

MEETING OF NOVEMBER 19, 1963

The regular meeting of the Milwaukie Planning Commission was held on the nineteenth day of November 1963.

The meeting was called to order by Chairman W. Henry Stewart.

Those present were Chairman W. Henry Stewart; Commissioners Cecil Nickles, Earl S. Burdick, Marvin Shrock, Roger Hollingsworth, John O. Sheldahl, Paul Baer, Max Thompson, Joseph M. Bernard Jr. and David Strauss.

It was moved by Nickles and seconded by Hollingsworth that the minutes of the regular meeting of the of the Commission held on September 17, 1963 and the regular meeting held on the 15th day of October, 1963, be approved as written. Motion carried and so ordered.

Mr. Harold Davis, representing Mrs. Maude Peters, owner of the South 65 feet of Lots 1, 2, 3, and all of Lot 4, Block 41, Minthorn Addition, requested that this property be changed from Zone 3-R-1 to Commercial Zone. It was moved by Baer and seconded by Shrock that the Commission institute the change of zone and that a resolution providing for the same be written. Motion carried and so ordered.

See Resolution Number P.C.8-1963 (attached)

Mr. Southwell, from Schuyler & Southwell, realtors, requested approval of a building permit for multiple family dwelling to be placed on Tax Lots 140 and 141 Lot Whitcomb D.L.C. There was discussion on this question. The owners of the property had purchased the property for the purpose of building an apartment there, they had applied to the Clackamas County Planning Commission and had obtained their (Commission) approval of the type of building (multiple family) which they proposed to build, before they had annexed the property to the City, and before Ordinance No. 828 (the ordinance annexing their property) was written. At the time they came before the Milwaukie Commission to make inquiries about sewer connection, water, etc. they learned that in order to be eligible to connect to the sewer they must annex to the city. They asked "If the property is annexed to the City, will the County Planning Commission's Zone be honored, will we be permitted to build an apartment?" They were assured that if their project was started at the time of annexation, they would not be required to change their plans. They were also told that if they wanted a public road to the property, the present roadway (Lava Drive) would have to be widened before the City could accept it as a public roadway. Mr. Southwell explained that unavoidable circumstances had prevented them from going forward with the building at that time and requested that they be permitted to proceed at this time. It was moved by Nickles and seconded by Burdick that Manager Thompson be authorized to issue a building permit for multiple family dwelling on Tax Lots 140 and 141, Whitcomb D.L.C. Motion carried and so ordered.

It was moved by Hollingsworth and seconded by Burdick that Tax Lots 140 and 141 Whitcomb D.L.C. be zoned 3-R-2 SPECIAL and that this new zone be included in Resolution No. P.C.8-1963. Motion carried and so ordered.

Mr. Marshal Snyder of Waldien & Snyder, came before the Commission and requested that the north 350 feet of Tract "B" Cogswell's First Addition be changed from Zone 3-R-1 to Zone 3-R-2 SPECIAL. Mr. Snyder showed the plan and plot plan for multiple family dwellings proposed to be built on the property. All set-back requirements and off street parking requirements had been observed. It was moved by Bernard and seconded by Burdick that the Planning Commission initiate a zone change from 3-R-1 to 3-R-2 SPECIAL, for the north 350 feet of Tract "B" Cogswell's First Addition and that this be included in Resolution No. 8-1963. Motion carried and so ordered.

Mr. C.R. Thompson made inquiry about a permit to build a duplex on Lots 5 & 6, Block 15, Minthorn Addition. He was advised that the property was too small for a duplex.

Mr. Richard Meredith made inquiry about subdividing Lot 29, Gibson's Subdivision of the Logus Tracts. Mr. Meredith will contact owners of other properties in Gibson's Subdivision of the Logus Tracts regarding a roadway running east and west through the subdivision and return with information gathered.

Mr. Alcorn, 11620 Sherman Street came before the Commission with regard to subdividing Tax Lot 22, D.Hathaway D.L.C. The property is 200 feet by 210 feet. The Commission recommended that a short 50 foot street be laid out and the balance of the tract be divided into four lots.

Mr. John Gleason, came before the Commission with regard to the sale of the Jr. High School property. After some discussion it was moved by Baer and seconded by Burdick that Roger Hollingsworth be appointed to represent the Planning Commission on the Citizen's Committee. Motion carried and so ordered.

It was reported that Mr. Paul Hager now had a cow on his property at 2746 Washington Street. It was decided that Attorney Sheldahl write to Mr. Hager telling him (Hager) to remove all animals on his property not authorized to be there by a permit.

It was moved by Nickles and seconded by Shrock that the City Manager be authorized to issue a permit for a duplex dwelling to be placed on Lot 10, Block 1, Windemere. Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Paul Baer, Secretary.

