

SPECIAL MEETING OF APRIL 19, 1963

A special meeting of the Milwaukie Planning Commission was held on the nineteenth day of April, 1963, for the purpose of hearings on zone changes.

The meeting was called to order by Chairman Henry Stewart.

Present: Chairman Henry Stewart; Commissioners Leonard Mullan, David Strauss, Cecil Nickles, Joseph Bernard Jr., John O. Sheldahl, Earl Burdick and Paul Baer. Absent: Commissioners Marvin Shrock and Roger Hollingsworth.

At eight o'clock the Chairman opened the hearing on the zone change from Zone 3-R-1 to Commercial Zone on Lot 4 Block 3 Lewelling Park and part of Block 1 Streib's First Addition to Milwaukie.

The Secretary read Resolution P.C.4-1963. The Chairman called for any objection or remonstrance to this zone change. There was no person present who made objection and no written remonstrance had been received. The Chairman declared the hearing closed.

At 8:15 o'clock the Chairman opened the hearing on the Zone Change from Zone 3-R-1 to Commercial Zone on Tax Lots 45, 47, 50-1, 50, 256, 258 and 52, Whitcomb D.L.C. The Secretary read Resolution P.C.3-1963. The Chairman called for those in favor of the zone change to come forward and so state. Those who came forward and stated that they favored the zone change were as follows: Mr. George Hibbard, Attorney, representing Albertson's Inc. who explained the use they intended to make of the property and displayed their plot plan for off street parking, their plans for fence and plantings making a buffer strip between the property and the residential area to the east and the location of their proposed building; Mr. Gerry Coates, owner of Tax Lots 45 and 47; Mr. Albert Parson, owner of Tax Lot 52; Mr. Warren Ormsby, owner of Tax Lot 258; Harold Broadhurst, owner of Tax Lot 49; Grace Thomas, owner of Tax Lot 50 and 256; Mrs. Ernest Warronen, owner of Tax Lot 50-1; Mr. Val Everling, owner of Tax Lot 147 and Mr. Horace Quigley, owner of Tax Lot 269. The Chairman then called for objections to the zone change. Mr. Einer Vohnson, owner of Tax Lot 43, inquired as to if or not 32nd St. would be extended south to Railroad Avenue, and if so, what would the traffic pattern be. He did not object to the zone change. Mr. C.W. Englund, 4326 White Lake Road, stated that he was representing his parents who were planning to live at property recently purchased, which was adjacent and east of the property to be zoned, and stated that he was satisfied with the screening which Albertson's proposed, but wanted to know about the lighting proposed to be used by the market. Mr. Bills, of Albertsons explained the lighting which will have no flashing lights, and stated that their closing time would conform to other places of business in the area. Mr. Lisac, 13700 Kuehn Road, stated that he felt that there was enough grocery stores in Milwaukie. He did not object to the zone change. There was no written protest to the zone change.

The Chairman declared the hearing closed and stated that the Commission would now go into an executive session and invited Albertson's representatives to remain at this meeting.

The room was cleared and the Chairman opened the executive meeting.

The question of the zone change in Streib's First Addition was discussed. It was shown that Dr. Dennis would provide off-street parking for four cars, on the property. It was moved by Commissioner Burdick and seconded by Commissioner Mullan that the Commission recommend to the Council that the zone be changed from Zone 3-R-1 to Commercial zone on Lot 4 Block 3 Lewelling Park and a part of Block 1, Streib's First Addition. Motion carried and so ordered.

Mr. D.A. Bills, Manager of Real Estate Department for Albertsons Inc. was questioned on the matter of extending 32nd Street south through their property to Railroad Avenue and improving that portion as a street. Mr. Bills stated that in his letter of March 28, 1963, Albertsons offered \$44,000.00 toward the purchase of the Southern Pacific R.R. Eo. triangle of property adjoining the south of their property provided the City extended 34th Street south to Railroad Avenue, thus providing a circulation of traffic, and that in their letter of April 19, 1963 they were willing to convey the westerly 28 feet of Tax Lots 44 and 45 to be used for street purposes, and stated that the letter of April 19 was to be considered a supplement to the letter dated March 28, 1963. There was discussion on the matter of the improvement of these streets. The Albertson representatives retired from the room and the Commissioners further discussed the improvement of these two streets.

