

CITY OF MILWAUKIE  
MINUTES OF PLANNING COMMISSION  
REGULAR MEETING  
MAY 25, 1982

MEMBERS PRESENT:

DON TROTTER  
PATRICIA JAMTGAARD  
GEROGE CATHEY  
JOHN LITTLEHALES  
AL LIANE

STAFF PRESENT:

TOPAZ FAULKNER, PLANNING DIRECTOR  
JON STEIN, ASSOCIATE PLANNER  
STEVE HALL, PUBLIC WORKS DIRECTOR  
CAROL LEE, SECRETARY

MEMBERS ABSENT:

REBECCA SWEETLAND

Mr. Trotter called the meeting to order at 7:00 p.m. and read a letter from Tri-Met requesting that Conditional Use Request (C-82-7) be continued until further notice. Topaz acted as ex-officio Planning Commissioner until Mr. Littlehales arrived, to ensure a quorum.

- 3.2 KENNETH WHITMIRE, Applicant; HOWARD SMEAD, Property Owner  
A-82-5; PRC-82-4; ZC-82-6

LOCATED: Adjacent to the City boundary on  
Harmony Road, Milwaukie.

PROPOSAL:

1. Request to consider petition from Kenneth and Sherry Whitmire, Howard and Irene Smead, for annexation of the property located adjacent to the City limits on Harmony Road (1S, 2E, 32EC, T.L. 1300).
2. Request to consider Comprehensive Plan Map Amendment from County Medium-Density Residential to City Medium-Density Residential.
3. Request to consider Zone Change from County MR-1, Residential to City R-3 Residential.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
MINUTES OF PLANNING COMMISSION  
REGULAR MEETING - MAY 25, 1982

The applicant seeks annexation for City sewer service. The owner proposes a multi-family condominium development on the site.

Jon presented the Staff Report and said the Comprehensive Plan Map shows a maximum density of 15.0 units per acre for this site, which is slightly less than the County Designation.

APPLICANT'S RESPONSE:

SPEAKING: KEN WHITMIRE, 20096 S. Criswell Road, Oregon City.

Mr. Whitmire said his intentions are to develop a 41-unit, owner-occupied condominium development. These dwellings would be designed in ten structures of four-units each.

Mr. Trotter thanked the applicant for the information regarding future use of his land, and stated that only the Annexation, Comprehensive Plan Map Amendment and Zone Change were being discussed at this hearing.

Mr. Trotter asked if the applicant had any further comments, and if there was any one else present who wished to testify in favor or in opposition of the requests. There was no further testimony.

The Public Hearing closed at 7:30 p.m.

Mr. Trotter said the Findings #6, #7, and #8 of the Staff Report are not relevant to the Annexation, Comprehensive Plan Map Amendment or the Zone Change, and should be deleted.

Steve Hall said Finding #10 should be modified to read:  
The annexation will extend the City boundaries in an area where the City is providing sewer service.

Ms. Jamtgaard made a Motion to approve A-82-5; PRC-82-4; ZC-82-6, with modified Findings as per discussion. Mr. Trotter Seconded the Motion. Mr. Cathey asked to add an additional Finding as stated: Approval granted based on the lack of testimony at the public hearing.

Mr. Trotter asked Steve Hall if the road would be included in the annexation as it had been in previous hearings. Steve explained that the road is annexed only if one side is already under the City's jurisdiction.

The Motion passed unanimously.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
MINUTES OF PLANNING COMMISSION  
REGULAR MEETING - MAY 25, 1982

FINDINGS:

1. The property is designated under the Clackamas County Comprehensive Plan for Medium-Density Residential Development and it is zone MR-1.
2. Multi-family developments must be served by sewer and the City has an existing sewer line in Harmony Road which is within 15' of the property. The City is the appropriate provider of sewer services.
3. The City requires that no sewer service may be granted outside the current City Limits. In order to receive sewer service the applicant must annex to the City.
4. The application of the City Medium-Density Residential to this property upon annexation will make the City Plan compatible with the Clackamas County Comprehensive Plan for this site.
5. The R-3 Residential Zone is the appropriate residential Zone to implement the Medium-Density Residential Plan Designation and it should be applied to this parcel upon annexation.
6. The City and the County have an agreement that land which is annexed to the City shall be designated in a manner which is compatible with the existing County Plan. The designation of this site as Medium-Density Residential and the Zoning of this parcel as R-3 Residential will comply with the terms of the City-County Coordination Agreement.
7. The annexation will extend the City boundaries in an area where the City is providing sewer service.
8. Approval granted based upon the lack of testimony at the public hearing.

