

City of Milwaukie
PLANNING COMMISSION REGULAR MEETING
October 18, 1977

The regular meeting of the Milwaukie Planning Commission was held on October 18, 1977, in the Council Chambers of City Hall. Meeting was called to order at 7:00 p.m. by Mark Landis, President.

Members present: Mark Landis Jim Lotz
Bob Gudge1 Louie Monetti
Bob Kennedy Bruce Marquette

Members excused: Tom Foeller

Also present: Cy Nims, Planning Director Jan Mandaville, N.C. Coord.
Myer Avedovech, City Attorney Michelle Eaton, Secretary

The pledge of allegiance was recited by those present. The public hearing format was explained, and staff was introduced.

IT WAS MOVED by Lotz, seconded by Monetti, to approve the minutes of the August 23, 1977, regular meeting and September 13, 1977, joint meeting with the City Council as published. MOTION CARRIED unanimously, and so ordered.

PUBLIC HEARINGS

C-77-14 Oregon City/EMT Ambulance Company, applicant. W. J. and Anita J. Roots, property owners. Request to establish an ambulance dispatch center in M-L, Limited Manufacturing, zone at 2372 S. E. Ochoco

Public hearing opened at 7:05 p.m., with notices mailed as required and mailed to residents of property within 250 feet of the subject property. Staff report, recommending approval with one condition, was given by Cy Nims.

Speaking in favor: Mrs. Kenneth Hepler, representing applicant
Rick Sherman, representing applicant (answered questions of the Commission)

No person appeared to speak in opposition and no questions were raised. Hearing was declared closed at 7:20 p.m. IT WAS MOVED by Kennedy, seconded by Gudge1, in view of the reasons given in the staff report and that there is controlled access at Ochoco Street, to approve C-77-14 subject to the following condition: 1) Provide plans and other evidence that the following can be met: a) Adequate parking on site for ambulance and employee parking; b) Direct and safe access to McLoughlin Blvd. for dispatched ambulance. MOTION CARRIED unanimously, and so ordered.

VR-77-10 Paul J. Bieker, applicant. Request for preliminary plat approval
S-77-3 of an eight lot subdivision with a lot depth variance for three of the lots in anticipated R-7, Single Family Residential, zone at 5410 and 5420 S. E. King Road. Property is currently outside the City limits, but the property owner has initiated an annexation request.

Public hearing opened at 7:25 p.m., with notices mailed as required and mailed to residents of property within 250 feet of the subject property. Staff report, recommending approval of the preliminary plat with three conditions and approval

of variances as necessary to facilitate the subdivision design, was given by Cy Nims.

Speaking in favor: Paul Bieker, applicant

Questions: Anna Holdorf, 5320 S. E. King Road
John Palmer, 6224 S. E. Aspen

No person appeared to speak in opposition. Hearing was declared closed at 8:00 p.m. IT WAS MOVED by Kennedy, seconded by Marquette, to approve S-77-3 and VR-77-10 upon annexation, for the reasons in the staff report, with the following conditions: 1) Reduce right of way width to 40 feet with 28 feet of pavement, four foot sidewalks, plus the four foot utility strip to be pushed to one side or the other, staff can work this out with the applicant; 2) Dedicate the east 20 feet of Lot 5 and the west 20 feet of Lot 4 to the public. If within five years of final plat approval, development of properties to the south has not been initiated, call for review, contact property owners to the south and then make a decision at that time whether or not to continue the dedication or to vacate it; 3) Conform to all other requirements of the Subdivision Ordinance; and 4) In order to make proper use of the 40 foot width, the utility location be specified in the dedicated right of way on the plat. MOTION CARRIED, with Monetti voting against, and so ordered.

C-77-15 Oregon Ki Society, applicant. Lincoln International Investors, property owner. Request to use existing building for martial arts training in M-G, General Manufacturing, zone at 5695 S. E. International Way, Suite A

Public hearing opened at 8:20 p.m., with notices mailed as required and mailed to residents of property within 250 feet of the subject property. Staff report, recommending approval with two conditions, was given by Cy Nims.

