

Canby Planning Commission  
Special Meeting  
April 22, 1985

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

OTHERS PRESENT: City Attorney John Kelley, City Administrator Bud Atwood, Secretary Virginia Shirley, Miriam Larson, Dwayne Moore, Kim Severson, Dick Sposito, Ted McQuisition, Burt Lindsay

The minutes of the meeting of April 8, 1985, were corrected to read on page 2, third paragraph: ". . . subleased two buildings from two different individuals, but he felt that he did not . . ."

Item No. 1: Request for 10-lot subdivision (continued) the applicant is Southern Pacific Land Company. City Administrator Bud Atwood explained the easement from Southern Pacific to the State of Oregon, Highway Department, would be used as long as there was anybody using the highway. City Attorney John Kelley stated that the easement would be recorded. There being no further discussion, Chairman Kahut opened the public hearing by calling for proponents. When none came forth he called for opponents. There being none, the public hearing portion of the meeting was closed.

Commissioner Schrader questioned Mr. Moore regarding the leaseholders and how they would be affected. Mr. Moore explained there were nine leaseholders, all with short-term leases. This means the lease may be broken in 30 days; however, most of the leaseholders are of long-term standing. Chairman Kahut asked about Buchanan-Sellers lease. Mr. Moore stated that they are in default, but they haven't determined just what will happen. Southern Pacific Land Company could go through the courts to force them to remove improvements. Commissioner Schrader asked if they had a sale pending. Mr. Moore stated there was one at the present time.

Commissioner Davis feels the City is losing the grainery which changes the town and affects the farmers. She wants to see the least number of businesses displaced through the creation of a subdivision. Commissioner Shinn asked if there would be an easement along the highway. City Administrator Atwood stated that one would be available. Commissioner McKibbin stated that he had a problem with lot lines being drawn through buildings. Mr. Moore stated that those businesses may continue to lease the property. They are presently signing two leases because of the location of the buildings. Discussion followed regarding the lot lines through the buildings. It was drawn to their attention that a lot line adjustment could be completed if they were to buy the property.

\*Commissioner Schrader moved to approve a 10-lot subdivision for Southern Pacific Land Company on property located on the north side of Highway 99-E between North Elm Street and North Knott Street, as it conforms to the Comprehensive Plan and the Land Development and Planning Ordinance and the overall design of lots shall be functional. This approval is subject to the following conditions:

1) Sidewalks and curb will be provided with any future development. Curbing to be to City and State requirements. 2) Two copies of the approved plat to be provided to Canby Telephone Association and to C.U.B. within 15 days after final plat approval. 3) Provisions of C.U.B. report to become a condition of approval. 4) Final plat to be submitted within one year after approval of the tentative plat. If the applicant wishes to proceed with the subdivision after the expiration date, he must formally request an extension of time, in writing, stating the reasons therefor. The Commission may allow an extension of not more than 6 months, provided the request is properly filed prior to the end of the one year approval period. 5) The subdivider shall, without delay, submit the final plat to the County Assessor and the county governing body for signatures as required by ORS Chapter 92. Approval of the final plat shall be null and void if the plat is not recorded with 6 months of the date of the signature of the Chairman of the City Planning Commission. 6) After the plat has been approved by all City and County officials, two reproducible copies of all data (plat face, dedications, certifications, approvals) and one copy of recorded restrictive and protective covenants shall be returned to the Public Works Office. 7) Southern Pacific Land Company will provide a twelve (12) foot front line utility easement and enter into an aide-to-construction agreement with Canby Telephone Association to pay for the cost of the trench and conduit placed, such cost to be repaid to Southern Pacific based on telephone service hookups in the development. The motion was seconded the Commissioner Shinn. The motion passed with six - yeas and one nay - Commissioner Davis.

Item No. 2: Continued request for a Conditional Use/Planned Unit Development by Miriam Larson. Mrs. Larson submitted a detailed plan showing the manner in which each building in the complex would be divided, a lighting plan, landscaping plans and how it will be built in two phases. Phase one will consist of 56 units, the activity center, and one-half the residential care center. Mrs. Larson and her architect spent time going over each portion of the plans with the Commission. They explained that only landscaping around the immediate buildings would be planted with the first phase. The question of cost of the units came up and Mrs. Larson explained that these would be rental units; however, she hasn't been able to come with firm costs yet.

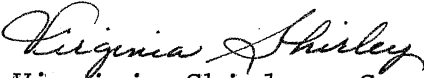
Commissioner Schrader moved to approve the conditional use/planned unit development for 160 units on Tax Lots 1200, 1290, and part of 1390, Section 34C, T3S, R1E. This proposal is consistent with the goals of the Comprehensive Plan and meets the requirements of the Land Development and Planning Ordinance, public facilities are available, the proposed use will not alter the character of the area and site size and characteristics are suitable for the proposed use. This approval is contingent upon the following conditions:

1) Occupant restriction - 55 and older, handicapped and care-takers. 2) Occupants on second floor must be ambulatory. 3) All other agency reports to become conditions of approval. 4) Traffic turnaround for phase I to be approved by Public Works. 5) Sidewalk connection shall be provided to S. E. Fifth Avenue and to Township Road. 6) Daily shuttle service will be provided from the center to the Canby commercial area. 7) A ten (10) foot dedication will be provided on Township Road, for street purposes. 8) Landscaping to be completed by phases as per the approved plans. 9) Sewer service will be assured for units built within four (4) years of project approval. 10) Parking within the project shall be approved by Public Works. The motion was seconded by Commissioner Shinn and passed unani-mously with the Chairman voting.

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

This meeting has been recorded on tape.

Respectfully submitted,

  
Virginia Shirley, Secretary  
Canby Planning Commission