

PLANNING COMMISSION

MINUTES

REGULAR MEETING

SEPTEMBER 28, 1982

MEMBERS PRESENT:

DON TROTTER
REBECCA SWEETLAND
BETTY ROHOLT
JOHN LITTLEHALES
AL LAINE
BOB BROWN

STAFF PRESENT:

TOPAZ FAULKNER, PLANNING DIRECTOR
JON STEIN, ASSOCIATE PLANNER
CAROL LEE, SECRETARY
STEVE HALL, PUBLIC WORKS DIRECTOR

MEMBERS EXCUSED ABSENCE:

GEORGE CATHEY

Mr. Trotter called the meeting to order at 7:00 p.m. announcing the procedures of public hearing. Mr. Trotter explained that the issues concerning public hearing for C-82-16 would focus criteria from the Comprehensive Plan and Zoning Ordinance. The decision of the Commission is not based on whether or not a mobile home is to be placed on this site. Mobile homes are allowed in the City of Milwaukie as a Conditional Use in several zones, as long as it meets the criteria. Mr. Trotter read the conditions established in the Zoning Ordinance. Mr. Trotter directed the audience that any testimony must be addressed to the criteria.

3.1 C-82-16

FRANCIS AND MILDRED HILAND, APPLICANT AND PROPERTY OWNER

LOCATION: 11275 S.E. 56th Avenue, Milwaukie

PROPOSAL:

Request to place 24' x 56' (1,344 sq.ft.)
mobile home on an approximately 7,400 sq.ft.
irregular shaped parcel.

Jon presented the Staff Report and video tape showing the current condition of the site and various surrounding properties. Mr. Trotter explained that the term "immediate area" does not mean only adjacent properties, and that is why staff showed properties on 56th Avenue and Waymire Avenue.

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SPEAKING: DONNETTA WESTFALL

Ms Westfall stated she was opposed to the video tape presentation showing homes further than 500' from the site.

SPEAKING: Sandy Smith

Ms. Smith asked the Commission why the presentation showed a lot of little, older homes in the neighborhood, and not the newer more well-kept homes on 56th Ave.

SPEAKING:: WARREN PARKER, 11409 SE.. 56th

Mr. Parker mentioned the presentation showed property more than 500' from the site, all of which have cement foundations. The surrounding homes are not similar in appearance, value or composition of proposed mobile home foundation.

Mr. Trotter read into the record a petition that was presented to the Commission before the Public Hearing, signed by 36 persons.

PETITION FOR NONPLACEMENT OF MOBILE HOME ON 56TH AVENUE

We the residents of the neighboring area (56th Ave., Beckman, Park, part of Waymire, Harlene, and Stanley) object to the placement of a mobile home on the lot at the end of 56th Ave., owned by Mr. Hyland.

REASONS:

1. Residents were not notified of intentions for a mobile home or of the official meeting which approved the application.
2. Construction on mobile homes does not meet with Uniform Building Codes required for site built or modular homes.
3. Nature of environmental impact on neighboring homes.
4. The Planning Department told the residents of 56th Ave., on Wed., Sept. 8, 1982, that the site had been approved for a "Modular Home". However, a discrepancy exists, in that the permit issued said "REX 24' x 60'". The information on the application and subsequent permit, was not specific in identifying whether the residence was to be a mobile or a modular home.

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Mr. Parker said he was interested in procedures for changing the Zoning Ordinance. Mr. Trotter explained that the Planning Department has supplied a copy of the current draft copy of the Zoning Ordinance Revisions to the library for public circulation. Persons interested in revision should attend the upcoming public hearings to voice their opinions. These revisions will focus on the OBJECTIVES OF GOAL #10. (Housing Goal). Mr. Trotter asked which Commissioners had visited the site, 4 of the 6 attending Commissioners had, Mr. Brown and Ms. Sweetland had not.

Mr. Trotter asked if there was anyone else in the audience who wished to testify in favor or opposition to the request.

SPEAKING: SHARON HANSON, 11411 SE.. 56th Ave.

Ms. Hanson said she owns property next door to Mr. Parker. She said the mobile home that was approved on Linwood Avenue does not compare to the proposed site because the selected site for that home is in a more secluded area behind the church and cluster of trees away from the street frontage. The proposed home will face the street and have a very definite impact on the neighborhood and property values. She mentioned that one home in the neighborhood had just recently sold for \$55,000. but it was very questionable whether the mobile home could be valued at the same rate. She said mobile homes are extremely fire hazardous.

SPEAKING: CARL BENSON, 8720 S.E. 36th Ave.

Mr. Benson said he owns the property to the east of the site and asked the Commission if he could place mobile homes on his property as well.

SPEAKING: FRED JETER, 11475 S.E. 56th Ave.

Mr. Jeter said he felt the video tape presentation was biased because it showed homes more than 500' beyond the proposed site. He said there is a lot of difference in construction and appearance of the mobile home compared to the surrounding ranch style and split-level homes.