Speaking in favor: Brenda Tam, representing applicant

Speaking in opposition: Dick Gearhart, Altec, 5226 S. E. International Way
Jack Westfall, Airflow, 5272 S. E. International Way
Don Mitchell, Omark Industries, 2100 S. E. Milport

Hearing was declared closed at 8:32 p.m. IT WAS MOVED by Lotz to deny the request on the grounds that this is an industrial park, and people who built there and moved in expected it to remain an industrial park, and it behooves us to limit the uses just as it does in a residential area. MOTION FAILED for lack of a second. IT WAS MOVED by Kennedy, seconded by Gudgel, to approve the request as it meets the criteria established in the Zoning Ordinance and due to its location the parking and traffic should not be a problem, with the following conditions: 1) That it be reviewed within six months by the Planning Commission; 2) Limited to evening hours only on weekdays, and could be used on the weekends; 3) Signs to be reviewed by the Design Review Board. MOTION CARRIED unanimously, and so ordered.

(Meeting recessed at 9:00 p.m. and reconvened at 9:10 p.m. with all present.)

The audience was polled, and it was decided to take the next item out of agenda order.

OLD BUSINESS

- VR-77-8 Violet Jo Corey, applicant. DECISION on request to create three
M-77-11 lots with no frontage on a public street in R-7, Single Family
Residential, zone at 4991 S. E. Winworth Court

Staff report, giving background and Neighborhood Council report, was given by Cy Nims. Larry Mura, 4997 S. E. Winworth Court, requested the Commission not consider the application at this meeting due to pending legal action, property boundary questions, and inadequacy of proposed street improvements. Jim Lotz disclosed that he had had conversations with Mr. Mura regarding the request, but felt that he could render an objective decision on the matter. Merv Englund, representing Neighborhood Council 3, gave the Neighborhood Council's report. The City Attorney raised a point of order, in that only three Commissioners who were present at the original hearing were present tonight, there was not a quorum to take action. The Commission requested further information be presented regarding sewer and water, a recommendation on the turn-around, and pursue in more detail the possibility of access from the Tarrybrooks area. It was announced that this matter will be taken up at the special meeting scheduled for November 8, but that no testimony will be taken.

PUBLIC HEARINGS, continued

- C-77-16 Raymond J. Bartel, applicant. George VanBergen, property owner.
Request to use two existing wood frame structures as professional
office buildings in A-2, Apartment Residential, zone at 2326 S. E.
Washington Street

Public hearing opened at 9:40 p.m., with notices mailed as required and mailed to residents of property within 250 feet of the subject property. Staff report, recommending approval with two conditions, was given by Cy Nims.

Speaking in favor: Ray Bartel, applicant

No person appeared to speak in opposition and no questions were raised. Hearing was declared closed at 9:55 p.m. IT WAS MOVED by Lotz, seconded by Monetti, to approve C-77-16 for the reasons in the staff report with the following conditions: 1) Signs proposed to be reviewed by the Design Review Board; 2) That there be adequate parking on the site or provided within 200 feet for the proposed use. MOTION CARRIED unanimously, and so ordered.

- E-77-1 Williams' Bakery, applicant. Circle K Corp., property owner. Re-
quest to use existing building to operate retail sales of day old
bread and wholesale distribution of fresh bakery products in C-L,
Limited Commercial, zone at 11925 S. E. 22nd Avenue

Public hearing opened at 10:58 p.m., with notices mailed as required and mailed to residents of property within 250 feet of the subject property. Staff report, recommending approval with eight conditions, was given by Cy Nims.

Correspondence received: Walter A. Johnson, 5011 Summer Moon Lane, Phoenix, AR

Speaking in favor: Bob Mitchell, representing applicant

Questions: Mrs. Coleman, 12010 S. E. 21st Avenue

Hearing was declared closed at 10:15 p.m. IT WAS MOVED by Monetti, seconded by Lotz, to approve E-77-1 based on the staff's recommendation, with the following conditions: 1) Stripe parking lot in accordance with City requirements; 2) A maximum of six route trucks per day to pick up or deliver bakery goods; 3) Obtain separate City business licenses for the retail and wholesale use; 4) Signs proposed to be reviewed by the Design Review Board. In addition, no illumination of sign to be allowed except during operating hours; 5) Upgrade landscaped areas. Provide vegetative screening on the south boundary to be six feet high at maturity and provide an 80 percent visual density, except where vision clearance is required; 6) All loading, unloading and waiting of transport and delivery trucks shall take place entirely on site and not within street rights of way; 7) Applicant shall sign a copy of these conditions, as an acceptance and guarantee of conformance, to be retained in City files. MOTION CARRIED unanimously, and so ordered.

C-77-17 Charles W. and Janet R. Bowen, applicants. Request to park school buses in M-L, Limited Manufacturing, zone at 10906 S. E. Oak Street

Public hearing opened at 10:18 p.m., with notices mailed as required and mailed to residents of property within 250 feet of the subject property. Staff report, recommending approval with five conditions, was given by Cy Nims.

