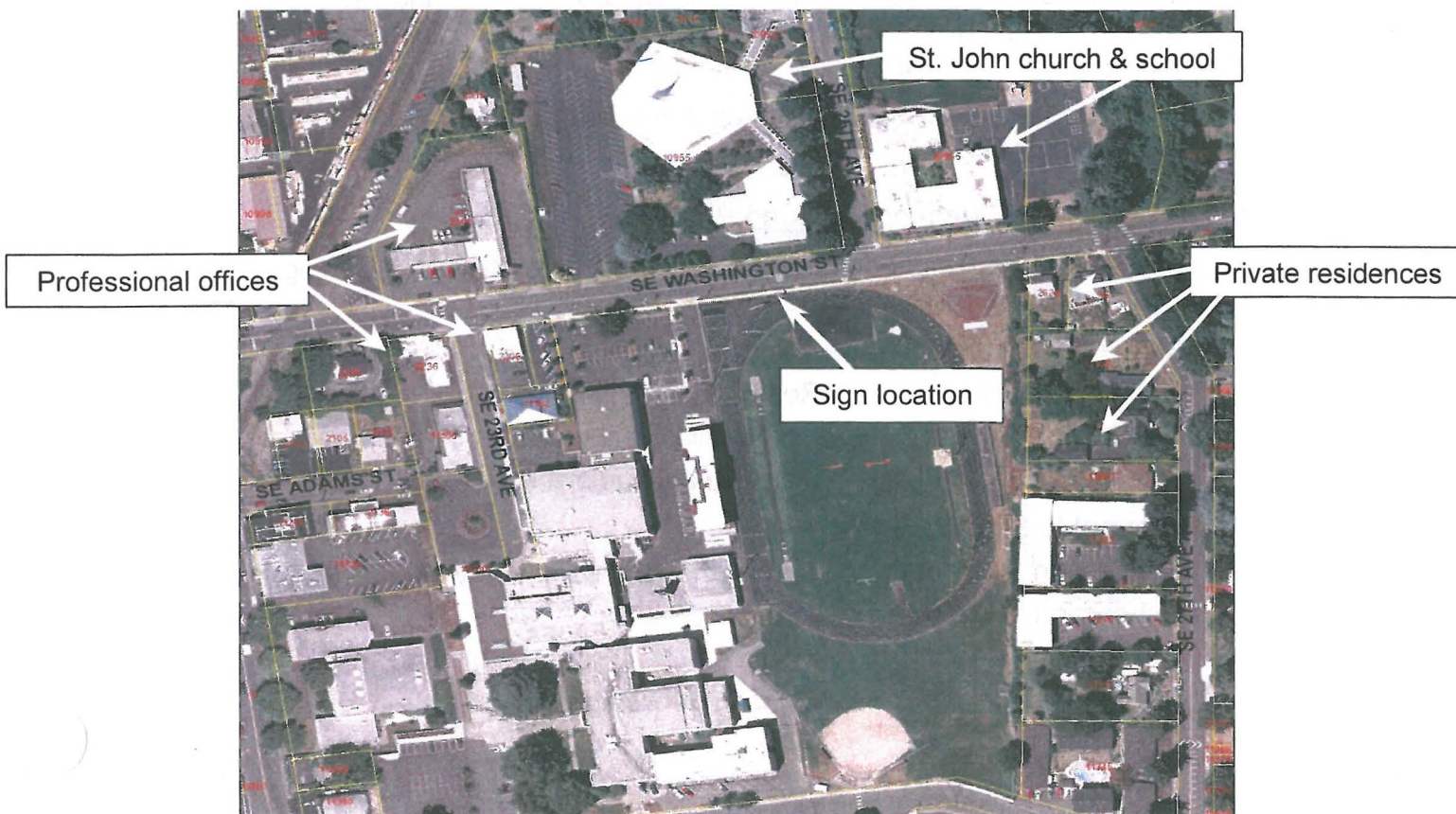


Photo 4 – Location map showing immediate area.

Milwaukie High School has no frontage on any major street besides SE Washington. In this sense, the proposed location represents the most favorable opportunity to publicize upcoming events and provide other relevant public information. While moving the sign farther away from SE Washington Street will diminish potential distractions to passing motorists, this would also reduce the sign's effectiveness. Staff agrees that the proposed location is appropriate and believes that as conditioned, the new sign will not present undue distractions or nuisances to passing motorists or nearby residences. The new sign must be located on the school grounds and not in the public right-of-way, the boundary of which is very near the proposed location.

