

REGULAR MEETING AUGUST 18, 1964

The regular meeting of the Milwaukie Planning Commission was held on the eighteenth day of August, 1964.

In the absence of Chairman Roger Hollingsworth it was moved by Jerry Miller and seconded by Joe Bernard that Cecil Nickles take over as acting Chairman.

The meeting was called to order by Acting Chairman Cecil Nickles.

Those present were: Commissioners Cecil Nickles, Paul Baer, Jerry Miller, Joseph Bernard, Earl Burdick, and Max Thompson.

Absent were: Chairman Roger Hollingsworth, Commissioners W. Henry Stewart, Dave Strauss, John Sheldahl.

It was moved by Burdick and seconded by Bernard that we dispense with the reading of the minutes of the regular meeting of the Commission held on July 21, 1964, the special minutes of July 30, 1964, and the special minutes of August 13, 1964. Motion carried and so ordered.

The matter of the zone change request on Lots 5, 6, 7, 8, 9, 10, Block 2, Berwin Villa, owned by Mrs. Betty Harsh, was brought up for the vote of the Commission. It was moved by Burdick and seconded by Baer that the decision on the zone change be held over until we have conferred with the Bureau of ~~Research~~ Municipal Research since we have contracted with them to aid in the overall zoning of the city. Motion carried. Notice to be given to the property owner within 90 days of the August 13th hearing. Notice is to be sent to all the people within 200 feet when this is to be taken up again.

In regards to the request from Mrs. Beverly Davis for continuation of the Milwaukie Kindergarten at 11895 S. E. Thorne Street. Mr. Thompson reported that the police have had no complaints after the first two months of operation. It was moved by Bernard and seconded by Miller that a one (1) year revocable permit be granted under the same rules as last year. Motion carried.

Mr. Al Hamlin, Tax Lot 36, Whitcomb D.L.C. (2946 Harrison St.) presented plans for approval. It was moved by Bernard and seconded by Miller that the plans be accepted. Motion carried.

It was reported by the chairman that action was taken on the zone change request on Lots 1,2,3,4,5,6, Block 44, Milwaukie Heights. This was denied. Also the matter of the zone change on Tax Lot 139, Whitcomb D.L.C. was set over to September 15, 1964.

A letter from Grace J. Sellers & John B. Moon presented by Mr. Harold Davis requesting a zone change from 3-R-1 to Commercial on Lots 45, 46, 47, 48, Block 41, Minthorn Addition to the City of Portland (4145 Jackson Street) was presented to the Commission. It was moved by Bernard and seconded by Miller that a hearing be set up for September 11, 1964 at 8:00 P.M. with publication to be on September 2nd and September 9, 1964 and proper notice be sent to all properties within the 200 foot area. Motion carried and so ordered.

A letter from Mr. Davis presented to the Commission requesting a zone change from 3-R-1 to Commercial on Lots 5, 6, Block 41, Minthorn Addition to the City of Portland (4126 Harrison Street). It was moved by Bernard and seconded by Miller that a hearing be set up for 8:00 P.M. on September 11, 1964 with publication on September 2nd and September 9, 1964 and proper notice be sent to all properties in the 200 foot area. Motion carried and so ordered and that the following resolution be adopted. (Res. PC8-1964)

The request for a zone change on Lot 4, Block 2, Berwin Villa was read and Mrs. Vern DeVeny the owner requested that this be withdrawn.

A letter from Mr. Ed Lucas, 19735 Idleman Road was received requesting a zone change from 3-R-1 to 3-R-2 Special on property he purchased from Geo. Haugh on the back $\frac{1}{2}$ of Tax Lot 144, Hector Campbell (3335 Harvey Street) to build a 7 family unit. Mr. Nickles stated that he feels this should not be changed. It was moved by Burdick and seconded by Baer that this be referred to the City Council to consider the matter and if they wish the Council can refer it back to the Planning Commission. Motion carried with 1 dissenting vote (J. Miller)

Mr. Kenneth Snow presented a request for a temporary permit to operate an aquarium from his residence at 8715 S. E. 30th. It was moved by Burdick and seconded by Miller to grant a temporary permit to Mr. Snow to operate an aquarium. Motion carried.

