

Planning Commission  
Regular Meeting  
May 14, 1975

Present: Chairman Ross, Commissioners Cutsforth, Edgerton, Hulbert, Johnson, Merrill and Shaw

Also Present: Mayor Roth, City Attorney Bettis Jr., Planning Consultants Edwards and Walsh and Several Guests

At 7:35 p.m., discussion of growth plan section of the comprehensive plan, which was begun at the last meeting, was resumed. The Land Use section will be discussed at 7:30 May 28. Then, on May 31, there will be an all-day meeting of the Planning Commission, City Council and Mayor's Citizens Advisory Committee at Bowman's in Menne, starting at 9:30 a.m., to discuss the Transportation, Growth and Land Use sections of the comprehensive plan. This meeting will be for the purpose of refining these three sections for final draft and acceptance by the Council.

The regular Planning Commission meeting was called to order at 8:37 p.m., with a short recess until 8:43.

The minutes of the previous meeting, held April 23, 1975, were approved as presented.

The first two items on the agenda, Rufus Kraxberger's application for a minor land partition and Hood View Builders, Inc. application for a minor land partition, were both postponed until the meeting of May 28, due to lack of public notification prior to this meeting.

L. Frank Galey, Zone Change, 895 S.W. 5th: Planning Consultant Walsh presented the Planners' findings, with a recommendation for denial of the application to change the property from R-1 to M-1. Chairman Ross then called for proponents. DuWayne Donnelly, of Art Lutz and Co, Realtors, spoke for the applicant. Mr. Donnelly explained that what Mr. Galey had in mind for the property was to build a warehouse on the side of the property which will abut the new shopping center which is to be built on adjacent property. Chairman Ross called for opponents. There being none, the public hearing was closed. Approval of this application would create spot zoning of industrial use between properties zoned for residential and commercial uses. While this particular plan might not be objectionable, once the zone is changed, the City would have no control over what type of industrial use it could be used for. If the land were sold to someone else, the new owner might put in something which would be detrimental to the neighborhood. Mr. Bettis suggested that a conditional use might be more appropriate in this case. It was pointed out that there would have to be a zone change in order to grant a conditional use, because a warehouse is not allowed in an R-1 zone. \*Commissioner Edgerton then moved to deny the application to change the zoning of the property at 895 S.W. 5th from R-1 to M-1, because of the location of the property. Commissioner Hulbert seconded the motion, and it was passed unanimously. Chairman Ross informed the applicant that he has fifteen days in which to appeal this decision to the City Council, if he should wish to do so. The secretary was directed to write a letter to the applicant, stating the decision of the Planning Commission.

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Chairman Ross asked for input regarding the requirements for parking in a C-1 zone (off-street), which will be on the agenda May 28. This section of the zoning ordinance is holding back the entire ordinance and must be resolved as soon as possible. Several suggestions were made, such as: 1) instead of holding the whole ordinance back, delete the section for offstreet parking in a C-1 zone (it was noted that this would leave the City with no control over the situation, since there is no provision for it in the present ordinance); 2) require each merchant to provide the parking space and then let them work out cooperative parking if they want to; 3) reinsert the words "other than a C-1 zone" into the narrative until the comprehensive plan goes through (the subject is to be covered in the downtown plan section of the comprehensive plan and, once the comprehensive plan is approved, the ordinance will have to conform to it); 4) write something into the ordinance which would exempt certain businesses because they are pre-existing, by simply naming the spaces affected (this would include remodeling); and 5) have the City Council draw up a resolution which would allow them or the Planning Commission to review building permit applications in the area affected, in order to prevent buildings from being built without parking facilities (it was thought that this procedure might help the Planning Commission to learn exactly what is needed in the way of parking). Myra Weston stressed the point that the public should be made aware of the fact that this is to be discussed at the next Planning Commission meeting, and stated that she will write a letter to the Editor of the Herald for next week's paper. Commissioner Shaw recommended that the agenda for May 28 be closed. Chairman Ross so ordered.

There being no further business, the meeting was adjourned at 9:35. p.m.

Respectfully submitted,

  
Merrie Dinteman, Secretary  
Canby Planning Commission