

PLANNING COMMISSION MINUTES
REGULAR MEETING
SEPTEMBER 10, 1985

MEMBERS PRESENT

John Littlehales, Chairman
Don Trotter
Betty Roholt
Robert Knudson
Patricia Wolter

STAFF PRESENT

Topaz Faulkner, Director
Jane Heisler, Acting Asst. Planner
Mary Newell, Hearings Reporter

EXCUSED: Gregg Newstrand, Jr.

1.0 Mr. Littlehales called the meeting to order at 6:30 p.m.

2.0 PROCEDURAL QUESTIONS

None.

3.0 PUBLIC HEARINGS

3.1 APPLICANT: Steven A. Dahl
PROPERTY OWNER: Steven A. Dahl
LOCATION: 11885 SE 28th
PROPOSAL: Request for an 8-foot variance to the required
10-foot side yard setback in an R-7 zone.

Jane presented the Staff Report. She pointed out that applicant intended to maintain the existing garage after the new garage is constructed, and therefore, would have a total of two garages on his property.

QUESTIONS OF STAFF

Ms. Wolter inquired whether an architect's drawing of the proposed garage had been submitted. Jane said a site plan had been submitted, drawn by the applicant.

APPLICANT'S RESPONSE

SPEAKING: Steven Dahl, 11885 SE 28th, Milwaukie, OR

Mr. Dahl indicated he had some difficulty in filling out the application and wanted to elaborate on some of Staff's comments.

He said he does not feel his garage would visually impact the neighborhood's existing development. The single garage is totally consistent with the neighborhood which consists of old and new construction and many of the garages are set back away from the street. He said that, as a result, when parking your car against the garage you often disturb your neighbors. He indicated this was his situation with his neighbor to the north, and that he parked, essentially, right under his neighbor's bedroom window.

He is unable to utilize the existing garage because it is too small. It does not allow additional room for storage, car

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repair, et cetera.

The garage is in a dilapidated condition. He has plans for major construction work on his house and the garage is to be included. He said the new garage would be attached with the same siding and have a flat roof. It would be just big enough to easily park the car without banging the door against the wall and allow for some additional useable space.

He said that he was open for suggestions regarding possible uses for the old garage.

His neighbor to the north does not object to the new garage and had, in fact, signed a statement and the plot plan expressing his approval to the proposal.

He reiterated disagreement with Staff's Report that his proposal is inconsistent with the surrounding area. He cited some examples of surrounding homes, garages, et cetera that were not built to Zoning Code specifications. The only neighbors who would see the new garage are the neighbors across the street and they have no objection to the new construction.

If this proposal is denied, he will have to reapply for another variance to remodel the existing garage in order to conform to the 3-foot setback requirement from the north property line. He stated that there are other alternatives, but he felt this plan was the most economical use of his property and would upgrade his property without adversely affecting his neighbors.

He asked how much of the report could be changed. Mr. Littlehales advised him that the Staff Report, the applicant's response, and testimony would be used to render their decision.

Applicant said there was no solar impact on the neighboring house. He indicated that the next-door neighbor felt the wall would afford him more privacy.

QUESTIONS OF APPLICANT

Mr. Knudson asked how high the neighbor's yard was above the existing 18-inch retaining wall. Applicant said from his ground level to the neighbor's ground level was eighteen to twenty inches.

Ms. Wolter asked applicant if a carport was considered as an alternative. Applicant said he considered a carport, but was asking for the garage because he expected the same problems with the proposal whether asking for a garage or carport. He indicated his first choice would be a garage, but he would consider a carport.

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At Ms. Wolter's request, applicant pointed out where the garage would be located on the site plan.

TESTIMONY IN FAVOR

None.

TESTIMONY IN OPPOSITION

None.

APPLICANT'S REBUTTAL

None.

CLOSING OF PUBLIC HEARING

Mr. Littlehales asked about the statement of the neighbor from the north side of the property. Jane passed copies of the statement around to the Commissioners.

Ms. Roholt agreed with the applicant, saying that the neighborhood consisted of several different types of structures which were not in conformance with the zoning ordinance, and, therefore, visually, the proposal did not seem to have an adverse affect on the neighborhood.

Ms. Wolter agreed saying she had seen the area and felt that there was a large mixture of old and new buildings. She indicated that placement of the garage was not so much a consideration or problem as was the design of the structure and how the roof line would visually impact the surrounding neighborhood. She felt a drawing of the proposed garage and how it compliments the house would be helpful to the Commissioners and their deliberations.

Mr. Trotter asked Staff if they had given any consideration to the proposal as a carport instead of a garage. Jane said it had been discussed, but that the applicant decided to apply for the garage since it was really what he wanted. She said anything over 18 inches is considered a building so the carport would have had to be run through approximately the same criteria as a garage.

