

Canby Planning Commission
Regular Meeting
December 14, 1977

Members Present: Chairman Ross, Commissioners Edgerton, Cibula, Shaw, and Cutsforth

Members Absent: Commissioners Kahut and Hulbert

Others Present: City Attorney Roger Reif, Planning Consultant Eldon Edwards, Lynn Dingler, Marv Dack, Myra Weston, Robert Thorson, Duane Weeks, Tom Dillon, Hank Fairbrother, John Stout, Earl Oliver, Public Works Director Ken Ferguson, and others.

The minutes of the Planning Commission meeting of November 9, 1977, were approved as presented.

The minutes of the special Planning Commission meeting of November 21, 1977, were corrected to read: "Commissioner Shaw expressed the idea that certain commercial uses of a residential character should be permitted in a residential zone." The sentence reading: "Commissioner Shae expressed the idea that some uses should be permitted in a residential zone." to be struck from the minutes. The minutes were approved as corrected.

Mr. Lynn Dingler was introduced to the Commissioner members by Mr. Edwards. Mr. Dingler is a new member of Mr. Edward's staff.

Item No. 1: Request for a Minor Land Partition to divide one lot of approximately .54 acres in size into two lots. This request is located on the northeast corner of the intersection of S. E. Township Road and S. E. Locust Street and described as Tax Lot 1600, Section 33DD, T3S, R1E. The applicant is Robert H. Thorson. Consultant Edwards gave his presentation and made a recommendation for approval on the minor land partition and variance requested. The question arose as to hearing the variance. The variance could not be heard as it was not published and surrounding neighbors notified. The Commission did hear the minor land partition request. Discussion followed regarding the required street dedications on Locust and Township and condition of the streets. Public Works Director Ferguson requested a Waiver of Remonstrance in lieu of any paving and curbing. The discussion turned to parking within the front yard setback in an R-2 zone, and it was again express that according to the Zoning Ordinance no parking is allowed within the front yard setback in an R-2 zone. *Commissioner Cibula moved the minor land partition be approved as submitted with the sketch dated November 22, 1977, and subject to the staff reports, dedications shown on the sketch, and a Waiver of Remonstrance. The motion was seconded by Commissioner Edgerton and passed with Commissioner Shaw voting in opposition.

Item No. 2: Resubmission of previously approved preliminary plat of Hideway Homes. This proposed subdivision is located on the west side of S. Fir Street directly across from 7th Avenue and described as Tax Lot 7300, Section 4BA, T4S, R1E. The applicants are John Stout and John Pettit. Mr. Edwards gave his presentation and made a recommendation of approval subject to installation of sidewalks, streets lights and fire hydrants. Discussion followed regarding the present street conditions on S. Fir Street, the need for sidewalks in the new subdivision, and the design of the lots within this new subdivision. The Chairman stated that due to the design of the subdivision lots, the applicants should be aware the Commission in the past has refused to grant variances in new subdivisions. *Commissioner Shaw moved the preliminary plat be approved as

presented with the following conditions: 1) South Elm Court be paved to city standards to the curblineline of S. Fir Street and the pavement to the centerline of S. Fir be feathered to the existing grade; 2) The curbing along S. Elm Court extend from Pettit Addition to S. Fir and around the corner to the north property line and on the south side of S. Elm Court be curbed to the radius; 3) Adequate street lighting according to Canby Utility Board specifications; 4) The Staff reports be adhered to; and, 5) Sidewalks be provided on the west and north side of S. Elm Court. The motion was seconded by Commissioner Cutsforth and passed unanimously.

Item No. 3: Consideration of a zone change from R-2, Multi-Family Residential, to C-1, General Commercial, of property located on the south side of N. W. 4th Avenue approximately 100 feet west of N. Grant Street and described as Tax Lot 6400, Section 33CB, T3S, R1E. This parcel contains approximately 11,500 square feet of area. The applicant is Tom Dillon, publisher of the Canby Herald. Consultant Edwards gave his presentation and made a recommendation for approval. Mr. Duane Weeks represented the applicant. He read a land use planning report regarding this property to the Commission. The Chairman asked for further proponents - there being none, he asked for opponents and none came forth. The Chairman closed the public portion of the hearing. Discussion followed regarding noise, cost of improvement of the alley, off-street parking for employees. Mr. Dillon stated they intended to build the new Canby Herald offices on the property and that it would not create significantly to noise in the area, the employees would have parking on the property and their loading and unloading would probably be done through the entrance from the alley.

The Chairman called a recess at 9:45 and reconvened the meeting at 9:55.

Discussion followed regarding the Fasano requirements, the need for the facility, the fact that there is a public need, it is a proper use as it is adjacent to the core area and Mr. Week's report does justify the use, and parking. After a lengthy discussion, *Commissioner Shaw moved to recommend to the City Council that the zone change be approved subject to the loading be not directly off the street. The Commission has reviewed the Fasano requirements and find they have been met and the Commission adopts the Mr. Week's report as the findings of fact. The motion was seconded by Commissioner Cibula and passed unanimously.

The minutes of this meeting have been recorded on tape.

Respectfully submitted,



Virginia J. Shirley, Secretary
Canby Planning Commission