Mr. Littlehale joined the Commission at 8:00 p.m.

3.3 BOB STENNETT, Applicant; FRANK WIENEKE, Property Owner  
11923 SE McLoughlin, Milwaukie, Oregon

The applicant being absent, Mr. Trotter asked Staff if the Applicant had proper notification of the Public Hearing. Jon said yes, and that he had spoke with the applicant about the public hearing the day before.

Mr. Trotter suggested that the Commission delay action of this public hearing until later in the evening.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
MINUTES OF PLANNING COMMISSION  
REGULAR MEETING - MAY 25, 1982

6:1 CONSENT AGENDA  
CITY COUNCIL MINUTES - MAY 18, 1982

8.2 INFORMATIONAL ITEM - Mr. Trotter's memorandum to City Council regarding recruiting Planning Commissioners.

Mr. Cathey said that he had spoken to the Rotary Clubs recently and several persons showed interest in the Planning Commission.

Topaz mentioned that the Chamber of Commerce, and the Milwaukie Business Association had been notified of the vacancy.

7.1 DISCUSSION OF ZONING ORDINANCE REVISIONS

The Commissioners discussed the revisions to the Zoning Ordinance, starting with Page B-28.

Topaz explained that major revisions to the Zoning Ordinance had been recommended to make the document easier to administer. In particular, procedures had been defined to assure consistency as well as legibility, and several public uses currently repeated in all residential zones have been placed under a new Community Service Overlay Zone. If the criteria are met, an Overlay Zone may be applied by the Planning Commission in much the same manner as a Conditional Use is now.

Responding to Commission questions regarding suggested changes in lot width, depth, and setbacks, Topaz noted that flexibility to allow for solar access when siting a structure was the major consideration. The Commission suggested that corner lots should have equivalent front and side yard setbacks. Mr. Trotter asked Staff to research the setbacks of other jurisdictions.

The Commission recessed for ten minutes at 9:15 p.m.

3.3 BOB STENNETT, Applicant; FRANK WIENEKE, Property Owner  
C-82-5 Conditional Use Request

LOCATION: 11923 SE McLoughlin, Milwaukie

PROPOSAL:

Request to allow the servicing of electronic equipment (satellite antennas) sold at the site.

The Applicant was not in attendance. The Commission moved directly to questions of the Staff Report.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
MINUTES OF PLANNING COMMISSION  
REGULAR MEETING - MAY 25, 1982

Mr. Trotter asked Staff to explain the Conditions set forth for C-80-15, by the Planning Commission in November 1980.

Topaz explained that this site had previously been used by Automizing, and Kitchen Cabinets. The owner is now dividing the building into several small areas. The proposed site is not covered by the previous applications. Landscaping requirement could be complied with by stipulating conditions for the entire site.

Mr. Trotter made a Motion to approve C-82-5 based on the Findings of the Staff Report and lack of adverse comments. Condition #2 to be modified to read: Provide landscaping plan to include maintenance and schedule for implementation of portions of property adjacent to McLoughlin Blvd. to be approved by Staff. Mr. Littlehales Seconded the Motion. The Motion Carried Unanimously.

FINDINGS:

1. The proposal, with Conditions, complies with the following elements of the Comprehensive Plan:
  - A. OBJECTIVE #1 - Economic Development, Policy #2, Page 35.
  - B. OBJECTIVE #2 - Employment Opportunity, Policy #2, Page 35.
2. All other applicable ordinances will be complied with.
3. The property appearance will be improved.
4. Adverse impacts on adjacent properties will be minimal.
5. Access to the site will be minimal.