Summary

Staff believes the applicant has demonstrated compliance with applicable criteria for Community Service Uses, with the following conditions:

1. The size of the proposed sign shall be limited to approximately 4 feet by 10 feet, for a total display area of approximately 40 square feet.
2. The sign shall be limited to a height equal to that of the existing manual reader-board sign, a maximum of approximately 17 feet above grade.
3. Hours of operation for the proposed sign, during which period electronic messages can be displayed, shall be from 6:00am to 10:00pm every day.
4. The maximum frequency of change on either display surface of the proposed sign shall be every 10 seconds.
5. The applicant shall submit information regarding the brightness of the proposed sign, demonstrating to the satisfaction of the Planning Director that it will not present a visual nuisance.
6. The proposed sign shall not encroach into the public right-of-way or vision clearance areas.

Code Authority and Decision Making Process

The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance and Sign Ordinance as follows:

a. Milwaukie Zoning Ordinance

Section 19.306	Residential (R-2) zone
Subsection 19.321	Community Service Use
Subsection 19.1011.3	Minor Quasi-Judicial Review

b. Milwaukie Sign Ordinance

Subsection 14.08.090	Conditional and community service use signs
Subsection 14.12.020	Prohibited signs
Subsection 14.16.010	Sign districts – Residential zone
Section 14.20	Signs in public rights-of-way

This application is subject to minor quasi-judicial review, which requires the Planning Commission to consider whether the applicant has demonstrated compliance with the code sections shown above. In quasi-judicial reviews, the Commission assesses the application against review criteria and development standards and evaluates testimony and evidence received at the public hearing.

The final decision on these applications, which includes any appeals to the City Council, must be made by December 22, 2006, in accordance with the Oregon Revised Statutes and the Milwaukie Zoning Ordinance. The applicant can waive the time period in which the application must be decided.

Comments

Comments were received from the City's Building and Engineering Departments and the Clackamas County Fire District—these are included in Attachment 4 (Comments). The Historic Milwaukie Neighborhood District Association (NDA) was also contacted for its comments, which were received by telephone. The following points summarize all comments received:

1. Tom Larsen, Building Official – Building and electrical permits are required. Detailed plans shall be submitted with accompanying calculations showing the ability of the sign to withstand all vertical and lateral loads. See Attachment 4 (Comments) for more information.
2. Zach Weigel, Civil Engineer – SE Washington Street is a collector roadway measuring 60 feet in width, so no future right-of-way dedication is required. The proposed sign shall not be located in the public right-of-way and will be reviewed by staff at the time of sign permit application. See Attachment 4 (Comments) for more information.
3. Ron Schumacher, Deputy Fire Marshal – No comments on this proposal. See Attachment 4 (Comments) for a copy of this response.
4. Ed Zumwalt, Chair of Land Use Committee for the Historic Milwaukie NDA – The NDA has no objections to the proposal.

Attachments

1. Recommended Findings in Support of Approval of CSU-06-05 and Recommended Conditions of Approval for CSU-06-05
2. Application Packet
 - a. Land Use Narrative
 - b. Development Plans and Photos
3. Photo Sheet (prepared by staff)
4. Comments (***to Planning Commission Only***)
 - a. Building Department (Tom Larsen)
 - b. Engineering Department (Zach Weigel)
 - c. Clackamas County Fire District #1 (Ron Schumacher)

ATTACHMENT 1

Attachment

Recommended Findings in Support of Approval of CSU-06-05

1. The applicant proposes to replace the existing manual reader board sign at Milwaukie High School with an electronic reader board sign in the same location. The sign would use a double-faced illuminated pylon display to announce school activities and other relevant school information, with messages changing repeatedly throughout the day. The proposal includes the following:
 - A. The new sign will have an area of approximately 40 square feet per display surface (4 feet, 1 inch tall by 10 feet long).
 - B. The sign will be mounted on a steel pole along the school's Washington Street frontage. As conditioned, the top of the sign will be approximately 17 feet above grade.
 - C. The sign will be oriented so as to have a display surface visible to both eastbound and westbound traffic on Washington Street.
 - D. Two display surfaces will each present three lines of changing messages formed by electronically controlled pylon lights. As conditioned, messages will change no more often than once every 10 seconds.
 - E. As conditioned, the sign will be in operation only from 6:00am to 10:00pm every day.
 - F. The pylon lights that form the illuminated messages will be adjusted to a level of brightness deemed acceptable by the Planning Director.
2. Public notice has been provided in accordance with the Milwaukie Municipal Code (MMC) Subsection 19.1011.3 – Minor Quasi Judicial Review. A public hearing was held September 12, 2006 as required by law.
3. The proposal is subject to the following provisions of the Zoning Ordinance and Sign Ordinance as follows:

Section 19.306	Residential (R-2) zone
Section 19.321	Community Service Use
Subsection 19.1011.3	Minor Quasi-Judicial Review
Subsection 14.08.090	Conditional and community service use signs
Subsection 14.12.020	Prohibited signs
Subsection 14.16.010	Sign districts – Residential zone
Section 14.20	Signs in public rights-of-way
4. MMC Section 19.306 – Residential (R-2) Zone.
 - A. MMC Subsection 19.306.3.G limits the maximum height of structures in the R-2 zone to 45 feet. As proposed, the new sign would be only

25 feet high. As conditioned, the Planning Commission finds that the new sign will be no more than approximately 17 feet above grade. This standard is met.

