

City of Milwaukee
PLANNING COMMISSION REGULAR MEETING
January 25, 1977

The regular meeting of the Milwaukee Planning Commission was held on the 25th day of January, 1977, in the Council Chambers. The meeting was called to order by Mark Landis, President, at 7:00 p.m.

Members present: Mark Landis Bob Kennedy
Tom Foeller Bob Marquette
Bob Gudgel Louie Monetti

Also present: Cy Nims, Planning Director Myer Avedovech, City Attorney
Tim Holder, Assistant Planner Michelle Eaton, Secretary

The pledge of allegiance was recited by those present. Mark Landis gave background information on planning and land use controls and the function of the Planning Commission.

IT WAS MOVED by Foeller, seconded by Kennedy, to approve the minutes of December 21, 1976. MOTION CARRIED unanimously, and so ordered.

PUBLIC HEARINGS

ZC-77-1 David O'Brien and James Kiley, applicants. Request to change zone from A-2, Apartment Residential, to A-1-B, Apartment Business Office Residential, on the south side of Campbell Street between Myrtle and Oak

Public hearing opened at 7:04 p.m., with notices published and mailed as required, and mailed to residents of property within 250 feet of the subject property. Staff report, recommending denial, was given by Tim Holder.

Speaking in favor: Spencer Vail, consultant representing applicant

Questions raised: Pierre Brunelle, 5556 S. E. Logus Road

*No person appeared to speak in opposition and no correspondence was received. Rebuttal for the applicant was given by Spencer Vail. Hearing was declared closed at 7:25 p.m. IT WAS MOVED by Foeller, seconded by Gudgel, to table ZC-77-1 until staff has had time to study this proposal in relation to the entire area bounded by Campbell and Highway 224 and Oak and Penzance, to include a study of traffic, access, existing and potential land use, and density questions. MOTION CARRIED and so ordered. Staff study is to be ready by the February 22 meeting. The applicant was instructed to return with more public need information, particularly with respect to need for the higher density.

C-77-1 John and Mildred Arndt, applicants. Request to add second story to an existing structure and additional use of dwelling for limited care facility in R-5, Single Family Residential, zone at 3521 S. E. Sellwood

Public hearing opened at 7:35 p.m., with notices mailed as required and mailed to residents of property within 250 feet of the subject property. Staff report,

recommending approval, was given by Tim Holder.

Speaking in favor: Mildred Arndt, applicant
Joe Morrell, 3521 S. E. Sellwood

Speaking in opposition: Bob Schmitt, 11400 S. E. 35th
Albert Schmitt, 11378 S. E. 35th
Roger Sanman, 3536 S. E. Sellwood
Mrs. Gordon Howten, 3526 S. E. Sellwood
Dorothy Hagen, 11400 S. E. 35th

Questions raised: Sally Collins, 11367 S. E. 35th
Roger Sanman, 3536 S. E. Sellwood
Pierre Brunelle, 5556 S. E. Logus Road
Albert Schmitt, 11400 S. E. 35th
Betty Howten, 3526 S. E. Sellwood

Rebuttal for the applicant was offered by Mildred Arndt. Hearing was declared closed at 8:17 p.m. IT WAS MOVED by Kennedy, seconded by Monetti, to approve C-77-1 subject to the following conditions: 1) That a limit of five special care persons in addition to the family be permitted; 2) That there be a review of the conditional use in six months, for the reasons discussed by the City Attorney; 3) That the applicant provide a total of six off-street parking spaces, and keep cars in the off-street parking area as much as possible; 4) That the applicant make an effort to inform the neighborhood of how they can be reached as necessary for a better relationship with the neighborhood; approval is based on the following findings: 1) There is a need for this kind of facility; 2) A residential neighborhood environment is best for this type of facility; 3) This kind of facility helps to further CRAG's Land Use Framework Plan; 4) The facility has been in existence for 1½ years, apparently with no adverse effects. MOTION CARRIED unanimously, and so ordered. Appeal procedure was explained to those present.

