

Canby Planning Commission
Regular Meeting
May 12, 1986

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

OTHERS PRESENT: City Attorney John Kelley, City Administrator Bud Atwood, Director of Public Works Rusty Klem, Secretary Virginia Shirley, Emil Rathmann, Lawrence Andrews, V. Nolder, Roberta Matthieu, Stan Trytko, Ritchie Cameron, Craig Pottratz, Paul and Joyce Carroll, Alice Merrill, Sue Nicholson, H. L. Bauer, Gary A. and Colleen J. Bates, Sean McVicker, Dennis and Nancy Moore, Pam Barrow Barb McKenna, and Richard and Carol Lee Morse.

The minutes of the April 14, 1986, meeting were approved as presented.

Item #1: Request for a lot size variance to enable a duplex to be built on property located on the east side of N. Locust Street and the south side of N.E. 4th Avenue. The property is described as Tax Lot 800, Section 33Db, T3S, R1E. The applicants are Bernard and Wilma Trytko.

The staff report was given by Administrator Atwood with a recommendation of approval. Chairman Kahut opened the public hearing and called for proponents. When none came forth, he called for opponents. When none came forth, Chairman Kahut closed the public hearing portion of the meeting. Discussion followed regarding the parking area as designated on the plan. Some wanting to divide it between N.E. 4th and N. Locust. Due to the width of N.E. 4th, it was decided it should remain located on N. Locust. Commissioner Davis moved to approve the lot size variance and accepted the findings of fact proposed by the City Administrator. (A copy is attached to these minutes.) This approval is subject to the staff reports by the Canby Utility Board and the Canby Telephone Association. The motion was seconded by Commissioner Clift and passed with six (6) yeas and one (1) nay (Schrader).

Item #2: Request for a Minor Land Partition from one parcel to two parcels on the south side of N.E. Tenth Avenue just south of N. Oak Street and described as Tax Lot 900, Section 33AD, T3S, R1E. The applicant is Frank K. Nicholas, Jr. The staff recommendation was read by Administrator Atwood who gave a recommendation of approval subject to three conditions. Chairman Kahut opened the public hearing and called for proponents. When none came forth, he called for opponents. There being none, the public hearing portion of the meeting was closed.

Discussion followed regarding the landlocking of parcels next to the fairgrounds. It was disclosed that none of the parcels would be landlocked by approving this minor land partition.

Commissioner Schrader moved to approve the partitioning of Tax Lot 900, Section 33AD, T3S, R1E, from one lot into two lots as it tends to follow development within the area, conforms to the Comprehensive Plans and the facilities are adequate to meet the need of the proposed use. This approval is subject to the following conditions: 1) All staff reports

become conditions of approval; 2) Easements as prescribed in Ordinance No. 740 be provided; and, 3) A ten (10) foot dedication for street purposes be provided along the north property border. Motion seconded by Commissioner Shinn. Motion carried unanimously with the Chairman voting.

Item #3: CONTINUED request for a Zone Change from R-1, Single Family Residential, to R-1.5, Medium Density Residential, on property located in the southeast corner of the quadrant on N. Locust and N. E. Territorial Road and described as Tax Lots 1000, 1001, and 1100, Section 28DC, T3S, R1E. The applicants are Richard K. and Carol Lee Morse. City Administrator reminded the Commission of the relative parts of Jim Sitzman's speech at their workshop. He also stated that facilities were adequate for this development. The staff report consisted of passages from the Comprehensive Plan, with a recommendation for approval.

Chairman Kahut opened the public hearing portion of the meeting and called for proponents. When none came forth, he called for opponents.

Tom McVickers stood and asked the Commission with the property could still be put into a moratorium? Stated that as for public facilities: Territorial Road was dangerous as people used it as a freeway, need more police protection for the immediate area; park facilities are non-existent in the Comprehensive Plan as no new parks have been sited.

Mr. Nolder stated that when he bought his home in 1980 he telephoned City Hall and someone told the whole area was single family and would remain that way. Wants to know why the city is trying to change it now.

Gary Bates asked to see just what is planned for the area. How can a zone change be approved, if the Commission does not just what is planned for the area?

Lawrence Andrews asked about traffic on N. Locust and Territorial and additional cars traveling to fast. Will they be required to put sidewalks into this project? Will streetlights be required? Fire protection will be needed. More police will be needed for protection and this will cost additional taxpayer's dollars.

Sue Nicholson asked what was being done to do the plan review that is called for every two years. They wouldn't have to worry about this development if the plan had been reviewed when the city was supposed to.

Ritchie Cameron - asked about recreational facilities. Stated that Maple Street Park was nice however it was the only park in the area and no new land for parks has been acquired.

Mr. McVickers stated that he would like to see the plans for the development. Wants to know how many duplexes are planned for and where the streets will come out.

Chairman Kahut closed the public hearing portion of the meeting. Mr. and Mrs. Morse arrived at the meeting.

Mr. Morse apologized for being late and stated that they were willing to answer any questions that they could. He further stated that they had a very preliminary plan for the subdivision they planned to put in in two phases. They would like the Commission to take a look at the plan and also the change in the one done by Pacific Survey by Carol Lee Morse.

City Attorney Kelley informed the Commission they should not be considering the subdivision tonight as they haven't acted on the application before them. City Administrator Atwood asked if they could consider the streets at a workshop after the meeting. City Attorney Kelley stated that would be acceptable.

Commissioner Schrader answered the questions asked by the public at tonights meeting.

Commissioner Schrader moved to recommend approval of the zone change of Tax Lots 1000, 1001, and 1100, Section 28DC, T3S, R1E. This change will bring the property into conformance with the Comprehensive Plan. Facilities are available to serve this property and it is in the best interest of the City of Canby. The motion was seconded by Commissioner Seale and passed unanimously with the Chairman voting.

This meeting has been recorded on tape.

Respectfully submitted,


Virginia Shirley, Secretary
Canby Planning Commission