- B. MMC Subsection 19.306.3.I requires that a minimum of 35% of lot area remain available for landscaping. A significant portion of the school site is composed of open athletic fields. The proposed sign will occupy the same foundation space as the existing reader-board sign and will not diminish the overall landscaped area. This standard is met.

5. MMC Subsection 14.08.090 limits freestanding signs for community service uses that did not include sign review at the time of Planning Commission approval. Such signs are limited to a per-display surface area of 16 square feet and an overall height of six feet above grade. The proposed sign would exceed these dimensions and is considered a new community service use, subject to review by the Planning Commission as per MMC Subsection 19.321.6.A.

Staff research has produced no record of sign review as part of any past community service use approval by the Planning Commission for Milwaukie High School. The proposed sign would have a per-display surface area of 40 square feet and an overall height of 25 feet above grade. These dimensions exceed the maximum standards that would allow the sign to be approved outright. The Planning Commission finds that the proposed sign is subject to review as per MMC Subsection 19.321.6.A.

6. As part of the review process for modifications to existing community service uses, MMC Subsection 19.321.6.B allows the Planning Commission to impose suitable conditions that will assure compatibility of the sign with other uses in the vicinity. Such conditions may include (but are not limited to) the following:

- Restricting the time an activity may take place and minimizing such environmental effects as glare (MMC Subsection 19.321.6.B.1).
- Limiting or otherwise designating the number, size, location, height, and lighting of signs (MMC Subsection 19.321.6.B.7).

The Planning Commission has established conditions for the proposed sign that will assure its compatibility with other uses in the vicinity. The conditions address the height and size of the sign, hours of operation, frequency of message change, level of illumination, and location.

7. MMC Subsection 19.321.5 establishes the following criteria for allowing community service uses:

- A. *The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not*

proposed in the Community Service Use (CSU), the standards of the underlying zone are met.

There are no requirements for setback or off-street parking for the proposed sign. As noted in Finding #4A, the maximum height of structures in the Residential R-2 zone is 45 feet. As proposed, the new sign would be only 25 feet high; as conditioned, it will be no taller than the existing reader-board sign.

- B. Specific standards for the proposed uses as found in subsections 19.321.10 to 19.321.14 are met.*

The only relevant standards outlined for schools in MMC Subsection 19.321.10 is point J, which requires that fifteen percent (15%) of the total site is to be landscaped. As noted above in Finding #4B, a significant portion of the school site is composed of open athletic fields. The proposed sign will occupy the same foundation space as the existing reader-board sign and will not diminish the overall landscaped area. This standard is met.

- C. The hours and levels of operation of the proposed use are reasonably compatible with surrounding uses.*

The surrounding uses include a church, schools, professional offices, and private residences. As conditioned, the Planning Commission finds that the proposed sign will operate during hours that are reasonably compatible with these surrounding uses and that it will have a rate of message change and a level of illumination that are compatible with surrounding uses.

- D. The public benefits of the proposed use are greater than the negative impacts, if any, on the neighborhood.*

The proposed sign will increase the school's capacity for informing the public-at-large of upcoming events and activities. Because the new sign can be controlled electronically, it can be programmed to automatically present multiple messages instead of needing to be manually changed. With a slightly larger display surface and a more reliable illumination system, the new sign will more consistently provide information for the community along the school's most visible frontage. As conditioned, the new sign will not be much larger than the existing sign and no taller. The Planning Commission has conditioned the rate of message change to be at a level deemed not to present an unsafe distraction or unnecessary nuisance to passing motorists and surrounding properties.

- E. The location is appropriate for the type of use proposed.*

The proposed new sign location is the same as that of the existing reader-board sign. SE Washington Street is the school's only frontage on a major street and therefore is the most logical site for a message

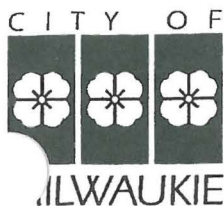
board intended to reach as many people as possible. The Planning Commission finds that, as conditioned, the sign will not be located in the public right-of-way and will not present an undue distraction or nuisance to surrounding properties or passing motorists.

