

MEETING OF SEPTEMBER 18, 1962

The regular meeting of the Milwaukie Planning Commission was held on the eighteenth day of September, 1962.

The meeting was called to order by Chairman Earl Burdick.

Present: Chairman Earl Burdick; Commissioners Max Thompson, Cecil Nickles, Roger Hollingsworth, Marvin Shrock, and Leonard Mullan. Absent: Commissioners Earl Clay, John O. Sheldahl and W. Henry Stewart.

Mr. Michael Christie, 8816 29th Street, came before the Commission and requested a permit to operate a "Cattery" at his home, the purpose of a cattery is to raise cats for sale as pets. Mr. Christie stated that Mr. John Borden (County and City Sanitary Inspector) had inspected the property and had approved the same; he also presented a written statement, signed by the immediate neighbors, that they had no objection, providing that sanitation, noise, number of animals and other conditions, acceptable at this time, remained the same. It was moved by Nickles and seconded by Hollingsworth that a revocable permit for one year be approved. Motion carried and so ordered.

Mr. John Bosnjak, owner of Tax Lot 29, Joseph Kellogg D.L.C., came before the Commission and stated that he had a problem involving a roadway. He is willing to give a strip of land along the west side of his land and wants the School District to give a strip from the east side of their land, for a road leading from Lake Road south. Mr. Bosnjak requested the Commission to contact the School Board and request them to give a 5 foot strip as their share of this road. It was moved by Nickles and seconded by Shrock that the Commission take this matter under advisement. Motion carried and so ordered.

Mr. J. L. Kyle, 3444 Rockwood, came before the Commission and stated that he and his neighbors desired a road running east and west through the south end of their properties (Tracts 18, 19, 20, Rockwood Acres, but had no outlet to a public road, and requested the Commission to secure an extension of 33rd Street through Tract 23 and into Tract 24 Rockwood Acres. The Commission advised Mr. Kyle to contact the owners of Tracts 23 and 24 and obtain their consents to give their property for roadway.

Mr. Edgar Lucas laid proposed plan and plot plan, to build four duplex dwellings on the west $\frac{1}{2}$ of Lot 3 Block 5 Gloverland. All set-back requirements had been observed and a private road with off-street parking was provided. It was moved by Nickles and seconded by Hollingsworth that the Commission recommend a permit for this use of the property. Motion carried and so ordered.

Mr. R. Wagner came before the Commission and stated that he is the owner of the west $\frac{1}{2}$ of Lot 2 Block 4 Gloverland, that he was desirous of building a house on the north half of his property which lies at the south dead end of 40th Court, and asked if a permit for the same could be granted. Mr. Wagner was advised to ascertain how much of his lot was within the boundary line (projected) of 40th Court, and how much was along the alley at the south end of 40th Court.

Mr. John Gerber, 4335 Rio Vista, came before the Commission and requested that the Commission recommend that Ordinance 481 be amended by striking out, or changing, Section 14 thereof. After discussion Mr. Gerber was told that the Commission would take the matter under consideration and investigation.

The matter of changing the zone on the Freeman Property south of the Southern Pacific main line tracks was discussed. It was moved by Hollingsworth and seconded by Shrock that the following Resolution be adopted.

RESOLUTION P.C.2-1962

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 consideration of the need for Industrial use of property in the City of Milwaukie and the necessity of rezoning certain areas of the City occasioned thereby, and

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

Beginning at a point in the northeasterly boundary of Washington Street that is southeasterly 200.0 feet distant from the most easterly corner of Washington and Olive Streets:-

1. Thence at right angles to said boundary of Washington Street 200.0 feet.
2. Thence parallel with said Washington Street boundary 200.0 feet to the southeast boundary of Olive Street.
3. Thence North 35° East 612.0 feet, more or less, to the southwesterly boundary of the Southern Pacific Railway right-of-way.
4. Thence Southeasterly along said Railway boundary South 55° East 2895.0 feet more or less, to the northeast corner of present Tax Lot 8 of the J.D. Garrett D.L.C.
5. Thence South 920.0 feet, more or less, to the southeast corner of said Tax Lot 8
6. Thence East 770.0 feet, more or less, to the southeast corner of present Tax Lot 86 of said Claim.
7. Thence South 1320.0 feet, more or less, to the most southerly corner of present Tax Lot 17 of said Claim.
8. Thence Northwesterly 350.0 feet, more or less, along the southwesterly boundary of said Tax Lot 17 to the northeast corner of the present Tax Lot 77 of the said Claim.
9. Thence south 350 feet, more or less, to the southeast corner of said Tax Lot 77.
10. Thence Northwesterly 15.0 feet, more or less, along the southwesterly boundary of said Tax Lot 77 to the northeast corner of present Tax Lot 19, of said Claim.
11. Thence South 205.0 feet, more or less, along the east boundary of said Tax Lot 19 to a point that is 200.0 feet northeasterly, when measured at right angles, to the northeast boundary of Lake Road.
12. Thence North 68°30' West 450.0 feet, more or less, parallel with and 200.0 feet distant when measured at right angles to the northeast boundary of Lake Road to the east boundary of present Tax Lot 18 of the said Garrett Claim.
13. Thence North 505.0 feet, more or less, along the east boundary of said Tax Lot 18 and the northerly extension thereof to a point that is 150.0 feet southwesterly, when measured at right angles, to the southwest boundary of present Tax Lot 17 of the J.D. Garrett Claim.

14. Thence Northwesterly 610.0 feet, more or less, along a line that is 150.0 feet distant, when measured at right angles, to and parallel with the southwest boundary of said Tax Lot 17, to the west boundary of the Hale Carter tract described in Clackamas County Deed record in Book 495 on Page 282, Record of Deeds.

15. Thence North along the west boundary of the said Carter Tract to the northwest corner thereof, located in the southwest boundary of present Tax Lot 17 of the said Garrett Claim.

16. Thence northwesterly 1275.0 feet, more or less, along the northwesterly extension of the southwesterly boundary of said Tax Lot 17 to a point that is East 150.0 feet distant when measured at right angles to the east boundary of 37th Street in the Plat of ¹⁴Winthorn Addition to the City of Portland.

17. Thence, parallel with and 150 feet East of the said boundary of 37th Street, North 530.0 feet, more or less to intersect the southeasterly extension of the northeasterly boundary of Washington Street.

18. Thence following the southeasterly extension of and the northeasterly boundary of Washington Street, North 54° 21' West 1520.0 feet, more or less, to the place of beginning.

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 in the Industrial 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 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 the said Zoning Ordinance and to incorporate and include the same within the Industrial Zone as established by said Ordinance.

BE IT HEREBY FURTHER RESOLVED that the 5th day of October, 1962, be and the same hereby is fixed as the date, and the hour of eight (8:00) o'clock P.M. Pacific Standard Time; be and the same is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, be and the same hereby is 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 change hereby initiated.

BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, be and he hereby is authorized and directed to cause a notice of said public hearing to be published in the Milwaukie Review, a local newspaper published in Milwaukie, Oregon, and a newspaper of general circulation within the municipality. Such notice shall be published 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.

Adopted this 18th day of September, 1962

ATTEST:

W. Henry Stewart
W. Henry Stewart, Secretary.

Motion carried and so ordered.

Earl S. Burdick, Chairman

It was moved by Thompson and seconded by Hollingsworth that the request made by Mr. Womac, to place a sign along McLoughlin Blvd. be denied. Motion carried and so ordered.

ATTEST

Secretary.