Speaking in favor: Janet Bowen, applicant

No person appeared to speak in opposition and no questions were raised. Hearing was declared closed at 10:35 p.m. IT WAS MOVED by Gudgel, seconded by Kennedy, to approve C-77-17 from now to June 15, 1978, based on the reasons given here tonight and the staff report, subject to the following conditions: 1) That access be provided either on Second Street or directly onto the property from Oak Street; 2) No bus parking on the westerly 50 feet of the applicant's property; 3) That suitable gravel surfacing be provided on the driveway and parking area. MOTION CARRIED unanimously, and so ordered.

VARIANCE REQUESTS

VR-77-9 Mr. and Mrs. Robert Jantz, applicants. Request to build new porch and deck up to line of existing porch along the front of existing house 17 feet from the front property line, 3 feet less than the 20 feet required in R-7, Single Family Residential, zone at 4530 S. E. Roswell

Staff report, recommending approval, was given by Cy Nims. Phil Juttelstad, representing the applicant, was present to answer questions of the Commission regarding the request. IT WAS MOVED by Kennedy, seconded by Gudgel, to approve VR-77-9 for the reasons given in the staff report. MOTION CARRIED unanimously, and so ordered.

VR-77-11 John S. Chambers, O.D., applicant. Request to allow addition to existing office building with 13 total parking spaces, 2 less than the 15 required, in C-G, General Commercial, zone at 4139, 4141, and 4143 S. E. Harrison Street

Staff report, recommending approval with three conditions and three modifications of standards, was given by Cy Nims. Marian Chambers was present to answer questions

of the Commission regarding the request. IT WAS MOVED by Monetti, seconded by Lotz, to approve VR-77-11 based on evidence submitted and the staff recommendation subject to approval of the Design Review Board in that the building is rather pleasing. Approval to be based on the alternate plan submitted by staff, details to be approved by staff, with the sidewalk around the building to remain. MOTION CARRIED unanimously, and so ordered.

SUBDIVISION - FINAL PLAT

- S-77-2 Wherelse Addition. Byron L. Root, applicant. Request for final plat approval of 15 lot subdivision in R-10, Single Family Residential, zone on the southwest corner of Lake Road and Wherelse Lane

Staff report, recommending approval with three conditions, was given by Cy Nims. Max Wagenknecht and Dede Juhala, residents of the area, spoke to the Commission regarding drainage problems. Gordon Judd, representing the applicant, was present to answer questions and stated the developer is willing to work with the neighbors to solve the drainage problems. IT WAS MOVED by Lotz, seconded by Monetti, to table the matter until the next regular meeting. MOTION CARRIED unanimously, and so ordered.

ANNEXATION REQUESTS

- A-77-4 Sam Allen, petitioner. Recommendation of zoning designation for requested annexation of 2.41 acres located at the southwest corner of Lark Street and River Road

Staff requested that this item be considered at the November 22 regular meeting.

- A-77-5 Walt Freeman and Adam and Vladyslave Hrapkowicz, petitioners. Recommendation to City Council on requested annexation of property located generally south of the Milwaukie Expressway and west of Kuehn Court

Cy Nims gave background information on the request. IT WAS MOVED by Lotz, seconded by Gudgel, to recommend approval to the City Council of the requested annexation. MOTION CARRIED unanimously, and so ordered.

- A-77-6 Paul J. Bieker, petitioner. Recommendation to City Council on requested annexation of property at 5410 and 5420 S. E. King Road

Cy Nims gave background information on the request. IT WAS MOVED by Lotz, seconded by Monetti, to recommend approval to the City Council of the requested annexation. MOTION CARRIED unanimously, and so ordered.

- A-77-7 City of Milwaukie, petitioner. Recommendation to City Council on requested annexation of property at 11736 S. E. Stanley

Cy Nims gave background information on an EDA project by the City to construct a water storage facility on this property, and plans for the facility were distributed. IT WAS MOVED by Gudgel, seconded by Lotz, to recommend approval to the City Council of the requested annexation. MOTION CARRIED unanimously, and so ordered.

CORRESPONDENCE AND OTHER BUSINESS

- a) Staff announced that the City Council had overturned the Planning Commission approval of C-77-11, request by Ronald and Karen Tindall to construct a five unit apartment in C-L, Limited Commercial, zone on the west side of 32nd Avenue approximately 120 feet south of Malcolm Street.
- b) Memorandum dated September 23, 1977, from City Council regarding proposed Zoning Ordinance amendment which would declare a moratorium on residential construction in commercial zones until completion of the Comprehensive Plan revision was tabled until the special meeting scheduled for November 8.
- c) Cy Nims displayed a proposed plot plan for an addition to Milwaukie Junior High School. A special joint Planning Commission-Design Review Board meeting will be held November 8 to consider this request and the City's project for the water storage facility.
- d) Cy Nims reported on the Neighborhood Council reaction to the proposed PD/City park concept for property near 41st and Mason Lane.

