

CITY OF MILWAUKIE
MINUTES OF PLANNING COMMISSION
REGULAR MEETING

October 28, 1980

Members Present:

Leo Bauman
George Cathey
Bob Gudge1
Bob Kennedy
Don Trotter
Jim Lotz

Also Present:

Topaz Faulkner, City Planner
Jon Stein, Assistant Planner
Pat Bullock, Secretary

Member excused: Tom Bond

1. CALL TO ORDER

The regular meeting of the Milwaukie Planning Commission was called to order at 7:03 p.m. by Don Trotter, President.

2. CONSENT CALENDAR

Don Trotter announced that there would be two changes to the agenda. Under Old Business, Alarid Action Printing, and under Other Business will be 7.3 regarding the December 23 meeting.

2.1 Approval of Minutes of October 6, 1980, with the following corrections:
To change the motion to:

"IT WAS MOVED by Bob Kennedy and SECONDED by Bob Gudge1 to recommend to the City Council to delete the 15 words as written."

2.1.a Approval of Minutes of October 14 with the following corrections:

On page 3, Trotter informed the audience rather than applicants.
On page 5, under Condition 5, "Landscape" should be deleted.
On page 5, Gudge1 voted against rather than "abstaining".
On page 6, Motion made by Kennedy rather than Gudge1.
On page 7, add 6th Finding: The site was somewhat unique in that it was a corner lot.

Trotter informed the audience that anything not on the agenda would come under the heading of Public Participation. He also informed the audience that all

rulings of the Planning Commission are subject to appeal to the City Council within fifteen (15) days..

Mr. Trotter opened the Public Hearings at 7:25 p.m.

3. PUBLIC HEARINGS

- 3.1 C-80-14 B & B Development, applicant. Fred Bremner, property owner. Conditional use request to construct a 2-story, 7,475 sq. ft. office building and 21-space parking lot at 2736 S.E. Harrison Street. The parcel is zoned R-2, Residential.

Jon Stein presented the staff report and slides of the site. Staff recommended approval of the conditional use request. A letter in support of the Conditional Use, dated October 28, 1980, from Anne Hinds was received.

Speaking for the Applicant: John Baunach, 7190 S.W. Barbur Lane, Tigard, Oregon.

Mr. Baunach, Architect, had the following responses to the conditions:

1. He will bring in a more detailed report of the improvements.
2. They will take advantage of the north south orientation ramp off of the east end of the building and extend it on out to provide pedestrian access from 28th Street. He felt that the pedestrian access from Harrison would be hazardous other than from the parking lot.
3. The Stangels, owners of the property to the south, support the applicant's plan for screening along the south property line. They want to maintain solar access.
4. They will provide a more detailed landscape and irrigation plan. Extensive use of grass groundcover would be very difficult to maintain due to the slope. A variety of vegetation will be provided. The proposed laurel hedge will be replaced.
5. The applicant will comply with the minimum parking lot dimension standards.
6. The building area will not be increased.
7. A shielded canopy light will be provided.
8. A sign detail will be submitted.

Speaking in support of the applicant: Ben Stangel, 10625 S.E. 28th.

He generally supported the plans as submitted. There was no one appearing against the applicant.

Public Hearing closed at 7:40 p.m.

George Cathey would also like to see some vehicular entrance from 28th rather than Harrison Street. Also, a ramp instead of stairs for wheelchair and pedestrian access.

Kennedy remarked that he thought that it was admirable that the developers worked with the neighbors. He would like to see some sort of separation between the wheelchair ramp and the automobiles.

Staff reported that, after discussion with Public Works, access from only Harrison Street would keep office traffic off of 28th Avenue.

Lotz remarked that it would be an ideal situation to combine the two driveways with the dental clinic. Staff concurred.

Gudgel liked the idea of a pedestrian ramp onto 28th Avenue.

Trotter supported a proposal by the applicant that partially obscured the parking lot from the street.

