

MEETING OF JULY 18, 1961

The regular meeting of the Milwaukie Planning Commission was held on the eighteenth day of July, 1961.

The meeting was called to order by Chairman Cecil Nickles.

Present: Chairman Cecil Nickles; Commissioners Earl S. Burdick, Leonard B. Mullan, John O. Sheldahl, Max Thompson and Earl Clay. Absent: Commissioners Marvin Shrock, ~~W~~ Henry Stewart and Arthur Martineau. Also present was Councilman Theron Sedgwick.

The minutes of the regular meeting of the Commission, held on the twentieth day of June, 1961, were read and approved as read.

Commissioner Leonard Mullan reports that 55,000 lumen street lights had been ordered to be installed along Main Street.

Commissioner Burdick reported that he and Commissioner Martineau had viewed the car-port constructed at the north end of 33rd Street (dead end, north of Harvey) and that they found the materials and construction were of a type to allow easy removal, and that it was not detrimental to the neighborhood.

Mr. Burdick reported that he had viewed the two story apartment being built in Engle Addition, and stated that some of the apartments would overlook the back yard of neighboring property, one of which was the back yard of Mervin Englund, 4326 White Lake Road who was unhappy about losing the privacy they had been enjoying. Mr. Burdick suggested that in the future the Planning Commission view the properties where multiple dwellings were to be placed, keeping the effect the building would have upon adjacent properties in mind.

Mr. E.H. Aebi, 2311 6th Ave. came before the Commission and requested a permit to operate a "Dinner House by Reservation" at his home. Mr. Aebi stated that the house was large, with plenty of parking area surrounding it, that dinners would be served from 4 o'clock to 10 o'clock P.M. by reservation. There was discussion with Mr. Aebi on the matter. It was moved by Burdick and seconded by Sheldahl that the following Resolution be adopted.

RESOLUTION P.C. 1-1961  
(Attached)

Motion carried and so ordered.

Mr. Fred Weber presented a tentative plat of Terry Brooks and requested that the same be approved. All things in the plat were in order, however, there was a street which dead ended at the northwest corner of the land owned by Weber. Mr. Weber stated that he was making an effort to obtain the right-of-way to extend this street through to intersect with Johnson Creek Boulevard and would go to court if necessary to do so. This right-of-way would enable Mr. Weber to lay a trunk line sewer to the City's lift station at Johnson Creek Boulevard. The Commission requested that Mr. Weber provide a 60 foot turn-around at this dead end on the condition that when the street was put through to Johnson Creek Boulevard the 5 foot by 60 foot strip of land on either side of the street would revert back to private property. Mr. Weber stated his willingness to follow this suggestion. It was moved by Mullan and seconded by Clay that the Plat of Terry Brooks be approved and that the Chairman be authorized to sign the copy or copies of the plat to be recorded. Motion carried and so ordered.

Commissioner Mullan laid before the Commission a request for a nonconforming permit to build a three room dwelling on the same lot where there is a one family

dwelling. The dwelling would be used as living quarters for the mother of Mrs Miller who lives in the main dwelling presently on the property, which has a yard area of 37 feet back of the garage with a wider yard back of the house. The matter was discussed. There was a suggestion that this property be viewed by the Commissioners. It was moved by Sheldahl and seconded by Burdick that this request be temporarily tabled. Motion carried and so ordered.

Commissioner Mullan laid before the Commission a plot plan submitted to him for the proposed building of two duplex dwellings on property at 9566 41st Street. After discussion it was decided that the Commission would view the property before making any recommendation.

Chairman Nickles appointed Commissioners Arthur Martineau and W. Henry Stewart to make a survey of the Leding house and report its condition as to fitness to be remodeled for a library.

On motion duly made and carried the meeting adjourned.

ATTEST:

Earl S. Burdick  
Secretary      Secy

Ellen Martin  
Clerk.

RESOLUTION NO. P C 1 - 1961

WHEREAS, Ernest H. Aebi and Jewell B. Aebi, husband and wife, are the owners of the following described real property located within the boundaries of the City of Milwaukie, Oregon, to-wit:

The southerly 30 feet of Lot 5, Block 15, Robertson's Addition; Lots 7, 9, 11, Block 15, Robertson's Addition; vacated Fifth Avenue between Lots 5, 7, 9, 11, Block 15, and Lots 6, 8, 10, 12, Block 6, Robertson's Addition; the easterly 10 feet of vacated Fifth Avenue west and adjacent to Lots 2 and 4, Block 6, Robertson's Addition; all of Block 6, Robertson's Addition;

and

WHEREAS, the said property has been and now is zoned as 3 R - 2 SPECIAL under the applicable zoning ordinances of the City of Milwaukie, Oregon; and

WHEREAS, there is located upon the above-described real property a large residence type structure within which the said owners desire to provide dining room services for such patrons as they may obtain; and

WHEREAS, patrons of said dining room services will be admitted between the hours of 4:00 o'clock p. m. and 10:00 o'clock p. m. only; and

*Change in hours  
See minutes  
of Aug 16, 1966*

WHEREAS, the owners of said property will not serve any alcoholic beverages other than wines and beer; and

WHEREAS, the applicable zoning ordinances of the City of Milwaukie, Oregon, require that the said Ernest H. Aebi and Jewell B. Aebi secure the express permission of the City Planning Commission of the City of Milwaukie, Oregon, before their said property can be used for the purposes hereinabove described; and

WHEREAS, the said Ernest H. Aebi and Jewell B. Aebi have made application to the City Planning Commission for permission to use their said premises for the purposes hereinabove described; and

WHEREAS, the City Planning Commission has given due and careful consideration to said application and has considered the same in connection with the provisions of

Section 3 of Ordinance No. 451 of the City of Milwaukie, Oregon; and

WHEREAS, the City Planning Commission, in the exercise of its considered judgment, is of the opinion that said application should be granted;

NOW THEREFORE, BE IT RESOLVED by the City Planning Commission of the City of Milwaukie, Oregon, that express permission be and the same is hereby granted to Ernest H. Aebi and Jewell B. Aebi, husband and wife, and to their heirs, successors and assigns, to use their said real property, hereinabove described, for the purpose of providing dining room services for such patrons as they may obtain; and

BE IT FURTHER RESOLVED that the express permission so granted is granted on the condition that the said Ernest H. Aebi and Jewell B. Aebi, husband and wife, their heirs, successors and assigns, shall not serve or cause to be served alcoholic beverages on said premises other than wines and beer. Any breach of this condition shall be cause for revocation of this permit.