

Canby Planning Commission
Regular Meeting
December 9, 1985

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

OTHERS PRESENT: City Attorney John Kelley, City Administrator Bud Atwood, Secretary Virginia Shirley, Lloyd and Martin Clark, Ron Tatone, Lee and Bob Funrue, Director of Public Works Wayne Klem, Bob Westcott, and others

The minutes of the November 12, 1985, meeting were corrected in the first paragraph ". . . to invest \$35,000 to \$55,000 in their homes and . . ." The minutes were approved as corrected.

Item #1: Request for approval of a preliminary subdivision of property described as Tax Lot 300, Section 32A, T3S, r1E, and located on the west side of N. Ash Street north of Knight's Bridge Road. The applicants are Ronald M. Tatone and Gloria Ives. City Administrator Bud Atwood read the staff report. Mr. Ronald Tatone, the applicant, spoke to the issues raised in the Public Works report. Mr. Tatone expressed his desire to run a sewer line from Knight's Bridge Road to serve his subdivision rather than connect to the existing line in N. Ash due to the Bargain and Sale Deed to the City of Canby from Martin and Lloyd Clark; that fifty (50) foot streets were now allowed by the zoning ordinance; and, that he had designed this subdivision and included the property to the west only to show what could be done should they decide to subdivide. Mr. Tatone explained that he had already contacted Clackamas County regarding the vacation of the right-of-way of the old Knight's Bridge Road that is used only by the property to the west of his track.

Mr. Westcott addressed the Commission and told them that he had been interested in purchasing the triangle parcel of land lying between the old and new bridge accesses. At that time (last summer) he was told by the County Roadmaster that the County intended to keep the old access. Further, that he had not purchased the parcel due to the number of easements and the clouds on the title.

Mr. Tatone then spoke to the issue of water for his subdivision. He stated that the first of the year Canby Utility Board rates for installing meters will be going up. That the cost for a subdivider to install was \$100.00 and for installation to an existing line was \$750.00. Therefore it would be to his advantage to connect to a water line in

Knight's Bridge Road and into his subdivision rather than connect to the existing line in N. Ash Street.

Mr. Westcott stated that as a member of the Utility Board he felt that Mr. Tatone had a misinterpretation of the new rates for water. At this point, Mr. Tatone read from the new resolution passed by the Utility Board.

Chairman Kahut opened the public hearing portion of the meeting and called for proponents.

Mr. Martin Clark stated that he thought this would be a good development and read to the Commission a portion of the minutes from December 8, 1976, meeting regarding the development of the most northerly end of N. Ash Street.

There being no further proponents, the Chairman called for opponents to the subdivision.

Lee Funrue stated that she lived across N. Ash Street from the property that was being subdivided. She requested a postponement to allow those who lived close by to review the proposed subdivision.

Commissioner Schrader moved to continue the public testimony and hearing until the next meeting to allow the neighbors to review the plan and the City to resolve the sewer and utility plan. The motion was seconded by Commissioner Shinn. City Administrator Atwood requested the Commission to set a date when this would next appear before the Commission and that if possible they give the applicant some direction for his application. Commissioner Schrader stated that he would like to hold a discussion to help resolve the problems involved with this application. Chairman Kahut stated that there was a motion on the floor. Commissioner Schrader stated that he would withdraw his motion in order to help the applicant. Commissioner Shinn stated he was willing to withdraw his second.

Discussion followed. During their discussion the Commission by consensus agreed that N. Ash Street and N. W. 9th Avenue will be a fifty (50) foot right-of-way paved to thirty-six (36) feet; the north end of N. Ash Street would not go through to N. W. 12th Avenue; and, that they would accept a redesign of the parcel to a Planned Unit Development and allow a sewer line to be extended from Knight's Bridge Road.

Chairman Kahut asked the applicant if he had offered the Clarks the base amount shown on the Bargain and Sale Deed without interest since this seemed to be the point of contention. Mr. Tatone stated that he had made the Clarks an offer.

Commissioner Shinn moved to continue the public hearing until the Planning Commission meeting in January, 1986. The motion was seconded by Commissioner Schrader.. Mr. Tatone stated that he would be unable to be ready for the January meeting. The make and the second then amended the motion to make it the February, 1986 meeting. The question was called for and the motion passed unanimously.

Item #2: Review of change in preliminary plat known as "Elligsen Addition." The developer is Rufus Kraxberger. City Administrator Atwood explained the change to the south in the road alignment in order to save the three large trees that exist in what was the proposed right-of-way. He further informed them that this would create no undersize lots nor would it be detrimental to the area or the subdivision itself. Commissioner Shinn moved to approve the change in road alignment as shown on the plan submitted. The motion was seconded by Commissioner Cutsforth and passed unanimously.

There being no further business, the meeting adjourned.

This meeting has been recorded on tape.

Respectfully submitted,



Virginia Shirley, Secretary
Canby Planning Commission