8. MMC Subsection 14.12.020.A prohibits moving or flashing signs, including signs that function by intermittent electrical pulsations. However, automatically changing signs such as electronic reader-boards are excepted from this prohibition. The proposed sign is an electronic reader-board. The Planning Commission finds that the proposed sign is allowed.
9. MMC Subsection 14.16.010 sets standards for signs in residential zones. Milwaukie High School is an approved community service use located on property that is zoned residential (R-2). In residential zones, one freestanding sign is permitted per street frontage, but such a sign is limited to 16 square feet per display surface and a maximum height of six feet above grade. Because the proposed sign exceeds these standards it presents a major modification to the school as an approved community service use and is subject to review by the Planning Commission as per Subsection 19.321.6.A. As conditioned, the Planning Commission finds that a maximum height equal to that of the existing reader-board sign (17 feet above grade) and a per-display surface area of approximately 40 square feet are sufficient for approval of the new reader-board sign.
10. MMC Section 14.20 restricts the placement of signs in the public right-of-way. Only signs that serve purposes of public direction and safety may be erected in the right-of-way, subject to the requirements of a right-of-way permit. The Planning Commission finds that the proposed sign does not serve the purposes of public direction and safety and therefore may not be located in the public right-of-way.
11. The proposed sign fronts SE Washington Street, a collector roadway. The existing SE Washington Street right-of-way fronting the proposed sign location is 60 feet in width. The required right-of-way width of SE Washington Street is 60 feet. As a result, the Planning Commission finds that future right-of-way dedication is not required.

Recommended Conditions of Approval for CSU-06-05

1. Final site and engineered plans shall be in substantial conformance with the plans approved by this action—except as otherwise modified by these conditions—that were stamped received July 28, 2006 by the Milwaukie Planning Department.
2. Prior to issuance of any sign permits the following shall be resolved:
 - a. The size of the proposed sign shall be limited to four feet, one inch by 10 feet, for a total display area of approximately 40 square feet.
 - b. The sign shall be limited to a maximum height equal to that of the existing manual reader-board sign, approximately 17 feet above grade.

- c. Hours of operation for the proposed sign, during which period electronic messages can be displayed, shall be from 6:00am to 10:00pm every day.
- d. The maximum frequency of change on either display surface of the proposed sign shall be every 10 seconds.
- e. The applicant shall demonstrate to the satisfaction of the Planning Director that the brightness of the proposed sign will not present a nuisance to other uses in the immediate area. The Planning Director shall determine an appropriate level of lumens, foot-candles, milliamperes, watts, or other measure of illumination for the proposed sign. The decision of the Planning Director is subject to appeal and a public hearing by the Planning Commission.
- f. The proposed sign shall not encroach into the public right-of-way or vision clearance areas.



PLANNING DEPARTMENT
6101 SE JOHNSON CREEK
BLVD.
MILWAUKIE, OREGON 97206

PHONE: (503) 786-7630
FAX: (503) 774-8236

Attachment 2

6.2 Page 13

Application for Land Use Action

COMMUNITY SERVICE OVERLAY

☐ Admin. I ☒ Minor QJ ☐ Leg.
☐ Admin. II ☐ Major QJ

Type of Community Service Overlay:

Sign review

RESPONSIBLE PARTIES:

(Please print or type)

APPLICANT(S): *Ali Townsend* Phone: *(503) 654-8172*

Address: *6581 SE Eunice St. Milw. OR* Zip: *97222*

PROPERTY OWNER(S): *North Clatsamas School District* Phone: *(503) 653-3600*

Address: *4444 SE Lake Rd. Milw. OR* Zip: *97222*

SITE INFORMATION:

Address: *11300 SE Washington St.* Map & Tax Lot(s): *1 s 1 e 36 BC to lot 500, 500, 500, 500*

Comprehensive Plan Designation: *Public* Zoning: *R-2* Size of property: *5.54 acres*

PROPOSAL (describe briefly):

school information

Milwaukie High School would like to install a double-sided, electric reader board sign to announce school activities and other relevant

PLEASE NOTE: The Land Use Committee (LUC) of your Neighborhood District Association (NDA) will receive a review copy of this application. They may contact you and/or you may wish to contact them:

NDA: *Historic Milwaukie* LUC Chair:

Phone:

ATTEST: I am the property owner or I have attached the owner's authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: *Ron Naso, Supt. Fox Ridge*

Date: *07.27.06*

THIS SECTION FOR OFFICE USE ONLY:

File #: *CS4-06-05*

Fee: \$ *270*

Recd. by: *lk*

Date stamp:

Notes:

RECEIVED

JUL 28 2006

CITY OF MILWAUKIE
PLANNING DEPARTMENT

SEE NEXT PAGE FOR APPLICATION CHECKLIST

Application Packet

RECEIVED

JUL 28 2006

APPLICATION FOR MODIFICATION TO A CSO USECITY OF MILWAUKIE
PLANNING DEPARTMENT

Background. Milwaukie High School is a community service use located in a Residential R-2 zone. The proposed electronic reader board sign is not an outright permitted sign in the R-2 zone; however, community service uses are allowed one freestanding or monument sign as long as the sign face is under 16 square feet in area and the sign is no higher than 6 feet above grade. The sign being proposed by Milwaukie High School is approximately 40 square feet in area and 25 feet above grade. Planning Commission review is therefore required.

