

City of Milwaukie
PLANNING COMMISSION REGULAR MEETING
April 24, 1979

The regular meeting of the Milwaukie Planning Commission was held on April 24, 1979 in the Council Chambers of Milwaukie City Hall. The meeting was called to order at 7:00 p.m. by Mark Landis, President.

Members present: Mark Landis Louie Monetti
Tom Bond Jim Lotz
Bob Gudge1 Bob Kennedy

Also present: Cy Nims, Planning Director
Jon Stein, Assistant Planner
Janet Call, Secretary

The Pledge of Allegiance was recited by those present.

IT WAS MOVED by Lotz, seconded by Monetti, to approve the minutes of the March 27, 1979 regular meeting. MOTION CARRIED unanimously by those present.

Tom Foeller entered the meeting at 7:04 p.m.

PUBLIC HEARINGS

Willamette Greenway Consideration by Planning Commission to recommend to City Council that the City of Milwaukie recommend to LCDC the inclusion of Kellogg Lake within the Willamette Greenway Boundary.

The public hearing opened at 7:05 p.m. Cy Nims presented the issue of inclusion of a selected area surrounding Kellogg Creek within the Willamette Greenway Boundary. Correspondence was received from Alder Hill Organization and from Neighborhood Council #1 in support of this proposal.

Speaking in favor: Gene Lambird, representing Kellogg Lake Friends

Mr. Lambird presented a leaflet being distributed by this organization and reiterated LCDC goals on the WG Willamette Greenway Boundary.

Speaking in favor: Pierre Brunelle, NC#3
Thelma Savage, NC#1

Speaking in opposition: Dale Harlan, 2244 S.E. Lake Road; office at 2202 SE Lake Road

Mr. Harlan distributed a paper explaining his opposition to the proposal. He felt the Greenway would be financially prohibitive, would increase public use of private property, and would interfere with the wildlife habitat.

In opposition: Roger Mundorff, attorney for Kronberg property on west side of lake
Alan Brickley, 19620 White Cloud Circle, West Linn

Mr. Brickley represents a group who wishes to develop some Kellogg Lake property into a housing project for deaf, handicapped residents. They want to maintain their option to develop the property.

Considerable discussion followed, concerning the possible effect of the Greenway on property value, access, future development, present and future land uses, and in general what the proposal would accomplish.

Speaking: Gene Leitz
Jack MacDougall, 2702 Lakewood
Mr. Washburn, 4735 Whitelake
Boyd Jossy, 12730 SE McLoughlin
Jack Brenneman, 12521 SE Guilford
Mrs. Kerr, 2506 SE Lake Road
Joan Young, 14210 SE Carmenter Drive

The public hearing was closed at 8:48 p.m. IT WAS MOVED by Monetti, SECONDED by Kennedy, that a joint meeting between Planning Commission and City Council was necessary to clarify the nebulous issue and provide additional insight. MOTION CARRIED, with Bond voting against. The Planning Commission indicated that it would welcome additional written testimony on the matter. It was consensus that a decision on the recommendation would be rendered at the next regular Planning Commission meeting.

ZC-79-1 Richard Farance, property owner. Initiation of zone change from Clackamas County R-10 to Milwaukie R-7, Single Family Residential, if and when property at 9310 S.E. 55th is annexed to the City of Milwaukie.

Recess was taken at 9:00, and the meeting was reconvened at 9:10 p.m.

Public hearing opened at 9:10 p.m. Jon Stein gave staff report recommending zone change initiation upon annexation.

Speaking in favor: Dick Farance, property owner

Speaking in opposition: Gary Kellogg, 9407 SE Stanley

Louie Monetti commented on the cost to the city resulting from annexations, and the little return realized.

Speaking in favor: Pierre Brunelle, NC#3

The public hearing was closed at 9:18 p.m. IT WAS MOVED by Kennedy, SECONDED by Bond, to recommend to the City Council that upon annexation to the city, zoning of the subject property be changed from County R-10 to City R-7 for the three reasons given in the staff report. It was concluded that it would be easier for the city to handle the property in a city zone with which we are familiar. MOTION CARRIED, with Monetti abstaining.

It was the feeling of the Planning Commission that the City may need to decline annexations for properties which only need services. Some members felt that those annexing to the city should pay for services in a way similar to a systems development charge or connection fee. It was felt annexation matters should be dealt with at the level of the Comprehensive Plan and that the issue could be brought up at the Joint Meetings with the City Council on May 24 and May 31.

