

MEETING OF AUGUST 19, 1958

The regular meeting of the Milwaukie Planning Commission was held on the nineteenth day of August, 1958.

The meeting was called to order by Chairman Sedgwick.

Present: Chairman Sedgwick; Commissioners Sheldahl, Mullan, Shrock, Aebi, Burdick, Nickles, Stewart and Perkins. Absent: Commissioner Scott.

The minutes of the regular meeting of the Commission, held on the fifteenth day of July, 1958, were read and approved as read.

A letter, from the Milwaukie Park and Recreation Committee, which had been referred to the Planning Commission by the City Council, was read. The letter was a recommendation and request of the Parks and Recreation Committee, that all that portion of Kellogg Lake and the land thereunder, lying within the City limits, be zoned as Park Zone. There was discussion on this matter during which Attorney Sheldahl advised that inasmuch as Parks were intended for public use, private property could not be so zoned and that the City should acquire these properties before such zone change. It was moved by Aebi and seconded by Shrock that this matter be referred to the City Council and that this Commission recommend that they (Council) take whatever steps as are necessary to make this area a Park area, and if, in order to do this, it is necessary to acquire these properties from the County, that such acquisition be done. Motion carried and so ordered.

Plans for buildings, to be located on property owned by Omark Industries on the east side of Main Street, Milwaukie Industrial Park, were laid before the Commission by Jensen & Gilham, Architects. The proposed improvement showed eight plots on which buildings were to be placed. The plan showed a space of ten feet between buildings on Plots 1 to 5 inclusive, a spur Railroad track behind these plots and a dead end, 60 foot wide, road between plots 6 and 8. The dead end of this roadway being an outlet for Plot No. 7. It was shown that these access openings were not sufficient for fire fighting apparatus, also that access to water and sewer lines had not been considered. The architect appeared to be willing to confer with Manager Burdick on all these matters and make necessary changes in the plot and buildings plans. It was moved by Nickles and seconded by Stewart that the Commission accept the plot and buildings plans subject to the changes to be made and the approval of City Manager Burdick, and that, upon these conditions, the Chairman be authorized to sign the plat. Motion carried and so ordered.

Dr. D. Chambers and Mr. Lee Wright, representing the Church of Christ, came before the Commission and requested permission to place three signs, pertaining to Churches of Christ in Clackamas County, in Milwaukie, at the following locations. McLoughlin Blvd. before entering the City from the north and from the south. Lake Road, before entering the City from the east. Inasmuch as these signs would be outside the City limits, these gentlemen were referred to the State Highway Department.

Mr. Calvin Hyde laid before the Commission a plot plan and building plan for a ten unit apartment dwelling, to be placed on Lot 8, Wilson Tracts, and

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requested the Commission's recommendation for permit to build the same. This property is in the ~~3~~R-2 Special Zone. All things in the building and plot plans were in order. It was moved by Nickles and seconded by Mullan that the Commission approve the plot and building plans and that a building permit be granted. Motion carried and so ordered.

A letter from Marcella J. Marich, 3226 Harrison Street, was read. Mrs. Marich requested that her property be re-zoned to Commercial Zone and stated that she was desirous of conducting a small business in her garage; the business being the retail sale of used Children's clothing. Under discussion on this matter it was shown that on September 20, 1955 a hearing was held on the question of changing the zone of this property, as well as other properties along the south side of Harrison Street, both east and west of this property. It was moved by Nickles and seconded by Stewart that inasmuch as the properties along the south side of Harrison Street, from Railroad Avenue east to and including Tax Lot 49, had at one time requested that these properties be zoned Commercial, that the following Resolution be adopted.