It was moved by Baer and seconded by Strauss that the Planning Commission recommend to the City Council that the zone be changed from zone 3-R-1 to Commercial Zone on Tax Lots 45, 47, 50-1, 50, 256, 258 and 52, bounded as follows:

A tract of land located in the Lot Whitcomb D.L.C. in Section 36 T.1, S., R.1, E., of W.M. and in the City of Milwaukie, Oregon, described as follows:

Beginning at the northeast corner of the said Whitcomb Claim; thence South along the east boundary of said Claim 330.0 feet to the southeast corner of the Vinyard Tract; thence parallel with the south boundary of Harrison Street south 88°12' West 351.0 feet to the most southerly southwest corner of the tract of land described in that certain conveyance from Virginia I. Cooper to M.S. Shrock and recorded in Clackamas County Deed Records in Book 359 on Page 27 and is the true point of beginning of the tract herein described. From said true point of beginning thence, continuing parallel with the south boundary of Harrison Street, south 88°12' West 326.4 feet, more or less, to an angle corner in the south boundary of the M.L. Kline tract of land described in Clackamas County Deed recorded in Book 172 on Page 584 and being a point in the northeasterly boundary of Railroad Avenue; thence northwesterly along said Railroad Avenue boundary 174.11 feet, more or less, to the southwest corner of the Fredrick J. Schwankovsky tract described in Clackamas County deed recorded in Book 192 on Page 307; thence North 1°08' west to the northwest corner of the said Schwankovsky Tract; thence north 88°12' East 61.0 feet to the northeast corner thereof; thence following the east boundary of the last mentioned tract south 1°08' East 27.59 feet to the northwest corner of the Theodore and Emma Witt tract described in Clackamas County Deed recorded in Book 186 on page 326; thence north 88°12' East 56.9 feet to the northeast corner of the said Witt tract; thence along the east boundary of the Witt tract South 1°08' east 17.41 feet to the northwest corner of the aforesaid Kline tract; thence north 88°12' E East 141.40 feet to the northeast corner of the said Kline tract; thence along the east boundary of the said Kline tract South 1°08' east 40.0 feet to an iron pipe at the west end of a division line of the Nelson A. and Georgia I. Cooper tract described in Clackamas County deed recorded in Book 153 on page 351; thence following said division line north 88°12' East 124.0 feet, more or less; thence North 1°08' West 180.0 feet to the south boundary of Harrison Street; thence along said boundary of Harrison Street north 88°12' East 94.00 feet to the northwest corner of the M.S. Schrock tract described in Clackamas County deed recorded in Book 412 on page 179; thence following the west boundary of the herein mentioned two tracts of M.S. Shrock South 1°08' East 300.0 feet to the aforesaid true point of beginning.

ON THE CONDITION that the applicants for the zone change provide the City with a firm commitment that they will deed to the City, for street purposes, the west 28 feet of Tax Lots 44 and 45, and further provide \$4,400.00 toward the purchase, by the City, of the Southern Pacific property (triangle) adjoining Tax Lots 258, 318 and the southerly terminus of 34th Street; and such other provisions as stated in their letter of March 28, 1963; contingent upon the City's extension of 34th St.

southerly to either Monroe Street or Railroad Avenue, and permitting Albertsons Inc. to use that part of the Railroad triangle, (to be purchased) not used by the City, for employees parking area and upon the City improving the 34th Street and 32nd Street extensions. Motion carried and was so ordered.

On motion duly made and carried the meeting adjourned.

Paul E. Baer.
Paul Baer, Secretary

ATTEST:

Ellen Martin
Clerk.