

CITY OF MILWAUKIE
MINUTES OF PLANNING COMMISSION

REGULAR MEETING

MAY 11, 1982

MEMBERS PRESENT

Don Trotter
Patricia Jamtgaard
George Cathey
John Littlehales
Rebecca Sweetland
Al Liane

STAFF PRESENT

Topaz Faulkner, Planning Director
Carol Lee, Secretary
Steve Hall, Public Works Director

Mr. Trotter called the meeting to order at 7:00 p.m.

3.1 Variance Request VR-82-8

Ron Miller, Applicant;
Cinema V theater, Saunders/Walker Theater, Property Owners

LOCATION: 11011 Main Street, Milwaukie

PROPOSAL:

Request to reduce area that must be left or planted in trees, grass, shrubs, etc. from minimum 15% to 0%, rather than 3% as indicated by applicant.

Request to increase building coverage from maximum 85% to about 86% of total area of the lot to allow construction of two movie theaters. A potential landscape area has been graveled and is used as a parking lot. The applicant intends to plant shade trees within the street right-of-way on Main and Jefferson Streets, to help compensate for lost open space.

Mr. Trotter asked if any of the Commissioners had a conflict of interest. There was a negative reply.

Topaz presented the Staff Report.

Ms. Jamtgaard asked if it was necessary to include a provision to prevent vehicle access on the sidewalk by installing curbing. Topaz explained the statement was intended to protect the street trees that will eventually be planted along the sidewalk.

APPLICANT'S RESPONSE:

SPEAKING: Ron Miller, P.O. Box 1515, Portland, Ore. 97207
Architect for Saunder/Walker Cinema V Theaters

Mr. Miller said the applicant was willing to work with Staff on a plan that would allow maximum square footage for the proposed theaters. They would be agreeable to providing landscaping and

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street trees as required by Staff. The curb cutout presently allows vehicle access to the adjacent gravel parking lot. There will be no need for that access after construction. Handicapped access will be provided at the curb, and all entrances and exits.

Mr. Trotter asked if there was any one present who wished to testify in favor or opposition to the requests. Mr. Trotter asked if any one had questions regarding the requests.

SPEAKING: PAUL GRAHAM, Graham's Stationery, Milwaukie

Mr. Graham said he did not see that there would be a problem with parking because the surrounding businesses are closed during the evening hours. Mr. Graham suggested there be a gate across the alleyway that would only allow exiting from the theater. Preventing access into the alley would curtail youngsters from loitering in the dark alleyway.

Mr. Cathey made a Motion to approve VR-82-8 based on the Findings and Conditions of the Staff Report and the lack of testimony at the public hearing. Ms. Jamtgaard Seconded the Motion.

Mr. Littlehales made a Motion to add Condition #5: Existing driveway to be brought up to City Standards for curbing on Jefferson Street. Ms. Jamtgaard Seconded the Motion. The Motion to amend the Conditions carried unanimously.

Mr. Trotter made a Motion to revise Condition #2 to read: Landscaping plans to include maintenance program to be approved by Staff. Ms. Sweetland Seconded the Motion to revise Condition #2. Mr. Trotter explained that the property owner is responsible for the upkeep of the street trees in front of the establishment. The Motion carried unanimously.

Mr. Trotter made a Motion to add Condition #6: Applicant to submit a Conditional Use Request for proposed game room. Mr. Littlehales Seconded the Motion. Mr. Trotter explained that even though the game room would occupy a small portion of the building it is a Conditional Use in the Commercial Zone. The Motion to add Condition #6 carried unanimously.

SPEAKING: Mr. Saunders, Property Owner

Mr. Saunders stated he was not opposed to the Conditions set by the Commission, but he did not want construction to be held up because of the Conditional Use Request. He wants to start construction on the theaters this summer.

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FINDINGS:

1. The proposal would comply with the following elements of the Comprehensive Plan:
 - A. OBJECTIVE #1 - Economic Development, Polciy 2, Page 35.
 - B. OBJECTIVE #2 - Employment Opportunity, Policies 1 and 2, Page 36.
 - C. OBJECTIVE #9 - Downtown Office Center
2. The property appearance will be improved.
3. The site is not now landscaped. Norway Maples will be planted within right-of-way along the street frontage of the property and help to buffer and soften the view of the building from adjacent properties.
4. The site periphery will have more landscaping than adjacent properties.
5. Access to the site is adequate.
6. The appearance of the downtown area will be improved.
7. Noise impacts will be minimal.
8. Section 4.07 - Distance From Property will be complied with.
9. All other applicable Ordinances will be complied with.
10. Customers will park cars on-street. The theater will be mainly open when other commercial uses will be closed, reducing on-street parking pressure. Parking in the lightly used parking stalls, south of Washington Street would further reduce parking pressure.
11. There are no feasible alternatives.
12. Benefits outweigh adverse effects.

CONDITIONS:

1. Sign details to be approved by Staff.
2. Landscaping plans to include maintenance program to be approved by Staff.
3. Encourage customers to use on-street parking spaces, south of Washington Street.

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CONDITONS: (Continued)

4. Utilities drainage, curb and sidewalk improvements and procedures for fire protection to be approved by Public Works and Fire Departments.
5. Existing driveway on Jefferson Street be brought up to City Standards for curbing.
6. Applicant to submit a Conditional Use Request for the intended game room.

5.1 DISCUSSION OF ZONING ORDINANCE REVISIONS

There were comments regarding the distinction in definitions for: Cellar and basement (allowing for daylight basement), eating establishment, day care center, zero lot-line (involving mobile homes or modular dwellings with a provision for multi-family modular housing), home occupation (with 5 pupils), hotel kitchen facilities, loading area, lot depth to include flag-lot, lot to include reference to donations and land claims which the state will permit transference of title, mobile homes and manufactured housing used as offices, R1B to be changed to ROC Zone, a new definition for vegetation and vehicle.

6.1 CONSENT AGENDA
CITY COUNCIL MINUTES - APRIL 15, 1982

7.0 OLD BUSINESS

7.1 Topaz mentioned the City Council is in the process of interviewing for the vacant position of Planning Commissioner.

7.2 ELECTION OF OFFICERS:

Mr. Cathey nominated Don Trotter for President of the Planning Commission. Mr. Trotter nominated Ms. Jamtgaard for Vice President of the Planning Commission. There were no other nominations; the nominations were closed. The vote was unanimous, Don Trotter was elected President for another term, and Ms. Jamtgaard was elected as Vice President.

The Meeting Adjourned at 9:30 P.M.

AGENDA
PLANNING COMMISSION MEETING

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1.0 CALL TO ORDER

2.0 PROCEDURAL QUESTIONS

3.0 PUBLIC HEARINGS

3.1 VARIANCE REQUEST VR-82-8
RON MILLER, APPLICANT; CINEMA V THEATER, SAUNDERS/
WALKER THEATERS, PROPERTY OWNERS

LOCATION: 11011 Main Street, Milwaukie

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4.0 PUBLIC COMMENT

5.0 CONSIDERATION

5.1 Discussion of Draft Zoning and Development Code

6.0 CONSENT AGENDA

6.1 CITY COUNCIL MINUTES - APRIL 15, 1982

7.0 OLD BUSINESS

8.0 OTHER BUSINESS