

**A G E N D A**  
**CANBY PLANNING COMMISSION**  
**REGULAR MEETING**  
**City Council Chambers**  
**Monday, August 25, 1997**  
**7:30 p.m.**

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**I. ROLL CALL**

**II. MINUTES**  
July 28, 1997  
August 11, 1997

**III. CITIZEN INPUT ON NON-AGENDA ITEMS**

**IV. COMMISSION DISCUSSION OF PLANNING ISSUES**

**V. FINDINGS**  
ANN 96-05 - Gramor Development Northwest, Inc./Arneson  
MLP 97-06 - Anthony Marnella/Marlon Financial Services

**VI. PUBLIC HEARINGS**

**ZC 97-02**, an application by Edward and Mary Schram (applicants) and Clifford and Irene Busby (owners) for approval to rezone a 12,700.5 square foot parcel on N. Holly Street from R-1, Low Density Residential to R-2, High Density Residential. The parcel is addressed as 741 N. Holly Street, and is located on the west side of N. Holly, between N. W. 7th Avenue and Knights Bridge Road [Tax Lot 4900 of Tax Map 3-1E-33BC].

**MLP 97-07**, an application by Edward and Mary Schram (applicants) and Clifford and Irene Busby (owners) for approval to partition an existing 12,700.5 square foot lot into two lots, 7,027 and 5,673 square feet, respectively. The subject parcel is known as 741 N. Holly and is located on the west side of N. Holly, between N.W. 7th Avenue and Knights Bridge Road [Tax Lot 4900 of Tax Map 3-1E-33BC].

**VII. COMMUNICATIONS**

**VIII. NEW BUSINESS**

**IX. DIRECTOR'S REPORT**

**X. ADJOURNMENT**



**MINUTES**  
**CANBY PLANNING COMMISSION**

Regular Meeting

July 28, 1997

7:30 P.M.

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**I. ROLL CALL**

Present: Chairman Ewert, Commissioners O'Shea, Tallman, Prince and Keller.

Staff: James Wheeler, Planning Director; Clint Chiavarini, Intern; and Joyce Faltus, Secretary.

Others Present: Steve Sather, Fritz Hostetler, George Wilhelm, Roger Nelson, Dave Larimer, Charles Climento, Mike Duncan, Tony Weller

**II. MINUTES**

Commissioner Keller moved to approve the minutes of June 23, 1997 as amended. Commissioner Tallman seconded the motion and it carried unanimously.

Commissioner Keller moved to approve the minutes of June 30, 1997 as submitted. Commissioner O'Shea seconded the motion and it carried unanimously.

**III. CITIZEN INPUT ON NON-AGENDA ITEMS**

None

**IV. FINDINGS**

DR 97-04 - H.O.P.E.

Commissioner O'Shea moved to approve the final order for DR 97-04, as submitted. Commissioner Prince seconded the motion and it carried unanimously.

agricultural lands will be protected from urban encroachment." Measure "C" directs that Canby should "encourage growth into areas where land is fragmented into small parcels which are not conducive to productive agricultural use." Measure "D" states that Canby should "review annexation proposals in light of the growth phasing strategies of the Urban Growth Element." Mr. Chiavarini points out that the Comprehensive Plan designates this land as Priority "A" for annexation and explained further that the Comprehensive Plan encourages development of Priority "A" land. Furthermore, he pointed out that extending services to this area would be relatively cost-effective for the City. Measure "C" also states that "agricultural operations, even those within the incorporated area, will be encouraged to remain in operation for as long as it is economically feasible to do so. Where developments are proposed on a "phased" basis, the first phase should be situated and designed such that agricultural operations can continue on the remaining property." He explained that the nursery is currently in agricultural use, and that Measure "A" would appear to intend that this land should be protected. Another consideration is that the parcels are currently islanded, surrounded by land currently within the City. Mr. Chiavarini also pointed out that the Commission should take into consideration at there is the issue of population growth in Canby, which requires additional housing. Staff recommends that the Commission recommend approval of this annexation to City Council.

### Applicant

George Wilhelm, P.O. Box 561, Woodburn 97071 explained that the staff report adequately addresses all of the pertinent criteria required for approval of an annexation application. He further explained that Mr. Wright passed away a year ago, and his wife found that no one else in the family wanted to continue the nursery operation, which is no longer in production. He noted that the parcel is designated Priority "A" for annexation in the Comprehensive Plan and is ideally suited for residential development. It completes plans for City services in the area, has an elementary school within walking distance, and has parkland that was dedicated and developed as part of Township Village. Development of this site will provide revenue for park development and various system development charges. City property abuts the parcel on the north, south, east and west. The property that is proposed for annexation is part of an islanded area that consists of 6 properties, and comprises 83% of the 22.8 acre islanded area. Besides significantly reducing the amount of islanded property in the area, this annexation will allow future development which will facilitate completion of the transportation system for Township Village which, in turn, will enhance the capabilities of the police and fire departments in the area. It will facilitate the looping of the water system and other utilities, including electric, table, gas and telephone. Because the application meets all the applicable criteria, the applicant is requesting approval of the application.

