

PLANNING COMMISSION MINUTES

REGULAR MEETING

SEPTEMBER 11, 1984

MEMBERS PRESENT

JOHN LITTLEHALES  
BOB BROWN  
JOHN FOSTER  
BETTY ROHOLT  
BOB KNUDSON  
DON TROTTER  
AL LIANE

STAFF PRESENT

TOPAZ FAULKNER,  
PLANNING DIRECTOR  
LORI MASTRANTONIO-MEUSER,  
ASSOCIATE PLANNER  
DEANNA ROBINSON,  
STENOGRAPHER

- 1.0 Mr. Littlehales called the meeting to order at 6:30 PM.
- 3.1 APPLICANT: George F. Wood Sr., George F. Wood Jr., & Mark Baker  
PROPERTY OWNER: John L. Shipley & Marianne W. Buchwalter  
LOCATION: 11138 SE Main Street  
PROPOSAL: The applicant is requesting approval to allow a Day Care Center at 11138 SE Main Street under the Community Service Overlay procedures. (CS-84-1)

Mr. Foster said he knows the applicant, George Wood, having been the architect for a project of Mr. Wood's in the past, but felt sure this fact would not influence his decision.

Mr. Trotter stated that he has been a friend of Jo Manske, Children's Services Division, for many years. Ms. Manske had signed the letter marked as Exhibit No. 6. Mr. Trotter did not feel his acquaintance with Ms. Manske would impact his impartial judgment in the matter.

Ms. Roholt also acknowledged that she knows Jo Manske from Children's Services Division, but did not feel it would influence her impartiality.

Topaz reviewed Exhibit 7, the Amendment to the Zoning Ordinance, concerning the procedure to grant or deny a community service use with the Commissioners. Topaz then presented the Staff Report.

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Lori added that she received a call from the Fire Department which indicated that an automatic sprinkler system is not required and that Condition No. 6 listed in the Fire Marshal's memorandum should be omitted.

APPLICANT'S RESPONSE

SPEAKING: MARK BAKER, 985 Donalin Way, Gladstone

Mr. Baker brought attention to a newspaper article that was included as an exhibit which helped express the growing need for day care centers. The main reasons why the applicant wants to start a day care center in the downtown area are the accessibility and convenience for the people that will be using it; and because of the size of the building. The proposed building has sufficient indoor play area and adequate restroom facilities. He also addressed the playground area and the neighbors.

Mr. Knudson inquired about the hours of operation. The applicant responded that the planned hours are from 6 AM to 6 PM.

Mr. Littlehales asked if they plan to allow drop-ins. Mr. Baker stated they do as long as there are adequate staff and room for play.

Mr. Trotter asked if the applicant is buying or leasing the property. Mr. Baker responded that they plan to lease, and that Mr. Shipley, the owner, was present at this meeting. Mr. Trotter inquired if there was a written agreement within the lease concerning the exclusive parking. Mr. Baker said the issue had been addressed in the contract. He further stated there were approximately 24 to 26 stalls that are associated with the building. The playground area will take up five of those areas, but there will still be adequate parking.

Mr. Brown asked the applicant if he saw any problems with meeting the proposed conditions to the approval that are included in the Staff Report relating to street trees, extending the curb along Adams Street, and providing landscaping. Mr. Baker responded that the applicant can see no problem meeting the conditions and has the owner's permission.

TESTIMONY IN FAVOR

SPEAKING: KEN DAVIS, Bullier & Bullier Realtors, 346 Southwest<sup>SW</sup> Hamilton Court, Portland, Representing the owner of the property.

Mr. Davis stated that the owner is supportive of the process and of the application, and that an agreement has been entered into for leasing of the premises. The owner is also supportive of the Staff's recommendations and conditions.

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TESTIMONY IN OPPOSITION

No testimony in oppositon was presented.

The Public Hearing was closed at 6:50 PM.

Mr. Trotter pointed out that one of the items in the Community Service Overlay application requirements stipulated that the Planning Commission have a copy of the deed or other document showing ownership or interest in the property and that written authorization from the owner for the application shall be submitted. Mr. Baker had indicated that he does have such a lease agreement which includes the parking. Mr. Trotter suggested that a condition be made if the application is approved that the lease agreement be submitted to Staff for their approval.

Mr. Trotter also noted that the Comprehensive Plan does address day care centers on page 36, and does encourage day care centers in various areas of Milwaukie. He then expressed a concern that in the Community Service Overlay, it also indicates that the requirements of the Children's Services Division be included. He proposed that a condition also be added that the use meet the requirements of Children's Services Division.

Mr. Knudson asked the applicant how he plans to identify the parking area so the American Legion, who are right next door, do not park there. Mr. Baker responded that after 6 PM, they don't mind if someone else uses it. During the day, they will need to post some signs that the parking is exclusive for the day care center.

Mr. Littlehales asked about the proposed landscaping. Mr. Baker said there would be a fence there and possibly an artificial turf covering the playground area.

Mr. Littlehales asked if they planned to remove asphalt for the playground area. Mr. Baker said they plan to cover it as recommended by Children's Service Division.

Mr. Littlehales made a Motion to approve the Community Service Use 84-1 subject to noting the two findings as stated and adding a third,

1. The request is in compliance with the applicable Central Commercial standards,
2. The request is in compliance with the Community Service Overlay requirements in that an adequate outdoor play area can be provided, proper fencing, walkways, public facilities, access, parking, and landscaping are or can be provided,
3. That the request is in compliance with the Comprehensive Plan's encouragement of day care centers.

