

CITY OF MILWAUKIE  
MINUTES OF PLANNING COMMISSION  
REGULAR MEETING  
August 26, 1980

Members in attendance:

Don Trotter, President  
Leo Bauman  
Tom Bond (entered meeting at 7:12 p.m.)  
George Cathey  
Bob Kennedy  
Jim Lotz  
Bob Gudgel

Also Present:

Steve Hall, Director of Public Works  
Topaz Faulkner, Assistant Planning Director  
Jon Stein, Assistant Planner  
Francie Baker, Secretary

1. CALL TO ORDER

The August 26, 1980 meeting of the Milwaukie Planning Commission was called to order at 7:03 p.m. by Chairman Don Trotter.

2. CONSENT AGENDA - Nothing.

3. PUBLIC HEARING

3.1 E-80-1 Public Storage, Inc., applicant. Brem-Air Corp. Trustees, property owner. Request to allow a live-in manager with full residential facilities at a mini-storage/warehouse facility in M-L, Limited Manufacturing zone. Location is south of intersection of 40th & Wister St., north of Highway 224.

Jon Stein presented the staff report, which recommended approval with conditions and proposed findings and added that the Zoning Ordinance requires one covered parking space per residence.

The Public Hearing was declared opened.

Speaking for the proposal: Mr. Dean Beaumont, 32123 4th Avenue South,  
Federal Way, Washington.

Mr. Beaumont said that Public Storage, Inc., is the largest company in the U.S. in the warehouse business, with over 130 projects throughout the country and 12 in Canada, and it is the only business in which the company is involved. All facilities are managed by the company and all have a live-in manager. They feel that they are better able to serve the customer with a live-in manager and that it is necessary for security. Mr. Beaumont distributed photographs of their operations in other states. He explained that there is no objection to covered parking space for the manager, as it is the company's policy to furnish one.

No correspondence was received for or against the proposal.

Speaking against the proposal: Henry Wilcox, 11716 S.E. 40th Avenue, Milwaukie.

Mr. Wilcox would like to keep the area industrial as zoned now, as he has a small shop in that area and he expressed concern about the possibility of having to face more expenditures as a result of a Local Improvement District.

When asked by Gudgeon why a live-in manager would be necessary on off-hours with modern electronic security systems, Mr. Beaumont said that it is desirable for security reasons and also as a protection against fire, as the manager is able to report fires if necessary after hours. Part of gaining public acceptance of use of these facilities is to have someone present with the goods at all times because of their reluctance to accept electronic devices. In some facilities in very built-up areas, customers are allowed to enter and leave beyond regular hours; in some cases, 24 hours a day. Quite often, the warehouses are used as a buffer between industrial and residential property; in which case, the hours of operation may be limited so as not to disturb the residential area. The proposed warehouse is expected to cater to residential and condominium dwellers and should operate 12-14 hours a day.

Mr. Kennedy stated that he felt that the residential covered parking requirement in this instance should not be required and it was the consensus of the other commissioners that this was correct.

IT WAS MOVED by Kennedy, SECONDED by Cathey, to approve E-80-1 with the following findings and two conditions, and that covered parking space would be optional.

Findings:

1. The proposal is supported by the following elements in the Comprehensive Plan:
  - A. Objective 1, Policy 1, page 35
  - B. Objective 1, Policy 5, page 35
2. Property owner will be allowed to provide reasonable protection of facility.
3. There will be no adverse impacts to adjacent properties.
4. The overall effect will be minimal.

Conditions:

1. Utilities, drainage, roadway improvements and procedures for fire protection to be approved by Public Works Department.
2. Provide information on signing.

MOTION PASSED 6-0, with Bond abstaining.

President Don Trotter explained that all Planning Commission decisions are subject to appeal to the City Council.

- 3.2 PR-80-3 Steve Rosenberg, applicant and property owner. Request to PR-80-4 construct office/warehouse building within a: M-L, Limited Manufacturing Transition area abutting a R-3, Residential Zone to the southeast; and R-7 zone to southwest in the Floodway fringe of Flood Hazard zone of Johnson Creek; in significant natural area identified by the Environmental

Protection Ordinance; minor land partition parcel into two 21,000 sq. ft. lots. Location is between Johnson Creek on the east and Johnson Creek Blvd. on the west, north of Brookside Drive, south of Portland Traction railroad tracks.