Mr. Trotter said he did not think a parapet would be required for a carport since there would not be a solid wall. He said a carport would give a different feel to the structure. It would allow the applicant the use of the existing garage.

Mr. Trotter said that they are to consider variances by what is listed in the Zoning Ordinance. He indicated that a unique

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situation must be present to justify the approval of the variance. He indicated that there are several alternatives other than putting a garage at the end of the house. He felt that basically the Staff Report is correct and the findings have addressed the variance criteria. He indicated that he could not vote for this proposal based on the variance criteria.

Mr. Littlehales moved that Planning Commission deny the request for variance, VR-85-20, with the four findings as stated by Staff. Motion was seconded by Ms. Roholt. MOTION PASSED UNANIMOUSLY.

- 3.2 APPLICANT: Pendleton Woolen Mills
PROPERTY OWNER: Daisy Hudson
LOCATION: 17th and Ochoco
PROPOSAL: Request for variance to the off-street parking and loading general provisions for (a) paved surfaces (b) landscaping, (g) parking space dimensions, and (l) clearly marked spaces. (VR-85-21).

Topaz presented the Staff Report. She said that Condition No. 1 should read, ". . . not more than 20 cars use the site. . ." Condition No. 4, "No parking areas, as shown on the alternative site plan, shall be defined with barriers such as logs to prevent their use.", and Condition No. 5, "Parking spaces shall be indicated by painting the limits of these spaces on the logs and on the building wall adjacent to the site."

QUESTIONS OF STAFF

Mr. Knudson asked whether the company that owns the building would object to painting the spaces on the building wall.

CORRESPONDENCE

Topaz indicated there had been no letters received, other than exhibit 7, the letter from Western States Electric. She stated that there had been several telephone calls from neighbors within the area surrounding the subject property indicating their support for the application. They felt the parking lot would relieve some of the parking congestion currently existing on their residential streets.

APPLICANT'S RESPONSE

Mr. Littlehales asked applicant if he had seen the letter from Western States. Applicant had not. Topaz presented him with a copy of the letter.

SPEAKING: Robert Bishop, Pendleton Woolen Mills, 8816 SE 17th

Mr. Bishop said Pendleton Woolen Mills currently has 60 off-street parking spaces designated for their approximately 180

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employees. Some employees ride the bus and some carpool. They had anticipated more parking spaces than the twenty recommended by Staff, and the twenty would only accommodate approximately 11 percent of their work force.

Most of the traffic would happen around 7:00 a.m. and 3:30 p.m., starting and quitting time. He said there was a traffic problem on 17th and that many of their employees have to park across the street. One employee has been struck and injured. The parking lot would minimize the exposure of his employees to the traffic at the peak traffic hours. They have applied to the City of Portland, with no success, for a crosswalk at this intersection.

QUESTIONS OF APPLICANT

Mr. Trotter asked applicant if he had any additional comments or objections to the added conditions suggested by Staff.

Mr. Bishop stated that Condition No. 1 was amplified by the Staff Recommendation for 20 spaces; Condition No. 2, is mutually agreeable between Pendleton and the owner of the property; Condition No. 4, "no parking" areas can be adequately designated with logs or railroad ties. He indicated that the owner of the building would object to having the spaces painted on the building and suggested continuing the landscaping ties. He suggested this would better designate the parking area and protect the building as well.

Mr. Knudson asked what percentage of people using the parking lot would exit on Ochoco and go east. Applicant indicated that they all would to avoid the congestion at the intersection.

TESTIMONY IN FAVOR

SPEAKING: Dixie Sexton, 8525 SE Orchard Lane, Sp. 8, Portland, OR 97266, Employee of Pendleton Woolen Mills.

She agreed that people using the parking lot would use Ochoco rather than attempt a left turn onto 17th. She suggested alternative routes would be Ochoco, or cutting through on Milport and using the light to make a left or right turn.

She said this proposal was not a total answer to the parking problem but would certainly help.

SPEAKING: Neighborhood Resident, Toni Lopez, 1666 SE Linn.

Expressed favor with the proposal. It would help alleviate some of the parking congestion in her neighborhood. She voiced concern for the safety of her small children with the existing

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parking conditions and excess traffic on her residential streets caused by Pendleton employees.

SPEAKING: Employee of Pendleton, Catherine Byers, 1818 SE Lexington

Expressed favor with the proposal. She said that employees parking on the narrow streets caused traffic hazards or unsafe driving conditions.