Staff explained that the first 200 feet of the site, from Township Road south, was to be developed R-2, High Density Residential.

7. The Commission questioned why the other islanded lots were not included in the annexation application. Mr. Wilhelm explained that there was no direct contact with the other property owners. The addition of Tax Lot 400, he added, was to facilitate the transportation systems together, between Township Village and S. Redwood.

Based on the findings and conclusions contained in the staff report dated July 18, 1997, on testimony at the hearing, and on Commission deliberations, **Commissioner Keller** moved to recommend approval of **ANN 97-04** to City Council, for further approval to the **PMALGBC**, with the following understandings:

1. The zoning classification for the property upon annexation will be R-1, Low Density Residential and R-2, High Density Residential consistent with Comprehensive Plan Designations.
2. All development and recording costs are to be borne by the developer when the property is developed.
3. All City and service provider regulations are to be adhered to at the time of development.

**Commissioner Tallman** seconded the motion and it carried 3-2, with **Commissioners Ewert** and **Prince** voting nay. **Commissioner Ewert** explained that he believed the City did not need the additional parcels now, that it was not timely to annex them, and that the property should be left in open space. Furthermore, he stated that the Comprehensive Plan directs the City to value and hold on to open space as long as possible. **Chairman Ewert** also pointed out that in denying **ANN 97-03**, the Commission found that there was no need for additional land for development at this time. **Commissioner Prince** explained that he believed that Tax Lot 700 was still viable for farming.

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**ZC 97-01/MLP 97-05/SUB 97-05**, applications by **Pahlisch Duncan Homes LLC** for approval to rezone 24.14 acres currently zoned Agricultural, to R-1, Low Density Residential, to partition the property into 3 lots, and for approval to develop the site into a 41-lot single family residential subdivision. The site is located south of S.E. 13th Avenue, east of S. Pine Street, adjacent to the Tofte Farms I subdivision [Tax Lot 5800 of Tax Map 4-1E-3CB].

1. The Commission discussed the pros and cons of additional development within the City.
2. The Commission discussed the request for a zone change in light of the fact that the Comprehensive Plan clearly states that Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible. It was pointed out that this land is currently being farmed and is an economic base for the community.
3. The Commission discussed the portion of the Comprehensive Plan that states that Canby shall encourage the urbanization of the least productive agricultural land within the Urban Growth Boundary as a first priority. It was pointed out that this is far from being the least productive agricultural land in the UGB.
4. The Commission discussed traffic concerns in the southeast and southwest quadrants of Canby.
5. The Commission discussed the annexation of the Tofte site and further discussed whether it was totally necessary to develop it at this time. Staff pointed out that the Commission was not bound to approve this zone change because of its prior actions in approving the annexation application.
6. The Commission discussed the number of houses that could be built on an acre of land. Mr. Wheeler explained that at the present time, developers are averaging from 5-6 units per developable acre.
7. The Commission discussed the prioritization sequence for annexations.

Based on the findings and conclusions contained in the staff report dated July 18, 1997, on testimony at the hearing, and on Commission deliberations, **Commissioner Keller moved to recommend that City Council approve ZC 97-01. Commissioner O'Shea seconded the motion. The motion carried 3-2, with Commissioners Ewert and Prince voting nay.**

Chairman Ewert stated that he did not agree with staff's recommendations and that denying this application would be an opportunity to save some viable agricultural land. He further stated that it would do the City and its residents a great injustice to develop this agricultural land because the supply of available homes, and the surplus homes, are good. Furthermore, Chairman Ewert stated that traffic concerns should be considered in this quadrant of the City.