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And with the three Conditions as stated in the Staff Report and amended plus two additional conditions:

1. That a bond be posted sufficient to cover street tree improvements to be provided along Main Street in front of the site. The size, species, and location will be reviewed and approved by Staff.
2. That the extruded curb be continued along Adams Street to the end of the right-of-way toward Main Street so that the private parking area is separated from the public right-of-way.
3. That some landscaping, i.e., potted plants, be provided in the play area, subject to approval by Staff.
4. That the requirements of Children's Services, Public Works, and the Fire Departments be complied with.
5. That the lease agreement, including parking or other such document, be reviewed and approved by Staff.

Mr. Foster seconded the Motion.

Mr. Baker was asked if he was satisfied with the added conditions. He asked about the bond being set up for street trees, if the applicant would be responsible to put the trees in or the City. Mr. Littlehales explained that the bond simply insures that they will be put in, not who will put them in.

The Motion carried unanimously.

#### 5.0 CONSIDERATION ITEMS: Review of High Density Residential Zones

Topaz reviewed the Chart of Residential Zone Standards provided to The Commission last month. She suggested that the lot width and lot depth be deleted for all the high density zones because of the reduced size of the lots. She further suggested deleting two of the four high density zones, R-1-B and R-2, since they are virtually identical to the other zones, R-O-C and R-1.

Mr. Foster asked how much activity had come before Staff dealing with these zones. Topaz said nothing had been applied for.

After much discussion, it was decided that Staff will prepare more information for the commission as a consideration item and after that, a Public Hearing may be set.

#### 6.1 PLANNING COMMISSION MINUTES

July 24, 1984

Mr. Trotter pointed out a few corrections which needed to be made:

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Page 4, 3rd line of the large paragraph, that the second "that" on "I do not feel that, that" should be deleted. Page 5, 2nd paragraph from the bottom, 3rd line from the bottom, delete the word "serve" as it does not make sense. Page 5, last paragraph, line 6, add the word "clinic" between "decision as to the" and "not being". On the same paragraph, line 7 should read, "the clinic would be taxed as property, whereas a". On the top of Page 6, prior to the Motion carried unanimously", Mr. Brown suggested that another finding be added that there are other allergy clinics in the areas which are not adjacent to a hospital; this needs to be added to the Minutes, plus whatever else the previous Minutes said as the Commissioners had all agreed it was correct.

Mr. Brown noted a correction on Page 5, line 5 of the last paragraph which should read, "a permitted conditional use in the R-3 Zone".

Ms. Roholt made a Motion to approve the Minutes of July 24, 1984, with the noted corrections. Mr. Brown seconded the Motion. The Motion carried unanimously.

August 28, 1984, Minutes.

Mr. Liane pointed out a correction on Page 9, 3rd paragraph on the 2nd to the last line which should read, "but he really didn't fully understand the technical issues".

Mr. Trotter directed attention to Page 6, paragraph 4, line 4, where the words, "such as the PD previously approved for the site" needs to be added after "mix of housing types".

Mr. Littlehales suggested a correction on Page 7, 2nd to the last paragraph, 1st line. The word "obliging" should be changed to "obligating".

Mr. Foster pointed out corrections on Page 9, paragraph 2, line 2, which should read, "designating arranging of the lots". Also in paragraph 3 of the same page, line 3, the word "in" should be "into".

Mr. Littlehales noted that Page 9, paragraph 3, line 4 should read, "there was too much technical data concerning".

Mr. Liane made a Motion to approve the Minutes of August 28, 1984 as amended. Mr. Foster seconded the Motion. The Motion carried 6 to 0, Mr. Brown abstaining because he was not present at that meeting.

#### 7.0 OLD BUSINESS

Mr. Trotter suggested that the Commissioners follow the same pattern as they had in the past by having at least one Commissioner attend each Council meeting which has an appeal from a Planning Commission Decision.

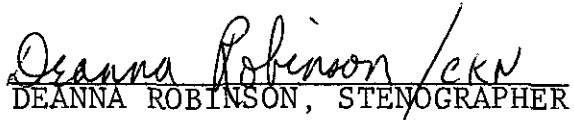
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8.0 OTHER BUSINESS

Mr. Brown informed the Commission of a Leadership Forum that had taken place Saturday, September 8. The meeting involved about twenty citizens and the purpose of the meeting was to identify suggestions or ideas to overcome some of the negative things that have been happening in the City in the recent past. He said it was a very beneficial meeting.

Mr. Knudson made a Motion to adjourn. Ms. Roholt seconded the Motion. The meeting was adjourned at 8:40 PM.

  
JOHN LITTLEHALES, CHAIRMAN

  
DEANNA ROBINSON, STENOGRAPHER

AGENDA  
PLANNING COMMISSION MEETING  
SEPTEMBER 11, 1984

Council Chambers, 10722 SE Main Street, Milwaukie

- 1.0 CALL PLANNING COMMISSION MEETING TO ORDER AT 6:30PM
- 2.0 PROCEDURAL QUESTIONS
- 3.0 PUBLIC HEARINGS
  - 3.1 APPLICANT: George F. Wood Sr., George F. Wood Jr., & Mark Baker  
PROPERTY OWNER: John L. Shipley & Marianne W. Buchwalter  
LOCATION: 11138 SE Main Street  
PROPOSAL: The applicant is requesting approval to allow a Day Care Center at 11138 SE Main Street under the Community Service Overlay procedures. (CS-84-1)
- 4.0 PUBLIC COMMENT
- 5.0 CONSIDERATION ITEMS: Review of High Density Residential Zones
- 6.0 CONSENT AGENDA
  - 6.1 Planning Commission Minutes July 24, 1984 and August 28, 1984
  - 6.2 City Council Minutes August 21, 1984
- 7.0 OLD BUSINESS
- 8.0 OTHER BUSINESS