SPEAKING: Pendleton Employee, Connie Larson, 2906 SE 115th, Portland

Indicated she had to cross 17th in the morning because she parks across the street from the office. She said it was dangerous to cross the street due to the heavy flow of traffic and, in fact, she had been struck by a car in December.

QUESTIONS OR COMMENTS

None.

TESTIMONY IN OPPOSITION

None.

APPLICANT'S REBUTTAL

None.

CLOSING OF PUBLIC HEARING

Ms. Wolter asked Mr. Bishop whether Pendleton awarded company incentives for carpooling. Mr. Bishop indicated that they made bus and carpooling information available to employees but that the company offered no compensation.

Mr. Littlehales said the difference between Exhibits 3a, provided by the applicant and 3b, provided by the Staff, is that 3b complies with the parking requirements. Topaz concurred. Mr. Littlehales expressed approval with the proposal but voiced concern over the lack of landscaping. He said the site is much improved over last year, but asked applicant if they had considered any landscaping since it is one entrance to Milwaukie. Applicant said they had not intended to landscape since this was not a retail outlet and the risk of overgrowth of the landscaping which would impede the traffic. Mr. Littlehales said he did not mean extensive landscaping at great expense because he realized this was only a temporary situation. He brought up weed control. Mr. Bishop indicated this could be taken care of with Round-up.

Ms. Roholt expressed agreement with the need for landscaping at the entrance of the City. She noted that it need not be expensive and could even be planters.

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Mr. Trotter said that use of the layout shown in 3b would eliminate the need for a variance of parking space dimensions and, by marking the spaces on the barriers, that would meet the requirement for permanent markings. He noted that there would not be a lot of space for landscaping, but suggested that low plant such as junipers might be appropriate. He stated it was a very necessary use and would like to see the cars moved off of the residential streets. The request does meet the variance criteria. He suggested that Condition No. 4 be amended to add, "specific barriers to be approved by Staff." He said this would allow the Staff and the applicant to work together and come to an agreement on what type of barrier is appropriate for the location. He suggested that Condition No. 5 be amended to read, "That parking spaces shall be identified by painting on the walls and/or barriers, specific methods to be approved by Staff."

Mr. Trotter moved that Planning Commission approve Variance Request No. VR-85-21 of approval of request for section 8(a) surfacing, section 8(b) landscaping, with the proposed findings as proposed by Staff and the five conditions as discussed. Motion was seconded by Mr. Littlehales after confirmation that Conditions 4 and 5 are as revised in previous discussion. Ms. Roholt noted that as the motion stands there is no provision for any type of landscaping. Mr. Littlehales proposed Condition No. 6 that landscaping/weed control be submitted for the approval of City Staff. He indicated this would allow the flexibility to work out something pleasing to the eye but not terribly expensive, recognizing that this is only a temporary situation. Mr. Trotter added Condition no. 6 to his motion. Mr. Littlehales concurred. Mr. Knudson asked what was meant by "with the approval of Staff," in reference to the landscaping. Mr. Littlehales said that Planning Commission is requiring a landscaping/weed control plan that must meet the approval of City Staff, and that Staff will know what Planning Commission desires because it will be outlined in the minutes. Specifically, it be pleasing to the eye, not necessarily expensive because they recognize it is only temporary, and that it will not grow up in size to become a traffic hazard. Mr. Bishop indicated that he has a good idea of what is required. THE MOTION PASSED UNANIMOUSLY.

Topaz suggested that the City acknowledge the effort by City businesses to landscape around their properties because it adds so much improvement to the City of Milwaukie. The Commission agreed.

5.0 CONSIDERATION ITEMS

None.

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Mr. Trotter asked Staff for a status report on King Bell and Victory House. Topaz responded that King Bell had appealed, but Victory House had not.

Topaz noted that Staff has begun showing the 90-day date on the Staff Reports, in conjunction with their effort to watch the 120-day "clock".

6.1 PLANNING COMMISSION MINUTES, August 13, 1985

Mr. Knudson moved to approve the minutes of August 13th, 1985, as amended. Motion seconded by Mr. Littlehales. MOTION PASSED UNANIMOUSLY.

General discussion on video taping of Planning Commission hearings, the necessity for an in-house computer for the Planning Staff, and the process currently being worked out between the Planning Staff and the Fire Department for filing complaints and logging it on the Fire Department computer.

Topaz indicated she would check on the school dug outs and the American Legion landscaping and report back to the Commissioners.

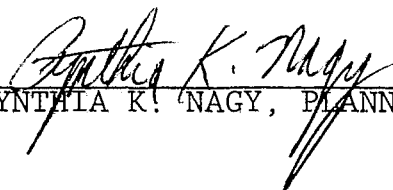
Ms. Wolter asked Staff if they knew the status of the length of her appointment and Newstrand's appointment. Topaz said she would report back with the information.

