

MILWAUKIE PLANNING COMMISSION

June 16, 1970

The regular meeting of the Milwaukie Planning Commission was held in the Council Chambers on the 16th day of June, 1970. The meeting was called to order by Evan Whitaker, President, at 8:00 p.m.

Members present: Evan Whitaker Robert Kennedy Dan Croft
 Allan Jones Stan Norris Fred Liddell

Absent: Richard Nase

Also present: Max C. Thompson, Assistant City Manager
 J. Wayne Daigle, City Engineer
 John Bassett, City Attorney (entered meeting at 9 pm)
 Bette L. Bierer, Secretary

Minutes of May 19, 1970 were duly approved as written.

PUBLIC HEARINGS

C-70-5 Request to build a church in R-7 zone at approximately
 3101 Lake Road (Lot 1100, T1S, R1E, Sect. 36CA), Milwaukie
 Seventh Day Adventist Church, applicant.

Public hearing was opened on this conditional use request, with notices mailed as required. Staff recommendation: Plan for a church use should not be approved as submitted. To provide the turn-around at the end of 31st Street or the extension of 31st Street through this property would reduce the area of the lot enough that the proposed church and off-street parking would not meet the requirements. Additional property and a different development plan could answer these objections.

Correspondence against: Caroline Olsen, 2805 Lake Road
 Albert Gambell, 2916 Lake Road

Speaking for: Wayne Brown, Chrmn. of church bldg. committee

Speaking against: Richard Babler, 1907 32nd Street
 Charles Olsen, Jr.

Wayne Brown requested the hearing be recessed to the July meeting to allow preparation of alternate plans.

IT WAS MOVED by Liddell, seconded by Croft, to recess the public hearing to July 21, 1970. MOTION CARRIED and so ordered.

C-70-6 Request to build a duplex in R-7 zone at south side of
 Rhodesa Avenue in the 4600 block (a portion of the north
 half of Lots 8 and 9, Block 2, Berwyn Villas).
 Martin Coday, applicant.

Public hearing was opened on this conditional use request, with notices mailed as required. Staff recommendation: A development plan for the

remaining undeveloped parts of these lots be approved between city and land owners involved. This plan be followed either by a subdivision being platted or parcels partitioned under minor partitioning and certain public improvements and dedications be done by the developer. Further recommend that the proposed partitioning and conditional use request for a duplex not be granted until it can be shown that it will fit into such a development plan.

Correspondence against: Mr. and Mrs. Charles Fleming, 2230 43rd St.

Speaking for: Martin Coday, applicant.

IT WAS MOVED by Norris to recess the public hearing to July 21st to allow applicant time to resubmit a subdivision plan. There was no second to the motion.

IT WAS MOVED by Croft, seconded by Liddell, that C-70-6 as presented be denied on the grounds that Mr. Coday is owner of Lots 6 and 7 that abut the subject property and plans for the total development of the parcel should be known. MOTION CARRIED and so ordered. Mr. Norris voted no.

EXTENSION OF SPECIAL USE PERMIT

SP-68-16 Arthur Bliss, applicant. Request for time extension to start construction to build duplex at 3336 Filbert Street.

IT WAS MOVED by Kennedy, seconded by Jones, to extend for a six-month period the time limit to begin construction of a duplex at 3336 Filbert Street. This time extension will expire on December 16, 1970. MOTION CARRIED and so ordered.

OLD BUSINESS

ZC-70-6 Amended To change property along Johnson Creek Blvd. from R-7 to M-L zone.

Staff report was read. Recommendation: The Planning Commission should initiate a zone change to establish Flood Hazard zone on all property within the requested zone change, plus area covered by staff description. The requested zone change from R-7 to M-L should be recommended for approval to the City Council with the additional information to the Council that a Flood Hazard zone change for this area and other area along Johnson Creek is to be initiated. Recommend to the Council that area on the southerly side of Johnson Creek, approximately 5 acres, be considered for public park.

IT WAS MOVED by Jones, seconded by Norris, to recommend to the Council that ZC-70-6 as amended be approved to change from R-7 Residential to M-L Limited Manufacturing zone, and to inform the Council that action is being initiated to superimpose a Flood Hazard zone on all of this area as well as lands in the area as generally referred to by staff report. MOTION CARRIED and so ordered. Liddell and Croft voted no.

IT WAS MOVED by Jones, seconded by Liddell, that the Planning Commission initiate action to establish Flood Hazard zone as outlined by Mr. Thompson in the staff recommendation, and to recommend to the Council that they secure from the State Water Resources Board the defined area for floodway in the Johnson Creek drainage basin. MOTION CARRIED. Jones suggested that Clackamas County be advised of information received and action taken by the city. It was also suggested that the Council adopt a procedure to inform the County Assessor's office of any rezoning of property from residential to industrial or whenever flood hazard is imposed.

IT WAS MOVED by Norris, seconded by Jones, to recommend to the Council that the property of approximately 5 acres on the southerly side of Johnson Creek now being considered for change to A-3 zone (Walter Pelett, applicant) be considered for public park facility. MOTION CARRIED and so ordered.

ZONING OF ANNEXED PROPERTY

IT WAS MOVED by Liddell, seconded by Kennedy, that Resolution 1-1970 (A RESOLUTION TO ESTABLISH THE ZONE OF PROPERTY ANNEXED TO THE CITY . . . by Portland Metropolitan Area Local Government Boundary Commission Order Number 45) and Resolution 2-1970 (A RESOLUTION TO ESTABLISH THE ZONE OF PROPERTY ANNEXED . . . by Boundary Commission Order Number 99) be adopted. Motion carried and so ordered.

AMENDMENTS TO ZONING ORDINANCE

IT WAS MOVED by Norris, seconded by Liddell, to recommend to the Council that Section 4.050 (2), Article 4, Ordinance 1183, be amended to read as follows:

"A clear-vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 30 inches in height, measured from the top of the curb or, where no curb exists, from the established street centerline grade, except:

- a. trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of 8 feet above the grade;
- b. open-wire fencing that does not obscure sight more than ten percent may be a maximum of 36 inches high."

MOTION CARRIED and so ordered. Public hearing regarding this proposed amendment will be held at the next regular meeting.

IT WAS MOVED by Jones, seconded by Liddell, to recommend to the Council that Section 3.070 (2) a, Article 3, Ordinance 1183, be amended to read as follows:

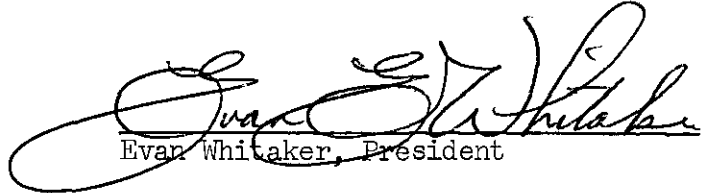
"A food store not exceeding 2,500 square feet of floor area."

MOTION CARRIED and so ordered. Public hearing regarding this proposed amendment will be held at the next regular meeting.


CORRESPONDENCE

Letter from Tom Haley, Dwyer Memorial Hospital, requesting a special meeting prior to July 21 to hold a public hearing for a conditional use request was read. It was decided to consider the application in a routine manner at the next regular meeting.

The meeting was duly adjourned at 10:30 p.m. A work session followed.


Evan Whitaker, President

ATTEST:


Bette L. Bierer, Secretary
Approved July 21, 1970