

Canby Planning Commission
Regular Meeting
November 13, 1984

MEMBERS PRESENT: Chairman Kahut, Commissioners Cutsforth, Seale, Schrader, McKibbin and Davis

MEMBER ABSENT: Commissioner Shinn

OTHERS PRESENT: City Attorney John Kelley, City Administrator Bud Atwood, Secretary Virginia Shirley, Michael Clancy, Scott Beck, Pauline Kittinger, Earl Oliver, Steven Severeide, Sandra Blacksten, Gary Wallace, Robert Thagon, Charles Scott, Menton and Delpha Ebel and others

The minutes of the meeting of October 1, 1984, were approved as presented.

Item No. 1: Request for a variance to allow 12 parking spaces rather than the required 13 spaces for an attorney/dental office to be located in the northeast corner of Third and N. Ivy Street on property described as Tax Lot 4200, Section 33CA, T3S, R1E. The applicants are Steven Severeide and Michael Clancy. Mr. Atwood gave the staff report and made a recommendation to approve subject to two conditions plus the easements wanted by the C.U.B. Mr. Atwood also read a letter into the record from Mr. and Mrs. Wade Bettis who are in favor of the variance. Mr. Scott Beck, representing the applicants, showed the Commission a perspectus of the proposed building and spoke of the solar benefit of saving the tree. Mr. Beck also explained that he had spoken with experts in the field who told him that the space allowed should be sufficient for the air the tree would need. Michael Clancy stated that even if they were to decide to take out the walnut tree they would want the space left in order to plant another tree. Chairman Kahut opened the public hearing at this time and called for proponents, when none came forth he called for opponents. There being no opponents, the public hearing was closed. Commissioner Seale asked about the requirements for handicapped parking. Mr. Atwood stated there were no requirements. *Commissioner Schrader moved to approve the variance requested for the dental/attorney office as they are requesting the deletion of only one parking space and the tree would not be detrimental. The approval to be subject to the following conditions: 1) The large walnut tree be properly trimmed to not overhang the street; 2) The alley west of the off-street parking area exit will be provided with a dust-free surface; and, 3) Utility easement of ten feet in width along the southern, western, and northern property lines, and five feet in width along the eastern property line. The motion was seconded by Commissioner Cutsforth and passed unanimously with the Chairman voting.

Item No. 2: Request for a Conditional Use Permit to install a one-chair beauty salon in her home described as Tax Lot 200, Section 32DA, T3S, R1E and located at 635 N. W. Knights Bridge Road. The applicant is Pauline Kittinger, and the zoning is R-1, Single Family. Mr. Atwood gave the staff presentation without giving a

recommendation to the Commission. However, he did recommend conditions of approval if the Commission should approve the application. Commissioner Seale asked if the utilities would be cheaper using your home. Mr. Atwood answered in the affirmative. Commissioner McKibbin inquired into the backing motion that would be needed to get back onto Knights Bridge Road. Mr. Atwood stated that this had been brought to his attention and he felt that most people would park on the shoulder of the road rather than have to back out onto Knights Bridge. Commissioner Schrader inquired about taxes - if the applicant would need to pay more because of a business in her home and if the neighbors would have to pay higher taxes because she had a business. Mr. Atwood stated that it would have no effect on either her or the neighbors. Commissioner Schrader asked the classification of Knights Bridge Road and Mr. Atwood answered that it was an arterial. There being no further questions of Mr. Atwood, the Chairman asked Pauline Kittinger if she had anything to add to what had been said. Mrs. Kittinger stated no but that she was willing to answer questions. Commissioner Schrader asked her if she would clarify the drawings that were with her application. She introduced Gary Wallace who had done at least one of the drawings to help her. However, Mr. Wallace had left one measurement off of his drawings and was unable to determine if the beauty shop would use more than one-quarter of the ground floor of the residence or not. At this time Chairman Kahut opened the public hearing and called for proponents. Sandy Blacksten, 698 Knights Bridge Road, stated that she was a neighbor and in favor of the applicant using her home for a beauty salon. Gary Wallace, friend of the family, stated that Mrs. Kittinger needs to control her working hours and be able to rest during the day. Robert Thagon, 665 Knights Bridge Road, stated he had no objections to the application. Charles Scott, 628 Knights Bridge Road, stated that he was in favor of the application. Menton Ebel, 535 Knights Bridge Road, said he had no objections to the business. There being no further proponents the Chairman called for opponents. At this time Mr. Atwood read a letter from Mr. St. John who was opposed to the application. There being no further opponents, the public hearing was closed. Discussion followed regarding the size of the shop in comparison to the house. Commissioner Schrader asked where the seniors would come from. Mr. Atwood explained that Canby West Apartments driveway is located just one lot away. Commissioner McKibbin stated that he had no problem with the application however there was no sidewalk for the seniors to use. Commissioner Seale stated no problem. Commissioner Davis asked how many hours a week the beauty shop would be operated. Mrs. Kittinger stated about 30 hours. Commissioner Cutsforth stated that she had no objections as there are no longer opponents from the neighborhood, the senior neighborhood has been built since the last application and the problems do not exist that were here before. Chairman Kahut stated that he no longer had a problem of encroachment on the neighborhood as existed before. As the the problem of the conditional use using too much of the dwelling unit, City Attorney Kelley stated that if this were the case then a variance would be required, or the shop made smaller.

*Commissioner Davis moved to approve the request for a conditional use for Pauline Kittinger subject to staff determination that the business activity of a beauty shop occupies less than one-quarter of the ground floor or she will apply for the required variance. The application meets the required findings in that the proposal will be consistent with the policies of the comprehensive plan, the characteristics of the site are suitable for the proposed use, all required public facilities and services exist, the proposed use will not alter the character of the surrounding area. This approval to be subject to the following conditions: 1) There shall be no operator other than the applicant; 2) The conditional use permit is non-transferable and will terminate when the applicant elects to close the business; 3) The permit shall be reviewed yearly for the first two-year period; 4) Utility easements shall be granted to provide 12 feet in width along the front property line and 6 feet in width along all interior lot lines; 5) No signing will be permitted except for a maximum of 1½ square feet unilluminated nameplate, within the interior of the building or in a window; and, 6) A parking area as required in Ordinance #740 will be constructed (area for three vehicles with a dust-free surface). The motion was seconded by Commissioner Seale and passed unanimously with the Chairman voting.

At this time, Chairman Kahut read a letter to the Commission which Mr. Atwood had sent to Mr. Bean, attorney for the LDS Church, requesting their participation in street improvements on S. W. 13th Avenue. Some discussion followed with regards to why the Church had never signed a waiver of remonstrance.

There being no further business to come before the Commission the meeting was closed at 9:35 p.m.

This meeting has been recorded on tape.

Respectfully submitted,


Virginia Shirley, Secretary
Canby Planning Commission