

PLANNING COMMISSION REGULAR MEETING
April 18, 1967

The regular meeting of the Milwaukie Planning Commission was held on the eighteenth day of April, 1967 in the City Council Chambers.

The meeting was called to order by President Allan Jones at 7:30 p.m.

Members present:	Elizabeth Brod	Allan Jones
	Fred Liddell	Mervin Englund
	Robert Kennedy	

Also present:	Dick Ivey, Plan. Consltnt	M. Jones, Secretary
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Absent:	Fred C. Dyer, City Mgr	Max Thompson, Asst City Mgr
	J. Wayne Daigle, City Engr	R. L. Mills, City Atty
	Robert Richmond, Mayor	Dick Nase
		Rich Eddy

It was moved by Englund, seconded by Liddell, that the minutes of the Regular Meeting, March 21, 1967 and the Special Meeting, April 4, 1967, be approved as printed. Motion carried and so ordered.

(Max Thompson and Dick Nase entered the meeting at 7:34 p.m.)

PUBLIC HEARING

#SP67-3 Temporary use request to grade property to approximately 18 feet lower to conform with land adjacent by means of excavation and sale of gravel on property known as T.L. 9 and 9-1 and Lots 40 and 44 Section 25, 1S., 1E., W.M., William Meek D.L.C. No. 50 (600 - 29th St.) Applicants - R. J. Witte and William K. Kirby.

Public hearing was opened on the temporary use request with persons wishing to speak in favor of this proposal asked to come forward.

Speaking in favor: William K. Kirby, 6905 SE 17th, Portland, Oregon 97202

Correspondence: Clackamas Co. Housing Authority memo indicating no opposition to this request.

Opposed: None

(Mr. Mills entered the meeting at 7:40 p.m.)

Public hearing was closed at 7:40 p.m.

After a discussion, Mr. Liddell moved, seconded by Mr. Nase, that a recommendation be made to the Council to grant this permit, the approval to include recommendations made by the City Engineer:

- 1) that the operation entail a permit under the U.B.C.
- 2) that the hours of operation be limited to between 7:00 a.m. and 7:00 p.m.
- 3) and that the hauling operations be confined to right of way adjacent to the railroad and that no truck traffic or equipment traffic be allowed on 29th Street.

The motion was carried and so ordered.

REQUEST FOR VARIANCE

#VR67-1 - Applicant, Turk, Inc., 7151 SE 118th Drive, Portland, Oregon, requested a variance in yard requirements to allow continuation of the construction of residence at 6400 SE Plum Drive (Cedarcrest Subdivision, Lot 11 Block 7) on which a stop work order had been issued.

Speaking in favor: Lester Rawls, Attorney for the applicant

Thomas Elliott, 6326 Plum Drive

Wendell T. Barnes, 6336 Plum Drive

John Ferguson, 6406 Plum Drive

Following a discussion, Liddell moved, seconded by Englund, to deny this variance request. Applicant was advised that in the event the Planning Commission denied this, he could make appeal within ten days of any denial to the City Council. Mr. Bobby Turk was permitted to speak at this time at Mr. Dick Nase' request. Mr. Turk indicated a permit was issued and he believed he had adequate yard requirements at the start of construction. It was pointed out to Mr. Turk that when the permit was issued, the variance was only one foot and due to a mistake by his designer, the variance was now 19 feet. Question was called for. Motion for denial of the variance was carried unanimously and so ordered.

REQUEST FOR VARIANCE

#VR67-2 - Applicant, Walter Huber, 2304 - 5th Ave., requested a variance in yard requirements to permit placement of carport 2 ft. from border without use of firewall at this location, (Lot 1, 3 and 20 ft. of 5, Block 15, Robertson Subdivision) 2304 - 5th.

Presentation of the request made by Max Thompson. Following a discussion, Mrs. Brod moved, seconded by Nase, that the request be granted subject to receipt of written approval from the abutting and surrounding property owners. AYES: Mrs. Brod, Nase, Kennedy. OPPOSED: Liddell and Englund. Motion carried and so ordered.

