

PLANNING COMMISSION MINUTES

REGULAR MEETING

SEPTEMBER 25, 1984

MEMBERS PRESENT

JOHN LITTLEHALES
BOB BROWN
JOHN FOSTER
BOB KNUDSON
DON TROTTER

STAFF PRESENT

TOPAZ FAULKNER, PLANNING DIRECTOR
LORI MASTRANTONIO-MEUSER,
ASSOCIATE PLANNER
STEVE HALL, PUBLIC WORKS DIRECTOR
DEANNA ROBINSON, STENOGRAPHER

1.0 Mr. Littlehales called the meeting to order at 6:35 PM.

3.1 APPLICANT: Melvin C. Miller
PROPERTY OWNERS: Melvin C. and Rick A. Miller
LOCATION: Southeast corner of 32nd and Roswell
PROPOSAL: The applicant is requesting an Exception to allow the construction of a 1980 square foot garage on a vacant lot in the R-7 Residential Zone. This request requires an Exception to the allowed uses in the R-7 Zone, since a garage is permitted only as an accessory structure to a house. (E-84-1).

Lori presented the Staff Report and passed out two additional letters of correspondence received; one from Mrs. Burdel, Exhibit 9, and one from Gary and Marilyn Matusch, Exhibit 10.

APPLICANT'S RESPONSE

SPEAKING: MEL MILLER, 9854 SE 33rd

Mr. Miller stated he had been before the Commission in May of 1981 to build a building of similar size, had received approval but did not have the money to finish his plans before his time ran out. He said he has had problems selling the lot and has had to continue paying taxes on it and would like to be able to get some use out of it.

Mr. Trotter asked the applicant how he intends to use the lot. Mr. Miller said he has a 31-foot motor home, a 20-foot boat, and a pickup which he has to pay to park now. He stated there is too much vandalism in the area presently to park these on his lot without a building to put them in.

TESTIMONY IN OPPOSITION

SPEAKING: CARLENE BROWN, 8822 SE 32nd Street

Ms. Brown addressed the issues of the traffic problem in the area and the possibility of the applicant selling the building in the future and having it become commercially used.

CITY OF MILWAUKIE PLANNING DEPARTMENT
PLANNING COMMISSION MEETING MINUTES
REGULAR MEETING - SEPTEMBER 25, 1984

SPEAKING: KAREN BARNER, 8730 SE 32nd

Ms. Barner addressed the issues of the traffic problem with small children in the area, and the possibility of the garage turning into a business.

SPEAKING: JOHN HOLECHECK, 3135 SE Boyd

Mr. Holecheck asked how large the lot is; he didn't think it was large enough to allow that large a building. Mr. Littlehales explained that, according to the Staff Report, it is a 6,000 square foot lot and there are problems in meeting setback requirements, lot coverage, and special setbacks because of the potential widening of 32nd and Roswell.

Mr. Holecheck expressed concern about the kids in the neighborhood; that there is a school crosswalk just up one block, and it would block the view of the people in the neighborhood.

SPEAKING: KAREN BARNER

Ms. Barner added that there are quite a few older people that live in the neighborhood and she was speaking for them, too.

SPEAKING: JACK BRENNEMAN, 12521 SE Guilford Drive, Milwaukie

Mr. Brenneman addressed the issues of traffic, older people, and the possibility of the garage eventually becoming a business.

SPEAKING: BILL HERZOG, 3411 SE Barba

Mr. Herzog has lived in the area for 64 years and had been assured there would be no more commercial building in the area. He also expressed concern over the elderly people in the area, and he didn't believe this garage would be an adjunct because it would be too large.

SPEAKING: JESSIE THOMAS

Ms. Thomas raised the issue of the blocking of the view of the people living in the area and the fact that a school bus stops there.

APPLICANT'S CLOSING COMMENTS

SPEAKING: MEL MILLER

Mr. Miller said he didn't plan on getting approval.

CITY OF MILWAUKIE PLANNING DEPARTMENT
PLANNING COMMISSION MEETING MINUTES
REGULAR MEETING - SEPTEMBER 25, 1984

Mr. Trotter pointed out that the area around the proposed lot is beginning to build up residentially, and there is another almost identical lot across the street which indicates there is nothing exceptional about the lot. He didn't feel that the proposed corrugated metal roofing and siding fit in with the residential setting.

Mr. Trotter made a Motion to disapprove the exception request 84-1 to include the following findings:

1. The request is not in compliance with the R-7 Residential Zone since the lot coverage, setbacks and use requirements cannot be met.
2. The request is not in compliance with the Exception criteria because:
 - a. There are no exceptional circumstances which apply to the property that don't apply generally to other properties in the same zone. There are other similarly zoned parcels located near commercial areas that contain single-family residences. A specific example of a similarly zoned parcel is the vacant lot across Roswell just north of the site.
 - b. The use would be detrimental to the surrounding area as the use would have an outward appearance of a business and would not maintain the nearby residential character of the neighborhood.
 - c. Fairness to all owners would not be afforded to surrounding property owners if this request were approved, since others would not be allowed the same privilege of a use such as the applicant is proposing in the same zone.
 - d. A practical use of the property does exist; a single-family residence is an allowed use in the R-7 Zone.
3. The request is not in compliance with the Comprehensive Plan because:
 - a. The Residential Land Use and Housing Element Section cannot be met as new housing is not proposed, preservation of the neighborhood has not been indicated and housing choice is not provided.
 - b. Since the structure would have the appearance of a business, and could be easily used as a business, allowing the use and structure is seen as an extension of the commercial zone along 32nd Avenue.

