

Canby Planning Commission
Regular Meeting
August 25, 1976

Present: Chairman Ross, Commissioners Edgerton, Shaw, Kahut, Hulbert and Cutsforth

Absent: Commissioner Johnson

Also Present: Planning Consultant Edwards, Public Works Director Ferguson, City Attorney Roger Reif, Mr. and Mrs. Calvin Kraft, Ron Tatone, Mr. and Mrs. Grant Schiewe, Fred Stefani and several other guests.

The meeting was called to order at 8:10 p.m.

The minutes of the last meeting, held August 11, 1976, were read and a correction made. The minutes regarding Pettit Addition were corrected to show one (1) dissenting vote by Commissioner Hulbert. The minutes were then approved as corrected.

The new preliminary plat of Pettit Addition has been presented and Chairman Ross and Consultant Edwards have reviewed and approved the changes on the preliminary plat. Commissioner Hulbert requested more information as to the passing of a preliminary plat with contingencies. Discussion followed as to the Planning Commission's ability to approve a preliminary plat with conditions under certain circumstances.

Mr. Ferguson handed Chairman Ross an application from the Department of Housing and Urban Development, which was addressed to Mayor Roth, requesting low income housing under HUD for the new subdivision of Popp's Addition. This housing to consist of duplexes, triplexes and a fourplex plus single family residences. It had not been brought to the attention of the Public Works Department or the Planning Commission that this was the intended purpose at the time the subdivision of the property was approved. Consultant Edwards stated that he is maintaining the subdivision that was approved. The Public Works Department will check for conformance to lot size. Commissioner Shaw stated his concern that when a subdivision is brought before the Commission showing individual lots, often the assumption is that there will be one house per lot. Traffic is increased when a different method for use of the lots is used. If the properties meet the code, we don't have anything to say about it. Commissioner Hulbert stated that if the property is in an R-2 zone they have the privilege to build more in order to get more use of the property. Chairman Ross stated that even if it had been presented in this fashion, we wouldn't have had any handle on it as it is an R-2 zone. Commissioner Shaw stated that we would have been more concerned with the parking problem and we have to rely on the Ordinance as to what off-street parking is required. The particular lot requesting a fourplex will have to have eight (8) off-street parking spaces. Ken Ferguson stated the City Council had requested comments from the Planning Commission to return with the form. Chairman Ross stated that they could have gone ahead and the Planning Commission wouldn't have been able to do anything about it. It is a lesser density than allowable in the zone. Chairman Ross also stated that he did see problems with regards to the off-street parking in the multi-family units. Mr. Ferguson stated there was always the possibility of eliminating a lot line and running two lots together. Consultant Edwards wanted to know if we had any plans for improving Locust Street. Mr. Ferguson stated that sewer lines were being extended down Locust Street to the end of Popp's Addition and improving one-half of the street. Commissioner Edgerton stated that he was bothered by the fact that there is such a large amount of property zoned R-2 and it could all go in the same manner.

Calvin M. Kraft requests a Zone Variance on the north side of his residence leaving a side yard setback of 6 foot 3 inches, on property located at 692 N. Ash Street. Consultant Edwards presented his report, with a recommendation for discussion. He stated that under the old zoning it was allowable to go down to a five (5) foot side yard setback in a single family residence. He also stated that he doesn't like to recommend variances; however, in this case it does prove to be a hardship. Commissioner Hulbert stated that the request does not meet the four conditions required in the Ordinance today and they couldn't comply. Commissioner Edgerton requested to know how far from the property line the house on the north is located. Consultant Edwards stated that it is approximately 12 feet from the property line. Chairman Edgerton read from the Ordinance the four conditions required for the granting of a variance, and stated that no variance can be granted unless all four conditions can be met. Unless further information can be submitted by the applicant, this request does not meet the requirements for a variance. Mr. Kraft stated that at some future date he would like to add to the back of his house. The reason he applied for the variance was in order to have the boat protected. A discussion followed as to the possibilities of placing the structure at the rear of the building. *Commissioner Shaw made a motion to deny this request as it did not meet the requirements necessary for the granting of a variance. The motion was seconded by Commissioner Edgerton. The motion passed with Commissioner Cutsforth voting nay. Commissioner Kahut abstained from voting. The secretary was directed to draft a letter to the applicant informing them of the decision of the Planning Commission, the alternatives for placing a building at the rear of the property and their right of appeal to the City Council.