SPECIAL PERMIT

#SP67-4 - Applicant, R. Richard Gay, requested permit to place proposed duplex in a single family residential area, North 140 ft. of East 1/2 of Tract 33 in Gibson Subdivision of Logus Tracts (Lot east of 4736 SE Mullins Street). This request stated the lot would be best utilized with the proposed duplex, each unit to have a one-car garage, 800 sq.ft. in each unit, owner would live in one, rent the other, would have paved access to the garage and the request included consent of adjoining and surrounding owners. City Engineer Daigle opposed this as he believed the road should be graded before a building permit was issued. Mr. Thompson advised the space was adequate to meet requirements for duplex and other duplexes were situated in the area. Englund moved, seconded by Liddell, that a special permit be issued in accordance with the plot plan submitted, dated 4/15/67, and subject to the future dedication of the street, the building to be placed to relate to the proposed street extension grade. Mr. Liddell complimented Mr. Gay on the drawing submitted as it related to structures in the area. Motion carried and so ordered.

SPECIAL PERMIT

SP-67-2 - Applicant, Bruno Simonatti, 3329 SE 74th Ave., requested permission to use side yard as back yard on Lot 4Bl. 10, Quincy Addition (Corner lot of 30th and Sellwood Streets). City Staff advised this request was in line with other residences in the area. Mrs. Brod moved, seconded by Kennedy, the variance be granted in accordance with the application as amended, 19 ft. back from 30th Street, 20 ft. back from Sellwood St., 5 ft. from the lot to the east and 36 ft. from the proposed construction to the south. Motion carried and so ordered.

REQUEST FOR SIGN CONSTRUCTION

Request was made by the School District for approval of sign construction for the Administration Building, Milwaukie Elementary School at 4400-4500 Lake Road, (permit has been issued for the building, excluding the sign). Nase moved, seconded by Mrs. Brod, that the plans for construction of a non-illuminated sign as submitted be approved. Motion carried and was so ordered.

OLD BUSINESS

Special Permit fee discussion set aside as it is to be dealt with in the proposed ordinance. This item to be dropped from future agendas.

APPROVAL OF PLOT PLANS

Applicant - Cinderella Homes, proposed duplex, Lots 30 and 31 Bl. 42, Minthorne Addn. After a review of the submitted plans, Mr. Englund moved, seconded by Mr. Kennedy, that the request for building permit for the duplex on Lots 30 and 31 be denied on the basis it did not meet the City minimum dimensional standards. Mrs. Brod stated she believed it would be much fairer to grant the variance, but also to specify the Commission would not grant further variance of this nature; that the members of the Commission had set the precedent and should abide by it. Mr. Englund withdrew his motion, Mr. Kennedy recognized the withdrawal. After additional discussion, Mr. Englund moved, seconded by Liddell, that acceptance be made of the proposed duplex (Plot plan Lot 30 and 31 of Block 42, Minthorne Addn) opposite the one existing, and that the curbing be established in accordance with City ordinance and standards. Motion carried and so ordered. Mr. Nase abstained from voting.

DISCUSSION

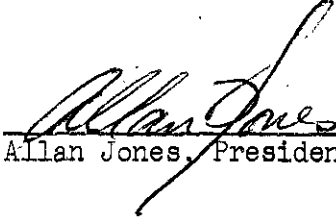
Assistant City Manager Thompson reported on the agenda for the Clackamas County Planning Commission meeting, Monday, April 24, 1967. No action taken by the Commission.

Mr. Thompson requested on behalf of Mr. S. H. Lindquist that the Commission place a variance request on the agenda for the special meeting of May 2, 1967. President Jones indicated this should be put on the agenda for the P. C. Meeting May 16, a regular meeting.

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Mr. Thompson reminded the Commission of their interest in receiving an opinion from the City Attorney regarding City position in connection with standards of illumination of signs. Mr. Mills, City Attorney, advised the City would have control.

The meeting was adjourned at 10:45 p.m. with an informal work period to follow.


Allan Jones, President

ATTEST:

Mildred Jones, Secretary