IT WAS MOVED by KENNEDY, SECONDED by LOTZ, to approve the Findings as presented in the staff report with 8 conditions as revised.

FINDINGS:

1. The proposed use complies with the following elements of the Comprehensive Plan:
 - a. Energy Conservation, Objective #1, Land Use, Policy 1, p. 82.
 - b. Energy Conservation, Objective #4, Sites and Building Design, Policy 1, p. 83.
 - c. Energy Conservation, Objective #2, Transportation System, p. 82.
 - d. Employment Opportunity, Objective #2, Transportation System, p. 35.
2. Impacts on adjacent residential area will be minimal.

CONDITIONS:

1. Details for utilities, drainage, sidewalk, wheelchair ramp and curb improvements, installation of wheelchair ramp at the southwest corner of Harrison Street and 28th Avenue to be approved by Public Works and Fire Departments.
2. Pedestrian and driveway access to be approved by staff.
3. Provide fencing and landscaping that would buffer and screen building from residences on south and southeast.
4. Submit a landscape plan that would show grass, groundcover and greater variety of plant materials and substitution of more appropriate screening material in place of laurel hedge. (Landscaping to comply with Sections 3.05.3.i and 4.14 of Zoning Ordinance to be approved by Staff.)

MEMORANDUM

TO: Planning Commission

FROM: Staff

DATE: October 20, 1980

SUBJECT: Suggested Revisions to Comprehensive Plan and Ordinances

The Comprehensive Plan Review Committee (C.P.R.C.) members will be appointed by the City Council on October 21, 1980, and will begin meeting in November. It may be of assistance to the committee, and to Leo Bauman, as your representative, if the Planning Commission provides a list of suggested revisions for the C.P.R.C.'s first meeting.

The final report and recommended modifications from the C.P.R.C. will be submitted to the Planning Commission in January or February. After a Public Hearing on the proposed revisions, the Commission's recommendations will be submitted to the City Council for final action.

5. Provide parking plan showing aisle width of 22' and curbing around the lot exterior.
6. If building area is increased, minimum off-street parking requirements must be met.
7. Shield security lighting from adjacent land uses subject to approval by staff.
8. Submit sign details in compliance with sign ordinance.

The vote was 6 - 0, unanimous.

3.2 C-80-15 Auto-Mizing Accessories, applicant. Frank and Sandy Wieneke, property owners. Conditional use request to operate an auto detail, stereo installation and accessory sales business in existing commercial building at 11922 S.E. 22nd Avenue (West of McLoughlin, north of Bluebird Street). The parcel is zoned C-L, Limited Commercial.

The Public Hearing was opened at 8:04 p.m. A letter from John Palmer, Manager of Williams Bakery regarding the use of company parking lot for four cars was presented for the applicants. Jon Stein presented the Staff Report and slides recommending approval with Conditions and supporting Findings.

Speaking: Frank Wieneke, 5681 N.E. River Street, West Linn, Oregon, Applicant.
Speaking for the Applicant: Ken Carner, 29580 S.W. Montibello, Wilsonville.
Speaking for the Applicant: Tom Haeley, 12717 S.W. Morrison, Beaverton.

Speaking Against: John Ford, 109 S.E. 54th Place, Milwaukie.

He has the cabinet store and doesn't think the parking arrangement would work out too well.

The public hearing was closed at 8:30 p.m.

Trotter advised that there is a communication breakdown between staff, the applicant and cabinet shop renter as to the utilization of the building. There must be adequate parking. The applicant must show eleven (11) off-street parking spaces for this use as required by the zoning ordinance.

It was the consensus of the Planning Commission to continue this agenda item 3.2 to the November 13, 1980, meeting to allow time for the applicant to develop a parking plan that would comply with the zoning ordinance.

