

City of Milwaukie
PLANNING COMMISSION REGULAR MEETING
December 15, 1970

The regular meeting of the Milwaukie Planning Commission was held on the 15th day of December, 1970, in the Council Chambers. The meeting was called to order by Dan Croft, Vice President, at 8:00 p.m.

Members present: Dan Croft Robert Kennedy
Allan Jones Fred Liddell (entered meeting at 8:20 pm)

Also present: Max Thompson, Assistant City Manager
Tom Hawkins, Consultant Planner
J. Wayne Daigle, Director of Public Works
Mayor Donald Graf
John Bassett, City Attorney
Bette Bierer, Secretary

Absent: Evan Whitaker, Richard Nase and John Foster

Minutes of November 17, 1970 were duly approved as written.

AUDIENCE PARTICIPATION

C. R. Thompson, 4035 King Road, inquired about need for a building permit and was referred to the City Building Department.

PUBLIC HEARINGS

ZC-70-14 City of Milwaukie, applicant.

Public hearing on this request to superimpose FH Flood Hazard Zone for properties along Willamette River and Kellogg Creek was opened, with notices published as directed. A brief statement about the Flood Plain Study recently done by the U.S. Corps of Engineers and the reasons for establishing standards within the flooding areas was presented by Max Thompson.

Speaking against: Caroline Clark, 2107 3rd Avenue
Selby Clark, " " "
Vern Cowell, 2015 3rd Avenue
Margaret Cowell, 2015 3rd Avenue
Pat McGinnis, 2025 3rd Ave.
V. R. McGinnis, " " "
Ginger Lewis, 2105 3rd Avenue
Mrs. Klein, 8 Riverway Lane

Selby Clark, 2107 3rd Avenue, informed the Commission that some of the property owners had retained legal counsel, and would like to have the hearing continued because their counsel was unable to be present this evening.

With no objection from other Commission members, the chairman recessed the hearing to the next regular meeting, January 19, 1971.

Meeting was recessed at 9:25 p.m. and reconvened at 9:35 p.m.

ZC-70-15 Charles Renard and William King, applicants.

Public hearing on this request to change zone from C-L Limited Commercial to C-G General Commercial at 9227 S.E. 32nd Street (Lots 1 and 2, Block 5, Bonnie View Acres) was opened, with notices published and mailed as required.

Speaking for: Dale Harlan, 1108 Main Street, representative of applicants
William D. King, 10922 S.E. Spencer Court
Irwin Adams, 2453 Lake Road
Michael Lisac, 12146 Sequoia
Rudy Lisac, 9035 - 32nd St.

Speaking against: Lawrence E. Burnett, 9243 - 32nd St.

Correspondence against: Edward and Theresa Hale, 3024 Malcolm
Mr. and Mrs. John M. Pelly, 3023 Malcolm
John and Carol Lymath, 3002 Malcolm

Hearing was declared closed at 10:20 p.m. Letter of November 24, 1970 from Dale Harlan which requested relief other than zone change that would allow continuance of the applicant's (William King) business at 9227 32nd Street was read. After some discussion, the applicants withdrew their application for zone change. IT WAS MOVED by Kennedy, seconded by Liddell, to allow the ^{current} new use to continue under the zoning ordinance as a non-conforming use. MOTION CARRIED and so ordered. It was pointed out to the applicants that the use would still be subject to compliance with building and fire codes.

C-70-14 Richard Schnieder, applicant.

Public hearing on this request to construct a boat dock in A-2 Apartment Zone at 1400 Lava Drive was opened at 10:30 p.m. with notices mailed as required.

Speaking for: Norman Hilton, consulting engineer for applicant
Frank Forni, 1660 Riverway Lane

Mr. Hilton informed those present of the U.S. Corps of Engineers public hearing on the proposed facility on the Willamette River. Objections should be submitted prior to December 23, 1970.

Speaking against: Lester Hunter, 1500 Lava Drive
Mrs. Minnie Wood, 6 Riverway Lane

Hearing was declared closed at 10:40 p.m.

Staff recommendation: Approval, subject to review by the Corps of Engineers and any other state agencies that have jurisdiction over the Willamette River.

IT WAS MOVED by Jones, seconded by Kennedy, to grant the use in accordance with the staff recommendation, and with the stipulation that the boat dock be restricted to private use under the control of the Shore Side East Condominium Apartments. MOTION CARRIED and so ordered.

CONSIDERATIONS

- a. Assembly of God Church request for a directional sign in public right-of-way at Grant & Monroe Streets.

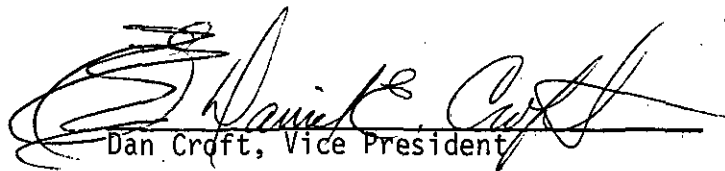
Staff recommendation: Deny the request because it would establish precedent to allow use of public right-of-way for private purposes.

IT WAS MOVED by Liddell, seconded by Jones, to refer the request and staff report to the City Council without Planning Commission recommendation to allow or deny, since it involves use of public right-of-way. MOTION CARRIED and so ordered.


CORRESPONDENCE AND OTHER BUSINESS

- a. Mr. Thompson reported that notice of intent to file an application for funds for 701 Planning Studies must be submitted to the state prior to January 1, 1971. It was decided to submit notice of intent for house numbering planning assistance.
- b. ASH National, Inc. bonding requirement -- The City Attorney had advised that a more reasonable figure should be set as amount of bond, since the purpose is to insure to the city that the project will be completed to city's satisfaction, and this could be accomplished with a lesser amount than the contract price less land acquisition cost, as previously set. IT WAS MOVED by Jones to reduce the bonding amount to \$300,000. There was no second and the motion failed to pass.
- c. Staff was asked to prepare as an amendment to Ordinance No. 1183 a definition of care centers. This should include child day care, mentally retarded centers, elderly and infirm, as well as other special care centers.

There was no further business and meeting adjourned at 11:40 p.m.


Dan Croft, Vice President

ATTEST:


Bette L. Bierer, Secretary

approved as corrected 1-19-71.