

ZC-72-2 Daryl H. Kehoe, applicant. Request to change zone from A-3 Apartment Residential to C-L Limited Commercial on property located at 4325 King Road (Lot 2, Engel Addition)

Public hearing was opened at 8:25 p.m., with notices published and mailed as required. Staff report, recommending denial of the application as submitted and initiation of an alternate zone change, was read by Max Thompson.

Correspondence in favor: Iola M. and Richard J. Hlavka, 4401 King Road

Speaking in favor: Daryl H. Kehoe, applicant
Charles Cuclich, 4335 King
Nel Smith, 4215 King
Jack Kole, representing 43rd and King Apartments

No person spoke in opposition. Hearing was declared closed at 8:40 p.m. IT WAS MOVED by Liddell, seconded by Nase, that ZC-72-2 be recommended for denial to the City Council for the reasons given by staff. MOTION CARRIED and so ordered. IT WAS MOVED by Liddell, seconded by Nase, that the City initiate, in lieu of ZC-72-2, a zone change for Tax Lots 5600, 6000, 6100 and 6200, T1S, R2E, Section 30CC from A-3 Apartment Residential to A-1-B, Apartment-Business Office Residential, with ten additional feet of right of way for the proposed widening of King Road and proper street. MOTION CARRIED and so ordered. This zone change will be considered at the April 25, 1972, Planning Commission meeting.

C-72-3 Clackamas County School District No. 12, applicant. Request to allow construction of rest room and storage facilities in R-7 Single Family Residential on School District athletic field located on Lake Road between 28th and 31st Streets (Tax Lots 1100, 1200, 1300 and part of 1400, T1S, R1E, Section 36CA)

Public hearing opened at 8:55 p.m., with notices mailed as required. Staff report, recommending approval with conditions, was read by Max Thompson.

Speaking in favor: Mike Pinon, representing applicant

Questions raised: James B. O'Hanlon, attorney for Blanche Clay

No person spoke in opposition. Hearing was declared closed at 9:10 p.m. IT WAS MOVED by Croft, seconded by Casale, that C-72-3 be approved as presented subject to the following conditions: 1) that the building be set back a minimum of 20 feet from the front property line on Lake Road and a minimum of 5 feet from the side property line to the east; 2) that all utilities to the structure be underground; 3) that if the structure is to be serviced with vehicles, a permit for a curb cut and a driveway be obtained; 4) that an exterior light be placed over the rest room doors. MOTION CARRIED and so ordered.

(Meeting recessed at 9:20 p.m. and reconvened at 9:30 p.m. with all present.)

- C-72-4 John M. DeGroat, applicant. Request to allow a doctor's clinic and day care center in A-2 Apartment Residential on property located at the intersection of Monroe Street and State Highway 224 (Lots 3, 4 and 5, Wilson Addition, except that portion conveyed to the State of Oregon, by and through its State Highway Commission).

Public hearing was opened at 9:30 p.m., with notices mailed as required. Staff report, recommending approval with conditions, was read by Max Thompson.

Speaking in favor: John M. DeGroat, applicant

No person spoke in opposition. Hearing was declared closed at 10:00 p.m. IT WAS MOVED by Foster, seconded by Liddell, that C-72-4 be approved as presented subject to compliance with the following conditions: 1) that all signs for the clinic and day care center be approved by the Planning Commission as to size, height, location, etc.; 2) that all provisions of Article 5, Off-Street Parking and Loading, of the Zoning Ordinance be complied with; 3) that two parking spaces per teacher and one parking space per employee of the day care center be provided; 4) that a minimum of 100 square feet of play area be provided per child and that it be completely enclosed or fenced (including indoor swimming and gym facilities); 5) that the Planning Commission grant a variance to the 15 foot setback requirement from the easterly property line; 6) that the driveway be widened to a minimum of 20 feet to allow two way traffic. MOTION CARRIED and so ordered.

- C-72-5 Eastgate Theatre, Inc., applicant. Request for construction of a four-plex walk in theatre in M-L Limited Manufacturing on property located at the intersection of Milport Road extension and Main Street (south 50 feet of Tract 1 and all of Tracts 2 and 3, Omark Industrial Park)

Public hearing opened at 10:15 p.m., with notices mailed as required. Staff report, recommending approval with conditions, was read by Max Thompson. Terry Flink, Oregon State Highway Department, displayed a map with the proposed realignment of Main Street at Milport Road.

Speaking in favor: Tom Moyer, representing applicant

Questions raised: Paul Teller, International Harvester
Rudy Wilhelm, Wilhelm Properties

No person spoke in opposition. Hearing was declared closed at 10:45 p.m. IT WAS MOVED by Croft, seconded by Casale, that C-72-5 be approved as presented subject to compliance with the following conditions: 1) that the building be elevated above the Intermediate Regional Flood (100 Year Flood) as determined by the Corps of Engineers; 2) that all provisions of Article 5 of the Milwaukie Zoning Ordinance, Off-Street Parking and Loading, be complied with; 3) that the applicant agree to dedicate property to the public necessary for the realignment of Main Street at the time the State Highway Department deems necessary, as specified by the metes and bounds description, marked Exhibit A; 4) that any signs shall be approved by the Planning Commission as to height, size, location, etc.; 5) that access to the