SPEAKING: SANDY SMITH, 11377 S.E. 56th Ave.

Ms. Smith said that the surrounding homes are set on permanent cement foundations. The proposed mobile home could be set on cement blocks which would be pushed out from under the mobile home, or teeter because of movement of the soil.

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Mr. Trotter explained the Ordinance states that either wood or cement block foundations are acceptable as permanent foundations.

Topaz explained that according to the Mobile Home Association the structure is supported by pier blocks under the steel joists, and not by the perimeter foundation. The cement block foundation is constructed by mortaring the blocks together forming a permanent foundation, and cannot be kicked apart.

SPEAKING: RICK WESTFALL, 11301 S.E. 36th Ave.

Mr. Westfall said that on one side of his property he has a neighbor who wants to install a mobile home for his retirement, and on the other side there are new homes, and across the street the owner is considering a mobile home park. Approval of this request will set a precedent allowing future applications for mobile homes in the area to be approved. He said the proposed site has sanitary sewer, storm drainage, but it does not have power to the property. The sewer connection is in his front yard, and he refuses to grant an easement for access.

SPEAKING: CARL BENSON, 8720 S.E. 36th Ave.

Mr. Benson asked the Commission if he would be allowed to place mobile homes on his property, east of the proposed site.

Mr. Trotter explained if he were to apply for Conditional Use Permits and come before the Planning Commission at a public hearing and comply with the mobile home criteria it may be approved.

Mr. Benson said he felt it would be a detriment to the neighborhood - to allow mobile homes to be placed up and down 56th Avenue.

Mr. Trotter said the Commission could not make a decision until the application comes before the Commission.

Mr. Hall, Public Works Director explained that the property does have sanitary sewer and water available to it. Mr. Westfall had acquired a special dispensation from Park Street, providing the area with water services. The Fire Department finds access to the property to be adequate. The road was built to City Standards proportionately by Mr. Hiland and Mr. Westfall. Sidewalks will be required prior to completion of the placement of the mobile home. Mr. Hall said power access could come through the public right-of-way, all other public utility requirements have been met.

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SPEAKING: ANNA JETER, 11475 S.E. 56th Ave.

Ms. Jeter said the total concept of overall community planning was not being considered. She said the area is not a rural area.

Mr. Trotter explained that the Commission would consider the request as a planning decision based on the Milwaukie Comprehensive Plan and Zoning Ordinance. Statewide Goal #10, must be complied with, which requires jurisdictions to consider a variety of housing types and price ranges, and citizens have agreed to these Statewide Goals. Mobile homes are to be considered as long as they comply with the criteria set forth in the Zoning Ordinance.

SPEAKING: MR. HILAND, APPLICANT

Mr. Hiland said he would be willing to install a wood or cement foundation. Mr. Hiland said he did not understand why a mobile home could burn any faster than a modular home.

Mr. Hall said the HUD and UBC regulations are basically identical. The difference in the two Codes is the basic design and construction of trailers and mobile homes. Testing for safety factors is the same for modular and mobile homes, as far as State Codes. They are as safe as stick built homes. Mr. Hall said modular homes are approved by UBC, built in two separate pieces at a factory, moved to the site and assembled. Mobile homes are built with steel beams and transported to the site with tongue and wheels which are then removed when it is placed on a permanent foundation, and must comply with the HUD Code. Mr. Liane asked about the interior walls. Mr. Hall said the interior walls meet the Code requirements.

Mr. Trotter mentioned the mobile home is supported by steel beams and will be placed on concrete blocks with a permanent perimeter wall similar in appearance to foundation in the area. An applicant can build a stick built home as he desires as long as it meets the Building Codes. There have been studies showing comparison of taxation and they are basically the same for stick built homes as for mobile homes. In the state our national economy is a new home owner has no guarantee that he will purchase a home of equal value.

The Commissioners discussed the Proposed Findings listed in the Staff Report.

Mr. Trotter made a Motion to approve C-82-16 with modified Findings and an additional Finding #11, and Conditions listed below. Mr. Liane made a Motion to amend the Main Motion to add a Condition requiring a permanent foundation of concrete or concrete blocks cemented together. The Motion failed due to lack of Second. The Main Motion carried 5 - 1, Mr. Liane voting in opposition.

