

MEETING OF MAY 19, 1964

The regular meeting of the Milwaukie Planning Commission was held on the nineteenth day of May, 1964.

The meeting was called to order by Chairman Roger Hollingsworth.

Those present were Chairman Roger Hollingsworth; Commissioners Joseph M. Bernard, Jerry Miller, W. Henry Stewart, David Strauss, Max Thompson, Cecil Nickles, Earl S. Burdick, and Paul Baer. Absent: Commissioner John O. Sheldahl.

It was moved by Nickles and seconded by Burdick that the Commission dispense with reading the minutes of the regular meeting of the Commission, held on the twenty-first day of April, 1964 and the Special meeting of the Commission, held on the eighth day of May, 1964 and that these minutes be approved as written. Motion carried and so ordered.

The Chairman read a letter from Kenneth L. Bates, in which he requested a change of Zone from 3-R-1 to 3-R-2-SPECIAL for the north $\frac{1}{2}$ of Lot 3 Block 3 Gloverland. Mr. Bates proposes to build two four-plex single story dwellings on the property. It was moved by Bernard and seconded by Strauss that Mr. Bates obtain the written statements of the property owners within the Block and the property owners along the west side of 41st Street for a distance of 200 feet north and south of the property, stating that they do not object to this use of this property. Motion carried and so ordered.

The Chairman read a letter from Robert Wolfer, owner of Tax Lot 27, Campbell D.L.C. requesting that the zone be changed for multiple family dwellings or a medical clinic. It was moved by Burdick and seconded by Nickles that the petition be taken under advisement. Motion carried and so ordered.

Mr. Donald Chambers requested that the zone be changed on Tax Lot 78, Whitcomb D.L.C. from 3-R-1 to Commercial. Dr. Chambers plans to build a Clinic on the property. It was moved by Bernard and seconded by Burdick that the following resolution be adopted. Motion carried and so ordered.

(See Resolution Number P.C. 24-1964 attached)

The Chairman read a letter from the Milwaukie Box and Veneer Co. in which they requested a zone change from Industrial to 3-R-2-SPECIAL zone on Tax Lot 61-1 Whitcomb D.L.C.. The proposed use of the property is for a 60 unit apartment, restaurant and boat dock. It was shown that there is presently no sewer serving the property, also the matter of adequate water main was discussed. It was moved by Bernard and seconded by Miller that this matter be taken under advisement for investigation of water and sewer facilities. Motion carried and so ordered.

It was moved by Nickles and seconded by Stewart that a special meeting of the Commission be held as soon as the necessary information pertaining to water supply and sewers to the above mentioned property is available. Motion carried and so ordered.

The Chairman read a letter from Annie C. Hayden in which she requested that the zone be changed from 3-R-1 to Commercial on the north 80.96 feet of Lot 13, Garner Acres. A statement of approval of the change, signed by ten property owners in close proximity to Lot 13 accompanied the request. It was moved by Miller and seconded by Stewart that this property be included in Resolution No. PC-4-1964. Motion carried and so ordered.

The Chairman read a letter from Clarence and Margaret Depew, stating that their house at 2035 26th Street was designed to house a separate family in the upper story, that they had used the entire house for their family, that Mr. Depew's work required him to leave Milwaukie temporarily, that it was difficult to find a tenant who could use the entire house and requested that they be permitted to operate the property as a duplex dwelling. A statement from the owners of three adjacent properties, approving this use of the property, accompanied the application.

It was moved by Bernard and seconded by Miller that, due to the circumstances in this case, and due to the fact that the dwelling was, in fact, a two-family dwelling although not used as such, the Planning Commission initiate a zone change from 3-R-1 to 3-R-2-Special and that the fee of \$75.00 be waived. Under discussion it was moved by Nickles and seconded by Stewart that the motion be amended to excuse \$25.00 only. The question on the amendment was called. The called vote showed four in favor and three opposed. The amendment to the motion carried. The question was called on the motion. A called vote showed one dissenting vote. The motion was amended carried.

Mr. and Mrs. Eugene Leitz, 3306 Lake Road requested that they be permitted to remove their flower shop at 3306 Lake Road and build a more modern shop with a 25 foot set back from Lake Road, also 25 feet back from their driveway, giving adequate off street parking at the flower shop. They propose constructing the new building before removing the present shop. It was moved by Nickles and seconded by Strauss that a special permit be granted to Mr. and Mrs. Leitz for this change. Motion carried and so ordered.

The Chairman read a letter from Larry Hall, 3695 Harvey Street, requesting a permit to raise pigeons in order to earn a Scouting merit badge for Pigeon Raising. A statement, signed by four close neighbors, that they had no objection to the pigeons accompanied the letter. It was moved by Bernard and seconded by Stewart that a one year revokable permit to raise pigeons be issued to Larry Hall. Motion carried and so ordered.

A request that Meek Street be vacated from 31st Street westerly to the Southern Pacific right-of-way, was laid before the Commission by Milwaukie Plywood Co. The request had been referred to the Commission by the City Council. After discussion it was moved by Stewart and seconded by Strauss that the Council be advised that the Commission has no objection to the vacation of this portion of Meek Street. Motion carried and so ordered.