Jon Stein gave the staff report, which recommended approval and expressed concerns about the impact of vegetation along the stream bank. The staff noted the difficulty in determining from the site plan whether or not the buildings actually would be located the required 15 ft. back from the stream. Steve Hall said that Clackamas County Environmental Services controls the right-of-way on that portion of Johnson Creek Blvd.

Verbal correspondence received was a telephone call from Arnold Hatelid, 4277 S.E. Johnson Creek Blvd., Milwaukie, who expressed concern over: (1) capacity of sewage treatment plant; (2) developing site within reasonable time limit to prevent creation of nuisance with unpaved parking, etc., over a long period. Steve Hall responded that there is no problem with the capacity at the sewage treatment plant or with the pump station located there.

Speaking for the proposal: Mr. Steve Rosenberg, 621 S.W. Morrison, Portland, Oregon..

Mr. Rosenberg said that he intends to keep the development of the property light manufacturing as it is now designated. He presented pictures of the building as it will appear when completed. He added that the building is designed one foot above the flood plain and will be reinforced appropriately. There is no construction in the floodway and the site will be buffered. Ingress and egress will be off Johnson Creek Blvd. which should not cause traffic problems. Mr. Rosenberg expressed his concern for preserving the creek, since he regards it as a marketing tool. He said that natural flowers and vegetation are there now and what is cleared out by construction will be replanted. Planning commissioners expressed concern regarding the cottonwood trees shown as being very close to the proposed structure and whether or not these trees could be saved.

Also, concern was expressed by the commissioners as to the traffic on Johnson Creek Blvd. Mr. Rosenberg said that he shared the same concerns and that this was the only economical way to obtain the needed space on the site and that the driveway is as far away from the nearby apartments as possible.

After some discussion, the public hearing was declared closed.

IT WAS MOVED by Kennedy, SECONDED by Bauman, to approve PR-80-3, PR 80-4, M-80-3, with findings and conditions as follows:

Findings:

1. The proposal complies with the following relevant elements of the Comprehensive Plan:

A. Policies 1; 2, 3, 4, 5, Objective #1 Floodplain (page 12).

B. Policies 2, 3, 4, 5, 6, 7, 8, 9, 10, Objective #1 Ecologically Significant Natural Areas (page 14 and 15).

C. Policies 2, 3, 4, 7 Objective #2 Open Space (page 15 and 16).

2. The proposal complies with the following relevant elements of the Environmental Protection Ordinance:

A. Policies c, d, e, f, i, j, Section 4.02 (page 2 and 3).

3. The parcel, if developed in accordance with recommended conditions, will have minimal negative impacts on adjacent residential and natural areas.
4. The building foundation will be waterproofed and above the 100-year floodplain of the flood hazard zone.
5. Measures have been taken that preserve the integrity of the stream bank of Johnson Creek.
6. The cottonwood trees on Johnson Creek will be preserved.
7. The earth tone color of the building will be compatible with the natural area along Johnson Creek.

Conditions:

1. All utilities, drainage, street improvements, curbs, sidewalks and procedures for fire protection to be approved by Clackamas County Department of Environmental Services.
2. Provide dimensional site plan showing parking lot and building 15 ft. south of stream bank.
3. Preserve or replace cottonwood trees as determined by staff.
4. Provide minimum 4 ft. high landscape berms along north and south property lines to be approved by staff.
5. Provide details on exterior lighting plan.
6. Outdoor lights shall not reflect onto adjacent parcels.
7. Bury all new and existing utility lines and install street lamps to be approved by Public Works.
8. Repair sidewalks and curbs to specifications of Public Works.
9. Improve vehicle maneuvering area at south end of each parking lot.
10. Provide public access easement and/or dedication on west side of Johnson Creek to be improved to city standards when loop trail system is developed.

Trotter expressed appreciation of the commissioners to the applicant for a job well done in trying to preserve the creek area.

