

Canby Planning Commission
Regular Meeting
June 24, 1985

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

MEMBERS ABSENT: Commissioners Davis and Cutsforth

OTHERS PRESENT: Secretary Virginia Shirley, Patrick Harmon, Jim Kreighauser, Esther Zweigart, Andy Krzmarzick, Jerry Fitzsimmons, Father Cieslinski and others

The minutes of the meeting June 10, 1985, were approved as presented.

Item No. 1: Request for a minor land partition to divide one lot into two lots on the south side of S. W. 7th Avenue adjacent to S. Ivy Street and described as Tax Lot 2300, Section 4AB, T4S, R1E. The applicant is Esther Zweigart. The secretary read the staff report which made a recommendation for approval subject to conditions. The applicant was present and ready to answer any questions. Chairman Kahut opened the public hearing and called for proponents. When none came forth, he called for opponents. There being no opponents, the public hearing portion of the meeting was closed. *Commissioner Seale moved to approve the minor land partition of Tax Lot 2300, Section 4AB, T4S, R1E, from one lot to two lots as this minor land partition is encouraged by the Comprehensive Plan for in-fill of large lots within the City; the development of a new lot is compatible with the Land Use Planning Ordinance and the new lot will be on a fully developed street with all public facilities. This approval to be subject to two conditions: 1) The Canby Utility Board requires a 12 foot easement along S.W. 7th and S. Ivy and a 6 foot easements on interior lot lines of both parcels. 2) A survey, by a registered surveyor, will be required and a copy of the survey stamped by the County surveyor filed in the Public Works office of the City of Canby. The motion was seconded by Commissioner McKibbin and passed unanimously with the Chairman voting.

Item No. 2: Request for an expansion of a conditional use permit to add a covered play area to their complex located on the north side of N. W. Ninth directly west of N. Hawthorne Court and described as Tax Lot 6500, Section 33BC, T3S, R1E. The applicant is St. Patrick's Church. The secretary read the staff report and made a recommendation for approval subject to one condition. There being no questions by the Commissioners, Chairman Kahut opened the public hearing portion of the meeting calling for proponents. Patrick Harmon stood and stated that he was all for the children having a play area; however, he wanted to make sure the doors were kept open as some of the children were going over the fence in his backyard to the church. He was assured he could talk to those in charge at any time concerning any trouble. There being no further proponents, the Chairman called for opponents. When none came forth, he closed the public hearing portion of the meeting. *Commissioner Schrader moved to approve a covered play area for Tax Lot 6500, Section 33BC, T3S, R1E. This church is a well established use within the neighbor-

hood; the church has many activities in which both parents and children attend along with preschool and kindergarten; this is a neighborhood with a fairly busy street. A play area situated towards the back of the property will be added safety for children. This plan is consistent with the guidelines and policies of the Comprehensive Plan. This approval is subject to one condition: The building to be painted a color to coordinate with the existing buildings. The motion was seconded by Commissioner Shinn and passed unanimously with the Chairman voting.

Item No. 3: Request for a variance to setback requirements for a sign to be located on the property line, on property described as Tax Lot 300, Section 5, T4S, R1E. This property is located on the north side of 99-E at the west City limits. The applicant is Jerry Fitzsimmons for Guiseppe's Pizza Parlor. The secretary read the staff report which had a recommendation for approval subject to four conditions. Chairman Kahut asked Mr. Fitzsimmons if he had anything to add. Mr. Fitzsimmons approached the Commission and explained his need for a sign which people could see when approaching the driveway to the pizza parlor. He stated further that other signs were located closer to the road than his and either revolved or had blinking lights. He felt there was no harm done. He also expressed the feeling that no survey was necessary. Chairman Kahut opened the public hearing portion of the meeting and called for proponents. When none came forth he called for opponents. There being none, Chairman Kahut closed the public hearing portion of the hearing. After a lengthy discussion regarding the trees at the top of the bank, visibility, blinking lights and sign placement, *Commissioner Schrader moved to approve a variance to the edge of the sign face without blinking lights as this business does not have visibility from the highway and needs exposure to show the location, a sign in this location is necessary for the preservation of a property right, due to the highway cut not allowing the same visibility as those located adjacent to the highway, the sign will not be detrimental to the ordinance or other property, it is the minimum variance which will allow the business visibility, and the business being located above the highway and behind the cut are exceptional and unique to this property. This approval to be subject to the following conditions: 1) The sign to be moved to conform with the variance allowed within forty-five (45) days; 2) The new location is to be inspected by the Building Official, prior to permanent installation; 3) All signs will conform in all other aspects with the Land Development and Planning Ordinance as for blinking lights or rotating signs; and, (4) a survey to be required to find the front property corners if property corners can not be located to satisfaction of Building Official. The motion was seconded by Commissioner Shinn and passed unanimously with the Chairman voting.


After a short discussion, the Commission requested the secretary to write a letter to the Council stating that they would be willing to tackle the signing problems along 99-E with the Council would give their permission.

Canby Planning Commission
June 24, 1985
Page 3

There being no further business to come before the Commission, the meeting was adjourned.

This meeting has been recorded on tape.

Respectfully submitted,


Virginia Shirley, Secretary
Canby Planning Commission