

MILWAUKIE PLANNING COMMISSION
REGULAR MEETING
TUESDAY, AUGUST 12, 1986

MEMBERS PRESENT

John Littlehales, Chairman
Don Trotter
Patricia Wolter
Gregg Newstrand, Jr.
Betty Roholt
Robert Knudson
Jan Fitzgerald

STAFF PRESENT

William B. Adams, Community
Development Director
Jane Heisler, Acting Associate
Planner
Barbara Rosier, Hearings Reporter

1.0 CALL TO ORDER

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

Bill clarified that even though Northridge Heights was scheduled for a public hearing, it had to be postponed to the next meeting (August 26, 1986) due to the late arrival of certain documents.

2.0 PROCEDURAL QUESTIONS

None.

3.0 CONSENT AGENDA

3.1 PLANNING COMMISSION MINUTES - JULY 22, 1986

Knudson moved to approve the Minutes of July 22, 1986, as amended.
Chm. Littlehales seconded. MOTION PASSED UNANIMOUSLY.
Vote was 6-0:
Fitzgerald abstained due to her absence at that meeting.

4.0 PUBLIC HEARINGS

4.1 Applicant: City of Milwaukie

Property Owner: Same

Location: 10660 SE 21st Avenue (Tax Lot 1800 of Tax Map
T1S, R1E, 36BB, W.M.)

Proposal: The Applicant requests approval of a Community
Service Overlay to allow the construction of an
addition to the Ledding Library (CSO-86-03).

Jane presented the Staff Report and slide presentation of the
site.

APPLICANT'S PRESENTATION

SPEAKING: Ray Bartel, 2515 SE Harrison Street, Milwaukie (business)

Mr. Bartel said he concurs with the Staff Report. He explained how the architects arrived at the point of selecting the addition area. He pointed out that the addition will not interfere with any commercial or residential uses. He also mentioned that two trees will have to be removed; however, the removal of those trees will not create a visual void, due to the fact that they are shielded by other trees. Also, they will not be disturbing the natural environment of the site.

Knudson asked what do they intend to do with the two felled trees. Mr. Bartel said the two trees would simply be removed by the contractor, unless the City specifically designated another use. Knudson said that possibly the wood could be delivered to families who needed wood for the winter. Mr. Bartel said they could be used for that purpose. When contracting the work, that could be specified.

Wolter asked Mr. Bartel if the two trees were present on the site when the library was first constructed. Mr. Bartel said that they were. Bill mentioned that the Planning Commission could recommend to the City that the trees be salvaged and given to charity.

Trotter asked Mr. Bartel if the 12,045 square feet listed in Finding 21 included patron area/population. Mr. Bartel said he thinks it does not. Mr. Bartel added that the Commission may wish to amend the Finding in order to obtain the size recommended by the American Library Association.

TESTIMONY IN FAVOR

SPEAKING: Bill Hupp, 2626 SE Washington Street, Milwaukie

Mr. Hupp is in favor of the addition. However, he is opposed to an elevator being placed in the library, especially before one is placed in City Hall. He would also like to see the two trees salvaged, possibly to the Senior Center, where volunteers from the State Police could buck and split the wood for the center.

CLOSE OF PUBLIC HEARING

Fitzgerald asked if the taxpayers would be burdened with finishing this project if funds are depleted or if additional funds fail to arrive.

SPEAKING: Sandra Miller, Assistant to the City Manager

Ms. Miller said the intent of the Library Board is that they will use the Clark King estate as match funds for a federal grant. They have applied for the grant; they did not receive it for this year. However, the Library Board is on the list of possible recipients for next year. The Library Board recommended to City Council to go

ahead with Phase 1. This would allow construction of a two-story addition which can be completed at a later date and then use the grant monies if those are available or raise funds to complete the addition at a later date. The current children's section of the library was constructed in this fashion. Ms. Miller said the Library Board is not intending this to be a taxpayers' burden.