The motion was approved 6 - 1.

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5. CONSIDERATION

- 5.1 A-80-4 Brenda Townsend, applicant. Don Gollyhorn, property owner. Request to consider petition of Don Gollyhorn to annex to City of Milwaukie properties located at 5650 and 5654 S.E. King Road in order to obtain city services in an R-7. Residential zone.

Jon Stein gave staff report, stating that the applicant desires improved water services to the property for fire protection and residential use, and recommending approval with Findings. No correspondence was received. The applicant was present to answer discussion questions.

IT WAS MOVED by Gudgel, SECONDED by Lotz, to recommend to the City Council to approve annexation and to initiate zone change from Clackamas County R-10 Residential to Milwaukie R-7, supported by findings. MOTION PASSED unanimously.

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FINDINGS:

1. Subject property is designated Low Density Residential in the Milwaukie Comprehensive Plan.
2. The plan specifies that R-7 is an appropriate zone for Low Density classification.
3. Within the city in this vicinity, surrounding residential areas are classified R-7 Residential.

Trotter explained that as of last Planning Commission meeting, staff was asked to incorporate the zone change for public hearing at the same time as annexation request hearing rather than have two hearings on the same item. The Council doesn't hold hearings on annexation or zone change.

5.2 VR-80-24 Freeport Investment Corp., applicant and property owner. Request to allow a variance for two banner signs that will be displayed for more than 14-day maximum time period during a 12-month period in R-10, Planned Development Residential zone. Location is at southwest corner of Freeman Way and Highway 224.

Jon Stein gave the staff report, recommending denial since staff feels that the variance criteria for an exception in this case have not been met. Slides were presented with views of the banner signs.

Leo Bauman declared a conflict of interest and abstained from discussion.

Speaking for the applicant: Michael Healey, Freeport Investment Corp.  
13800 S.E. Webster Road  
Milwaukie.

Mr. Healy stated that he feels the purpose of a sign ordinance is to allow reasonable recognition. At this location, it is very difficult to read the smaller sign from the freeway since cars are speeding by in excess of 50 m.p.h. The purpose of the larger signs was to get recognition from a distance since they were also harder to read looking sideways from a moving vehicle. He said that the adjacent surrounding properties are not similar and makes this an unusual condition, warranting the recognition created by the sign. He added that, when the intersection at Hwy. 224 and Freeman Way is improved and people are occasionally slowing down for a stop light, at that time, the permanent display signs would be adequate. The traffic signal is expected to be in operation by January, 1981.

Discussion among staff followed, Bond saying that such an investment would reasonably require a desire to sell. Lotz questioned the possibility of other conversion apartment houses and real estate promotions putting up banners for indefinite lengths of time. Kennedy added that much time was spent writing the sign ordinance, and this request contradicts the philosophy of the ordinance.

This allowance could appear to give way to other billboards as well, he stated. He noted that the expressway was primarily designed to move traffic rather than to read signs. Gudgeon stated that the purpose of the sign ordinance was to cut down and control visual pollution of the city, and these banners add to that problem. Trotter read part of the sign ordinance as applied to the request. When asked by Cathey about time lengths, Mr. Healy replied that the condominiums went on sale March 1 and the signs have been on display for about two months.

IT WAS MOVED by Kennedy, SECONDED by Lotz, to deny VR-80-24. MOTION PASSED 5-1, with Bond voting against.

Findings:

1. The applicant would not be deprived of the privileges enjoyed by owners of adjacent property.
2. The granting of the variance will constitute a special privilege.
3. The banners will be visible from distant residential locations.
4. The view of the surrounding natural area and earth-toned condominiums will be impaired.
5. The sign will be in conflict with Objective #2, multi-family housing neighborhood area 1, p. 54.
6. OTHER BUSINESS

6.1 Consideration of request to use property and building at 10665 S.E. McLoughlin for a mobile automatic transmission repair service, in a C-L zone.