The Commission then reviewed the **Minor Land Partition Application [MLP 97-05].**

## Proponents

None

## Opponents

None

With no additional testimony, the public portion of the hearing was closed for Commission deliberation. Issues discussed included:

1. The Commission discussed the lot that houses the irrigation well, questioning whether it will become an eyesore. Mr. Wheeler explained that although staff has not recommended a sight obscuring fence, that the Commission could condition one.
2. The Commission discussed proposed condition #1, whereby any approval of the minor land partition is contingent upon the Council approving the zone change application.
3. The Commission discussed the alignment of S.E. 13th Avenue and the acquisition of right-of-way for improvements. Mr. Wheeler explained that staff has not recommended dedication of land along Parcel 3 because it is not being developed and is remaining in Mr. Tofte's ownership.
4. The Commission discussed the development of Parcel 2. Staff explained that the partition line was defined keeping in mind that it was the most feasible way to build road connections and access onto S.E. 13th, and still allow use of the farm buildings on Parcel 3.
5. The Commission discussed the lot to the east of Parcel 3, which is not a part of the Tofte property, nor has it been annexed into the City, but does lie within the Urban Growth Boundary. The Commission agreed it would be best to improve S.E. 13th all the way to S. Redwood Street, which could only be accomplished by obtaining some right-of-way dedication from the property owner to the east of the Tofte site.
6. The Commission discussed a bicycle path along S.E. 13th. Staff pointed out that there would be bicycle lanes on both sides of S.E. 13th. The width is close to 60 feet, but 20 feet of right-of-way is beyond the curb on the north side of S.E. 13th. Further, staff pointed out that the alignment of S.E. 13th is such that there is excess of right-of-way on the north side of S.E. 13th. The question remains whether or not there is enough right-of-way to accomplish aligning the curb on the south side

11. The Commission discussed traffic impacts along S.E. 13th and Redwood at the a.m. peak hour. The impact from this subdivision would increase left hand turn movements by 3 vehicles during the course of an hour, from 32 to 35 vehicles. The school p.m. peak hour impact would be increased from 38 to 39 vehicles on left turn movements. P.M. peak hour would increase from 41 vehicles to 43 vehicles on left turn movements.

Based on the findings and conclusions contained in the staff report, on testimony at the hearing, and on Commission deliberations, **Commissioner Keller moved to approve MLP 97-05 with the following conditions:**

1. The approval of this minor land partition is contingent on the approval of the change of zoning of the subject property (ZC 97-01), from Ag (Agricultural) to R-1 (Low Density Residential).

**For the Final Plat:**

2. The final plat shall reference this land use application - City of Canby, File No. MLP 97-05, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.
3. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recordation.
4. All monumentation and recording fees shall be borne by the applicant.
5. Twelve (12) foot utility easements shall be provided along all exterior lot lines. The interior lot lines shall have six (6) foot utility easements.
6. Dedication of land, ten (10) feet in width, shall be provided from parcel 1. The dedication shall be for the parcel's full frontage along S.E. 13th Avenue.

**Notes:**

7. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat approval according to Section 16.60.060.
8. Utilities and all road improvements, including sidewalks, shall be provided across, and to parcel 1 as a part of the construction of the subdivision of parcel 2.



Tofte. According to the traffic report, all the off-site intersections will function adequately after all the improvements at the intersection of Ivy/13 have taken place as part of Phase 1, and no further recommendations were made. Regarding the layout of the streets, Mr. Weller explained that they are designed to meet the solar requirements for north-south orientation, and that curving the streets limits lot shape and density requirements.

Jeff Bachrach, attorney for Pahlisch Duncan, related to the Commission, the fine reputation the applicant has earned for the design of their homes, the quality and engineering of their subdivisions, and the respect they have earned from various municipalities. He stated that the designs are based on meeting the ordinances and codes in each city, and the applicant does not have the discretion to design something unique.

### Proponents

None

### Opponents

None

With no additional testimony, the public portion of the hearing was closed for Commission deliberation. Issues discussed included:

1. The Commission discussed undergrounded utilities. Staff explained that the power lines have been placed underground for the frontage along Tofte Farms 1, and will be placed underground for Phase 2 also.
2. The Commission discussed previously conditioning street improvements along S.E. 13th Avenue to the eastern boundary of Parcel 3 during the minor land partition application hearing.
3. The Commission discussed the fencing and landscaping around the well with respect to the maintenance issue in the CC&Rs. Mr. Wheeler said he was unsure if Mr. Tofte would be subject to the CC&Rs, or agreeable to abide by them.
4. The Commission pointed out the Plum Street was changed to Ponderosa Street. Mr. Wheeler pointed out that there is a Plum Street, off of 15th at N. Pine.
5. The Commission discussed pedestrian ways that are necessary for blocks over 800 feet in length. Mr. Wheeler explained that pedestrian ways are 10 feet wide and serve both bicyclists and pedestrians. They are often the responsibility of the property owners, but no maintenance issues have come up as of yet.
6. The Commission agreed the additional access from S.E. 13th, and the looped street pattern, were excellent for emergency vehicle response.

conference. The City's review and approval shall be coordinated through the Planning Office. The construction plans shall include the street design, storm water, sewer, water, electric, telephone, gas, street lights, mail boxes and street trees. The street tree planting location shall be determined as a part of the pre-construction review process.

