

Canby Planning Commission  
Regular Meeting  
July 13, 1981

COMMISSIONERS PRESENT: Chairman Kahut, Commissioners Baller, MacKenzie, Davis, Cutsforth, and Schrader

COMMISSIONER ABSENT: Commissioner Shinn

OTHERS PRESENT: City Attorney R. Roger Reif, City Planner Stephan Lashbrook, Jan and Maria Roskott, Dave Bury, Jim Gilchrist, Ernie Graham, F. Marion Garmire, Bob Logsdon, and others.

The minutes of the Planning Commission meeting of June 22, 1981, were approved as presented.

Item No. 1: CONTINUED: Public hearing and discussion of proposed Minor Land Partition of property located on the south side of N. E. 10th Avenue approximately 150 feet east of N. Locust Street and described as Tax Lot 1400, Section 33AC, T3S, R1E. The applicant is Ronald W. Bode, Bob Bissell, agent.  
Lashbrook gave a brief summary of the earlier staff report noting that he had researched the records of the County Assessor's office and could find no specific information about any access easements serving the large parcels north of the fairgrounds.

Mr. Bissell, agent for the applicants, restated his clients' position and requested that the application be approved without any special access easements. He submitted a copy of a map of the area (exhibit 1) which showed other possible access points to adjacent lots without traversing the applicant's property.

Mr. Graham and Mr. Gilchrist, owners of nearby properties, said that they did not feel that the application would have any bearing on their properties. Mr. Gilchrist stated that he had no intention of subdividing his property, preferring instead to keep it as a "buffer" around his home.

The Commissioners noted that they could see no reason to impose an easement requirement if the adjoining property owners did not care to further develop their land.

\*Commissioner Davis moved, and Commissioner Baller seconded the motion, that the application be approved based upon the finding that it met all of the required standards and criteria, and will be subject to the following conditions: 1. All recommendations of other staff agencies are to be regarded as conditions of approval. 2. The existing shed at the rear of the building is to be removed. 3. Owner is to prepare and record a waiver of the right to remonstrate against future improvements along N. E. 10th Avenue. Said waiver to meet the requirements of the City Attorney. 4. Owner is to dedicate an additional 10 feet of property for right-of-way purposes along N. E. 10th Avenue. Owner is to be responsible for providing title insurance, to the satisfaction of the City Attorney, for that property. 5. "Pole" portion of flaglot is to be recorded with a minimum of 20 feet of width. Actual access strip shall provide additional space to allow for a 20 foot wide driveway on the east side of the large douglas fir tree. This may be recorded as either an easement or a fee ownership, but it shall be paved as

required by Ordinance #690. 6. Limbs of both the fir and the cedar trees are to be trimmed to a height of at least 12 feet above the access drive.

The motion passed 4-0, with Commissioner Cutsforth abstaining due to the fact that she had been absent from the earlier public hearing.

Item No. 2: Request for a Minor Land Partition of property located on the south side of N. E. Territorial Road, approximately 600 feet east of N. Maple Street, and described as Tax Lot 1900 and 1990, Section 28DD, T3S, R1E. The applicant is F. M. Garmire. City Planner Lashbrook gave staff presentation and reviewed possible conditions of approval in view of plans to extend N. Oak Street through the Garmire property. It was noted that if the street was extended through the western side of the site it would consume more area and reduce the future development potential of the area. If routed along the east side, each of the proposed parcels might be re-divided in the future.

An alignment conflict between N. Oak Street and Country Club Drive was discussed and Planner Lashbrook noted that there appears to be no way to provide a proper offset of the streets. He pointed out, however, that little traffic would be expected to cross Territorial Road at this point as most traffic is expected to be turning one way or the other on Territorial.

Mr. Garmire spoke in favor of the application and asked that the alignment of N. Oak Street be routed along his eastern property line, as had been discussed.

No other testimony was offered.

The Commissioners discussed the application and agreed that it met the requirements of Ordinance #690. The consensus of the Commission was that N. Oak Street should be extended through the site and that the eastern side of the property should be used.

\*Commissioner MacKenzie moved, and Commissioner Baller seconded, that the application be approved based upon the finding that it met all of the required standards and criteria, and to be subject to the following conditions: 1. All recommendations of other staff agencies are to be regarded as conditions of approval. 2. Owners are to dedicate ten (10) feet of property along Territorial Road for right-of-way purposes. Owners are to bear the responsibility for all costs associated with this dedication including the provision of adequate title insurance to the satisfaction of the City Attorney. 3. Access strips to rear parcels are each to be twelve (12) feet in width and are to be provided with reciprocal easements to the satisfaction of the City Attorney. 4. Access strips are to be improved with an asphalt or oil mat surface for the full width from Territorial Road to the rear of the middle parcel. 5. An eight (8) inch sanitary sewer line is to be provided from the sewer main in Territorial Road to the southern edge of the site. Location and construction of the sewer line is to be to the satisfaction of the Public Works Supervisor and shall include the construction of a manhole at the junction of the pipes. 6. A water line, sized to meet the requirements of the manager of the Canby Utility Board, is to be extended

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from Territorial Road to the southern edge of the property. 7. House plans for the two new parcels are to be reviewed to assure that adequate turnaround area is provided to prevent vehicular backing movements onto Territorial Road. Building setbacks shall be based upon the selected alignment of N. Oak Street. 8. Owners are to prepare and record a waiver of the right to remonstrate against future improvements to either N. E. Territorial Road or N. Oak Street. Said waiver is to be to the satisfaction of the City Attorney. 9. Owners are to prepare and record an irrevocable offer to dedicate adequate property for the future development of N. Oak Street. The appropriate alignment for the street is along the eastern side of the property, the offer of dedication is to be for a minimum width of thirty (30) feet. The motion passed 5 - 0.

Other Business. The Commission briefly discussed a number of different subjects affecting the City, including: parking requirements; industrial recruitment; sidewalk plans; etc.

The meeting adjourned at 9:00 pm..

This meeting has been recorded on tape.

Respectfully submitted,



Stephan A. Lashbrook  
Pro Tem Secretary