

Canby Planning Commission  
Special Meeting  
April 6, 1989

MEMBERS PRESENT: Chairman Kahut, Commissioners McKibbin, Meeuwssen, Harmon, Lindsay, Nicholson, and Schrader

OTHERS PRESENT: Public Works Director Wayne Klem, City Administrator Michael Jordan, Secretary Virginia Shirley, George Wilhelm, and Dave Anderson

Item #1: Request for a zone change from R-1, Low Density Residential, to R-1.5, Intermediate Density Residential, of 34 acres located on the south side of S.E. Township Road and described as Tax Lot 600 and 700, Section 4A, T4S, R1E. The applicants are Joseph and Shirley Regan, represented by George Wilhelm, Engineer. Commissioner Harmon declared that he worked with Mr. Anderson, applicants representative, and stated further he was willing give up his seat on the Commission if anyone objected to his participation. Neither the Commission nor the applicants envisioned any problem by his remaining as a voting member.

Mr. Klem gave the staff report, reporting that the applicant had not achieved an access to S. Ivy Street, but had added thirty acres to their master plan. Another access will be accomplished when the additional parcel is annexed into the City. Applicant has requested that the access to S.E. 13th Avenue, in the master plan, be allowed in place of the S Ivy Street ingress/egress point. The Commission looked at the master plan with all the red marks - these are the areas of concern the staff had and compromise reached with the applicant for the changes seen in red. Staff requested the Commission attach two conditions to the approval of this zone change. Commission discussion followed regarding the width of streets, access from S. Ivy Street and whether the city should acquire the property through condemnation and sell it to the developer or accept the developers plan to use S.E. 13th Avenue.

Commissioner Schrader noted that the applicants should address the solar access issue with regards to the lots in the newly acquired 30 acres. Chairman Kahut called upon the applicant's representatives to give their presentation. Dave Anderson was the first to speak and informed the Commission of the applicant's willingness to compromise but they did not want a straight line of street from Township Road to S.E. 13th Avenue. George Wilhelm stated they were unable to guarantee any access to S. Ivy Street. They don't own any property and can give no assurances that the owner can and will buy. Mr. Wilhelm stated that they didn't understand they were to have acquired the access to S. Ivy Street prior to phase II being approved.

Commissioner Nicholson stated that he wanted to see a park area and that he was still worried about access and street patterns.

Chairman Kahut opened the public hearing portion of the meeting 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.

Chairman Kahut suggested that a consensus be taken of the Commission regarding the need for a South Ivy access. Commissioners McKibbin, Meeuwsen, Nicholson stated that we should have the access to S. Ivy Street, and Commissioners Harmon, Lindsay, Schrader and Kahut expressed the feeling that the S. Ivy access was not critical.

Chairman Kahut stated that he was not in favor of a zone change for the entire parcel of land, if the applicant could not give assurance that they would all be single family residential lots. George Wilhelm explained that if they accepted the master plan, they would be approving single family residential for the entire development.

Commissioner Schrader moved to recommend approval to the City Council of the zone change for phase II of Township Village on 6.2 acres tract only as it is in compliance with the Comprehensive Plan, the public facilities for phase II are available and the staff reports supporting evidence. This approval would be subject to the following conditions: 1) The thirty (30) acres be annexed to the City prior to consideration of the next phase of development; and, 2) Phase III to come before the Commission only after development of a new master plan. The motion was seconded by Commissioner Lindsay. During the discussion period, Chairman Kahut called for a consensus of whether to leave the jog in the street or if it should be removed. Those members in favor of the jog were Commissioners McKibbin, Meeuwsen, Harmon and Kahut, those opposed to the jog in the street were Commissioners Lindsay and Nicholson. Commissioner Schrader stated that it made no difference to him one way or the other. The "question" was called and the motion carried 5 ayes to 2 nays (Harmon and Nicholson).