Proposal. Milwaukie High School would like to replace an existing manual reader board sign with an electronic reader board sign in the same location. The new sign will be a double-faced illuminated pylon display with electronic message display mounted on a steel pipe. The sign would announce school activities and other relevant school information and would be internally illuminated with fluorescent lamps with energy efficient electronic ballasts. It would be located along the school's Washington Street frontage in front of the wire fence and between 27th Avenue and the Auxiliary Gym parking lot to the west. It would be perpendicular to SE Washington Street so passing cars would be able to read the sign without having to slow down, and it would be 25 feet in the air so as not to impair driver visibility in any way.

The sign face would be 4 feet, 1 inch high by 10 feet wide and stand on one steel silver pipe that would hold the sign 25 feet off the ground. This height would hopefully minimize vandalism. The letter size would be 1 foot, and there would be 3 rows for letters. Please refer to attached photos and plans for more information. Milwaukie High School has never had an electronic reader board sign, and, as such, people without children currently at the school are uninformed about school events and issues because of the delay in publicizing and updating events.

Applicable Code Sections. Milwaukie Municipal Code (MMC) 19.321.5 – Standards for Community Service Uses.

MMC 19.321.5(-A) An application for a community service use may be allowed if the following criteria are met:

:

1. The building setback, height limitation, and off-street parking and similar requirements governing the size and location of development in the underlying zone are met. Where a specific standard is not proposed in the CSU, the standards of the underlying zone are met.

One section of the underlying residential zone R-2 that applies is 19.306.3(G), which states: Maximum height of a structure shall be three (3) stories or forty-five (45) feet, whichever is less. The proposed sign height, consisting of both the electronic message display and the supporting steel pipe, is 25 feet, which is 20 feet shorter than the restricted height. Refer to the scaled drawing provided by Ramsay Signs.

Another section of the Residential zone R-2 that applies is 19.306(I), which states: Minimum area that must be left or planted in trees, grass, shrubs, bark

dust for planting bed, etc. will be thirty-five percent (35%) of the total area of the lot. The proposed footing of the sign's one supporting steel pipe is approximately 10" in diameter. Milwaukie High School has a vast expanse of vegetated area that is planted in grass. The footing for the proposed sign already exists and would only be modified to fit the new steel pipe. Refer to the aerial photo of Milwaukie High School for confirmation.

2. Specific standards for the proposed use as found in subsections 19.321.10-19.321.14 are met.

The only section of the specific standards for schools that applies is 19.321.10(J), which states: 15% of the total site is to be landscaped. As described above, the footing for the sign would eliminate no vegetated area. Given that the new footing would only replace the current reader-board's footing, it is impossible to reduce the amount of required vegetation below the required 15%.

3. The hours and levels of operation of the proposed use are reasonably compatible with surrounding uses.

As previously stated, the sign will be permanently installed with internally illuminated fluorescent red lamps. The lamps will always gleam in the dark and change approximately every 10 seconds with current announcements. It will not have a negative impact on surrounding uses. No changes are proposed to the school's hours and levels of operation.

4. The public benefits of the proposed use are greater than the negative impacts, if any, on the neighborhood.

Milwaukie High School believes that installing the proposed sign would be in the public good and would only have one adverse impact on the community. Milwaukie High School has never had an electric reader board, which consists of an illuminated pylon display with electronic message display. This illumination is internal with fluorescent red lamps. The lamps will gleam in the dark and change approximately every 10 seconds with current announcements.

The current reader board has to be manually updated. Due to this, the community hasn't been updated for current events. Also, the pole and the letters often break, reducing the effectiveness of the sign and keeping the community even less aware of current events. Milwaukie High School efficiently provides school information through its newsletter and website, but these are accessible only to parents of current students or people with Internet.

The upgrade to an electronic reader board would clearly benefit Milwaukie High School parents and students, community members, and to all whom drive by the school, as it would apprise them of what is going on at the school. Examples of information that could be shared via the proposed sign include, but are not limited to, the following: voting reminders for school bond measures; notices of upcoming sporting events, school plays, parent conferences, field trips, school closure and late start dates, and community events; special announcements about our school, staff, or students; and any other announcement our school or

