

Canby Planning Commission  
Regular Meeting  
February 11, 1985

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

MEMBERS ABSENT: Commissioners Seale and Shinn

OTHERS PRESENT: City Attorney John Kelley, City Administrator Bud Atwood, Secretary Virginia Shirley, Mayor Bill Pulver, Sandra Manning, Jeff Terrill, Joan Terrill, Deve Swaim, Sherril Ferrigno and Joe Halvorsen

The minutes of the December 10, 1984, meeting were approved as presented.

Item No. 1: Request for a Conditional Use Permit to operate a beauty shop from her home on property described as Tax Lot 2420, Section 33AA, T3S, R1E, and located at 1380 N. Oak Street. The applicant is Sandra Manning. Commissioner Cutsforth declared a conflict of interest and left her chair on the Commission. Mr. Atwood stated that the required extra parking had been taken care of on-site. Commissioner Davis asked why the SDA church had been refused a conditional use permit when they ask to build a church at the north end of 14th Avenue. After some discussion, it was determined that the denial was because of lack of proper access and the traffic it would cause on a residential street.

Joe Halvorsen, representing the applicant, stated that the reason for two stations as mentioned in the staff report was because one was for coloring and permanents and the other for haircuts. The Chairman asked about the tanning booth that was shown on the floor plan, how often it is used. Mr. Halvorsen stated that it is probably used twice-a-day as a rule. Mr. Kahut stated that it could be the cause of heavier traffic. Ms. Manning stated that the use of the tanning booth varies as some people want to keep summer tans, others are going on vacation and want to be tan, or for medical reasons. There being no further discussion, the Chairman opened the public portion of the hearing and called for proponents. The applicant and Mr. Halvorsen stood. There being no other proponents, the Chairman called for opponents.

Jeff and Joan Terrill, Deve Swain and Sherril Ferrigno stood and stated they had signed the petition and were against the application for those reasons. There being no further opponents the Chairman called for rebuttal from the applicant. City Attorney Kelley informed the applicant and the Commission that the applicant could be given extra time as she had just received the petitions tonight when she came to the meeting. Chairman Kahut asked the applicant if she would like more time either tonight or the Commission could continue the hearing until another date. Mr. Halvorsen stated they

were prepared to continue on this evening. He spoke to the Commission regarding the neighbors concern of traffic problems, land values and his discussion with the Assessor from the County who stated that the only area affected would be where the remodeling/commercial operation was going in. Mr. Halversen asked if it would be possible to get the permit for 90 days and then have a re-assessment. Ms. Manning stated that as for a sign, the neighbors would hardly be able to see it. Further, they are trying to stay within the guidelines set down by the ordinance.

There being no further rebuttal, the Chairman closed the public hearing portion of the meeting. Commissioner McKibbin asked if the decision could be made since Mr. Atwood had not noticed the tanning booth in the floor plan submitted. City Attorney Kelley stated that it would not cause a problem. Commissioner Schrader stated that the recent conditional use approvals have either been for older people or those infirmities where the neighbors were willing to see them have a conditional use. Tonight, the neighbors are objecting. Commissioner Davis stated that she oftens travels on N. Oak Street and that the applicant's home and yard are very well kept. However, the basic problem is zoning and the applicant lives in a very, very residential area. Although her signing would be small, Commissioner Davis is still concerned it would be allowing commercial into a very residentially developed neighborhood. Commissioner McKibbin expressed concern for traffic and the abundance of children in the area due to the park being so close. Commissioner Davis stated that she was frustrated that this application had not been received before the applicant had spent a great deal of money getting ready for the operation in her home. They have alot at stake and then if we have to deny it, that proves to be another hardship. \*Commissioner Schrader moved to deny the application of Sandra Manning for a Conditional Use Permit as it does not conform to the Comprehensive Plan and would substantially alter the neighborhood due to traffic. The motion was seconded by Commissioner McKibbin and passed with 4 ayes and 1 abstention (Elsie Cutsforth).

Item No. 2: Consideration of the Conditional Use Permit application by Marvin Dack for a mobile home park to be located on property at the west end of S.W. 13th Avenue. This application was tabled for further information and the extension of S.W. 13th Avenue on September 26, 1983. Chairman Kahut excused himself from participation and handed the gavel to Commissioner Davis. Commissioner Schrader moved to bring the application off the table as the Planning Commission has tried to give Mr. Dack every consideration but must move on the application at this time. \*Commissioner Cutsforth moved to deny the conditional use as Mr. Dack has failed to bring the information for further consideration as the Planning Commission requested. The motion was seconded by Commissioner McKibbin and passed with 4 ayes and 1 abstention (Mr. Kahut).

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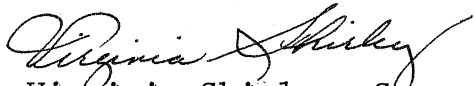
Comissioner Davis turned the meeting back to Chairman Kahut who asked if there was any further business to come before the Commission.

Mr. Atwood informed the Commission that the City Council has given him permission to build a twenty-two (22) space recreational vehicle park on the Collin's property on N. E. Territorial Road.

There being no further business, the meeting was adjourned.

This meeting has been recorded on tape.

Respectfully submitted,



Virginia Shirley, Secretary  
Canby Planning Commission