7. The type of street trees to be planted shall be determined by City staff prior to the pre-construction meeting. The number of street trees to be planted shall be one per street frontage per lot. The trees shall be planted eleven (11) feet from the street curb. The street trees along S.E. 13th Avenue shall be the same type as planted along S.E. 13th Avenue in front of the Tofte Farms 1 subdivision.

**As a part of construction:**

8. Any necessary utilities shall be constructed to the specifications of the utility provider. The existing utilities along S.E. 13th Avenue shall be placed under ground.
9. Street name and traffic control signs shall be provided at the developer's expense. This shall include "Stop" street signs where required by the Director of Public Works.
10. Erosion-control during construction shall be provided by following the recommendations of the "Erosion Control Plans Technical Guidance Handbook," as used by Clackamas County, dated August 1991, and as revised.
11. The storm water construction for the subdivision shall conform to the Canby Public Works Department standards.
12. The construction of the sewer system for the subdivision shall be approved by the Public Works Supervisor.
13. The local roads shall be constructed to the City specifications and standards. The improvements shall include the street, curbs, sidewalks, street lights, utilities and street trees. Sidewalks will be constructed in conjunction with the construction of the homes, with the following exceptions: sidewalks on the parcel with the irrigation well along S.E. 13th Place and S.E. 13th Avenue, and the sidewalks for lots 58 through 63 along S.E. 13th Avenue shall be constructed in conjunction with the construction of the subdivision.
14. Half-street improvement shall be provided for S.E. 13th Avenue to the eastern property line of the Tofte property, including the frontage of the parcel with the irrigation well, constructed to the City and Clackamas County's specifications and

**Notes:**

22. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat approval according to Section 16.68.020.
23. The approval will be null and void if the final plat is not submitted to the County within six (6) months after signing of the plant by the chairman of the Planning Commission (Section 16.68.070).
24. A copy of all recorded CC&R's shall be submitted to the City prior to issuance of building permits (beyond one single family residence).
25. No building permits shall be issued prior to the signal at the intersection of 13th/S. Ivy Street becoming operational.

**Commissioner Tallman seconded the motion and it carried 3-2, with Chairman Ewert and Commissioner Prince voting nay.**

**VII. OLD BUSINESS**

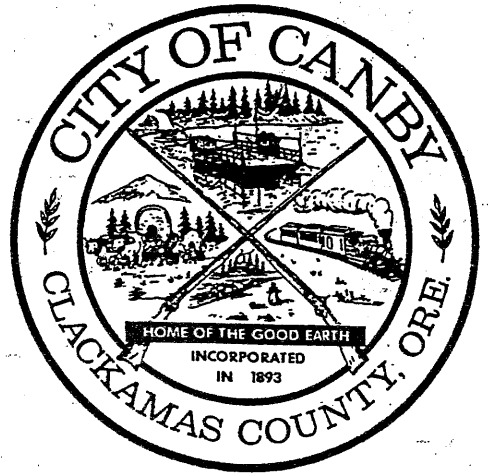
Mr. Wheeler explained that the signage requirement for the Shimadzu Site and Design Review approval was that any proposal for a sign within two years of occupancy would have to come back before the Commission under a limited land use process. Shimadzu, Mr. Wheeler explained, is proposing three signs: 1 two-sided monument sign at the western entrance of the parking lot, 1 wall sign on the south facing eastern edge of the building, and a truck sign at the eastern entrance which would have the company logo and words "truck entrance" on one side and a directional sign on the other, directing exiting traffic to Redwood and Highway 99-E. The proposed signage meets the matrix criteria, scoring 83%. He submitted a set of draft findings if the Commission wished to consider them.

**Commissioner Keller moved to approve DR 97-01 [Sign], as submitted.  
Commissioner Prince seconded the motion and it carried unanimously.**

**VIII. COMMUNICATIONS**

None

# - STAFF REPORT -

**APPLICANT:**

Edward and Mary Ann Schram  
24605 S. Central Point Road  
Canby, OR 97013

**FILE NO.:**

ZC 97-02

**OWNER:**

Clifford and Irene Busby  
741 N. Holly Street  
Canby, OR 97013

**STAFF:**

Jason Kruckeberg  
Associate Planner

**LEGAL DESCRIPTION:**

Tax Lot 4900 of Tax Map 3-1E-33BC

**DATE OF REPORT:**

August 15, 1997

**LOCATION:**

West side of N. Holly Street,  
between NW. 7th Ave. and Knights Bridge Rd  
(Roth's Addition).