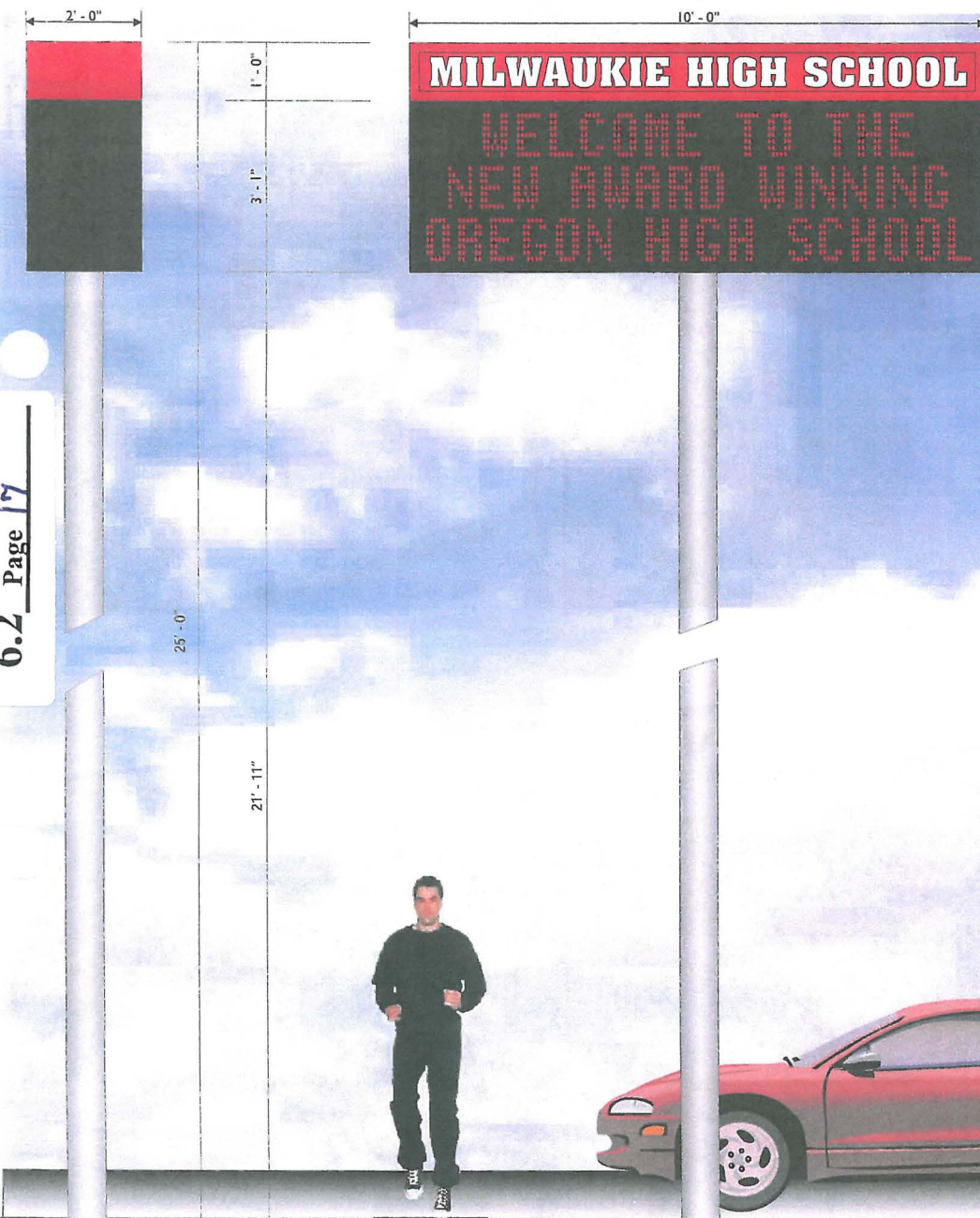
school district feels would be important to share with the community. Also, the new reader board sign expresses school pride.

Not having an electronic reader board sign to communicate these kinds of things is a disservice to the community, parents of present and past students, and the present students themselves by keeping them ignorant of necessary and/or helpful information.

Lastly, the taxpayers that pay for the school and its upkeep are entitled to know what is going on at the school and, by extension, how their money is being spent. An electronic reader board sign would enable the school to communicate directly with its taxpayer base.

5. The location is appropriate for the type of use proposed.

Milwaukie High School's proposed plan is to replace the existing manual reader board on Washington Street. The new footing, steel pole, and electronic message display will locate on the footing of the existing non-electronic reader board. This location is appropriate for the type of use proposed because no new land is being used.



SCALE: $\frac{1}{2}" = 1' - 0"$

MANUFACTURE AND INSTALL (1) DOUBLE FACED ILLUMINATED PYLON DISPLAY WITH ELECTRONIC MESSAGE DISPLAY

ID DISPLAY
CABINET/RETAINER
ALUMINUM EXTRUSION
PAINT TO MATCH 230-33 RED VINYL

FACE(S)
WHITE LEXAN

BACKGROUND COLOR
APPLY 230-33 RED TRANSLUCENT VINYL FIRST SURFACE

TEST
MASK OUT OF VINYL BACKGROUND COLOR, WHITE

ILLUMINATION
INTERNALLY ILLUMINATE WITH FLUORESCENT LAMPS AS REQUIRED
WITH ENERGY EFFICIENT ELECTRONIC BALLASTS

ELECTRONIC MESSAGE DISPLAY
(3) LINE FULL MATRIX
10" CHARACTER

SUPPORT POLE
STEEL PIPE AS REQUIRED
PAINT SILVER (COLOR TO BE DETERMINED)