Fitzgerald commented that for every tree that comes down, another should be planted.

Roholt moved approval of Community Service Overlay CSO-86-03 with the 21 Findings, 3 Conclusions, and 2 Conditions. Chm. Littlehales seconded. MOTION PASSED UNANIMOUSLY 7-0.

Roholt moved recommendation to City Staff that when the two trees are taken down, they be handled in a manner which would benefit needy people during the winter by providing fuel. Trotter seconded. Chm. Littlehales suggested that the wood be taken to the Senior Center, for example, for cutting up by the State Police. Wolter asked if a portion of the wood could be used in the construction of the addition or in some other way to commemorate the existence of the original trees. Mr. Bartel said he believes it is the intention of the Library Board to place a plaque on the addition and that a portion of the wood could be used in construction of that plaque. MOTION PASSED UNANIMOUSLY 7-0.

4.2 Applicant: Hubbard's Dairy Queen
Property Owner: Yampa Trust
Location: 11094 SE Main St. (Tax Lot 900 of Tax Map T1S, R1E, 36BC, W.M.)
Proposal: The applicant requests approval of a conditional use to allow the construction of an addition to an existing restaurant with a drive-through facility (CU-86-05).

No conflicts of interest were declared. Jane presented the Staff Report and a slide presentation of the site.

PRESENTATION OF APPLICANT

SPEAKING: Gary Hubbard, (business) 11094 Main Street, Milwaukie

Mr. Hubbard said that with the acquisition of the parking lot, the customer capacity of the building has peaked out several times, making this addition necessary. The addition will create room for about 20 additional customers and 8-10 staff people. Mr. Hubbard apologized for the late submission of the site plan; it arrived late from the architect. He stated that at the rear of the building, they have made a spot for handicap parking, which is not a requirement; in so doing, they had to remove about 6 feet of planting. He believes all other requirements have been met. Mr. Hubbard stated he has talked with Milwaukie Floral, and they will be working with him to present a detailed shrub and planting plan to the City. Concerning the tree plantings, Mr. Hubbard

stated they have planted shrubs; however, they were trampled. They plan on replacing those shrubs with higher and heartier plants. Vandalism has accounted for much of the missing landscaping, and Mr. Hubbard stated he installed a split-rail fence in front of the Dairy Queen, which he hopes will protect the new landscaping. Even though the trees the City and Mr. Hubbard have installed have been repeatedly vandalized, Mr. Hubbard said they will plant again.

Trotter asked why none of the trees on the sidewalk are shown on the architectural drawing. Hr. Hubbard said that was an inadvertent error: there are two trees on the Washington Street side and they intend to leave those in place.

Chm. Littlehales asked Staff if there are certain requirements for the construction of a handicap parking spot. Mr. Hubbard said that the architect indicated that the particular design had to do with convenient in-and-out access due to sliding doors on vans. Mr. Hubbard said he did not see any requirements in the Staff Report requiring the handicapped spot, but they felt it was appropriate due to patronage by handicapped individuals.

TESTIMONY IN FAVOR

SPEAKING: Bill Hupp, 2626 SE Washington, Milwaukie

Mr. Hupp is in favor of this addition. He added that the applicant has improved the building tremendously and the business is an asset to the City of Milwaukie. He urged Commission support.

CLOSING COMMENTS OF APPLICANT

SPEAKING: Gary Hubbard

Mr. Hubbard said they have owned the store for 15 years. He added that Milwaukie is not dying and the need for this addition proves that point.

CLOSE OF PUBLIC HEARING

Fitzgerald is in favor of the addition. However, she recommends that a stop sign be placed beyond the drive-through window in order to provide adequate pedestrian safety.

Trotter asked Staff if the landscaping requirement of Condition No. 3 has been met after hearing Mr. Hubbard's testimony and landscaping proposal (low shrubs plus the street trees). Jane said approval was up to the Planning Commission.