- 3.3 VR-80-33, M-80-16 Robert and Cynthia Phillips, applicants and property owners. Variance request to minor land partition a parcel into two lots with Parcel 1 totaling 6,254 sq. ft. in area and Parcel 2 5,546 sq. ft. in area, rather than required minimum of 7,000 sq. ft. and lot width of 53' for Lot 1, and 47' for Lot 2 rather than required minimum of 60' at 11885 S.E. 28th Avenue. The property is zoned R-5, Residential.

The Public Hearing was opened at 8:45 p.m. Jon Stein presented the Staff Report, recommending approval and slides showing the site. The lots are 5,925 sq. ft. It would be appropriate to say that the zoning ordinance is applicable.

There were two pieces of correspondence against the proposal. One from Jack and Sylvia Shea, 11963 S.E. 28th, co-signed by Ann Zellel, 11917 S.E. 28th, and a letter from R. I. Knepper, Sr. There was a petition in support of the applicant.

Speaking: Robert Phillips, 11885 S.E. 28th, Milwaukie, Applicant.

Mr. Phillips stated that he has lived on the parcel for six years. They have enjoyed the luxury of having the extra lot for recreational purposes and raising a garden. However, it is now too expensive of a luxury, the property has now increased in value and he does not think it is being used to the best use. They would like to partition the property to two lots and construct a single family house that would maintain single family character of the neighborhood.

Speaking for the applicant: Gary Donovan, Realtor, 15021 S.E. Bush.

The division of this lot would provide space for affordable housing. A house in the \$45,000 - \$55,000 range would be constructed.

No one spoke against the proposal.

At 9:00 p.m., the Public Hearing was closed.

Kennedy remarked that the reason that the property is zoned R-7 instead of an R-5 is that most of the lots are roughly R-6's, but they didn't have that number then and they mostly went to the high side rather than the low side.

Trotter remarked that a variance would be required if a new house couldn't meet the setbacks. The lot is unique.

IT WAS MOVED BY CATHEY, [REDACTED] seconded by BAUMAN to approve with the change in Finding 5., with Conditions 1 and 2.

FINDINGS:

1. The request complies with Objective #4, Neighborhood Conservation, Policy 1, p. 31 of the Comprehensive Plan.
2. Benefits outweigh adverse impacts.
3. There are no feasible alternatives.
4. The request is the minimum necessary.
5. The platted lots on both sides of 28th Avenue are less than 6,000 sq. ft. each which, in an R-7 zone, is unique.

CONDITIONS:

1. Utilities, drainage and procedures for fire protection to be approved by Public Works and Fire Departments.
2. Lots 1 and 2 to comply with all applicable requirements of zoning ordinance.

The vote was 6 - 0, unanimous in approval.

- 3.4 ZC-80-5 John Beck, Darryl and Christina Eddy, applicants and property owners. Request for zone change from Clackamas County R-7, Residential, to City R-5, Residential, for vacated 10' x 150' portion of 24th Avenue located adjacent to 12484 S.E. 24th Avenue and 2409 Dove Street.

At 9:10 p.m. the Public Hearing was opened and closed as no one appeared for or against the applicants.

GUDGEL MOVED that we recommend to the City Council that the parcel be rezoned from County R-7 to City R-5, SECONDED by LOTZ, based on the findings in the Staff Report.

FINDINGS:

1. Property is designated Moderate Density Residential in the Milwaukie Comprehensive Plan.
2. The Comprehensive Plan specifies R-5 as an appropriate zone for moderate density classification.
3. Adjacent residential areas in the City are zoned R-5 Residential.

IT WAS APPROVED 6 - 0, unanimous.

Review of Conditional Use at the end of 6-months of operation.

3.5 C-80-5 Clackamas County Mental Health Center, applicant. Gene and Sharon Rickert, property owners. Six-month review of Clackamas Mental Health Center at 4199 S.E. King Road. The parcel is zoned R-3, Residential.

The Public Hearing was opened at 9:20 p.m.