April 24, 1979

E-79-1 Allan Ritzer Development Co., applicant. Request to allow a 50-unit multi-family senior housing complex in an R-7, Single Family Residential, zone at 12203 SE 33rd Place.

Public hearing was opened at 9:30 p.m. Tom Foeller disclosed the fact that he has had dealings with the applicant on a business level. He will participate in the discussion but will abstain from voting. Jon Stein gave staff report recommending denial of this application for the reason that the criteria for granting an exception are not met.

Speaking for applicant: Martin Cohen, 605 E. Arlington, Gladstone

Mr. Cohen indicated the proposed project is to be funded under HUD Section 8 Housing and the applicant must meet their requirements as well as the conditions the Planning Commission deems necessary.

In opposition: Art Hall, 3264 Lake Road, expressed concerns about the number of children who use the driveway areas near 33rd Place for bicycling and the safety hazards of increased traffic congestion.

In opposition: Howard Murphy, 12101 S.E. 33rd Place, felt this project is not in the best interest of the community. He indicated an access problem on the narrow, private road to the property, which is presently being used by 9 families and a florist business. He doesn't feel that even a 25 ft. road would help the problem. He mentioned that elderly people do not like to climb hills and that this fact would adversely increase traffic.

In opposition: Gene Leitz, 3306 SE Lake Road, stated that the key issue is the right of way on the land, which would probably do away with his parking lot. The developer has not approached him nor mentioned any sort of reimbursement. He is also against anything that would affect his neighbors.

In opposition: Pierre Brunelle, NC#3, reiterated concerns already expressed and indicated opposition.

Rebuttal: Martin Cohen, representing applicant.

Mr. Cohen indicated that Clackamas County has changed their zoning to allow senior housing as a conditional use in residential zones. He asked that the city consider doing the same. He indicated that an easement for access would have to be purchased.

Public hearing was closed at 10:28 p.m. The Planning Commission indicated that the parking shown on the proposal would probably be inadequate. They felt that the intent of R-7 zoning would be circumvented, and that it would be better to change the zone to A-2. Members agreed to the need for senior housing in Milwaukie. The new Comprehensive Plan should address this. They questioned the suitability of this particular location for senior housing. IT WAS MOVED by Bond, SECONDED by Lotz, to deny E-79-1 because the application does not meet the criteria for granting an exception. MOTION PASSED, with Foeller abstaining.

C-79-1 The Murphy Company, applicant. Request to expand present operation of plywood plant in M-G, General Manufacturing-Industrial, zone located at 3105 SE Harrison. This is a continuation of Public Hearing from 2/27/79.

Jon Stein indicated that the applicant has not provided any additional information. Staff will be meeting with the applicant in the near future to discuss conditions to be met for approval.

CONSIDERATION

S-78-7 Guido Bocci, applicant. Request for final plat approval of Torino Phase IV, 8-lot subdivision located on the northeast corner of Railroad and Home Avenues.

Jon Stein gave staff report, recommending approval as the three conditions have been met. IT WAS MOVED by Gudge, SECONDED by Kennedy, to approve S-78-7 based on recommendation by staff. MOTION PASSED unanimously by those present.

S-78-4 Robert Larson, applicant. Request for final plat approval of Gardena, proposed 5-lot subdivision in R-7, Single Family Residential, zone located at 5011-5053 SE King Road.

Staff report, recommending approval, was presented by Jon Stein. IT WAS MOVED by Monetti, SECONDED by Foeller, to approve S-78-4 based on staff's reasons for recommendation. MOTION CARRIED unanimously.

VR 79-8 Kenneth Roberts, applicant. Request to replace an older dwelling by moving another house onto the old foundation, with the new dwelling overhanging the foundation by 3 ft. on the south side, requiring a 1 ft. variance, in an R-7, Single Family Residential, zone located at 8930 S.E. 42nd Avenue.

Staff report was given by Jon Stein, including two alternative recommendations for action. Questions were raised concerning the conditions of the property and existing buildings.

Speaking: Kenneth Roberts, 8930 S.E. 42nd Avenue

Mr. Roberts indicated that he intends to repair and upgrade the property and improvements. IT WAS MOVED by Lotz, SECONDED by Bond, to approve VR-79-8 for the reasons cited in Staff Recommendation "B". Staff report was to be corrected to indicate the house is on the sewer system.

