

City of Milwaukie
PLANNING COMMISSION MEETING

May 18, 1971

The regular meeting of the Milwaukie Planning Commission was held on the 18th day of May, 1971, in the Council Chambers. The meeting was called to order by Dan Croft, President, at 8:00 p.m.

Members present: Dan Croft John Foster
Robert Kennedy Evan Whitaker

Members absent: Fred Liddell Richard Nase Allan Jones (excused)

Also present: Max Thompson, Ass't City Mgr. Roger Mundorff, City Attorney
Tom Hawkins, Consultant Donald Graf, Mayor
Michelle Eaton, Secretary

The minutes of April 27, 1971, were considered for approval. Mr. Kennedy noted that under Plans Review for Kentucky Fried Chicken the motion should read, "It was moved by Jones, seconded by Whitaker, to approve the plans, with the requirement of curbs and sidewalks along the west side of 44th St. from King Road to the driveway into Disco Mart, a distance of approximately 216 feet, upon establishment of grade by city." It was moved by Kennedy to approve the minutes of April 20, 1971, as written and the minutes of April 27, 1971, as corrected. Second by Whitaker. Motion carried and so ordered.

AUDIENCE PARTICIPATION

Mr. J. C. Wolfard, 2556 S. W. Vista, Portland, presented a plan for the north half of block 10 in Waverly Heights. The present zoning on this property allows 10 to 11 houses. He proposes to erect five structures for ten families. These houses would be condominiums, the family owning the house with the yard land owned in common. It was decided to set a special meeting on Tuesday, June 1, 1971, at 7:30 p.m. to consider this item only.

Mr. Alton Jager, 5577 Aldercrest Lane, Milwaukie, has plans for 20 multi-family units at approximately 30th Avenue south of Lake Road. About two years ago Mr. Jager obtained a zone change from A-3 to A-2 extending 320 feet south from Lake Road, which at the time he felt was sufficient for his needs. He now requires at least six additional feet because three four-plexes extend beyond the zone boundary. Since Mr. Jager owns the land to Kellogg Creek, it was decided that he should apply for the additional A-2 zone change that would be sufficient for his development plan.

Mr. Lloyd Dolan, 12106 S. E. Acacia, Milwaukie, inquired about the possibility of building a six foot cyclone fence along pedestrian way to the curb of Acacia Avenue which is about nine feet on public property. This fence would discourage LaSalle High School students from cutting across his property. The Planning Commission informed him that he could only build a fence to his own property line.

PUBLIC HEARINGS

C-71-8 Lloyd K. Daniels, applicant. Request for drive-in tire service in C-L (Limited Commercial) Zone at 1145 S. E. McLoughlin Blvd.

Public hearing was opened at 8:35 p.m., with notices mailed as required. Map and drawing of the proposed building were shown. Staff report by Consultant Planner was read. Mr. Daniels spoke in favor. No one spoke in opposition.

Hearing was declared closed at 8:50 p.m.

IT WAS MOVED by Kennedy, seconded by Whitaker, that conditional use C-71-8 be approved subject to approval by the staff of the building lay out which would satisfy both the set back requirements and vehicle maneuvering and driveways as far as property line is concerned to prevent encroachment on public property, and communication or statement, other than verbal or hearsay, from the Highway Department as to whether they have plans for the widening of McLoughlin at this time. It was noted that the conditional use was not contingent upon the communication from the Highway Department, but we should have it for the record. MOTION CARRIED and so ordered.

C-71-9 Union High School District No. 5, applicant. Request to allow the school district to develop playgrounds and physical education areas in R-7 (Single Family Residential) Zone on school district property on Lake Road and 28th Street

Public hearing was opened at 9:00 p.m., with notices mailed as required. Map was shown and staff reports by Director of Public Works and Consultant Planner were read.

Questions raised: Bill Hupp, 2626 Washington
Doris Kringelhede, 1655 - 30th
Mabel Ernst, 1746 - 30th

Speaking in favor: Frank Larsen, 12909 Kuehn Road
Bill Hupp, 2626 Washington

Speaking against: Kathleen Hulme, 1701 - 30th
Blanche Clay, 2725 Lake Road
Al Gambell, 2916 Lake Road
Oscar Talarico, 1804 - 27th
Alton Jager, 5577 Aldercrest Lane

Hearing was declared closed at 9:30 p.m.

IT WAS MOVED by Whitaker, seconded by Kennedy, that the staff give some thought and investigation to the parking problem, access problem, problem with creation of easements or street on 28th to solve the problems connected with access to adjoining property and that the conditional use be tabled until the June 1 special meeting to give staff time to prepare this information. MOTION CARRIED and so ordered.

Meeting was recessed at 9:40 p.m. and reconvened at 9:50 p.m.

CONSIDERATION

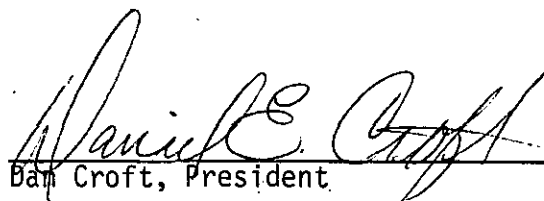
Review plans for Speck Chicken sign and buffer area. Neil Ellsworth, Frank Yazzolino and Dick Robillard of Federal Sign and Signal Corp. presented revised plans for the Speck Chicken sign. They stated that the top of the "bucket" would be two feet higher than the peak of the building, but not taller than the figure on the peak, and would be 33 feet high. They also stated that the sign would not be turned on after 10:00 p.m. in consideration of the residents in the neighborhood. IT WAS MOVED by Whitaker to approve the sign to 33 feet to the top and limit the lamps to 11 watt, frosted, non-flashing type in the arrow. Second by Foster. MOTION CARRIED and so ordered.

Review sign in buffer area for Em & Dom's Drive-In. IT WAS MOVED by Kennedy, seconded by Whitaker, to approve the sign as shown, on the condition that it be non-flashing. MOTION CARRIED and so ordered.


OLD BUSINESS

Amendment to Zoning Ordinance for Flood Hazard Zone. It was noted by Foster that the use of the term "outright" in the ordinance implies free from reserve or restraint, and that Portland uses the term Permitted Use in lieu of Outright Uses Permitted. The City Attorney noted that the term poses no legal problem. It was generally agreed that the amendment appeared satisfactory, but that action should wait until there were several amendments, due to the necessity of holding a public hearing to amend the ordinance.

The meeting was adjourned at 10:25 p.m.


Dan Croft, President

ATTEST:


Michelle Eaton, Secretary