

Canby Planning Commission
Regular Meeting
October 8, 1980

Members Present: Chairman Kahut, Commissioners Hart, Davis, Sowles, Baller,
and Cutsforth

Member Absent: Commissioner MacKenzie

Others Present: City Attorney R. Roger Reif, City Planner Stephan Lashbrook,
Secretary Virginia Shirley, Arlie Lenhardt, Dave Bury and
Others.

The minutes of the Planning Commission meeting of September 10, 1980, were approved as presented to the Commission.

Item #1: A request for a Minor Land Partition to divide a 2 acre lot into three smaller parcels. The property is located on the south side of Territorial Road west of N. Holly Street, and is described as Tax Lot 200, Section 33BB, T3S, R1E. The applicant is Arlie Lenhardt. This application was continued from the meeting of September 10, 1980. Planner Lashbrook presented the information requested by the Commission at the previous meeting relating to the extension of the sanitary sewer to serve this property, and the feasibility of developing this property as a subdivision. The Planner recommended the minor partition be approved as in the previous staff recommendation with the inclusion of an eighth condition. This condition would read: "Structural development of parcel #2 shall be limited to either the most northerly or the most southerly eighty (80) feet of the parcel" The Chairman opened the public hearing and asked for any proponents to the application. None came forth. The Chairman then asked for opponents. There being none, the public hearing was closed. Discussion followed regarding the extension of the sewer line versus septic systems. The sewer line extension from N. Grant Street is not feasible without a lift station and the sewer line on Territorial Road is approximately 1,800 feet east of the property. In either case, it would not be economically feasible to develop the property as a subdivision at the present time. *Commissioner Hart moved to approve the Minor Land Partition of approximately 2 acres into 3 parcels ranging in size from 25,000 to 35,000 square feet. The subject property is located on the south side of N. W. Territorial Road and west of N. Holly Street. This approval would be based on the following findings made: The division will conform to the adopted City Plan, the proposal complies with the applicable Statewide Planning Goals, the proposal meets the requirements of the City Zoning and Subdivision regulations, the design is appropriate in view of existing development patterns of the surrounding neighborhood overall; and, subject to the following conditions: 1) Owner to dedicate twenty (20) feet of this property along Territorial Road for future roadway expansion. All costs associated with this dedication, including the costs of title insurance to be borne by the owner. 2) Owner to prepare and record waiver of the right to remonstrate against future street or utility improvements to N. Grant Street or N. W. Territorial Road. This waiver to meet the requirements of the City Attorney. 3) In order to allow for the eventual extension of N. Grant Street, the owner is to prepare and record an irrevocable offer of dedication to the City for a sixty (60) foot wide strip through the center of the site. The proper form and wording of this offer is to be determined by the City Attorney. 4) Construction of homes and accessory buildings on the site shall meet setback requirements normally required in the zone and shall

also be set back from anticipated road alignments. 5) Access strip to rear parcel is to be paved for a full twenty (20) foot width and is to be posted as a private driveway. Approval to be contingent upon the approval, by Clackamas County, of on-site sewage disposal systems, or feasibility studies, for each parcel. 7) Utility easements to be provided to the satisfaction of the Canby Telephone Association and Canby Utility Board. 8) Structural development of parcel #2 shall be limited to either the most northerly or the most southerly eighty (80) feet of the parcel. The motion was seconded by Commissioner Cutsforth and passed unanimously.

Item #2: A request for expansion of a non-conforming structure located at 116 N. Ivy Street. This property is described as Tax Lot 2900, Section 33BD, T3S, R1E. The applicant, Robert E. Diem, wishes to make an addition on the north side of the existing residence. Planner Lashbrook gave his presentation and made a recommendation for approval subject to one condition. Chairman Kahut opened the public hearing and asked for any proponents. None came forward, and he asked for opponents. When none came forward he closed the public hearing. After a brief discussion as to the location of the addition, *Commissioner Sowles moved to approve this request and accept the findings of fact as presented by the City Planner with the condition that the applicant is to receive a building permit for the proposed addition within the next six months. The motion was seconded by Commissioner Hart. After a brief discussion as to the possibility of partitioning this lot into two lots, the motion passed unanimously.

The final plat of Oliver No. 9 was presented to the Commission. *Commissioner Sowles moved to authorize the Chairman to sign the final plat. The motion was seconded by Commissioner Baller and passed unanimously.

The Chairman asked Planner Lashbrook to read Section 29 of the Zoning Ordinance. After Mr. Lashbrook had read Section 29, the Chairman read a letter from David Bury. This letter has been made a part of the minutes. The City Planner then refreshed the Commission's memory as to what the letter concerned (a minor partition of one lot into two lots in the subdivision known as Sorenson Addition). The Planning Commission discussed the approval of this partition with Mr. Bury and the findings of fact to approve the minor partition and lot width variance. Mr. Bury expressed his satisfaction with the Commission after their discussion.

The Chairman asked Mr. Lashbrook for the status of the City's Comprehensive Plan. Mr. Lashbrook stated that the draft is finished and accompanying ordinances are about 3/4 finished in first draft form.

The meeting adjourned at 9:00 p.m.

This meeting has been recorded on tape.

Respectfully submitted,


Virginia J. Shirley, Secretary
Canby Planning Commission