VR-79-7 Roland Boyce, applicant. Request to allow a side yard of 6 ft. rather than required 10 ft., on a home addition in an R-7, Single Family Residential, zone located at 12105 SE Juniper.

Staff report recommending approval was given by Jon Stein.

Speaking: Roland Boyce, 12105 SE Juniper

IT WAS MOVED by Kennedy, SECONDED by Gudge, to approve VR-79-7 for reasons stated in the staff report. The third reason, however, was to be deleted, as the Planning Commission felt these type of variances should be dealt with on a case-by-case basis. MOTION PASSED unanimously.

Street Guide Plan Adoption of future street guide plan for vacant parcels on north side of Lake Road near 39th Avenue.

Cy Nims gave presentation for street guide plan for the area north of Lake Road near 39th Avenue. Public Works approves of the plan developed by staff. The Planning Commission felt the concept is good but should be flexibly applied. IT WAS MOVED by Foeller, SECONDED by Kennedy, to adopt the Future Street Guide Plan for Hillside area as the most feasible way to assure orderly development of the area. MOTION CARRIED unanimously.

M-79-13 Orville Crull, applicant. Request to minor partition 6.75 acre tract to create .875 acre parcel for sale of an existing home, located at 12293 SE 40th, in an R-10 Single Family Residential zone.

Staff report was given by Jon Stein. Because of the large tract and potential impact, it is being brought before the Planning Commission.

Speaking in favor: Orville Crull, 12293 SE 40th

IT WAS MOVED by Kennedy, SECONDED by Lotz, to approve M-79-13 with the three conditions in the staff report. MOTION CARRIED unanimously.

A-78-6 Al Carrick, Holiday Management Co., applicant. Request for annexation to the City of Milwaukie of property at 5555 SE King Road, referred to the Planning Commission for report and recommendation.

Jon Stein gave staff report recommending approval and recommendation to City Council for annexation. The developer needs to annex to obtain city water service.

In opposition: Pierre Brunelle, NC3

He felt that this application was blackmail. NC3 was against this development in the beginning, but it was built under county regulations. He feels the building inspector should have been able to inspect it if it was intended to annex into the city. A drainage problem has been created at the rear of the site by the construction and the easement at the back has been ruined. IT WAS MOVED by Lotz, SECONDED by Monetti, that due to the fact the only testimony given was in opposition, A-78-6 be denied. Reasons given were that it is just an island extension annexation, that does the city no good; it is a wedge for the developer to get something he didn't want to come to the city in the first place to get. Discussion followed. The Commission felt that if the Water District assured them in the beginning that they could provide them service, they should work out an agreement with the city to meet their commitment. It was felt that if the application is turned down and water is the key issue, the city could change their policy and sell them water on outside rates. It was also felt that this case pointed up the need for a discussion with the City Council on annexation policy. MOTION CARRIED, with Gudge! abstaining.

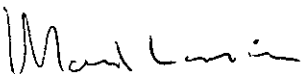
Zone Change initiation for Ottenbacher property will be discussed at May 8th meeting.

It was suggested that the agenda be redesigned to include a Consent Calendar for approval of simple, routine items, so that these can be disposed of more readily.

Street Vacation Proposal to vacate street on south side of Keller
Park on Willamette River and exchange property with
Gordon A. Morterud.

IT WAS MOVED by Foeller, SECONDED by Lotz, to approve the street vacation in
Island Station area. MOTION CARRIED unanimously.

Meeting adjourned at 11:50 p.m.



Mark Landis, President

ATTEST:



Janet Call, Secretary

City of Milwaukie
PLANNING COMMISSION REGULAR MEETING AGENDA
April 24, 1979

1. Call to Order: 7:00 p.m., Council Chambers, City Hall, 10722 SE Main Street
2. Minutes of March 27, 1979 regular meeting
3. Audience Participation
4. PUBLIC HEARINGS

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Adoption of future street guide plan for vacant parcels on north
side of Lake Road near 39th Avenue.

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partition 6.75-acre tract to create .875 parcel
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40th, in an R-10 Single Family Residential, zone.

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OTHER BUSINESS

1. Ottenbacher zone change initiation (ZC-79-2)
2. Wilkins appeal (VR-79-5)