ATTEST:

Ellen Martin
Clerk.

RESOLUTION NUMBER P.C.8-1963

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 property described hereafter have, in writing requested that the said property be rezoned from its 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 south 65 feet of Lots 1, 2, 3, and all of Lot 4, Block 41, MINTHORN ADDITION TO THE CITY OF PORTLAND,

so as to remove and withdraw the said property from Zone 3-R-1, as established by 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, 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 need for multiple family dwellings within the City, and the necessity of rezoning certain areas of the City occasioned thereby, and

WHEREAS, the owners of the real property described hereafter 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 that it is now necessary and advisable to initiate proceedings to accomplish the rezoning of the following described property, to-wit:

The North 350 feet of Tract B, Cogswell's First Addition

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, and incorporate and include the same within the 3-R-2 SPECIAL Zone as established by said Ordinance.

AND WHEREAS, after due consideration of the minimum requirements for the 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 the commercial, industrial and residential activities within the said City and the necessity of zoning said areas of the City duly annexed to the City of Milwaukie, Oregon, which have not as yet been included in any of the zones for zoning purposes as established by said Ordinance No. 481, as amended, the City Planning Commission of the City of Milwaukie, Oregon, has determined that it is now necessary to initiate proceedings to accomplish the zoning of the following described unzoned property annexed to the said City and not heretofore otherwise zoned, to-wit:

Tax Lots No. 1140 and 1141 of the Lot Whitcomb D.L.C. described as follows:
Part of the Lot Whitcomb and wife D.L.C. in Section 35, T.1 S, R.1 E., W.M.
Beginning South 30°40' West 37.42 feet from the southeast corner of the Henderson Luelling D.L.C. #51, (as marked by a galvanized iron pipe 2 inches in diameter, driven in the ground); thence South 20°30' East 385.90 feet to the north side of the railroad right-of-way; thence South 4° West 30.65 feet to the south line of said right-of-way; thence South 35° West 144.00 feet, more or less, to low water mark of the Willamette River; thence Northwesterly with the meander of the

river at low water mark, 219 feet, more or less, to the westerly extension of the southeasterly line of that tract described in Deed Book 74, page 422; thence North 35° East along said southeasterly line and the westerly extension thereof 178.25 feet to the southwesterly line of the railroad right-of-way; thence Westerly and Northerly following said Railroad right-of-way 310 feet, more or less, to the north line of the D.H. Hendee tract; thence North 69° 30' East along said north line 266.57 feet to the point of beginning, EXCEPT the portion thereof lying within the Railroad right-of-way.

so as to include the said property in Zone 3-R-2 SPECIAL as established by the Zoning Ordinance, as amended, of the City of Milwaukie, Oregon.

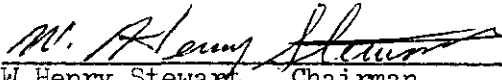
NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY PLANNING COMMISSION OF THE CITY OF MILWAUKIE, OREGON, that by virtue of the foregoing and by virtue of the provisions of Section 9 of the Zoning Ordinance of the City of Milwaukie, Oregon, as amended, that proceedings be and the same are hereby initiated by said City Planning Commission to accomplish the rezoning of the above described property so as to remove and withdraw the South 65 feet of Lots 1, 2, 3, and all of Lot 4, Block 41, Minthorn Addition to the City of Portland, and the North 350 feet of Tract B, Cogswells First Addition, from Zone 3-R-1 as established by said Zoning Ordinance, as amended, and to incorporate and include the South 65 feet of Lots 1, 2, 3, and all of Lot 4, Block 41, Minthorn Addition to the City of Portland, within the Commercial Zone as established by said Ordinance No. 481, as amended and to include the North 350 feet of Tract "B" Cogswell's First Addition, within the 3-R-2 SPECIAL Zone as established by said Ordinance No. 481, as amended.

BE IT HEREBY FURTHER RESOLVED that the 13th day of December, 1963 be and the same hereby is fixed as the date and the hour of eight (8:00) o'clock P.M. Pacific Standard Time, be and the same is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, be and the same is hereby fixed as the place at which a public hearing shall be held to afford the owners of said real properties, persons particularly interested, and the general public an opportunity to be heard on the question of the zone changes and the new zone hereby initiated.

BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, be and he hereby is authorized and directed to cause a notice of said public hearing to be published in the Milwaukie Review, a local newspaper published in Milwaukie, Oregon, and a newspaper of general circulation within the said municipality. Such notice shall be published once within the week within which the public hearing is to be held as provided by Ordinance No. 481, and as provided by ORS. 227.260.

Adopted this: 19th day of November, 1963

ATTEST:


W. Henry Stewart, Chairman
Milwaukie Planning Commission.

Paul Baer, Secretary.