Assistant Planning Director Topaz Faulkner explained that staff is requesting direction from the Planning Commission because of the amount of concern over this site in the past; in particular, because of the traffic problems. She explained that, after some discussion, it is the opinion of the City Attorney, Public Works Director and herself that the operation described by the applicant is somewhere between a retail trade establishment and a personal service business, both of which are allowed as outright uses in the C-L zone. It also appears that this proposal would generate less traffic than any of the other permitted uses listed in the zone because customers would not be required to come to the site for service. Faulkner said that she is aware of the potential for traffic problems at the site. However, the site is an eyesore and it would be to the benefit of the city to have someone leasing it and making improvements if the tenant could indicate that little traffic would be generated. The staff request was for commission direction as to whether the request should be treated as an outright use or as a conditional use and put through the formal procedure.

Kennedy said that in view of the history here, it should be treated as a conditional use since earlier the Planning Commission had gone to the extent of videotaping traffic, which showed the density of traffic to have impact. Trotter said treating the proposal as a conditional use would give the Planning Commission an opportunity to review the proposal and attach any special conditions felt to be necessary for that particular site, while treating it as an outright use

would not give this opportunity. Lotz suggested that as small businesses sometimes grow, and take a different direction, this would be a good point. Consensus was to consider the proposal as a conditional use, and Trotter advised that the applicant work together with staff during office hours and submit appropriate paperwork.

The meeting was recessed at 8:55 p.m.

The meeting reconvened at 9:06 p.m.

## 7. OLD BUSINESS

### 7.1 Presentation on waterfront by City Manager, Ken Whorton.

Present were:

City Manager, Ken Whorton  
Planning Commission members, Don Trotter, Leo Bauman, George Cathey,  
Bob Kennedy, Jim Lotz, Tom Bond and Bob Gudgel.  
Parks and Recreation Commission: Eloise Hobson, Larry Mura, Virginia  
Stabenow, Wayne Logemann, and Betty Stephens  
Senior Citizens Advisory Council: Gail Bassett  
Human Services Coordinator: Sarah Hite

Trotter explained that basically the meeting is being held in order to fulfill the directives from the City Council for the commissions to evaluate criteria for the waterfront development and forward a recommendation to the City Manager, who will review it. His comments and recommendations will be forwarded to the City Council for their approval before giving it to the consultant to do the Planning work for the waterfront development. The City Council has charged the Planning Commission to be the lead commission in this particular endeavor, since it encompasses both recreational as well as commercial components on the waterfront. A subcommittee has been appointed and has done some work. The City Manager was present.

Don went over the materials presented, explaining that the prime responsibility of the commissions is to prioritize the criteria that are developed either from what is presented by the City Manager, or others developed as spinoffs from these. Then the City Council will have a listing of which elements it is felt the consultant should consider above all other things in this development and which items are desired in regard to everything else.

Chairman Trotter announced that a special meeting would be held on September 4, 1980, in the Council Chambers devoted solely to discussions on the waterfront development in order to progress in an expeditious manner. The City Manager's purpose in attending this evening's meeting was to give insight on the criteria presented here, to share his feelings on the waterfront development, and to answer any questions. Memo from the City Manager was given to members of all committees for their review before September 4, 1980, meeting.



City Manager Ken Whorton said that he and Bill Bach, Senior Planner from the Port of Portland, developed ideas as a starting point. Mr. Whorton said that he originally considered this to be a recreational project. Now, in order to obtain federal funds to be allocated for jobs, the project could be utilized to create construction and permanent jobs. If the money becomes available around January, 1981, he would like to see the consultant develop the project as fast as possible to put us in the position to apply for funding. Mr. Whorton said the major problem will be in trying to acquire property from Publishers Paper Co., since they are agreeable to moving, but need to find another location where they (Caffall Bros.) may develop the facilities they have at their present location.

In such case, Caffall Bros. would also take six months to a year in preparation before moving. They need to obtain a multi-purpose site where they can do barging as well as log booming. Currently, the City is working with the Port of Portland Publishers Paper in locating a suitable site for Caffall Bros.

Mr. Whorton stated that at some point the question of going directly to a bond issue for funding may have to be considered. One question to think about would be including Johnson Creek, or to simply confine it to the particular area designated between the city limits.