RAMSAY
SIGNS

ESTABLISHED 1911

Date
7.31.06

Client
Milwaukie High School
Oregon City, Oregon

Account Executive
Mike Corrali

Design
Russ Hiden

Approvals

Client

Date

Landlord

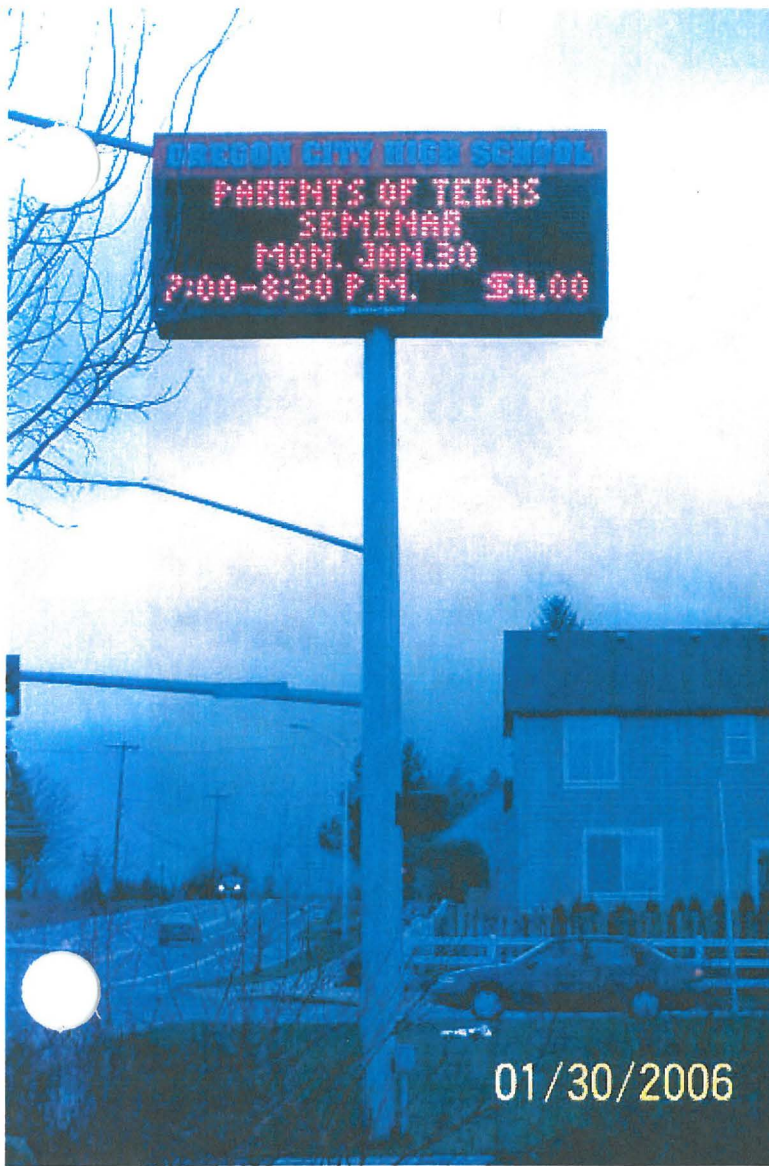
Date

Revisions
Date Action

Ramsay Signs
9160 SE 74th Avenue
Portland, Oregon 97206
☎ 503 777.4555
☎ 800 613.4555
☎ 503 777.0220