Item No. 2: Kuehl/Wright Investments requests Minor Land Partition to divide one lot into three lots on North Cedar Street. Planning Consultant Edwards gave his report of the property in question and surrounding properties. He recommended approval as he could see no problems from this division. Commissioner Edgerton wanted more information in regards to the twenty (20) foot easement on the north side of the property. A discussion regarding this easement followed. Commissioner Shaw stated that in going thru the application he didn't understand their plans with regards to the easement. Consultant Edwards stated that the north twenty (20) feet can not be used. Commissioner Kahut wanted to know if they are subject to the setbacks from the property line or the easement line. The City Attorney stated the setbacks are required from the property line. Commissioner Edgerton wanted to know just what was planned and their proposal for off-street parking. A discussion followed regarding these points. *Commissioner Shaw made a motion to approve this request subject to the staff reports. Commissioner Hulbert seconded the motion. Discussion followed. The motion for approval carried. Commissioner Shaw voted nay.

Art Lutz & Co., Realtors (Fred Stefani) Minor Land Partition to divide one lot into two lots at 606 Knights Bridge Road. Consultant Edwards gave his report and stated the approval of this Minor Land Partition would not establish a precedent. Chairman Ross wanted to know if there wasn't an easement of record over the property. Mr. Stefani stated that the old easement no longer exists. Ron Tatone stated that when Oliver Addition No. 5 was created, the old easement was deleted. Commissioner Shaw asked if Knights Bridge Road was curbed and improved along here. The answer was yes. Consultant Edwards stated he would like to see this driveway combined with the easement on the east. Commissioner Kahut asked why this Minor Land Partition would not set a precedent. A discussion followed as to the possibility of this setting a

Art Lutz & Co., Realtors (continued) - precedent and the possibility of avoiding flag lots. *Commissioner Shaw made a motion to approve the Minor Land Partition subject to the staff reports. Commissioner Cutsforth seconded the motion. Further discussion as to alternatives to flag lots and the current owner maintaining an easement for access to his garage. Commissioner Edgerton requested withdrawal of the motion with the request being tabled until further information can be obtained with regard to the possibility of subdividing this property and the three lots directly east of the property in question. Commissioner Shaw looked at the map and agreed that further information was needed and agreed to withdraw his motion. Commissioner Cutsforth withdrew her second of the motion. **Commissioner Kahut made a motion to table this request until the next planning commission meeting on September 8, 1976, in order to obtain further information on the lots in question, placement of buildings on the lots which are 6200, 6300, 6000 and 6100. Commissioner Edgerton seconded the motion. Consultant Edwards stated that it was his responsibility to acquire and bring the requested information to the meeting. The motion carried unanimously. The secretary was directed to write to the adjoining property owners requesting their presence at the meeting. The secretary was also directed to write to the applicant and to place this item as number one on the next agenda.

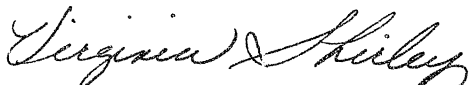
Item No. 4: Pitts Addition (Subdivision) - The Public Works Director Ferguson and Planning Consultant Edwards were in agreement that the final plat of Pitts Addition met the requirements stipulated by the Planning Commission. *Commissioner Shaw made a motion the plat be adopted as presented. The motion was seconded by Commissioner Cutsforth and passed unanimously. The secretary was presented with a check in the amount of \$11,304.00 from Mrs. Grant Schiewe.

Public Works Director Ferguson presented a letter to Chairman Ross regarding the Otto Popp Addition which stated the application was for low rent subsidy housing. HUD requires the approval of the City. At this time Chairman Ross read the letter from HUD and requested participation from those present at the meeting. A discussion followed regarding the present request and previous requests that had been presented to the Planning Commission and City Council. This application is to place the whole subdivision in the low rent subsidy housing. This consists of duplexes, triplexes, one fourplex and single family homes. The subdivision was presented as single family residential. After considerable discussion it was unanimously agreed that the Planning Commission send a letter to the City Council stating the Planning Commission's reasons why they felt this application should be denied. A carbon copy of the letter to be sent to HUD.

The remainder of the meeting was spent in a discussion with Tom Tye of Compass Corporation and Martin Clark regarding the proposed submittal of a subdivision on the north side of Knights Bridge Road west of Birch Street.

There being no further business, the meeting was adjourned at 11:00 p.m.

Respectfully submitted,



Virginia Shirley, Secretary
Camby Planning Commission