Mr. Littlehales moved to adjourn the hearing. Motion was seconded by Trotter. MOTION PASSES UNANIMOUSLY.

Meeting was adjourned at 8:30 p.m.



JOHN LITTLEHALES, CHAIRMAN



CYNTHIA K. NAGY, PLANNING SECRETARY

AGENDA
MILWAUKIE PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL, 10722 SE MAIN STREET
TUESDAY, SEPTEMBER 10, 1985 AT 6:30 PM

ITEM	MEETING FORMAT
1.0 CALL TO ORDER	1. STAFF REPORT
2.0 PROCEDURAL QUESTIONS	2. CORRESPONDENCE
3.0 PUBLIC HEARINGS	3. APPLICANT'S PRESENTATION
3.1 APPLICANT - STEVEN A. DAHL PROPERTY OWNER - STEVEN A. DAHL LOCATION - 11885 SE 28TH (TAX LOT 410.1 OF TAX MAP 1 1E 36CA) (VR-85-20) PROPOSAL - THE APPLICANT REQUESTS AN 8-FOOT VARIANCE TO THE REQUIRED 10-FOOT SIDE YARD SETBACK IN AN R-7 ZONE.	4. PUBLIC TESTIMONY FROM OTHERS IN SUPPORT OF APPLICATION. 5. COMMENTS OR QUESTIONS FROM INTERESTED PERSONS WHO NEITHER ARE PROPONENTS NOR OPPONENTS.
3.2 APPLICANT - PENDLETON WOOLEN MILLS PROPERTY OWNER - DAISY HUDSON LOCATION - 17TH AND OCHOCO (TAX LOT 500 OF TAX MAP 1 1E 26AA) (VR-85-21) PROPOSAL - THE APPLICANT REQUESTS A VARIANCE TO THE OFF-STREET PARKING AND LOADING GENERAL PROVISIONS FOR (A) PAVED SURFACES, (B) LANDSCAPING (G) PARKING SPACE DIMENSIONS AND (I) CLEARLY MARKED SPACES	6. PUBLIC TESTIMONY FROM THOSE IN OPPOSITION OF THE APPLICATION 7. QUESTIONS FROM PLANNING COMMISSION 8. REBUTTAL TESTIMONY FROM APPLICANT 9. CLOSING OF PUBLIC HEARING
4.0 PUBLIC COMMENT - THIS IS AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON ANY ITEM NOT ON THE AGENDA.	10. COMMISSION DISCUSSION/ACTION
5.0 CONSIDERATION ITEMS	
6.0 CONSENT AGENDA	
6.1 PLANNING COMMISSION MINUTES - AUGUST 13, 1985	
6.2 CITY COUNCIL MINUTES - AUGUST 20, 1985	
7.0 OLD BUSINESS	
8.0 OTHER BUSINESS - AGENDA ITEMS, SEPTEMBER 24, 1985	
8.1 APPLICANT-OWNER - DWYER COMM. HOSPITAL, AT 10150 SE 32ND (C-85-04) REQUEST A CONDITIONAL USE IN AN R-3 ZONE TO CONSTRUCT A 35X25 AND 1/2 FOOT ADDITION TO HOUSE RECEPTION AREAS AND BUSINESS OFFICE.	
8.2 APPLICANT-OWNER - SEOK HEON PARK, AT 8929 SE 42ND REQUEST FOR A CONDITIONAL USE FOR A NEIGHBORHOOD GROCERY STORE, A PORTION OF WHICH WILL BE USED FOR ARCADE GAMES.	

THE PLANNING COMMISSION'S DECISION ON THESE MATTERS MAY BE APPEALED TO THE CITY COUNCIL. FOR FURTHER INFORMATION, CONTACT THE MILWAUKIE PLANNING OFFICE, 659-5171.

THE MILWAUKIE PLANNING COMMISSION WELCOMES YOUR INTEREST IN THESE AGENDA ITEMS, FEEL FREE TO COME AND GO AS YOU PLEASE.

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| <p>COMMISSIONERS - JOHN LITTLEHALES, CHAIRMAN
 DON TROTTER
 BETTY ROHOLT
 ROBERT KNUDSON
 JAN FITZGERALD
 GREGG NEWSTRAND, JR.
 PATRICIA WOLTER</p> | <p>STAFF - TOPAZ FAULKNER, DIRECTOR
 MICHAEL WHEELER, ASSOCIATE
 PLANNER
 JANE HEISLER, ACTING ASSISTANT
 PLANNER
 MARY NEWELL, HEARINGS REPORTER</p> |
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