

Canby Planning Commission  
Regular Meeting  
October 14, 1985

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

OTHERS PRESENT: City Attorney John Kelley, City Administrator Bud Atwood, Secretary Virginia Shirley, Tom Tye, Rufus Kraxberger and Russ James

The minutes of September 23, 1985 were corrected by deleting the words "a quick" from line six, last paragraph of page two. The minutes were then approved as corrected.

Item #1: Request for an eight (8) lot subdivision to be located on the east side of S. Fir Street directly east of S.W. Fifth Avenue, and described as tax lots B300 and B600, Section 4AB, T4S, R1E. The applicants are Rufus Kraxberger and Wayne Scott. City Administrator Atwood read the staff report and made a recommendation of approval subject to numerous conditions. The Commission questioned the easement width and the property line between lots 1 and 2. Mr. Kraxberger stated that the garage was not movable and should stay with the house.

Mr. Tom Tye, engineer representing the applicant, stated that rather than make a deposit with the City for the work to be done on S. Fir Street, they would like to complete the work if the drainage can be set. Mr. Tye further stated that he felt the drainage plan would not be difficult as they would survey the area in each direction to see how the drainage would flow. The applicant wants to complete the subdivision in order to make it more saleable. To leave part of the work undone would not present a good picture.

The Chairman opened the public hearing portion of the meeting and called for proponents. When none came forth, he called for opponents. Mr. Russ James, 458 S. Fir Street, stated that he didn't know if he was an opponent or not but that he had some questions. Mr. James questioned the size of the lots for the zoning district and if the district allowed that many houses to be built in so small an area. In answer to his questions, the Chairman stated that each lot had the required square footage and it was an allowable number of lots.

In rebuttal, Mr. Kraxberger stated that they would not be little houses because private deed restrictions would require that each house have a minimum of 1200 square feet and a break in the roof line.

There being no further opponents, the Chairman closed the public hearing portion of the meeting. The Commission began its discussion of the subdivision. During this time they discussed the improvements to S. Fir Street and the lot line between lots one and two. The applicant's engineer was asked if the lot line could be straightened out some in order to give the lot a better appearance. Mr. Tye stated that they could take the second right-angled corner out and make that line angle to meet the established property line at the street.

\*Commissioner Seale moved to approve the eight (8) lot subdivision on S. Fir to be known as "Elligson Addition" based on the staff's findings of fact one thru three submitted and the following conditions: 1) Recommendations in City Departments and other agency reports to be made conditions of approval; 2) All development requirements of Ordinance #740 will become conditions of approval; 3) All lots must contain a minimum of 7,000 square feet after final plat survey; 4) Payment to be made to the City for required improvements to S. Fir Street or developer proceed with improvements subject to Public Works approval; 5) Site drainage to be approved by the Public Works Department; 6) Traffic control signs to be installed as required by Public Works and at developer's expense; 7) 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; 8) 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 within 6 months of the date of the signature of the Chairman of the City Planning Commission; 9) 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; and, 10) No parking to be allowed in the turnaround area. The motion was seconded by Commissioner Shinn and passed unanimously with the Chairman voting.

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*  
Virginia J. Shirley, Secretary  
Canby Planning Commission