Mr. Nase of Cinderella Homes presented a preliminary plat plan of Cinderella Addition with a request for a 40 foot instead of 50 foot street. Mr. Bernard said that our Ordinance states 50 foot streets so must conform. It was moved by Miller and seconded by Bernard that the preliminary plat of Cinderella Addition, Lot 4 & 5, Block 6, Gloverland Addition & Tax Lots 65 & 86, Hector Campbell D.L.C., be accepted with 50 foot streets and that Mr. Nase present the official plan and the chairman be authorized to sign approval. Motion carried and so ordered.

The Chairman called for questions or remarks from the floor.

Mrs. Betty Harsh complained that she felt the Commission was unfair and had given her the run around in delaying her request for a zone change. Mrs. Harsh was told that since the City had hired these experts the Commission felt it only right to consult with them before acting on this matter and that she would be given an answer in 90 days.

Mr. C. R. Thompson spoke in favor of Mrs. Harsh's zone change.

A number of people were present who were objecting to this change.

Mr. Dave Beeson requested a recommendation from the Planning Commission on how to dedicate a street to connect with White Lake Road. It was moved by Baer and seconded by Miller that the Planning Commission recommend to the City Council that a 50 foot street be accepted to line up with the center line of White Lake Road. Legal Description: Tract 29 Gibson's Subdivision of the Logus Tracts, except the Southeast 66 feet by 180 feet on the north side of King Road at approximate 46th Street.

A number of people in the area objected to Mr. Beeson's zone change and his building on this property stating they were not notified. Mr. Bernard stated that a hearing should be set up before the City Council before any further building permits be issued to Dave Beeson and that all people in the 200 foot area be notified of this meeting.

Mr. Donald C. McLoughlin, 13775 S.E. Rusk Rd. (owns property at 5100 Lake Road), Mr. Jacob J. Mulder and a number of property owners along Lake Road questioned the Commissioners regarding zoning their property commercial if they annexed to the City. Mr. Baer stated that since they were not in the City the Commission could give no promise on how the property might be zoned but invited them to petition for annexation if they so wished.

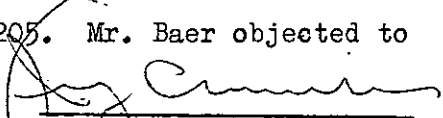
Mr. John Lane of John W. Lane & Associates representing Waverly Green Apartments questioned the width of the street to be put into the apartments off of Lava Drive. It was moved by Baer and seconded by Bernard that the city accept a street of 32 feet paving with curbs on both sides and no parking. Motion carried.

Mr. Lane also stated that they had tenants moving in September 1st and wanted to know about the water and sewer services. Mr. Thompson stated that easements were holding up the assessment district but temporary arrangements could be made.

It was moved by Bernard and seconded by Burdick that the Lloyd Bousman plan for apartments on Tax Lot 5 east part of Tax Lot 173, Tax Lots 114, 115 of the Hector Campbell DLC (south side of Harvey St. at approximate 33rd Street) be approved. Motion carried.

Mr. Burdick presented an idea for study on the Hiway I-205. Mr. Baer objected to accepting same.

On motion duly made and carried the meeting adjourned.


Jerry Miller, acting Secretary

RESOLUTION NO. PC 8-1964

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:

LOTS 45, 46, 47, 48, BLOCK 41, MINTHORN ADDITION (4145 Jackson Street)
LOTS 5 & 6, BLOCK 41, MINTHORN ADDITION (4126 Harrison Street)

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

BE IT HEREBY FURTHER RESOLVED that the 11th day of September, 1964, be and the same hereby is fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, be and the same is hereby fixed as the place at which a public hearing shall be held to afford the owners of said real property, persons particularly interested, and the general public an opportunity to be heard on the question of the zoning changes hereby initiated.

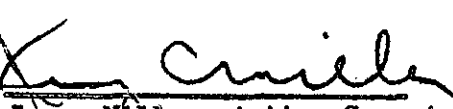
BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, be and he is hereby authorized and directed to cause a notice of said public hearing to be published in the Milwaukie Review, a local newspaper in Milwaukie, Oregon, and a newspaper of general circulation within said municipality. Such notice shall be published twice, once within the week within which the public hearing is to be held, as provided by ORS 227-260, and as provided by Section 9 of the Zoning Ordinance of the City of Milwaukie, Oregon.

Adopted this 18th day of August, 1964.


Cecil Nickles, Acting Chairman

Motion carried and so ordered.

ATTEST:


Jerry Miller, Acting Secretary
Publication - September 2, 1964
September 9, 1964