C-77-2 Mon Don Enterprises, applicant. Request to remove existing single family residence and construct a duplex in R-7, Single Family Residential, zone at 3526 S. E. Olsen

Public hearing opened at 8:32 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 conditions, was given by Tim Holder.

Correspondence against: G. Lee and Marie E. Wright, 3423 S. E. Olsen

Speaking in favor: Monty Coyle, representing applicant

Speaking in opposition: Woody Rasmussen, 3433 S. E. Olsen
Ann Schnur, 3506 S. E. Olsen
Al Schnur, 3506 S. E. Olsen
Herman Stewart, 3328 S. E. Olsen
Jack Taylor, 3316 S. E. Olsen

Questions raised: Pierre Brunelle, 5556 S. E. Logus Road

Rebuttal for the applicant was given by Monty Coyle. Hearing was declared closed at 8:55 p.m. IT WAS MOVED by Gudgel, seconded by Marquette, to approve C-77-2 subject to the following conditions: 1) That the partition of the lot into two parcels be nullified; 2) Revise site plan so that the 25 foot yard is on the west side; provide fence or screen planting between the garage and west boundary to screen the side yard for privacy from the street. MOTION CARRIED unanimously, and so ordered.

(Meeting recessed at 9:03 p.m. and reconvened at 9:12 p.m. with all present.)

VARIANCE REQUESTS

VR-77-1 Glenn A. Gribble, applicant. William D. King, Sr. property owner. Request to construct addition to existing garage in excess of 480 square feet allowed for an accessory structure in R-7, Single Family Residential, zone at 10167 S. E. 45th Avenue.

Staff report, recommending approval with conditions, was given by Tim Holder. Property owners and residents of property to the north and west were notified of Planning Commission consideration of the request. Glenn Gribble was present to answer questions of the Commission regarding the request. IT WAS MOVED by Foeller, seconded by Kennedy, to approve VR-77-1 with the condition that siding and roofing match the existing garage as near as practicable. MOTION CARRIED unanimously, and so ordered.

VR-77-2 Alan T. Rohr, applicant. Request to enclose existing carport which encroaches on the 5 foot required side yard in R-5, Single Family Residential, zone at 8716 S. E. 31st Avenue

Staff report, recommending approval with conditions, was given by Tim Holder. Property owners and residents of property to the north were notified of Planning Commission consideration of the request. Alan Rohr was present to answer questions of the Commission regarding the request.

Correspondence in favor: Bruce and Laurie Ottenbacher, 8706 S. E. 31st Ave.

IT WAS MOVED by Foeller, seconded by Kennedy, to approve VR-77-2 subject to the following conditions: 1) All requirements of the Uniform Building Code are to be met; 2) The exterior siding should match the existing residence as close as practicable; 3) The door opening to be framed to the standard size with a removable panel installed to accommodate a future 10 foot wide door opening. MOTION CARRIED unanimously, and so ordered.

ANNEXATION REQUEST

A-77-1 Howard Macomber, and others, applicants. Request to annex property north of Highway 224 at Rusk Road.

Staff report, recommending approval, was given by Tim Holder.

Correspondence in favor: Neighborhood Council No. 5

Speaking in favor: Howard Macomber

Speaking in opposition: Anton Mortensen, 12929 S. E. Rusk Road
Ima G. Hoak, 12951 S. E. Rusk Road
Harry Hoak, 12951 S. E. Rusk Road
Pierre Brunelle, 5556 S. E. Logus Road

IT WAS MOVED by Kennedy, seconded by Foeller, to postpone a decision on this issue pending further study by staff and a recommendation by staff on zoning designation. MOTION CARRIED unanimously, and so ordered.

SUBDIVISION FINAL PLAT

S-76-6 Romalyn Addition. Doral Development Co., applicant. Request for eight lot subdivision of 1.78 acres in R-7, Single Family Residential, zone at the easterly terminus of Jefferson Street near its intersection with 44th Avenue

Staff report, recommending approval, was given by Tim Holder. Les White was present to answer questions of the Commission regarding the request. IT WAS MOVED by Kennedy, seconded by Foeller, to approve the final plat of S-76-6 on the condition that the City Engineer approve the provision of easements. MOTION CARRIED unanimously, and so ordered.