The meeting was recessed at 9:22 p.m and reconvened at 9:32 p.m. Commissioner Schrader left during the intermission.

**Item #2: Request for approval of Phase II of the subdivision of Township Village consisting of 30 lots immediately south of Phase I and described as part of Tax Lot 600, Section 4A, T4S, R1E. The applicants are Joseph and Shirley Regan, represented by George Wilhelm, Engineer.** Mr. Klem went over the proposed 14 conditions of approval one by one. Mr. Klem also went over some proposed conditions for development of the later phases. George Wilhelm asked why they should continue S. Lupine Street at 48 feet, as there is only 36 feet of paving. Next Mr. Wilhelm submitted six pictures to the Commission showing a four foot sidewalk and a 2 and one-half foot grassy area between the curb and the sidewalk. Commissioner McKibbin went through the conditions making proposed changes to 2, 7, 13 and omitting #14. Discussion on the size of the sidewalk as some wanted it five feet in width and others had no objection to it only being four feet in width. Chairman Kahut called for a consensus of the Commission on whether they wanted the sidewalk next to the curb or a 2 and one-half foot grassy area and then a four foot sidewalk. Commissioners McKibbin, Meeuwsen, Harmon, Lindsay and Kahut all wanted four feet of sidewalk and a two and one-half foot grassy area between the sidewalk and curb. Commissioner Nicholson wanted a five foot sidewalk two and one-half feet behind the curb.

Commissioner McKibbin moved to approve the tentative subdivision plat of Township Village Phase II with the following conditions:

1. Approval to be contingent upon the approval of the proposed zone change by the City Council.
2. Curbs and sidewalks to City standards are to be constructed along all street frontages. Sidewalk is to be four (4) feet in width but set back 2.5 feet behind the curb and to be consistent throughout the development.
3. No more than four lots in each block are to have the same house design.
4. A temporary turnaround, meeting the requirements of the Fire Marshal and Public Works Director, is to be provided at the ends of S. Seventh Avenue.
5. A full-width barricade is to be placed, at developer's expense, at the end of S. Lupine.
6. Utility easements are to be provided with wording specified by the Public Works Director, twelve feet in width along all street frontages and along the perimeter of the subdivision. Utility easements six (6) feet in width are to be provided along all side lot lines.
7. South Lupine Street right-of-way is to be forty (40) feet in width throughout the subdivision.
8. All requirements of the Canby Utility Board, Fire District 62, North Willamette Telecom and the Canby Telephone Association will be considered as conditions of approval, with final decision to meet staff approval.
9. Water lines to be constructed to the standards established by the Canby Utility Board. Hydrants to meet the requirements of C.U.B. and the Fire Marshal
10. Electric service and street lights to meet the requirements of the Canby Utility Board.
11. Street, curb, sidewalk, storm drainage, and sanitary sewer construction to meet the requirements of the Public Works Director.
12. Street name and traffic control signs to be provided at developer's expense. This shall include "dead end" signs for both ends of S.E. Seventh Avenue. "Stop" signs to be provided at S.E. Seventh and South Lupine Street.
13. A one-foot street "plug" is to be dedicated to the City of Canby at the end of S. Lupine Street and at both ends of S.E. Seventh Avenue. This plug is to prevent access to the remainder

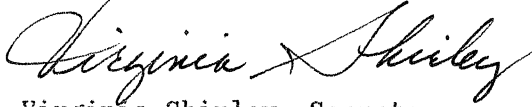
of the parent parcel until a subsequent development application has been approved for that area.

Commissioner Lindsay seconded the motion and it passed with 5 ayes, and 1 nay, Commissioner Nicholson.

There being no further business to come before the Commission, the meeting adjourned at 10:55 p.m.

This meeting has been recorded on tape.

Respectfully submitted,

A handwritten signature in cursive script that reads "Virginia Shirley". The signature is written in dark ink and is positioned above the typed name.

Virginia Shirley, Secretary  
Canby Planning Commission