Existing manual re-board sign

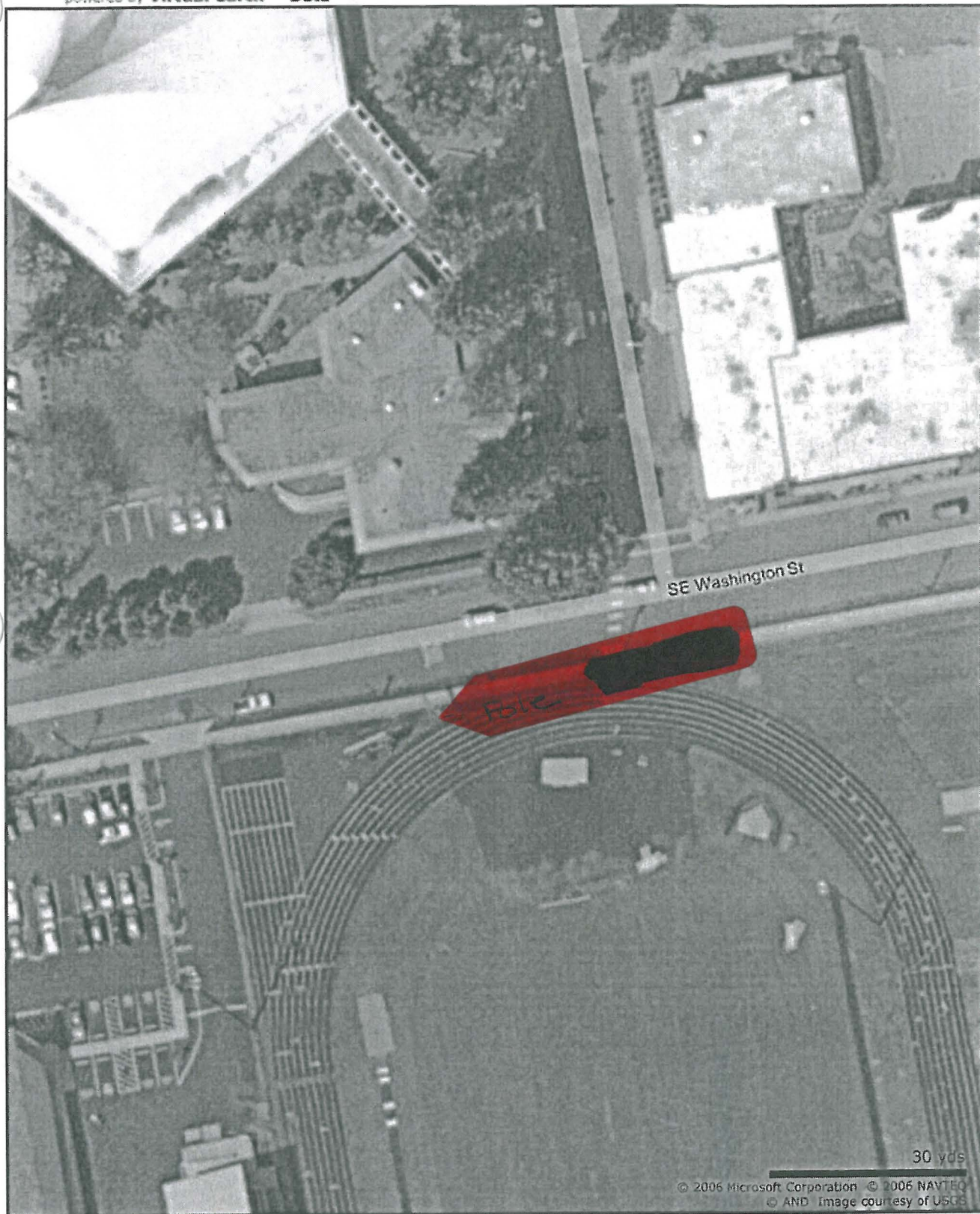
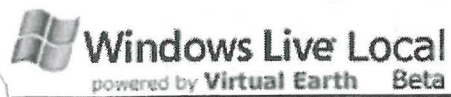




Proposed electronic readerboard sign

6.2 Page 20

Windows Live Local
powered by Virtual Earth Beta



Attachment 3

Photo Sheet
(prepared by staff)

File #CSU-06-05

Milwaukie High School reader-board sign



Photos (clockwise from bottom right corner) –

Looking east along SE Washington St. on sign side;
looking east from across SE Washington St.; looking west
from across SE Washington St.



Looking south across SE Washington St.



Looking east on SE Washington from SE 21st Ave.



Looking east down SE Washington St. from the centerline.



Looking west from across SE Washington St.

**CITY OF MILWAUKIE
BUILDING
DEPARTMENT**

Memo

To: Brett Kelter, Assistant Planner
From: Tom Larsen, Building Official
Date: August 16, 2006
Re: CSU-06-05. Milwaukie High School Sign

1. Building and Electrical Permits are required. The applicant shall submit detailed plans with accompanying calculations, showing the ability of the sign to withstand all vertical and lateral loads. The calculations shall be prepared by an engineer licensed in the State of Oregon.

MEMORANDUM

TO: Community Development Department
THROUGH: Paul Shirey, Director of Engineering
FROM: Zach Weigel, Civil Engineer
RE: Community Service Use – 11300 SE Washington Street
CSU-06-05
DATE: August 22, 2006

Proposal: Replace an existing manual reader board sign with a double-sided, electronic reader board sign to announce school activities and other school information at Milwaukie High School.

1. The proposed sign fronts SE Washington Street, a collector roadway. The existing SE Washington Street right-of-way fronting the proposed sign location is 60 feet in width. The required right-of-way width of SE Washington Street is 60 feet. As a result, future right-of-way dedication is not required.
2. The proposed sign shall be located outside of the public right-of-way.
3. Engineering staff will review sign location and clear vision requirements at the time of sign permit application.

Recommended Conditions of Approval

1. Prior to issuance of any sign permits the following shall be resolved:
 - a. The proposed sign shall not encroach into the public right-of-way or vision clearance areas.

Clackamas County Fire District #1

Fire Prevention Office



E-mail Memorandum

To: Brett Kelter, City of Milwaukie Planning Dept
From: Ron Schumacher, Deputy Fire Marshal, Clackamas County Fire District #1
Date: 8/29/2006
Re: CSU-06-05; Milwaukie High School

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access and water supply may be modified as approved by the fire code official. The following items should be addressed by the applicant:

COMMENTS:

The fire department has no comments on this proposal.