Jane asked the Applicant if access to the handicapped space would be gained from the existing driveway. Mr. Hubbard said the van would have to pull out and then back in. If it was a handicapped driver, they would come right in from Washington Street.

Trotter stated that the site plan has been presented late, and he has some concerns that there may be areas that will not work, due to landscaping/parking requirements. He proposes a revision of Condition No. 1 to read, "That the Applicant submit for Staff review and approval the revised site plan * * *." This will give Staff an opportunity to review the plan.

Trotter moved approval CU-86-05 with the 26 Findings, the 7 Conclusions, and revising Condition No. 1 to read, "That the Applicant submit for Staff review and approval the revised site plan * * *," and revising Condition No. 2 to read, "That the Applicant submit a detailed landscaping plan including sizes, species, and spacing of existing and proposed plan materials for Staff review and approval," and Conditions 3, 4, and 5 as proposed. Roholt seconded. Trotter mentioned that the reason for revising the first condition is because it is a brand-new proposal and although it appears to meet all the requirements, he believes it is appropriate to give Staff adequate time to review it. Chm. Littlehales suggested revision of two Conclusions. Trotter proposed the following revisions: Conclusion No. 2 to read, "The proposed parking plan appears to be in compliance with Section 5.03 of the Zoning Ordinance"; Conclusion No. 3 to read, "The proposed landscaping plan appears to be in compliance with Section 3.11 (3) (1) of the Zoning Ordinance"; and deleting Conclusion No. 3 and changing No. 7 to No. 6. The second concurred. MOTION PASSED UNANIMOUSLY 7-0.

SPEAKING: Bill Hupp, 2626 SE Washington Street, Milwaukie

Mr. Hupp voiced a concern that requiring landscaping for the parking area seems to be unfair to the Applicant in light of the fact that off-street parking is not required and the Applicant is helping the City by opting to have off-street parking. Bill Adams said, per the Zoning Ordinance, that the 15 percent landscaping requirement applies to all sites, whether parking is voluntarily constructed or not. Mr. Hupp said this does not seem to be fair to the Applicant. Trotter added that the Zoning Ordinance specifies that 15 percent of sites located in the Commercial Zone are to be landscaped. If that particular percentage in Mr. Hupp's opinion is incorrect or unfair, then he should suggest that that portion of the Ordinance be revised during the Public Comment portion of this hearing. The Commission has no choice in the matter but to require 15 percent landscaping for this site.

Ten-minute recess was taken.

Meeting resumed.

- 4.3 Applicant: Max and Delores Edwards
 Property Owner: Same
 Location: 3124 SE Olsen St. (Tax Lot 900 of Tax Map T1S, R1E, 25CA, W.M.)
 Proposal: The applicant requests approval of a conditional use to allow the construction of a garage in a C-L Zone (CU-86-06).

No conflicts of interest were declared. Jane pointed out the arrival of a letter from John F. Reid in opposition to this request. The Commission took a moment to review the letter. Jane presented the Staff Report and a slide presentation of the site.

QUESTIONS OF STAFF

Chm. Littlehales asked Staff how and at what point the 25 percent figure was determined (as listed in Condition No. 4). Jane said she has not had a chance to discuss this with Public Works. Bill said Staff will discuss this recommendation with Public Works for clarification.

APPLICANT'S PRESENTATION

SPEAKING: Max Edwards, 3124 SE Olsen Street, Milwaukie

Mr. Edwards said he simply wants to build a garage in order to store equipment presently located outside.

QUESTIONS OF APPLICANT

Trotter asked Mr. Edwards if he understood the Conditions that Staff has asked. Mr. Edwards said yes. Chm. Littlehales asked the Applicant if he was prepared to fulfill the Conditions. Mr. Edwards said yes, even though he was not sure how soon they would be completed or where the money would come from.