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FINDINGS: C-82-16

1. The proposal complies with the following elements of the Comprehensive Plan:

OBJECTIVE #2 - Residential Land Use, Density, Policy 2.A, Page 28.
OBJECTIVE #4 - Neighborhood Conservation, Policy 5, Page 31.
OBJECTIVE #5 - Housing Choice, Policy 3, Page 32
2. The following sections of the Zoning Ordinance will be complied with:

Section 6.02.16 - Standards Governing Conditional Uses, Page 82.
Section 3.02.3.i - Minimum Vegetation, Page 14.
Section 4.14 - Minimum Vegetation, Page 69.
3. The mobile home is a 24' x 56' (1,334 sq.ft.) structure with a single-car carport; is similar in size and appearance to a standard stick-built home.
4. The mobile home will be placed at ground level and crawl space excavated. A perimeter pressure treated wall, similar in appearance to a typical foundation will be provided.
5. The mobile home will have horizontal aluminum siding with beige finish, brown window shutters and white window and eave trim. A pitched roof with composition shingles is indicated and will be similar to homes in the immediate area.
6. The closest structure is more than 70' to the south.
7. A variety of trees, grass and shrubs will be provided.
8. On-site drainage will be provided.
9. The access driveway will be designed, paved and drained to City Standards. Emergency vehicle access will not be impaired.
10. The Fire and Public Works Department do not object to the proposal.
11. Adverse testimony directed to criteria was discussed by Commissioners and found would not adversely affect the request for Conditional Use.

CONDITIONS: C-82-16

1. Driveway, drainage and utilities to be approved by Fire Department.
2. Submit a landscape plan showing a variety of landscape materials and an evergreen hedge along the east, south and west property lines. Proposed plan to be approved by Staff.

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CONDITIONS: C-82-16 Continued

3. Perimeter wall finish shall be similar in appearance to the other home foundations in immediate area, to be approved by Staff.

The Commission recessed for 10 minutes; Ms. Sweetland left the panel for the evening. Mr. Liane declared a conflict of interest for the next public hearing (VR-82-17).

- 3.2 VR-82-17
PETER AND DOREEN YOUNG, Applicant and Property Owner
LOCATION: 5906 Lloyd Street, Milwaukie

PROPOSAL:

Request to build carport 6' from the west property line, rather than minimum 10'. A variance of 5' is requested.

Jon presented the Staff Report.

APPLICANT'S RESPONSE:

SPEAKING: MR. PETER YOUNG, Applicant, 5906 Lloyd St.

Mr. Young said he does not intend to widen the driveway because there is a large tree there.

There was no testimony in favor or opposition of the request. Mr. Littlehales made a Motion to approve C-82-17 with 5 Findings, and an additional Finding #6 to read as listed below. Mr. Brown Seconded the Motion, the Motion carried unanimously.

FINDINGS: VR-82-17

1. The proposal is supported by OBJECTIVE #4 - Neighborhood Conservation, Policy #5, Page 31 of the Comprehensive Plan.
2. Reducing the carport width by 1' would slightly reduce the variance but also reduce the utility of the structure and make access more difficult. The position of the house and fir tree creates the need for the variance.
3. The carport will be screened by a high hedge to the south and west of the property.
4. There will be no impacts to the existing vegetation and no loss of open space.

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FINDINGS: VR-82-17 Continued

5. Existing views will be maintained and the addition will be about 15' from the closest house to the west.
6. No adverse testimony was presented at the public hearing.

NO CONDITIONS FOR VR-82-17

8.1 NORTH CLACKAMAS PARK PARKING LOT IMPROVEMENT

Randy Westrick, Parks and Recreation Superintendent, presented ^{WRITTEN} a report on the parking lot proposed for construction in the North Clackamas Park. He mentioned curbs and trees could be installed along the periphery of the parking lot with landscaping in islands. A walkway will be installed from the parking lot to the Senior Center. There were comments that a bike rack should be installed. After discussion, Mr. Trotter asked Staff to give him a list of the concerns expressed by the Commission as a basis for a letter of recommendation to Staff.

8.2 DEVELOPMENT OF HILLSIDE PARK

Mr. Trotter read the letter presented to the Commission from Mr. Nick Knapp, Executive Director of the Housing Authority of Clackamas County. Mr. Trotter asked Staff to schedule Mr. Knapp on the agenda of the October 12, 1982 Planning Commission Meeting to present his plans for the development.

- 6.1 CITY COUNCIL MEETING MINUTES: September 7, and 16, 1982
- 6.2 PLANNING COMMISSION MINUTES: September 14, 1982
To be reviewed at the next regular meeting.

It was the consensus of Staff and Commissioners that a Special Meeting be scheduled for October 6, 1982 at 6:30 p.m. to complete the discussion of the Draft Zoning Ordinance.

The meeting adjourned at 9:45 p.m.

AGENDA

PLANNING COMMISSION

REGULAR MEETING

SEPTEMBER 28, 1982

- 1.0 CALL TO ORDER AT 7:00 P.M.
- 2.0 PROCEDURAL QUESTIONS
- 3.0 PUBLIC HEARINGS:
 - 3.1 C-82-16
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 - VR
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5' is requested.
- 4.0 PUBLIC COMMENT
- 5.0 CONSIDERATION
- 6.0 CONSENT AGENDA
 - 6.1 City Council Meeting Minutes: September 7, and 16, 1982
 - 6.2 Planning Commission Minutes: September 14, 1982
- 7.0 OLD BUSINESS
 - 7.1 CONTINUED DISCUSSION OF DRAFT ZONING ORDINANCE
- 8.0 OTHER BUSINESS
 - 8.1 North Clackamas Park Parking Lot Improvement