

City of Milwaukie  
PLANNING COMMISSION SPECIAL MEETING  
August 8, 1978

A special meeting of the Milwaukie Planning Commission was held on August 8, 1978, in the Council Chambers of City Hall. The meeting was called to order at 7:00 p.m. by Mark Landis, President.

Members Present:        Mark Landis                    Bob Kennedy  
                              Luciano Monetti                Tom Foeller  
                              Tom Bond                        Jim Lotz

Member Absent:        Bob Gudge

Also Present:            Cy Nims, Planning Director  
                              Myer Avedovech, City Attorney  
                              Steve Hall, Public Works Director  
                              Kay Gitchell, Secretary

C-75-6                    Seventh Day Adventist Church, applicant.  
Continuation            Request to continue construction on  
                              church building at 5021 S.E. King Road  
                              on basis of 1975 conditional use permit.

Following discussion, a MOTION was made by Kennedy and seconded by Foeller to approve C-75-6, continuation, with the conditions set out in the August 8, 1978, staff report, which are:

1. That the church provide a warranted deed to the City for one half of Mullan Street.
2. That an agreement be entered into which assures that the church will participate in improving Mullan Street when this is appropriate.
3. All site utilities and street improvements to be approved by Public Works Department.
4. Improve parking and install landscaping in conformance with zoning ordinance requirements and the original conditional use approval that stated:
  - a. That screening or site-obscuring fencing be installed on the north side of the parking area.
  - b. That exhibit A, which site plan submitted by applicant, be the plan to which we are giving approval.
  - c. That storm drainage be approved by Public Works.

MOTION CARRIED, with Lotz abstaining.

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AUDIENCE PARTICIPATION

Paragon Skatepark

Tom Foeller will not participate in discussion or the decision making process relating to this matter.

Background information on the present status of the proposed site vicinity was presented by Cy Nims. There are some development problems in the area because of a proposed building moratorium due to a lack of water pressure.

Speaking to provide information: Bryan Hosoda, 16110 S.E. 106th Clackamas, Oregon

Mr. Hosoda provided written information to the Commission, spoke concerning the proposed skatepark, and answered questions from the Commission.

PD-77-1	Walter Freeman, applicant. Request for
PRC-78-1	approval of Final Development Plan and
ZC-78-6	Program for a mixed use project on
ZC-78-7	parcel totalling 12.86 acres, with as-
S-78-6	sociated amendments to Comprehensive
	Plan and Zoning Ordinance.

Staff report was presented by Cy Nims, Planning Director.

Correspondence in Opposition: Letter from Dedi Juhala  
Letter from Neighborhood Council  
#1 Executive Council

Correspondence in rebuttal: Letter from Walter Freeman

1. PRC-78-1 Change in Comprehensive Plan to change industrial classification between Lake Road and the Expressway to a medium density classification, and to change a portion of the high density area on the east side of Freeman Way to Commercial.

Staff report presented by Cy Nims. Following discussion it was MOVED by Kennedy, seconded by Foeller, to recommend to the City Council that the Comprehensive Plan be amended to change the Industrial classification for the area between Lake Road and the Expressway west of Freeman Way to Medium Density Residential and to change a portion of the area east of Freeman Way to the classification Commercial, contingent upon the approval and construction of PD-77-1. This action is based upon information given in the July 25, 1978 staff report concerning PD-77-1; public hearings and testimony received; LCDC Goals and Guidelines.

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Written findings of relevant facts and information are to be prepared by staff for consideration and adoption by the Planning Commission at its next regular meeting. MOTION CARRIED with Monetti and Lotz voting against, and the Chairman not voting, and so ordered.

2. ZC-78-6                      Zone changes for the west side of Freeman Way to R-10, and the east side of Freeman Way to Neighborhood Commercial.

Information was presented by Cy Nims and Myer Avedovech, followed by Planning Commission discussion. MOTION WAS MADE by Foeller, seconded by Kennedy, to recommend to the City Council that zoning on the west side of Freeman Way be changed from M-L to R-10, and that zoning of Freeman property on Freeman Way be changed to C-N, subject to the approval and construction of PD-77-1. This action is based on information contained in the Staff Report dated July 25, 1978, public hearings and testimony, all evidence which has been previously received; supporting evidence found in the Final Program for Forest Hills Estates, primarily on pages 3 and 4; and on the fact that the proposed zone changes would be the most appropriate zones. This action is subject to formal written findings and facts which are to be prepared by staff for consideration and ratification at its next regular meeting. Following discussion the MOTION CARRIED unanimously, and so ordered.

3. PD-77-1                      Concerning the approval of the Final Development Plan and Program for Forest Hills Estates, the application of a Planned Development overlay zone, and approval of a Preliminary Plat.  
    ZC-78-7  
    S-78-6

The Planning Director presented basic information about zoning for the Planned Development. The Public Works Director provided information and answered questions concerning storm drainage, pedestrian access, bicycle paths, signalization and access of Freeman Way to the Expressway, street setbacks, and a proposed cul de sac at the south end of Freeman Way.

Ray Bartel spoke for the applicant and answered questions from the Commission.

It was the consensus of the Commission to leave Freeman Way as a through street, and not make it a cul de sac with access only to the Expressway.

It was the consensus of the Commission that the Convenience Store should remain in the Planned Development, to be approved as a conditional use.

Following discussion, it was MOVED by Monetti, seconded by Foeller, that the three final components of the Planned Development; PD-77-1,

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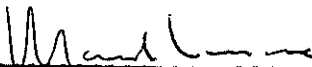
ZC-78-7, and S-78-6 be approved with the staff conditions recommended on pages 15 through 20 of the July 25, 1978, staff report, including the following additional conditions to those set forth on page 17;

- o. That the Planning Commission conduct design review on proposed building projects.
- p. That no building permits shall be accepted for projects indicated on exhibit A numbered (a) through (g) (Plan sheet 9, including the three commercial buildings and the four apartment buildings) and access (h) (the easterly driveway to the apartment complex) until the signalization of the intersection of Freeman Way and Highway 224 is operational.

This action is based upon findings in the staff report of July 25, 1978, concerning PD-77-1, the LCDC Goals and Guidelines, public testimony and supporting evidence, and the final findings to be presented to the Planning Commission at their next regular meeting for ratification.

MOTION CARRIED with Kennedy, Foeller, and Monetti voting in favor, Bond and Lotz voting against, and the Chairman not voting; and so ordered.

Meeting was adjourned at 10:20 p.m.

  
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Mark Landis, President

ATTEST

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Kay Gitchell, Secretary