Mr. Brown seconded the Motion. The Motion carried unanimously.

CITY OF MILWAUKIE PLANNING DEPARTMENT
PLANNING COMMISSION MEETING MINUTES
REGULAR MEETING - SEPTEMBER 25, 1984

5.1 APPLICANT: Lincoln Milwaukie Associates Limited
PROPERTY OWNER: Same
LOCATION: 2600 SE Mailwell Drive
PROPOSAL: The applicant is requesting Final Plat approval of the Lincoln Distribution Center Subdivision. In addition, the applicant is requesting approval to amend Conditions No. 4 and No. 6 as required under the Preliminary Plat approval granted October 11, 1983, by the Planning Commission.

Lori briefly went over the Memo. Steve Hall explained that the Fire Marshal is requiring a fire lane which will have a 6-inch wide yellow stripe on each side of the 30-foot lane with "Fire Lane No Parking" painted every 50 feet. Lori explained that the original request of the Fire Marshal was a 4-inch yellow line on each side and 12-inch diagonal hash marks every 4 feet.

Mr. Brown made a Motion to approve the final plat subject to review and approval of the deed restrictions and changes indicated by the City Attorney. Mr. Knudson seconded the Motion. The Motion carried unanimously.

6.1 Planning Commission Minutes of September 11, 1984

Mr. Littlehailes noted an error on the bottom of Page 5 which should read, "The Motion carried 6 to 0," instead of "6 to 1". Mr. Brown made a Motion to approve the Minutes of August 4 with the above mentioned correction on Page 5. Mr. Littlehailes seconded the Motion. The Motion carried unanimously.

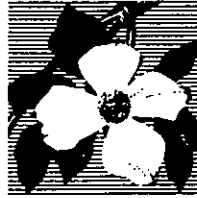
A general discussion was held on the following: Lot-line adjustments, Major and Minor Partitions, Flag Lots, street plans, river front, LCDC review, appeals, affordable housing, an urban affairs course being offered, Community Service Overlays, Final Plat Approvals, land division, and sign ordinance. The Commission concurred with the drafts provided by Staff of the Land Division and Procedures Sections.

Topaz indicated the need to establish a Comprehensive Plan Review Committee. She had asked Dorothy Snowhill to be on the committee, and she has agreed. Mr. Trotter suggested asking Bob Kennedy, and Mr. Foster recommended asking Lou Cassale.

Mr. Foster moved to adjourn. The meeting was adjourned at 8:00 PM.

JOHN LITTLEHAILES, CHAIRMAN

Deanna Robinson /ekw
DEANNA ROBINSON, STENOGRAPHER



AGENDA

PLANNING COMMISSION MEETING

SEPTEMBER 25, 1984

Council Chambers, 10722 SE Main Street, Milwaukie

- 1.0 CALL PLANNING COMMISSION MEETING TO ORDER AT 6:30 PM
- 2.0 PROCEDURAL QUESTIONS
- 3.0 PUBLIC HEARINGS
 - 3.1 APPLICANT: Melvin C. Miller
PROPERTY OWNERS: Melvin C and Rick A. Miller
LOCATION: Southeast corner of 32nd and Roswell
PROPOSAL: The applicant is requesting an Exception to allow the construction of a 1980 square foot garage on a vacant lot in the R-7 Residential Zone. This request requires an Exception to the allowed uses in the R-7 Zone, since a garage is permitted only as an accessory structure to a house. (E-84-1).
- 4.0 PUBLIC COMMENT
- 5.0 CONSIDERATION ITEMS:
 - 5.1 APPLICANT: Lincoln Milwaukie Associates Limited
PROPERTY OWNER: Same
LOCATION: 2600 SE Mailwell Drive
PROPOSAL: The applicant is requesting Final Plat approval of the Lincoln Distribution Center Subdivision. In addition, the applicant is requesting approval to amend Conditions #4 and #6 as required under the Preliminary Plat approval granted October 11, 1983, by the Planning Commission.
 - 5.2 Review of the Land Division Section of the Zoning Ordinance specifically; Lot-line adjustments, Major and Minor Partitions and Flag Lots.
- 6.0 CONSENT AGENDA
 - 6.1 Planning Commission Minutes of September 11, 1984.
 - 6.2 City Council Minutes of September 4, 1984.
- 7.0 OLD BUSINESS
- 8.0 OTHER BUSINESS