Knudson asked if the garage was to be used for storage or if it would be used to repair cars. Mr. Edwards said it was to be used for storage and to repair the family's cars. Knudson asked if he would be repairing other people's cars. Mr. Edwards said they would be working only on family cars.

CLOSE OF PUBLIC HEARING

Wolter commented that a garage would be an improvement to the site, and she can see no reason not to grant the request. Newstrand agrees.

General discussion concerning Condition No. 4 dealing with the Developer's Agreement.

Wolter Moved approval of CU-86-06 with the 30 Findings, 5 Conclusions, and 4 Conditions. Newstrand seconded. MOTION PASSED UNANIMOUSLY 7-0.

7.0 OLD BUSINESS

Chm. Littlehales pointed out that Betty Roholt has resigned her position as Commissioner effective August 15, 1986. The Commission sincerely thanks Betty for her four years of service. Later on in the meeting, Betty stated that the City of Milwaukie is very lucky to have the caliber of people it does serving on the Commission

and she considers it a great privilege to have been a part of it.

Newstrand moved continuation of PD-81-01 to the next meeting, which would be August 26, 1986. Roholt seconded. MOTION PASSED UNANIMOUSLY 6-0. Ch. Littlehales abstained.

4.4 Applicant: City of Milwaukie
Property Owner: N/A
Location: N/A
Proposal: Proposal for a zoning ordinance amendment to clarify Section 3.20, community service overlay (ZA-86-01).

General discussion of Section 3.20 of Ordinance 1438.

The Commission recommended the following revisions to amended Ordinance 1438:

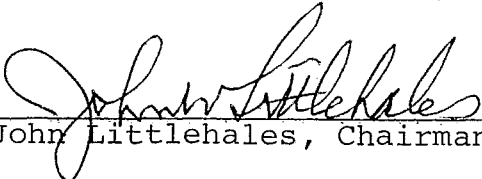
Revising: Section 2.B, first sentence, "Authorization of actions covered by Sections 3.20, 6. 7, and 8 shall be void after six months from the date of approval unless * * *."

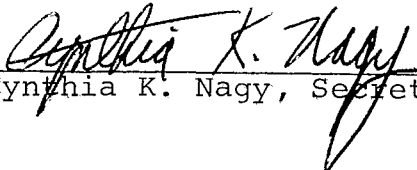
Revising: Section 2.B, last sentence, "However, the Planning Commission * * * an additional six months upon written request."

Adding: Exhibit A: 4.B.1.C. "Shall meet the applicable goals and policies of the Comprehensive Plan."

Trotter moved recommendation to City Council to adopt ZA-86-01, as revised. Roholt seconded. MOTION PASSED UNANIMOUSLY 7-0.

Newstrand moved to adjourn the meeting. Wolter seconded. MOTION PASSED UNANIMOUSLY 7-0. The meeting of August 12, 1986, adjourned at 9:30 p.m.


John Littlehales, Chairman


Cynthia K. Nagy, Secretary

AGENDA
MILWAUKIE PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL, 10722 SE MAIN STREET
TUESDAY, AUGUST 12, 1986, AT 6:30 P.M.