CONDITIONS:

1. Sign details to be approved by Staff.
2. Provide landscaping plan to include maintenance and schedule for implementation of portion of property adjacent to McLoughlin Blvd. to be approved by Staff.

CITY OF MILWAUKIE - PLANNING DEPARTMENT  
MINUTES OF PLANNING COMMISSION  
REGULAR MEETING - MAY 25, 1982

Returning to review of the Draft Zoning Ordinance; there were comments about front yard setbacks abutting major arterials. Mr. Cathey recommended that reference to distance from the center line of major streets be made in all zones, to accommodate for street widening.

Mr. Cathey suggested that "household pets", Page B-30, be defined and explicitly listed.

Mr. Littlehales mentioned there should be a provision allowing for zero lot-line of common wall dwellings.

Mr. Trotter suggested there be a Farm Overlay Zone that would allow agricultural use in any zone.

Mr. Cathey suggested that the words "related to dwelling in design" be deleted from Accessory Buildings, 321.04.

Mr. Cathey suggested that the building height be determined by compiling the average height of all corners from ground to top of building. Topaz will check on the impact of this suggested wording on the Solar Access provisions.

Mr. Trotter asked Staff to check the distance of street frontage for error.

Mr. Trotter also mentioned that Transitional Area had been eliminated in the revision and asked Staff for clarification.

Ms. Jamtgaard left the panel at 9:45 p.m.

Mr. Trotter asked Staff to clarify the difference of Mobile Home Park and Mobile Home Subdivision. Mobile home skirting has not been allowed within the City because the appearance indicates a temporary location. Mr. Trotter suggested the wording of Section 843.00 be changed for all applicable zones to Mobile Home Subdivision which indicates a permanent siting.

The Commission suggested that the following wording be included in Section 333.08: At least one-half of the 35% shall be landscaped in a manner comparable to the landscaping around the dwelling units.

There were comments relating to bonus incentives for R-2 Zone (Section 343.01). The additional dwelling unit requirement is 2,000 sq.ft. but could be deleted if other incentive bonuses have been met. Lot Coverage (Section 343.05) should also include incentives.

Mr. Trotter said that Commercial Uses are not defined in allowed zones and should be indicated.

There was also a comment that the High-Density Zones do not refer to minimum street frontage.

The Meeting Adjourned at 10:15 P.M.

AGENDA

PLANNING COMMISSION MEETING

MAY 25, 1982

- 1.0 CALL TO ORDER
- 2.0 PROCEDURAL QUESTIONS
- 3.0 PUBLIC HEARINGS
- 3.1 TRI-MET SERVICE C-82-7 Conditional Use Request

PROPOSAL:

Request to establish a bus transit center at 10880 and 10808 SE McLoughlin Blvd., Milwaukie. This center will be used as the location of a Timed Transfer Station. All of the bus lines which serve Milwaukie and the McLoughlin Corridor will meet at this site on a regularly scheduled basis. This project will replace the existing timed transfer sites which are currently located on Jackson Street and 21st Avenue, Milwaukie.

- 3.2 KENNETH WHITMIRE A-82-5; PRC-82-4; ZC-82-6

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AGENDA - PLANNING COMMISSION MEETING  
MAY 25, 1982 - PAGE 2

3.3 BOB STENNETT C-82-5 Conditional Use Request

PROPOSAL:

Request to allow the servicing of electronic  
equipment (satellite antennas) sold at  
11923 SE McLoughlin.

4.0 PUBLIC COMMENT

5.0 CONSIDERATION

6.0 CONSENT AGENDA

6.1 CITY COUNCIL MINUTES - MAY 18, 1982

7.0 OLD BUSINESS

7.1 DISCUSSION OF ZONING ORDINANCE REVISIONS

8.0 OTHER BUSINESS

8.1 PERFORMANCE ZONING SLIDE PRESENTATION - Time Permitting