

Canby Planning Commission  
December 10, 1980  
Regular Meeting

Members Present: Chairman Kahut, Commissioners Hart, Davis, Sowles, & MacKenzie

Members Absent: Commissioners Baller and Cutsforth

Others Present: Deputy City Attorney R. Roger Reif, City Planner Stephan A. Lashbrook, Secretary Virginia Shirley, Earl Oliver, John Tatone, Arthur Olson, Dave Bury, Art Stangell, F. M. Garmire, Richard Siewert, and others

The minutes of the October 8, and 29, meetings were approved as presented.

Item No. 1: Request to subdivide two lots into six lots to be known as "Arnold's Fairway Crest." This parcel is located south of N. E. Territorial Road approximately 200 feet east of N. Maple Street and described as Tax Lots 2200 and 2300, Section 28DD, T3S, R1E. The applicant is G.R.O. Enterprises. City Planner Lashbrook presented the staff report and made a recommendation of approval subject to nine conditions. After the staff report, discussion followed regarding the right-of-way of Territorial Road. Due to difficulty in interpreting the ordinances, it was unknown whether this street was to ultimately have a width of 60 feet or 80 feet. No conclusion was reached at this time. Art Stangell, representing the applicant, addressed the L.C.D.C. Goals #10, #11, #12, and #13. Goals #10, Housing, - since this subdivision is within the city limits, the question is whether this is appropriate due to size. Due to the large lots in the area, the applicant's felt it would be better to develop with large lots, rather than smaller lots. Goal #11, Facilities and Services - all services are available on Territorial Road. Goal #12, Transportation - there is a bus stop located at the corner of N. E. Territorial Road and N. Maple Street a very short distance from this property. Goal #13 - Energy Conservation - shopping is located within one-half mile and all facilities are handy. Mr. Stangell further stated that the requested ten (10) foot dedication on N. E. Territorial Road would not affect the present dwelling unit, however since it may not be used in the future it would be useless to anyone. Their being no further proponents, the Chairman called for opponents. Dave Bury, 360 S. Township Road, stated that it was his opinion that if the ordinance called for an eighty (80) foot right-of-way, then the Commission should follow the ordinance and get the dedication for the eighty (80) foot road. City Planner Lashbrook explained that there are conflicting ordinances and that this has been the problem for years. The dedication has been required in some instances, and not in others due to the conflict. More discussion by the Commission occurred on the right-of-way width. The Chairman asked the City Planner for a recommendation and Mr. Lashbrook recommended that the Commission strive for an eighty (80) foot right-of-way, although it may be 25 years before it is needed. Commissioner Sowles questioned the large lots and the possibility of changing the zone lot by lot as they are developed. Mr. Stangell stated the applicant's are going to sell single family residential lots - but anybody buying the lots can request a zone change. \*Commissioner Sowles moved to approve the preliminary plat of "Arnold's Fairway Crest" as the design of this subdivision is appropriate, in view of the existing development pattern - this subdivision is in an area of large lots; the proposal does conform with the Comprehensive Plan -

the area is designated as medium density, and single family residential is less intense use; the proposal conforms with the City's zoning ordinance - it is presently zoned R-1, single family residential; the proposal complies with applicable Statewide Planning Goals for affordable single family residential housing and is within walking distance of public transportation and close to shopping core. The approval is subject to the following conditions: 1) All other recommendations of other staff agencies to be made conditions of approval; 2) Easements to be provided to the satisfaction of the Canby Utility Board and the Canby Telephone Association; 3) Sidewalks are to be constructed along both sides of N. E. 17th Avenue at the time of construction of the dwelling units; 4) Owners are to prepare and record a waiver of the right to remonstrate against future improvements to N. E. Territorial Road. Said waiver to meet the requirements of the City Attorney; 5) All utility connections serving this subdivision shall be oversized to allow for future multiple-family use of the area without the necessity of cutting either street; 6) A temporary turnaround, meeting the requirements of the City Engineer, shall be provided at the eastern end of N. E. 17th Avenue. An easement shall be provided for this turnaround with appropriate wording to allow for the easement to be vacated when the street is extended further eastward; 7) The access strip serving Lot 4 shall be paved for its full width of twenty (20) feet, per the City's standard requirements for flaglots; 8) Owners are to dedicate an additional ten (10) feet of property along N. E. Territorial Road for right-of-way purposes; and, 9) A one-foot non-access strip will be required on the east end of N. E. 17th Avenue, to be deeded to the City on the final plat. The motion was seconded by Commissioner Mackenzie and passed unanimously.