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ITEM MEETING FORMAT

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| <p>1.0 CALL TO ORDER</p> <p>2.0 PROCEDURAL QUESTIONS</p> <p>3.0 CONSENT AGENDA</p> <p>3.1 PLANNING COMMISSION MINUTES - JULY 22, 1986</p> <p>3.2 CITY COUNCIL MINUTES - JULY 15, 1986</p> <p>4.0 PUBLIC HEARINGS</p> <p>4.1 APPLICANT - CITY OF MILWAUKIE
 PROPERTY OWNER - SAME
 LOCATION - 10660 SE 21ST AVENUE (TAX LOT 1800 OF TAX MAP T1S, R1E, 36BB, W.M.)
 PROPOSAL - THE APPLICANT REQUESTS APPROVAL OF A COMMUNITY SERVICE OVERLAY TO ALLOW THE CONSTRUCTION OF AN ADDITION TO THE LEDDING LIBRARY (CSO-86-03).</p> <p>4.2 APPLICANT - HUBBARD'S DAIRY QUEEN
 PROPERTY OWNER - YAMPA TRUST
 LOCATION - 11094 SE MAIN ST. (TAX LOT 900 OF TAX MAP T1S, R1E, 36BC, W.M.)
 PROPOSAL - THE APPLICANT REQUESTS APPROVAL OF A CONDITIONAL USE TO ALLOW THE CONSTRUCTION OF AN ADDITION TO AN EXISTING RESTAURANT WITH A DRIVE-THROUGH FACILITY (CU-86-05).</p> <p>4.3 APPLICANT - MAX AND DELORES EDWARDS
 PROPERTY OWNER - SAME
 LOCATION - 3124 SE OLSEN ST. (TAX LOT 900 OF TAX MAP T1S, R1E, 25CA, W.M.)
 PROPOSAL - THE APPLICANT REQUESTS APPROVAL OF A CONDITIONAL USE TO ALLOW THE CONSTRUCTION OF A GARAGE IN A C-L ZONE (CU-86-06).</p> <p>4.4 APPLICANT - CITY OF MILWAUKIE
 PROPERTY OWNER - N/A
 LOCATION - N/A
 PROPOSAL - PROPOSAL FOR A ZONING ORDINANCE AMENDMENT TO CLARIFY SECTION 3.20, COMMUNITY SERVICE OVERLAY (ZA-86-01).</p> <p>5.0 PUBLIC COMMENT - THIS IS AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON ANY ITEM NOT ON THE AGENDA.</p> <p>6.0 CONSIDERATION ITEMS - NONE</p> <p>7.0 OLD BUSINESS - NONE</p> <p>8.0 OTHER BUSINESS - NONE</p> <p>9.0 NEXT MEETING</p> <p>9.1 CONTINUATION OF VR-86-09, RICHARD AND JUDITH SAMJELS, APPLICANTS; REQUEST FOR VARIANCE TO LANDSCAPING AND SIGHT-OBSCURING FENCING REQUIREMENTS.</p> <p>9.2 CSO-86-04, NORTH CLACKAMAS SCHOOL DISTRICT NO. 12, APPLICANT; REQUEST FOR COMMUNITY SERVICE OVERLAY TO ALLOW ADDITIONAL PARKING AREAS.</p> <p>9.3 CONTINUATION OF FINAL DEVELOPMENT PLAN FOR NORTHRIDGE HEIGHTS (PD-81-01), CITY OF MILWAUKIE, APPLICANT; FREEPORT INVESTMENT CO., PROPERTY OWNER.</p> <p>9.4 CONSIDERATION ITEM - PROPOSAL TO REPEAL ORDINANCE 1160 WHICH ESTABLISHES THE PLANNING COMMISSION, REPLACING IT WITH AN ORDINANCE WHICH UPDATES THE DUTIES OF THE PLANNING COMMISSION AND DELETES OUTDATED LANGUAGE AND GUIDELINES.</p> | <p>1. STAFF REPORT</p> <p>2. CORRESPONDENCE</p> <p>3. APPLICANT'S PRESENTATION</p> <p>4. PUBLIC TESTIMONY FROM OTHERS IN SUPPORT OF APPLICATION</p> <p>5. COMMENTS OR QUESTIONS FROM INTERESTED PERSONS WHO NEITHER ARE PROPONENTS NOR OPPONENTS</p> <p>6. PUBLIC TESTIMONY FROM THOSE IN OPPOSITION OF THE APPLICATION</p> <p>7. QUESTIONS FROM PLANNING COMMISSION</p> <p>8. REBUTTAL TESTIMONY FROM APPLICANT</p> <p>9. CLOSING OF PUBLIC HEARING</p> <p>10. COMMISSION DISCUSSION/ACTION</p> <p>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.</p> |
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