RESOLUTION PC 2-1958

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 said City and the necessity of rezoning certain areas of the City accassioned thereby, the City Planning Commission of the City of Milwaukie, Oregon, has determined that it is necessary and advisable to initiate proceedings to accomplish the rezoning of the following described property, to-wit:-

A tract of land located in the Lot Whitcomb Claim No. 38, Township 1 South, Range 1 East of the Willamette Meridian and being more particularly described as follows:

Beginning at a point in the north boundary of the Lot Whitcomb Claim that is South 88° 12' West 574.34 feet distant from the northeast corner of said claim, located at the northeast corner of the Cooper tract described in Book 93, Page 617, Record of Deeds for Clackamas County, Oregon; thence following the east boundary of said Cooper tract, South 0° 07' East 175.0 feet to the southeast corner thereof; thence following the south boundary of said Cooper tract and parallel with the Claim boundary, South 88° 12' West 141.0 feet to the southwest corner of the said Cooper Tract; thence along the west boundary of said Cooper tract, North 0° 07' West 17.41 feet to the southeast corner of the Whipple Tract described in Book 205, Page 154, said Record of Deeds; thence following the south boundary of said Whipple tract, South 88° 12' West 56.9 feet to the southwest corner thereof; thence following the west boundary of said Whipple tract, North 0° 07' West to the southeast corner of the Teel tract described in Book 164, page 586, said Record of Deeds; thence following the south boundary of said Teel Tract, South 88° 12' West 61.0 feet to a point in the west boundary of the Waters Tract described in Book 225, Page 495, said Record of Deeds; thence South 1° 08' East along the east boundary of said Waters tract to an intersection with the north boundary of Railroad Avenue and which intersection is South 88° 12' West 833.66 feet distant and South 1° 08' East 220.0 feet distant from the northeast corner of the aforesaid Whitcomb Claim; thence following the northeasterly boundary of said Railroad Avenue, North 33° 58' West 66.57 feet to a point that is South 88° 12' West 882.83 feet distant and South 1° 08' East 180 feet distant from the northeast corner of said Claim; thence continuing northwesterly along the northeasterly

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boundary of said Railroad Avenue to a point that is South 88° 12' West 947.83 feet distant and South 1° 08' East 130.0 feet distant from the northeast corner of said claim; thence North 1° 08' East 130.0 feet to the north boundary of the said Whitcomb Claim; thence North 88° 12' East 373.49 feet to the point of beginning of the herein described tract. However, excepting therefrom all portion within Harrison Street.

also Tax Lots 249 + 51-1 see description in printed notice.

so as to remove and withdraw the said property from Sone 3R-1, 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.

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 hereby are initiated by the said City Planning Commission to accomplish the rezoning of the above described property so as to remove and withdraw the said property from Zone 3R-1 as established by the said Zoning Ordinance and to incorporate and include the same within the Commercial Zone as established by said Ordinance.

BE IT FURTHER RESOLVED that the City Recorder be and he hereby is ordered and directed to give notice in writing by certified mail, return receipt requested, to the owners of all of the property hereinabove described of the proposed change of zone of their said properties from said Zone 3R-1 to the Commercial Zone as the same are defined and established by the Zoning Ordinance of the City of Milwaukie, Oregon, such notice also to contain the time, place and date of the public hearing to be held on such proposed change in zone as the same are hereinafter fixed.

BE IT HEREBY FURTHER RESOLVED that the 5th day of September, 1958, be and the same hereby is fixed as the date and the hour of 8:00 P.M. 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 property, persons particularly interested, and the general public an opportunity to be heard on the question of the zoning changes hereby initiated.

BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, be and he is hereby authorized and directed to cause 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 said municipality. Such notice shall be published once within the week within which the public hearing is to be held, as provided by ORS. 227.260, and as provided by Section 9 of the Zoning Ordinance of the City of Milwaukie, Oregon.

ADOPTED THIS 19th DAY OF AUGUST, 1958

ATTEST:

Marvin Shrock
Marvin Shrock, Secretary.

Theron Sedgwick
Theron Sedgwick, Chairman

Motion carried and so ordered.

It was moved by Nickles and seconded by Shrock that the Commission recommend to the Council that all properties recently annexed to Milwaukie be zoned 3R-1 except as noted in the Planning Commission minutes of February 18, 1958. Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Attest:

Ellen Martin
Clerk

Marvin Shrock
Secretary.