Item No. 2: Request to annex 1.01 acres south of N. E. Territorial Road approximately 650 feet east of N. Maple Street into the City of Canby. The applicant is F. Marion Garmire. City Planner Lashbrook gave his presentation to the Commission and made a recommendation for approval for the annexation subject to the inclusion of Territorial Road in the application. Mr. Garmire stood and informed the Commission that he had nothing to add to Mr. Lashbrook's presentation. The Chairman opened the public hearing and called for proponents to the application. None came forth. The Chairman then called for opponents, and none came forth. The Chairman closed the public hearing. A short discussion followed regarding the inclusion of that portion of N. E. Territorial Road adjacent to the property on the north side. It was the consensus of the Commission that the portion of Territorial Road should be included in the application. \*Commissioner Hart moved to recommend to the City Council the annexation of the property in the application by F. Marion Garmire, to include that portion of N. E. Territorial Road adjacent to the property on the north side. The motion was seconded by Commissioner Sowles and passed unanimously.

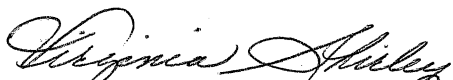
Item No. 3: Request for a zone change from R-2, Medium Density Residential, to R-2/PUD, Medium Density Residential/Planned Unit Development, on property located west of the west end of S. E. 13th Avenue and described as Tax Lots 800, 900,

1000, and 1001, Section 4C, T4S, R1E, and Tax Lot 1000, Section 4B, T4S, R1E.  
The applicant is the City of Canby/Marvin Dack - Owner. City Planner Lashbrook gave his presentation and made a recommendation for approval, and listed the findings of fact in the proposal. He explained to the Commission that this zone change was a housekeeping chore which was needed due to the recent action of the City Council. Chairman Kahut opened the public hearing and called for proponents. Dave Bury, 360 S. Township Road, stated he was for the application and felt it should have been done in this manner in the first place. There being no further proponents, the Chairman called for opponents. There being none, the public hearing was closed. \*Commissioner Sowles moved to recommend to the City Council a zone change from R-2, Medium Density Residential, to R-2/PUD, Medium Density Residential/Planned Unit Development, be approved on property described as Tax Lots 800, 900, 1000, and 1001, Section 4C, T4S, R1E, and Tax Lot 1000, Section 4B, T4S, R1E. The Planning Commission accepts as the findings of fact for this application, those findings submitted by the City Planner and makes them a part of this recommendation for approval. The motion was seconded by Commissioner MacKenzie and passed unanimously.

Other Business: City Planner Lashbrook read a letter into the record from Solar-dynamics Northwest and School Bus Services, which was written by Richard Siewert, project coordinator. It is their desire to test the feasibility of using alcohol as a fuel for school busses. (This letter has been made a part of the minutes.) Richard Siewert, spoke to the Commission and explained that he had spoken to Jack Stark, Fire Marshal, and to Leonard Stender, Deputy State Fire Marshal, who made certain stipulations regarding the use, at the site chosen (part of School Bus Services property). Mr. Siewert had also spoken to Mr. Brown, Superintendent of the High School District, and he was enthusiastic about the test. He further explained the storage of the fuel will be underground. This fuel is to be used in two busses which will have large lettering stating they are burning alcohol as fuel, and they will be in the well-lighted portion of the parking area. The fuel tanks will have locking gas caps. Solardynamics will be working with other classes at the school, such as the mechanics class and the home building class. If the tests prove feasible, this is a potential way of cutting the costs of school bus operation. The alcohol will be toxic if someone should try to drink it. Due to an additive, it will also have a very bad taste. Commissioner Hart asked if the product would be for sale. Mr. Siewert stated they would not be able to sell the product, the test is to see if it is desirable for larger vehicles (busses). It was the consensus of the Commission that the proposed location was acceptable for this business on a small scale, however, if the business is to be expanded at a later date, a conditional use permit will be required.

This meeting was recorded on tape.

Respectfully submitted,

  
Virginia Shirley, Secretary  
Canby Planning Commission