CORRESPONDENCE AND OTHER BUSINESS

a) PR-76-5 Hegar 4 Products, applicant. Request for review of signs in M-L, Limited Manufacturing, zone facing R-5 and R-7, Single Family Residential, zones at 3677 S. E. Edison Street

Staff report, recommending approval, was given by Tim Holder. Bill Scarborough, attorney representing applicant, was present to answer questions of the Commission regarding the request. IT WAS MOVED by Foeller, seconded by Gudgel, to approve the signs as submitted. MOTION CARRIED unanimously, and so ordered.

b) C-76-17 Terminal Ice and Cold Storage, applicant. Request for a review of revisions to plans for fill in M-L (FH), Limited Manufacturing (Flood Hazard), zone at 9501 S. E. McLoughlin Blvd.

Staff stated that the applicant requested that this item not be considered by the Planning Commission at this meeting. Correspondence received on the request from Dept. of Fish and Wildlife, Brod-McClung-Pace, Oregon Liquor Control Commission, Metropolitan Service District, Division of State Lands, and U. S. Army Corps of Engineers will be distributed to the Planning Commission prior to the next regular meeting.

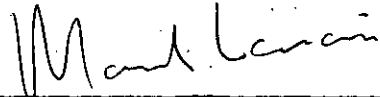
c) Memorandum from staff dated January 25, 1977, regarding Sign Ordinance interpretation was discussed. IT WAS MOVED by Kennedy, seconded by Foeller, to recommend that the City Council adopt an amendment to the Sign Ordinance that a change of copy does not require immediate conformance with all Sign Ordinance standards. MOTION CARRIED unanimously, and so ordered. The Commission requested review

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of the proposed ordinance amendment before it is forwarded to the City Council.


- d) Letter dated January 5, 1977, from Robert Dutcher regarding denial of VR-76-19, 7-11 parking variance, was discussed. No person was present to discuss the matter with the Commission. It was the CONSENSUS that the Planning Commission denial of the variance stands, as the applicant can meet the parking requirements of the Zoning Ordinance by the provision of the extra parking space within 200 feet.
- e) Memorandum dated January 25, 1977, from staff regarding a proposed 53-unit apartment project at the northeast corner of Linwood and Harmony was distributed for information.
- f) Memorandum dated January 25, 1977, from staff regarding parking requirements for Dr. John Chambers office, letter dated January 14, 1977, from staff to Dr. John Chambers, and letter dated January 17, 1977, from Dr. Chambers to Tim Holder were distributed and discussed. Mrs. Chambers was present to discuss the matter with the Commission. Mrs. Chambers was instructed to acquire the required parking within 200 feet of the building, or request a variance to the off-street parking requirements. It was the CONSENSUS to study the Zoning Ordinance requirement regarding provision of off-street parking spaces when use of property changes.
- g) It was the CONSENSUS of the Commission to accept the Annual Report and forward it to the City Council.
- h) Letter dated January 4, 1977, from Kay Lattos, Youth Alternatives Program, requesting amendment to conditions of approval of C-75-1 was discussed. City Attorney stated the Commission could not amend conditions set at a public hearing without conducting another public hearing. Staff will notify property owners as required, tentatively scheduled for the February 22 meeting.
- i) Memorandum dated January 24, from Janet Mandaville stating Neighborhood Council review of the proposed tree cutting ordinance had not been finished to date. It was the CONSENSUS to delay discussion of the proposed ordinance pending Neighborhood Council review.
- j) Bob Kennedy distributed copies of a recent column appearing in the Community Press by Bill Hupp entitled "Competitive Edge." It was the CONSENSUS that the Mayor and City Manager, as ex-officio members of the Planning Commission should occasionally attend Planning Commission meetings. It was the CONSENSUS to invite Council members and the City Manager to attend a work session to discuss the potential expansion of the business-commercial core of downtown Milwaukie.
- k) Circular from the Oregon State University Extension Service entitled "Why Planning?" was distributed for information.

Meeting adjourned at 11:23 p.m.



Mark Landis, President

ATTEST:



Michelle Eaton, Secretary