There was discussion with regard to the truck route from Clackamas to the Milwaukie Industrial Park. It was moved by Baer and seconded by Burdick that the City Manager be directed to request a map from the State Highway Department showing their proposed route of this proposed road. Motion carried and so ordered.

Chairman Hollingsworth introduced Mr. Cyrus Nims of the Bureau of Municipal Research and Service, who laid before the Commission a prepared memorandum of proposed planning for the Milwaukie area development. After viewing the proposals, it was moved by Nickles and seconded by Stewart that the Planning Commission recommend to the City Council that the first phase of the Community Plan of the Bureau of Municipal Research and Services, as presented by Mr. Nims be started. Motion carried and so ordered.

The Chairman appointed the following Committee to set up form for application forms for zone changes and approval of plats.

Paul Baer, David Strauss, Roger Hollingsworth.

On motion duly made and carried the meeting adjourned.

ATTEST: Ellen Martin
Clerk

David Strauss
David Strauss, Secretary

WHEREAS, after due consideration of the minimum requirements for general welfare as established by Ordinance No. 481, as amended, of the City of Milwaukie, Oregon, and after careful consideration of the development and expansion of commercial activities within the City, and the necessity for rezoning certain areas of the City occasioned thereby, and

WHEREAS, the owners of real properties described hereunder have, in writing, requested that the said properties be rezoned from their present classification to the Commercial Zone, the City Planning Commission of the City of Milwaukie, Oregon, has determined it is now necessary and advisable to initiate proceedings to accomplish the rezoning of the following described property, to wit:

The north 80.96 feet of Lot 13, GARNER ACRES (3-R-1 to Commercial)

TRACT I: Beginning at a point on the east line of and 130 feet distant from the northeast corner of a certain tract of land conveyed to Bartholomeas and Lucy Tscharner by deed recorded in Book 32, page 438 Deed Records, and running thence southerly tracing the east line of the said tract, 58 feet; thence South 79.50° west parallel to the north line of the said tract 84 feet. thence northerly parallel to the east line of said tract 58 feet; thence north 79.50° east 84 feet to the place of beginning. in the County of Clackamas and State of Oregon.

Tract II: Part of the Lot Whitcomb and wife D.L.C. No. 38 in Sec. 36, T. 1, S. R. 1, E. of the W.M., in Clackamas County, State of Oregon described as: Beginning at a point on the north side of Washington Street and on the east side of a 40 foot road known as 23rd Street in the City of Milwaukie; thence easterly on the south side of Washington Street 47.0 feet to the northwest corner of the land conveyed to Hugh McCormick; thence southerly parallel with 23rd Street 100 feet; thence Westerly parallel with Washington Street 47.0 feet to 23rd Street; thence northerly on the east line of 23rd Street 100 feet to place of beginning. (3-R-2 to Commercial)

so as to remove and withdraw the said properties from Zone 3-R-1 and Zone 3-R-2, as established by the Zoning Ordinance of the City of Milwaukie, Oregon, as amended, and incorporate and include the same within the Commercial Zone as established by said Ordinance, and

WHEREAS, the owners of real property described hereunder have, in writing, requested that the said property be rezoned from its present classification to the 3-R-2-SPECIAL Zone, the City Planning Commission of the City of Milwaukie, Oregon, has determined it is now necessary and advisable to initiate proceedings to accomplish the rezoning of the following described property, to wit:

Beginning at an iron pipe set in the most northerly corner of that tract of land described in deed to D.R. Calhoun et ux. recorded October 7, 1948 in Book 425, Page 447 Deed Records for Clackamas County, Oregon; thence following the northeasterly boundary line of said tract south $59^\circ 2' 35''$ East 150 feet more or less, to the most westerly corner of 26th Street in the City of Milwaukie as described in deed recorded July 14, 1953 in Book 471 page 323, said records; thence North $31^\circ 6'$ east 55 feet to a point; thence north $59^\circ 2' 35''$ West, parallel to the northeasterly line of said Calhoun tract 150 feet more or less, to a point on the west line of the Hedrick tract, above mentioned; thence South $35^\circ 52' 25''$ west 55 feet, more or less, along the westerly line of the Hedrick tract to the place of beginning. (3-R-1 to 3-R-2 SPECIAL)

so as to remove and withdraw the said property from Zone 3-R-1, as established by the Zoning Ordinance of the City of Milwaukie, Oregon, as amended, in incorporate and include the same within the 3-R-2-SPECIAL Zone as established by said Ordinance, as amended.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MILWAUKIE, OREGON, that by virtue of the foregoing and by virtue of the provisions of Section 9 of the Zoning Ordinance of the City of Milwaukie, Oregon, as amended, that proceedings be and the same are initiated by the said City Planning Commission to accomplish the rezoning of the above described properties so as to remove and withdraw the said properties from Zones 3-R-1 and Zone 3-R-2 as established by said Zoning Ordinance as amended, and to incorporate and include the same within the Commercial Zone and the 3-R-2 SPECIAL Zone as established by said Ordinance, as amended.

Adopted this 19th day of May, 1964

ATTEST:

David Strauss
David Strauss, Secretary

Roger Hollingsworth
Roger Hollingsworth, Chairman