

City of Milwaukie
PLANNING COMMISSION MEETING

July 25, 1972

The regular meeting of the Milwaukie Planning Commission was held on the 25th day of July, 1972, in the Council Chambers. The meeting was called to order by Robert Kennedy, President, at 8:00 p.m.

Members present: Robert Kennedy John Foster
 Louis Casale Fred Liddell
 Dan Croft Richard Nase
 Dennis Davis

Also present: Rod Sandoz, Planning Assistant Don Graf, Mayor
 Myer Avedovech, City Attorney Michelle Eaton, Secretary
 J. Wayne Daigle, Dir. Public Works

IT WAS MOVED by Liddell, seconded by Croft, to approve the minutes of June 27, 1972.
MOTION CARRIED and so ordered.

PUBLIC HEARINGS

ZC-72-9 Cinderella Homes, applicant. Request to change zone from M-L, Limited Manufacturing, and R-7, Single Family Residential, to A-2, Apartment Residential, on property located on the north side of Johnson Creek Blvd. at its intersection with 41st Street, more commonly referred to as 4105 S. E. Johnson Creek Blvd. (Tax Lot 1400, T1S, R2E, Section 30BB)

Mr. Nase was excused while the Commission considered this zone change request. Public hearing was opened at 8:05 p.m., with notices published and mailed as required. Staff report, recommending denial of the application and initiation of a zone change from M-L to R-7, was read by Rod Sandoz.

Correspondence in opposition: Mrs. E. V. Brattin, 4325 S. E. Johnson Creek Blvd.
 R. D. Whelan, 3833 S. E. Johnson Creek Blvd.

Speaking in favor: Richard Nase, representing applicant
 A. Howie, 8710 - 41st

Speaking in opposition: Carl Sparwasser, 4155 S. E. Johnson Creek Blvd.
 Donald Rhyne, 4210 S. E. Johnson Creek Blvd.

Questions raised: Arnold Hatelid, 4205 S. E. Johnson Creek Blvd.

Hearing was declared closed at 8:45 p.m. IT WAS MOVED by Davis, seconded by Foster, that ZC-72-9 be recommended for denial to the City Council. AYES: Casale, Davis, and Foster. NOES: Liddell and Croft. MOTION CARRIED and so ordered.

(Meeting was recessed at 9:00 p.m. and reconvened at 9:05 p.m. with all present.)

C-72-9 Donald W. Graf, applicant. Request to facilitate the construction of a 75 foot amateur radio tower in R-7, Single Family Residential, zone on property located on the north side of Boyd Street approximately 100 feet east of its intersection with 29th, more commonly referred to as 2949 Boyd Street. (Tax Lot 21500, T1S, R1E, Section 25BA)

Public hearing was opened at 9:10 p.m., with notices mailed as required. Staff report, recommending approval, was read by Rod Sandoz. Al Jones, Fire Marshal, had expressed concern for possible attractive nuisance, and suggested consideration of fencing or screening to prevent children from climbing the tower.

Correspondence in opposition: Mr. and Mrs. L. D. Hardin, 8826 - 29th

Speaking in favor: Donald W. Graf, applicant

Hearing was declared closed at 9:15 p.m. IT WAS MOVED by Croft, seconded by Liddell, in view of the facts presented by the applicant and the staff report, that C-72-8 be approved as requested. MOTION CARRIED and so ordered.

CONSIDERATION

Recommendation regarding the vacation of a portion of 27th Street which lies east of Lots 6, 7, 8, 9 and the portion of Lot 5 which is within Clackamas County, Block 3, Ross Addition.

Staff report, recommending delay on the vacation request, was given by Wayne Daigle. Richard Hunt, attorney for Pendleton Woolen Mills, gave background information and explained the request. Bob Ewen, State Highway Department, informed the Commission of the Highway Department's plans for expansion of McLoughlin Blvd. E. W. Haggerty, Pendleton Woolen Mills, spoke in favor of the request. IT WAS MOVED by Croft, seconded by Casale, that we recommend to the City Council that the 27th Street vacation request be delayed until the State Highway Division comes up with firm commitments on rights of way and access approaches. MOTION FAILED to pass. IT WAS MOVED by Liddell, seconded by Croft, that we recommend to the City Council that the 27th Street vacation be delayed for 90 days, and if requirements cannot be determined then we or the Council act on it. MOTION CARRIED and so ordered.

CORRESPONDENCE AND OTHER BUSINESS

Merv Englund asked the Commission's attitude on the feasibility of the vacant lot on 43rd and Howe, zoned A-3, being used as a one story professional building, stating that the 55 foot setback from 43rd Avenue was excessive and would make his proposal undesirable. The Commission concurred that revisions are necessary in Section 4.120, and this will be discussed at the next work session of the Commission.

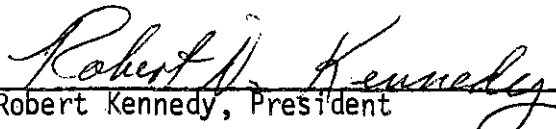
Waldemar Seton, representing Mail-Well and Pak-Well, requested consideration of a request to provide additional parking area. The Planning Commission must review any change in actual use of a parcel in an M-L zone which abuts a residential area. Some area of the proposed parking lot is farther than 200 feet from the buildings, and an

exception permit is required. It was the consensus of the Commission that all five conditions for an exception were met and the plans were approved as submitted. IT WAS MOVED by Liddell, seconded by Nase, that staff approve the exception request based on what was presented tonight. MOTION CARRIED and so ordered. Mr. Seton was instructed to file an application and pay the regular filing fee.


Dan Croft presented a letter and questionnaire from the Environmental Protection Agency. The questionnaire was referred to staff for completion, and Mr. Croft requested a report on the completed questions.

Eastgate Theatres, Inc., requested abandonment of an easement between Lots 2 and 3 of Omark Industrial Park. Staff report from Director of Public Works, recommending approval of the request, was read. IT WAS MOVED by Liddell, seconded by Nase, to recommend abandonment of the easement. MOTION CARRIED and so ordered.

Meeting was adjourned at 10:55 p.m.


Robert Kennedy, President

ATTEST:


Michelle Eaton, Secretary