

REGULAR MEETING OF MAY 21, 1963

The regular meeting of the Milwaukie Planning Commission was held on the 21st day of May, 1963.

The meeting was called to order by Chairman Wm. Henry Stewart.

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

It was moved by Shrock and Seconded by Nickles that the minutes of the regular meeting of the Planning Commission, held on the 16th day of April, and two special meetings of the Commission, held on the 19th day of April and the 7th day of May, 1963, be not read at this time. Motion carried.

Mr. Charles Renard, showed a sketch, of the outside of a two family dwelling which included landscaping and stated, that instead of a six-unit dwelling, he would like a permit to place 4-duplex units and one single family dwelling on his property (Tax Lot 6, Geo Wills, D.L.C.) along 33rd Street. There were several owners of properties in the Replat of Cole Addition present who protested anything other than one family dwelling being put in this area; stating that anything other than one family dwellings would lower the value of their property. There was discussion on Mr. Renard providing a driveway into the property from 32nd Street. There were those present who spoke in defense of rental property and people who rented their homes. The Chairman announced that this was not a hearing on a zone change but a request for a permit to build duplex dwellings and closed the discussion.

Mr. Wm. Lamb, 110 N. E. 82nd Ave., Portland laid before the Commission, a plot plan for a ten, 1 story dwelling development which he proposes to place on the land located east portion of Lot 11, Zanders Addition, and requested that the zone be changed on this property. It was moved by Bernard and seconded by Hollingsworth that Mr. Lamb bring before the Commission a petition, signed by the owners of properties in the block, requesting the zone change. It

It was moved by Hollingsworth and seconded by Strauss the motion be amended to state that in case proceedings are undertaken to change the zone on this property, that the Planning Commission notify all owners of the lands within 200 feet of this property, of the proposed change. Both the motion and amendment carried.

Mr. Leslie Peake laid before the Commission a drawing and plan for a marquee, covering a section of sidewalk area on Scott Street covering the walk from their doorway to the curb, and requested a permit for the same. All things were in order as to height, construction, materials, etc. It was moved by Hollingsworth and seconded by Nickles that the permit be granted. Motion carried.

Mrs. Betty Hart, laid before the Commission a tentative plot of an extension of Town and Country Addition, showing an extension of roadway 50 feet in width and running east from 47th Avenue, and requested approval of the same. It was moved by Nickles and seconded by Burdick that the proposed plat be approved and that the Chairman be authorized to sign the final plat. Motion carried.

Mr. George Deering, Jr. Clarence Montgomery and Mr. Frederick Johnston, owners of Tax Lots 12, 13, 14, 15, & 17 of Sylvester Hathaway D.L.C. laid before the Commission a tentative plan of a plat of their properties showing two streets running North and South, one of which would be an extension to 64th Street. These gentlemen stated that they were quite sure that the owners of Tax Lots 18 and 19 to the South were interested in including their property in the Plat, and wished to know if their plans for such a Plat met with the Commissions' approval. It was moved by Nickles and seconded by Shrock that these gentlemen bring in a drawing of their tentative plat, showing the location and widths of their proposed streets. Motion carried.

Mr. Fred Billings, 4127 Llewellyn Street requested that he be permitted to continue using his garage as a shop in which he sharpens and repairs lawn mowers. It was moved by Nickles and seconded by Hollingsworth that a revocable permit for this use of his garage be granted to Mr. Billings. Motion carried.

Mr. George Engle, 5600 S. W. Westdale, Portland, requested a permit for a two family dwelling to be built on Lot 11, Block 10, Windemere. The lot is a triangle in shape. It was moved by Baer and seconded by Burdick that the permit be granted provided the lot meets with the square foot requirements and setback requirements observed. Motion carried.

Mr. L. Davis, 2015 - 26th Street requested a permit to move a small residence to Tax Lot 106-3, Lot Whitcomb D.L.C., It was moved by Burdick and seconded by Shrock that the permit be granted. Motion carried.

Mr. Fred Weber came before the Commission and requested that the zone be changed from 3-R-1 to Commercial on a portion of his tract of land at Linwood and Railroad Avenues. It was moved by Burdick and seconded by Shrock that the following Resolution be adopted:

RESOLUTION NO. P.C. 5-1963

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 City, and the necessity for rezoning certain areas of the City occasioned thereby, and

WHEREAS, the owners of real property described hereunder have in writing requested that the said property be rezoned from its present classification to the Commercial Zone, the City Planning Commission of the City of Milwaukie, Oregon, has determined it is now necessary and advisable to initiate proceedings to accomplish the rezoning of the following described property, to-wit:

PARCEL I.

That portion of the Southwest quarter of Section 32, T. 1S., R. 2E., and the Northwest quarter of Section 5, T. 2S., R. 2E., and the Southeast corner of the J.D. Garrett D.L.C. of the W.M., in the County of Clackamas and State of Oregon, lying North of the Foster and Milwaukie County Road and Westerly of the center line of that 60 foot strip of land conveyed to the County of Clackamas for road purposes by deed recorded in Clackamas County Deed Book 255, Page 556, known as Linwood Avenue, and Easterly of the center line of that portion of Longcoy Road #1256 vacated March 22, 1939 by Clackamas County Court Order entered in Commissioners Journal Book 34, Page 603, and more particularly described as follows:

Beginning at a stone on the East line of the John D. Garrett and wife D.L.C. No. 38, and the intersection of the South line of Section 32 T. 1S., R. 2E; thence to the center line of the Keil and Beckman Road also known as Railroad Avenue S. $41^{\circ}36'30''$ W - 29.20 feet; thence along said center line N. $65^{\circ}18'30''$ W - 198.20 feet to the intersection of the center lines of the Keil and Beckman Road and vacated Longcoy Road as described in the County Journal No. 34, Page 603; thence along the center line of vacated Longcoy Road N. $14^{\circ}30'00''$ E - 40.64 feet to its intersection with the North right-of-way line of the Keil and Beckman Road, such point being a $3/4''$ iron pipe and the true point of beginning; thence continuing N. $14^{\circ}30'00''$ E - 257.62 feet to an iron pipe; thence continuing N. $14^{\circ}30'00''$ E - 334.88 feet to an iron rod being the p.c. of a 1910.00 foot radius curve to the left ($\Delta = 7^{\circ}00'14''$); thence along said curve 233.48 feet to an iron rod being the p.t. of said curve and the intersection point of the center line of vacated Longcoy Road and the Westerly right-of-way line of Linwood Avenue; thence Southerly along the Westerly right-of-way line of Linwood Avenue on a 1462.50 foot radius curve to the left ($\Delta = 15^{\circ}09'34''$) a distance of 386.95 feet to an iron rod being the p.t. of said curve; thence S. $22^{\circ}51'00''$

E - 282.68 feet to an iron rod and the p.c. of a 543.00 foot radius curve to the right ($\Delta=29^{\circ}40'30''$); thence along said curve 281.23 feet to the p.t. of said curve being an iron rod; thence S. $6^{\circ}49'30''$ E - 93.61 feet to an iron rod and the most Northerly right-of-way corner at the intersection of Linwood Avenue and the Keil and Beckman Road; thence along the Northerly right-of-way of the Keil and Beckman Road N. $65^{\circ}19'50''$ W 475.27 feet to the true point of beginning.

PARCEL II.

Part of the Southwest Quarter of Sec 32, T. 1S., R. 2E., W.M., and part of the North half of the Northwest quarter of Sec 5, T. 2S., R. 2E., W.M. and more particularly described as follows:

Beginning at the Northeast corner of that tract of land conveyed to Fred C. Baker as described on Page 234, Book 326 of the Clackamas County Deed Records; thence S. $88^{\circ}31'00''$ W - 2483.40 feet along the North line of said tract of land to the Easterly right of way line of Linwood Ave. and an iron pipe; thence the following courses and distances along the Easterly right of way line of Linwood Ave; S. $0^{\circ}27'$ E - 442.99 feet to the p.c. of a 1402.5 foot radius curve to the left ($\Delta=22^{\circ}24'$); thence along said curve 548.31 feet to the p.t. of said curve; thence S. $22^{\circ}51'$ E - 282.68 feet to the p.c. of a 603.00 foot radius curve to the right ($\Delta=29^{\circ}40'30''$); thence along said curve 312.30 feet to the p.t. of said curve; thence S. $6^{\circ}49'30''$ W - 122.94 feet to the Northerly right of way line of the Foster and Milwaukie County Road #115 and an iron rod, which point is the true place of beginning; thence S. $69^{\circ}26'$ E. - 210.34 feet along the Northerly right of way line of said county road #115 to an iron rod; thence N. $83^{\circ}48'30''$ E - 167.86 feet along the Northerly right of way line of said county road #115 to an iron rod at the Southwest corner of Lot 1, Block 3, "Cedarcrest #1", a recorded subdivision; thence N. $6^{\circ}11'30''$ W - 147.35 feet along the Westerly line of Block 3, "Cedarcrest #1" to the p.c. of a 250.00 foot radius curve to the left ($\Delta=104^{\circ}46'20''$) and an iron rod; thence along said curve 457.13 feet to the Southwest corner of Lot 10, Block 3, said subdivision, which point is also on the Easterly right of way line of Linwood Ave; thence along the Easterly right of way line of Linwood Ave. which is on a 603 foot radius curve to the right ($\Delta=16^{\circ}42'30''$) a distance of 175.84 feet to the p.t. of said curve and an iron rod; thence S. $6^{\circ}49'30''$ W - 122.94 feet along the Easterly right of way line of Linwood Ave. to the true place of beginning.

so as to remove and withdraw the said property from Zone 3-R-1, as established by 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 3-R-1 as established by said Zoning Ordinance and to incorporate and include the same within the Commercial Zone as established by said Ordinance.

Adopted this 21st day of May, 1963.

Wm. Henry Stewart, Chairman.

Motion carried and so ordered.

The question of Mr. Charles Renard's application for building permits for 4 duplex dwellings was again taken up and discussed.

Motion was duly made and seconded that a special permit be granted to Mr. Renard to build four two-family dwellings and one single family dwelling on Tax Lot 6, Geo Wills D.L.C. subject to the following conditions:

1. That your plot plan show, to scale, a minimum of nine paved parking areas with room for maneuvering and proper paved access to the street.
2. That all buildings conform to the Uniform Building Code and that the landscaping conform to the sketch displayed to the Planning Commission.
3. That all buildings will be connected to the City Sanitary Sewer.
4. That the main driveway be surfaced with pavement.

Mr. Robert Rogers laid before the Commission a tentative Plat of Holly Hill, (a part of Tracts 15, 16, 17 Atkinson) and requested approval of same. It was moved by Nickles and seconded by Hollingsworth that the Plat of Holly Hill be approved and that the Chairman be authorized to sign the same when it is presented. Motion carried.

F. M. Tarbell requested permission to place a sign 3 feet x 5 feet on Lot 48, Block 16, Minthorn Addition. The sign was too large to conform to requirements of Ordinance Number 481 and therefore the request was denied.

On motion duly made and carried the meeting adjourned.

Paul E. Baer
Paul Baer, Secretary
MILWAUKIE PLANNING COMMISSION

ATTEST:

Ellen Martin