

REGULAR MEETING OF

Planning Commission and Joint Session with
Canby City Council, January 15, 1964.

The meeting was called to order by Mayor Stefani at 8:04 p.m.

Roll Call: Present - Commissioners Burgess, Cutsforth, Hulbert, Newton and Parsons, Mayor Stefani, Councilmen Giger, Housen, Read and Stevens, Sup't Cox and Attorney Bettis. Absent - Commissioners Rasmussen and Woods and Councilmen Graham and Harper.

Minutes of the meeting of December 18 was read and approved.

Mayor Stefani explained his acting as chairman due to the physical incapacity of Chairman Hulbert and in the absence of Commissioner Rasmussen.

The Chairman declared the time had arrived for the hearing on the proposed amendment to the zoning ordinance to rezone Tract No. 47 Canby Gardens from R-1 to R-2 to permit the construction of apartment buildings, and called for objections or remonstrances.

Richard Hill voiced objections to multiple dwellings in the area, apparently without substantial reasons other than personal. Art Williams, agent for the proponent, explained that plans were to improve streets through the area including extension of Anita Street to Territorial Road and that the total improvements would cost in excess of \$100,000 and be an asset to the community. The Lingel family who own property adjacent to Tract No. 47, stated no objections to the proposed rezoning. Edward Pfau, proponent, explained the construction and landscaping plans and stated that he would be willing to take option on any adjacent property at fair market price plus 33 and one-third percent within 2 years after the project is under construction, as a guarantee to property owners against depreciation resulting from the apartment project. He said loan regulations required completion of each construction phase within 6 months.

There being no further comments forthcoming, the Chairman declared the hearing closed. There being no immediate comment from members of the Commission, the Chairman declared the decision of the Commission would be determined later in the meeting.

An application was presented from Ray Stinson and Frank Kendall for an amendment to the zoning ordinance, rezoning a portion of the Brattl-Weygant Add. from R-1 to R-2 to permit the construction of multiple dwellings. Attorney Bettis stated that deeds in that area were restricted to single unit dwellings, which would supercede the zoning ordinance. Kendall stated that his deeds were restricted to 2 family dwellings. The Commission informed Kendall that duplex construction was permissible as a conditional use under the existing zoning ordinance in zone R-1. Kendall said that he preferred that the application for rezoning be processed, as the property would be of more value to him if not restricted to conditional use. After considerable discussion, a motion was made by Commissioner Parsons, seconded by Cutsforth and carried unanimously that a hearing on the proposal be conducted by the Commission on February 19, 1964.

Arthur Curtis appeared before the Commission and stated that he was the owner of a partly finished duplex, now in the R-1 zone, which had been under construction for 10 years, and asked clearance to complete the structure. The Commission advised him that construction which was begun before the instigation of the zoning ordinance could be completed as a non-conforming use.

The Chairman declared the time had arrived to conduct the hearing on the proposed amendment to the zoning ordinance to rezone the Warner G. Pearson property, adjacent to Berg Avenue, from M-1 to C-2 to permit the construction of a proposed trailer court, and called for objections or remonstrances.

Charles Boise, owner of the Oregon Bag Co. voiced objections on the premise that other industrial uses were intended for his undeveloped property. Boise withdrew his objections when he was informed that the rezoning would not effect property other than that in the Pearson tract. Ray Barichello stated that he owned property adjacent to the Pearson property, but that he was not

Planning Commission Minutes of 1-15-64 continued.

Kenneth Smith, proponent, explained his plans for development of the area and said the trailer court would constitute a buffer zone between the industrial and residential areas, and when completed would be a definite asset to the area. He said that the court would be built to FWA specifications, but that no definite plans for the remainder of the property abutting highway 99-E had been announced. Question of traffic increases on Berg Avenue was answered by Smith, that principal traffic to the court would be by an entrance designed on S.W. Fifth Avenue. Councilman Howard Giger objected to the rezoning due to the potential noise complaints that the City would receive as both the trailer court and the adjacent industrial area developed. There being no further comments in evidence, the Chairman declared the hearing closed at 9:35 p.m. There being no immediate comment from the Commissioners, the Chairman declared the decision of the Commission would be determined later in the meeting.

The Chairman announced the principal reason for the joint meeting was to discuss the purpose and need for Planning control areas within the City. The members of the Commission stated that they were not in a position to present the condensed and concise facts pertaining thereto in the absence of Consultant Ed Ehlers, who had telephoned that it was impossible for him to attend. The Chairman tabled the matter for later discussion.

Sup't Cox presented three drawings depicting possible future street access to the area now served by north Elm Street.

Earl Oliver appeared before the Commission and stated that two petitions for annexation of property adjacent to Neff Road, was being circulated.

The joint session discussed feasible methods of regulating amendment applications for zoning amendments to control time and cost elements involved in the processing. Sup't Cox announced that he had contacted the Portland Planning Commission and that information was forthcoming pertaining to its control in the matter. Commissioner Newton proposed amendments to the zoning ordinance for Commission and Council consideration. Attorney Bettis made the suggestion that the Commission consider the services of a qualified part-time planning director who could prepare surveys and reviews of propositions prior to their presentation to the Commission and also professionally advise the Commission prior to its decisions. Sup't Cox said he was sure such part-time service was available and Mayor Stefanini advised a cost and feasibility study be made prior to City budget preparation time.

After due consideration, a motion was made by Commissioner Newton, seconded by Cutsforth and carried unanimously that the Commission recommend to the Council, its favorable consideration to the proposed rezoning of Tract No. 47, Canby Gardens from R-1 to R-2.

In consideration of the proposed rezoning of the Warner G. Pearson tract adjacent to Berg Avenue, Commissioners Parsons and Burgess stated that the M-1 zones of the City were none too large and were established for industrial improvement. Councilman Read voiced his opinion along with Councilman Giger that future grievances from residents of a trailer court adjacent to an industrial area would create major problems for the Council.

A motion was made by Commissioner Cutsforth, seconded by Newton and carried unanimously that the Commission recommend to the Council that the Pearson tract be left in zone M-1 and that the application for rezoning be denied.

The meeting was adjourned at 11:07 p.m.

Secretary.