Meeting adjourned at 11:50 p.m.



Mark Landis, President

ATTEST:



Michelle Eaton, Secretary

Milwaukie City Planning Commission
REGULAR MEETING AGENDA
October 18, 1977

1. Call to order - 7:00 p.m.
City Hall, Council Chambers, 10722 S. E. Main Street
2. Minutes of August 23, 1977, regular meeting and September 13, 1977, joint meeting with the City Council
3. Audience participation
4. PUBLIC HEARINGS
 - a) C-77-14 Oregon City/EMT Ambulance Company, applicant. W. J. and Anita J. Roots, property owners. Request to establish an ambulance dispatch center in M-L, Limited Manufacturing, zone at 2372 S. E. Ochoco
 - b) VR-77-10 Paul J. Bieker, applicant. Request for preliminary plat approval of an eight lot subdivision with a lot depth variance for four of the lots in anticipated R-7, Single Family Residential, zone at 5410 and 5420 S. E. King Road. Property is currently outside the City limits, but the property owners have initiated an annexation request.
 - c) C-77-15 Oregon Ki Society, applicant. Lincoln International Investors, property owner. Request to use existing building for martial arts training in M-G, General Manufacturing, zone at 5695 S. E. International Way, Suite A
 - d) C-77-16 Raymond J. Bartel, applicant. George VanBergen, property owner. Request to use two existing wood frame structures as professional office buildings in A-2, Apartment Residential, zone at 2326 and 2336 S. E. Washington Street
 - e) E-77-1 Williams' Bakery, applicant. Circle K Corp., property owner. Request to use existing building to operate retail sales of day old bread and wholesale distribution of fresh bakery products in C-L, Limited Commercial, zone at 11925 S. E. 22nd Avenue
 - f) C-77-17 Charles W. and Janet R. Bowen, applicants. Request to park school buses in M-L, Limited Manufacturing, zone at 10906 S. E. Oak Street
5. VARIANCE REQUESTS
 - a) VR-77-9 Mr. and Mrs. Robert Jantz, applicants. Request to build new porch and deck up to line of existing porch along the front of existing house 15 feet from the front property line, 5 feet less than the 20 feet required in R-7, Single Family Residential, zone at 4530 S. E. Roswell
 - b) VR-77-11 John S. Chambers, O.D., applicant. Request to allow addition to existing office building with 13 total parking spaces, 2 less than the 15 required, in C-G, General Commercial, zone at 4139, 4141, and 4143 S. E. Harrison Street
6. OLD BUSINESS
 - a) VR-77-8 Violet Jo Corey, applicant. DECISION on request to create three lots with no frontage on a public street in R-7, Single Family Residential, zone at 4991 S. E. Winworth Court
 - M-77-11

- b) Announce outcome of appeal of C-77-11, request by Ronald and Karen Tindall to construct a five unit apartment in C-L, Limited Commercial, zone on the west side of 32nd Avenue approximately 120 feet south of Malcolm Street

7. SUBDIVISION - FINAL PLAT

- S-77-2 Whereelse Addition. Byron L. Root, applicant. Request for final plat approval of 15 lot subdivision in R-10, Single Family Residential, zone on the southwest corner of Lake Road and Whereelse Lane

8. ANNEXATION REQUESTS

- a) A-77-4 Sam Allen, petitioner. Recommendation of zoning designation for requested annexation of 2.41 acres located at the southwest corner of Lark Street and River Road
- b) A-77-5 Walt Freeman and Adam and Vladyslave Hrapkowicz, petitioners. Recommendation to City Council on requested annexation of property located generally south of the Milwaukie Expressway and west of Kuehn Court
- c) A-77-6 Paul J. Bieker, petitioner. Recommendation to City Council on requested annexation of property at 5410 and 5420 S. E. King Road

9. CORRESPONDENCE AND OTHER BUSINESS

- a) Memorandum dated September 23, 1977, from City Council regarding proposed Zoning Ordinance amendment which would declare a moratorium on residential construction in commercial zones until completion of the Comprehensive Plan revision
- b) General discussion of PD/City park concept for property near 41st and Mason Lane