

CITY OF MILWAUKIE

Planning Commission Special Meeting

November 12, 1968

A special meeting of the Milwaukie Planning Commission was held on the 12th day of November, 1968, in the City Council Chambers for the purpose of holding public hearings to consider an alleged violation by the Chalet L'Abbe, 2311 6th Avenue, of the 3-R-2-Special Use Permit, and to consider a request of the Chalet L'Abbe to serve alcoholic beverages to patrons only in conjunction with meals. The meeting was called to order at 8:00 p.m. by President Fred Liddell, with the following members present:

Allan Jones, Robert Kennedy, Richard Nase, Norma Wardwell and
Evan Whitaker

Also present: Robert Mills, City Attorney Donald Graf, City Councilman
Max C. Thompson, Coordinator Bette Bierer, Secretary

Absent: Richmond Eddy

PUBLIC HEARINGS

1. Public hearing was opened with notices published and mailed as directed on an alleged violation by the Chalet L'Abbe. Mr. Allen Pynn, attorney for the South Milwaukie Community Association, presented a map marked to show where the members of the South Milwaukie Community Association reside in relation to the Chalet L'Abbe restaurant. The alleged violation occurred on Wednesday, August 28, between the hours of 6:40 a.m. and 8:00 a.m., when the Chalet served customers. Documents were presented listing license number and ownership of cars parked in the restaurant parking lot at 7:40 a.m. on the morning of August 28, and photographs of the cars so parked, taken at the same time, were shown.

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Mr. Fred ~~Abbi~~ addressed the Commission in behalf of Mr. and Mrs. Gordon Watkins, owners of the Chalet L'Abbe restaurant. In direct questions to Mrs. Watkins, it was revealed that the restaurant owners were under the impression that they could serve private parties at hours other than 11:30 a.m. to 10:00 p.m., the hours established for serving the general public. On the morning of August 28, 1968, the restaurant did serve breakfast to the Oak Lodge School Board in conjunction with the Board's meeting regarding pre-registration of high school students.

Mr. Pynn read from Resolution PC 1-61 wherein the Planning Commission granted the owners of the restaurant permission to serve meals, and questioned whether or not they were granted permission to serve private parties at any time other than the hours so stated in the resolution as amended.

Hearing was declared closed at 8:40 p.m.

2. Public hearing was opened at 8:45 p.m. with notices published and mailed as directed on a request by the Chalet L'Abbe to serve alcoholic beverages to patrons only in conjunction with meals.

The request was presented by Mr. Fred ^{Abei} Abei as follows:

1. The present hours of operation from 11:30 a.m. to 10:00 p.m. to continue in effect;
2. Parking lot to be paved, and site obscuring fencing placed around the parking area, said work to be completed when physical conditions permit;
3. Alcoholic beverages to be served to patrons only in conjunction with meals; and
4. Establishment of acceptable signs and exterior lighting.

Mr. ^{Abei} Abei pointed out that the Chalet has adopted a policy of not admitting patrons after the prescribed hours, and stated that they would continue to adhere to this policy. However, they do allow their late-arriving patrons to enjoy dinner in a leisurely manner so that they often leave the premises after 10:00 p.m. Mr. ^{Abei} Abei felt this technicality of closing hours should be clarified by the Planning Commission.

Mr. Allen Pynn inquired about the provision for sanitary sewer disposal, and was informed that private septic tank system is used, and public sewer system is not available at the location of the restaurant.

Speaking For: Don M. Fenton, 12306 S.E. River Rd.
Leo J. Beckman, 3200 Washington Street

A letter from Mr. and Mrs. Roe D. Buzan, 2105 S.E. 7th Avenue, expressing opposition to allowance of hard liquor by the drink at the Chalet L'Abbe was read by Mr. Pynn.

An opinion of C. C. Dawell, Real Estate Appraiser, regarding the effect that sale of alcoholic beverages other than beer and wine with meals at the Chalet would have on the surrounding residential area was also presented by Mr. Pynn. Mr. Pynn, speaking for the members of the South Milwaukie Community Association, expressed the wish that the dinner house operation would stop growing, and be "frozen" where it stands today.

Mr. Leo Thornton, State Representative, 17954 S. E. River Road, asked the Commission to give due consideration to the property rights of the residents.

Mr. Howard Willets, State Representative from Multnomah County, concurred with Mr. Thornton that it is a question of local control and the rights of home owners as against the granting of special privilege by a State agency (Oregon Liquor Control Commission).

Mr. Frank Clore, 6445 Aspen Street, asked that record show at no time during his recent campaign for Mayor of Milwaukie did he publicly favor or disfavor the serving of liquor by the Chalet L'Abbe, but had remained neutral.

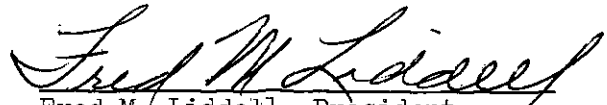
Several members of the South Milwaukie Community Association spoke in opposition to permitting serving of alcoholic beverages other than beer and wine at the Chalet.

The hearing was declared closed by Mr. Liddell at 9:25 p.m.

ACTION TAKEN

Action on these hearing will be at a later meeting of the Planning Commission to allow the Commission to review information presented at the hearings and other information necessary to arrive at their decision.

As there was no further business, the meeting was duly adjourned at 9:30 p.m.


Fred M. Liddell, President

ATTEST:


Bette L. Bierer, Secretary