Jon Stein reported that all of the conditions have been met and staff hasn't received any adverse comments. Staff did a thorough job of posting all of the notices and notifying the neighbors.

Speaking for the Applicant: Michael Taylor of the Clackamas County Mental Health Center.

He would like to have the condition changed to 15 clients on-site.

Bauman stated that he didn't think it needed a restriction. It is apparent that this organization has been successful in handling the situation with the students. There was substantial disagreement at the earlier Public Hearing, but now, there is no one here or no correspondence against.

Mr. Taylor stated that it is inspected at all times by federal, state and county agencies.

Lotz stated that a year from now there might be a different staff at the Center.

Public Hearing was closed at 9:25 p.m.

GUDGELOVED that we allow this building at 4199 S.E. King Road to continue as a counselling facility and to change the original limitation from 10 clients to 15, providing Conditions 3 and 4 of C-80-3 are complied with. SECONDED by MR. LOTZ. BAUMAN wanted "on-site" added to Motion. MOTION CARRIED 6 - 0.

Condition 3: The maximum number of clients will be limited to fifteen (15) on-site clients.

Condition 4: Pave 12th space in southwest corner to City standards.

6. OLD BUSINESS.

Request for clarification of sign variance for VR-80-26. Staff was confused on the total area allowed for the free-standing sign and whether the sign could be two-faced.

Cathey: The existing sign is 4' x 8' and we told them that they could put another 4' section on top of that and the sign will be one-faced. There were no motions.

7.1 Tri-Met slides of the Transit Stations at Beaverton and Cedar Hills were presented.

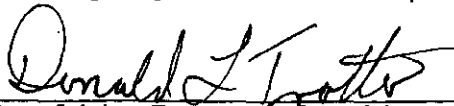
Topaz Faulkner announced that Tri-Met is holding public hearings on the project funding for the Milwaukie Transit Station. If Jackson Street is used, it will probably be a temporary station until funding is secured for the development of the Shell Station and City Parking lot west of City Hall. A transit station must be built by September, 1981, regardless of whether Tri-Met has acquired the property. If the property is not acquired, Tri-Met will go with the Jackson Street option. She announced that most of the money for this is transfer funds from the Mt. Hood Freeway.

7.2 Topaz announced that she is sending letters to all of the Review Committee compiling a list of problem areas that have been discovered by Staff and Planning Commission. She would like Planning Commission input this week. After this week, point them out to Leo Bauman.

7.3 It was the consensus of the Planning Commission to cancel the December 23, 1980 meeting because of possible conflicts with the Christmas holiday.

7.4 George Cathey stated that traffic has been blocked on Harrison Street for several minutes because the crossing gate was down while the Amtrak train was picking up passengers. Topaz called Jack Graham about the complaints. He stated that the engineers forget where to stop before the signal arm trip point. The State is going to paint lines to let them know where to stop, eliminating this problem. She will write Mr. Graham to urge him to solve this problem.

Meeting adjourned at 9:50 p.m.



Donald L. Trotter, President

ATTEST:



Pat Bullock, Secretary

CITY OF MILWAUKIE PLANNING COMMISSION

AGENDA

October 28, 1980

1. CALL TO ORDER
2. CONSENT CALENDAR
 - 2.1 Planning Commission Minutes from October 6, 1980 and October 14, 1980.
3. PUBLIC HEARINGS
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 - 3.5 C-80-5 Clackamas County Mental Health Center, applicant, Gene and Sharon Rickert, property owners. Six-month review of Clackamas Mental Health Center at 4199 S.E. King Road. The parcel is zoned R-3, Residential.
4. PUBLIC PARTICIPATION
5. CONSIDERATION
6. OLD BUSINESS
7. OTHER BUSINESS
 - 7.1 Staff slides of Tri-Met Transit Stations at Beaverton and Cedar Hills.
 - 7.2 Suggestions from the Planning Commission for Ordinance Revisions in November.