The following points were presented by Mr. Whorton:

1. Linking downtown with the waterfront. Hope for obtaining grants was expressed.
2. Providing boating opportunities. What type of boats, boat storage, moorage and related services is among questions.
3. Provide amenities for downtown workers or dwellers. How area should be developed to make it work, and problem of parking is concern here.
4. Downtown redevelopment. (How can the downtown complement the waterfront project?) Mr. Whorton mentioned the possibility that the downtown may not continue to grow as a retail center, but rather as an office center.
5. Improve waterfront environment within the site. Problems presented include eliminating traffic problems as well as relocating the log boom currently there.
6. Provide other recreational opportunities. Expense is a major factor as well as keeping area clean and free of vandalism.
7. Provide additional office space. The possibility of developing an office-center complex with a view could upgrade the downtown area for years to come, adding to some of the existing businesses.
8. Provide additional housing space. Since there is a limited space, decision must be made as to how to use it to best advantage, regarding which direction to build.
9. Provide continuous public waterfront. (If desirable, there needs to be a method

of securing access.) Relocating existing uses, acquiring public easements and type of design review process needs to be considered.

10. Stimulate private development. Question is whether to turn this over to private developer or hold a "hands off" policy.

Discussion by Commissioner Bond emphasized the need to keep waterway open to the public, and to prevent overdevelopment which will block views.

The feasibility of developing Elk Rock Island or Keller Park was mentioned. Elk Rock Island could not be dedicated as a Milwaukie park because it is controlled by the City of Portland. It must be maintained in its natural state also, with no buildings.

According to deed restrictions, Steve Hall said recommendation will be going into Metro Council on September 25, 1980. Discussion included light rail option being preserved by constructing improvements to McLoughlin and retaining portions of light rail right-of-way.

Planning Commissioner Lotz suggested that if a good job is done on the waterfront, the downtown area will develop by itself. Kennedy suggested that the project include the entire waterfront with support of all residents. It was mentioned that there are several service clubs in the city, what must meet out of the city because of lack of adequate restaurants and meeting facilities. The more diversified uses put into the waterfront facility, the more desirable it will be to a greater number of people with the restaurants being one element in the picture. The idea stressed by Mr. Whorton was to develop the waterfront in a manner that will provide something that citizens of the town will take pride in and strive to keep the Milwaukie identity rather than melting away in the greater metropolitan area. He said presenting all opinions and not only the majority is to be considered. Mr. Whorton added that \$10,000 can be squeezed from the budget for a master plan, which must be done first. Planning Commission Chairman agreed that the master plan is the critical element and this is the opportune time to plan.

The meeting recessed and reconvened at 10:08 p.m.

## 7.2 Downtown one-way grid system.

Downtown merchants have reported reduced traffic flow, and reports received from City Staff are that accidents were reduced by 50 percent after the changeover to one-way streets was made. Traffic flow is now higher on McLoughlin; a problem would be in changing the signals there to coordinate with changing the east-west traffic flow from one-way to two-way. The City Council will bring this up for discussion at their second meeting in September. Potential long-term parking sites was a subject of

concern with possibility of changing perimeter parking time limites from 2 to 4 hours. Steve Hall said that right-of-way on streets cannot be leased. He will work with Topaz Faulkner and Jon Stein on that problem. Staff agreed to research Comprehensive Plan to decide which elements to consider on this subject.

The meeting was adjourned at 10:22 p.m.

  
Donald L. Trotter, President

  
Francie R. Baker, Secretary

By P.A.B.

CITY OF MILWAUKIE PLANNING COMMISSION

AGENDA

August 26, 1980

1. CALL TO ORDER

2. CONSENT AGENDA

2.1 Approval of August 12, 1980 Minutes

2.2 City Council Minutes

3. PUBLIC HEARINGS

3.1 E-80-1 Public Storage, Inc., applicant. Brem-Air Corp. Trustees, property owner. Request to allow a live-in manager with full residential facilities at a mini-storage/warehouse facility in M-L, Limited Manufacturing zone. Location is south of intersection of 40th & Wister St., north of Highway 224.

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4. AUDIENCE PARTICIPATION

5. CONSIDERATION

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