

## SPECIAL MEETING OF APRIL 21, 1958

A special meeting of the Council of Milwaukie, was held on the twenty-first day of April, 1958 for the purpose of hearing a report from the Milwaukie Planning Commission on zones and changes of zones.

The meeting was called to order by Mayor Mullan.

Present; Mayor Mullan; Councilmen Clay, Mortensen, Roberts and Klein; Manager Burdick and Attorney Sheldahl. Absent: Clerk Martin.

A resolution, adopted by the Milwaukie Planning Commission, which would govern future zoning in Milwaukie, was read.

A letter, from the Milwaukie Planning Commission, in which they made the following recommendations, was read.

1. That Block 2, Streib's First Addition be changed from 3 R-1 Zone to Commercial Zone.
2. That the zone presently controlling the Lessalle property, on 32nd Street (Tax Lot 127, Hector Campbell D.L.C. 3-R-2 Special) be not changed.
3. That a new zone be created which will provide for both Industrial and/or Commercial use of the property in Sellwood Gardens, and that Sellwood Gardens be zoned as such.

Ordinance Number 710 was taken up and read for its first reading. It was moved by Roberts and seconded by Mortensen that Ordinance No. 710 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 710 AN ORDINANCE amending Ordinance No. 481, as amended, by creating a new zone to be known as Commercial-Industrial Zone; and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following results being had: Ayes: Mullan, Clay, Mortensen, Roberts and Klein. Nays: None. Ordinance Number 710 passed the Council and was so declared by the Mayor.

Ordinance Number 711 was taken up and read for its first reading. It was moved by Mortensen and seconded by Clay that Ordinance No. 711 be passed to its second reading. Motion carried and so ordered.

It was decided that the Council would hold a special meeting on Monday April 28 before the second reading of Ordinance No. 711.

On motion duly made and carried the meeting adjourned.

  
Earl S. Burdick, acting Clerk

## SPECIAL MEETING APRIL 28, 1958

An adjourned meeting of the Council of the City of Milwaukie, was held on the twenty-eighth day of April, 1958, for the purpose of continuing the hearing on the change of zone for Block 2, Streib's First Addition, and such other matters as were necessary to be heard at this time.

The meeting was called to order by Mayor Mullan.

Present: Mayor Mullan; Councilmen Clay, Mortensen, Roberts and Klein, Manager Burdick and Attorney Sheldahl.

## SPECIAL MEETIN APRIL 28, 1958 continued

Mr. Peter Relos came before the Council and requested that Adams Street, from Main Street to 21st Street be vacated. Mr. Relos stated that a market would be placed on the properties adjacent to the street and that the street area would be used as a parking lot with access to both 21st Street and Main Street and therefore could be used as a travel lane, which would be advantageous to shoppers as well as the general public. Councilman Mortensen objected, stating that once the street was vacated, it could be closed at the pleasure of the owners. Mr. Relos assured the Council that this would not happen. Councilman Klein suggested that if this portion of street were vacated, the City should be reimbursed in an amount of equal value. Mr. Relos presented a letter from the United States National Bank in which they stated that they were prepared to advance to Mr. Relos the sum of \$17,000.00 for his use in relation to the vacation of this street. It was moved by Klein and seconded by Roberts that the following resolution be adopted.

## RESOLUTION NUMBER 8-1958

A RESOLUTION INITIATING VACATION PROCEEDINGS OF A PORTION OF ADAMS STREET, A PUBLIC STREET IN THE CITY OF MILWAUKIE, OREGON, PURSUANT TO THE PROVISIONS OF ORS 271.130, and ORDINANCE NO. 678 OF THE CITY OF MILWAUKIE, OREGON.

WHEREAS, the following portion of Adams Street, to-wit:

ADAMS STREET, from the east boundary of Main Street to the west boundary of 21st Street

which lies entirely adjacent to the boundary of land now owned by United Investment Co., Peter Koumarelos, J.V.P. Inc.

WHEREAS, the City Council of the City of Milwaukie, Oregon, after due consideration of the interests of the City of Milwaukie, Oregon, and its inhabitants, and after due consideration of the interests of the abutting property owners, and the public generally, and after being assured of the payment of that sum of money by that abutting property owner, the market value of whose abutting property will be beneficially affected, of a sum found by the Council to be just and equitable in view of the special benefits accruing to said property owner by reason of the vacation of said portion of Adams Street hereby initiated, deems it advisable to initiate proceedings to vacate the said portion of said public street hereinbefore described pursuant to the provisions of ORS 271.130, and Ordinance No. 678, of the City of Milwaukie, Oregon, and

WHEREAS, it is particularly desirable from the standpoint of the City of Milwaukie and its inhabitants that the said portion of said public street be vacated in order that the properties abutting thereon be developed to their fullest public and commercial capacities so as to increase the tax revenue and general prosperity of the City of Milwaukie, Oregon, and

WHEREAS, the City Council of Milwaukie, Oregon, has ascertained and determined that the market value of the property abutting upon the said portion of said public street to be vacated will be increased rather than decreased by reason of said vacation, and

WHEREAS, the City Council of the City of Milwaukie, Oregon, has been advised that the owners of all of the property abutting upon the said portion of said public street to be vacated will consent in writing to such vacation,

NOW THEREFORE, BE IT HEREBY RESOLVED by the Council of the City of Milwaukie, Oregon, that by virtue of the foregoing and by virtue of the provisions of ORS 271.130, and by virtue of the provisions of Ordinance No. 678 of the City of Milwaukie, Oregon, that proceedings be and the same hereby are initiated by the Council of the City of Milwaukie, Oregon, to

## SPECIAL MEETING APRIL 28, 1958 continued

vacate the following portion of said Adams Street, which is described as follows:

ADAMS STREET, from the east boundary of Main Street to the west boundary of 21st Street

BE IT HEREBY FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, be and he hereby is ordered and directed to cause notices of these proceedings and the public hearing to be had thereon to be published and posted as required by the provisions of Sections 271.130 and 271.110 of the Oregon Revised Statutes, and

BE IT HEREBY FURTHER RESOLVED that the 9th day of June, 1958, be and the same hereby is fixed as the date upon which said public hearing shall be held, and the hour of 8:00 o'clock P.M. be and the same is hereby fixed as the time at which the said public hearing shall be held upon said date, 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 said public hearing shall be held at said time and on said date.

  
Leonard B. Mullan,  
Mayor of the City of Milwaukie  
Oregon

ATTEST:

  
Recorder of the City of Milwaukie, Oregon

Motion carried and so ordered.

The matter of vacating Moores Avenue from North Street to its easterly terminus was again brought before the Council. Some of the Council reported that they had viewed the property and that they felt it would be unwise to vacate this portion of the street at this time. It was moved by Mortensen and seconded by Roberts that the east end of Moores Avenue be not vacated. Motion carried and so ordered.

The matter of a zone change for Block 2, Streib's First Addition, was again laid before the Council. A delegation of property owners in Streib's First Addition were present. There was considerable discussion on the matter during which the definition of "Spot Zoning" was requested. Attorney Sheldahl explained the meaning of Spot Zoning. The Mayor declared this meeting adjourned to reconvene Monday May 5, for further discussion on this matter.

  
Earl S. Burdick  
Acting Clerk

## ADJOURNED MEETING MAY 5, 1958

An adjourned meeting of the Council of Milwaukie was held on the fifth day of May, 1958, for the purpose of continuing the hearing on the matter of re-zoning Block 2, Streib's First Addition, and such other business as was necessary to be heard at this time.

The meeting was called to order by Mayor Mullan.