**DATE OF HEARING:**

August 25, 1997

**COMP. PLAN DESIGNATION:**

HDR (High Density Residential)

**ZONING DESIGNATION:**

R-1 (Low Density Residential)

**I. APPLICANT'S REQUEST:**

The applicant is seeking to rezone their existing 12,700 square foot lot at 741 N. Holly Street from R-1 (Low Density Residential) to R-2 (High Density Residential).

## II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

16.54        Amendments to the Zoning Map  
16.88        General Standards

## III. MAJOR APPROVAL CRITERIA

### Amendments to the Zoning Map

#### 16.54.040 - Standards and Criteria

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the City, giving special attention to Policy 6 of the Land Use Element and implementation measures therefor, and the plans and policies of the County, state and local districts in order to preserve functions and local aspects of land conservation and development,
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

## IV. FINDINGS:

### A. Background and Relationships:

The subject property is a 12,700 sq. ft. lot which contains an existing single family dwelling and a detached shop. The applicant is applying for a zone change from R-1 (Low Density Residential) to R-2 (High Density Residential) to facilitate a minor land partition (associated application MLP 97-07). In addition, the applicant sent a letter to adjacent landowners informing them of the proposed changes and asking for comments. Ten responses were received from neighbors, of which there were no substantive objections. While not objecting, Robert and Rebecca Anderson, who own adjacent property (Tax Lot 5000 on Tax Map 3-1E-33BC) provided the following suggested conditions of development: 1) That the dwelling is a single family unit, and 2) the unit be 10 feet from their property line. The applicant has indicated that a single family home will be developed on the lot. Further, the size of the proposed lot would preclude any other type of residential development. Regarding the "condition" asking for a 10 foot separation between the unit and the Anderson's property line: Chapter 16.20.030(D) of the Land Development &

Planning Ordinance states that interior yard setbacks must be 7 feet on one side and 10 feet on the other. The Planning Commission can condition the applicant to leave the 10 foot interior yard setback on the Anderson's side of the property, although this is not required by Code.

The associated application (MLP 97-07) proposes to partition the subject property into two lots: a 7,027 sq. ft. lot where the existing house will be located, and a 5,673 sq. ft. lot where an additional single family home will be developed at a later date. A lot size of 5,673 sq. ft. is too small to be developed for use in R-1 or R-1.5 zones. A lot of this size can only be developed for single family residential use in an R-2 zone (5,000 sq. ft. minimum lot size).

**B. Comprehensive Plan Consistency Analysis**

**ii. URBAN GROWTH**

■ **GOAL:** 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.

2) TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITH IN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.

**Policy #1:** Canby shall coordinate its growth and development plans with Clackamas County.

**ANALYSIS**

1. Clackamas County has been notified of the proposal. At the time that this report was prepared, no comments have been received from Clackamas County. Implementation Measure D of this policy states that "lack of comment by either entity to the requests of the other shall be considered the same as a "no objection" response."

**iii. LAND USE**

■ **GOAL:** TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.

- Policy #1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.
- Policy #2: Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.
- Policy #3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.
- Policy #5: Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.
- Policy #6: Canby shall recognize the unique character of certain areas and will utilize the following special requirements, in conjunction with the requirements of the land development and planning ordinance, in guiding the use and development of these unique areas.

## **ANALYSIS**

1. Properties in all directions from the subject property are zoned and developed as R-1 (Low Density Residential). Despite this, the other two lots in Roth's Addition (Tax lots 5000 and 5100 on Tax Map 3-1E-33BC) are smaller than the minimum square footage allowed in an R-1 zone (7,000 sq. ft.). Additional lots in the immediate area range from 6,000 to 19,000 sq. ft. There is a chance that further redevelopment of this area will result in additional requests for partitioning of lots for the development of higher density housing. This area is designated in the Comprehensive Plan Land Use Map for high density residential development and the existing development patterns in the area may facilitate such development. This being the case, the property proposed for partition is compatible with nearby current uses and potential future uses.
2. Density of the property is being increased in that land that is within the City limits and within the Urban Growth Boundary will, through this and an associated proposal (MLP 97-07), be developed with an urban-type development.
3. Request for comments have been sent to all public facility and service providers (see discussion under Public Services Element). No problems or issues were raised by utility or service providers.

5. The request for rezoning of the property will bring the property into conformance with the Land Use Map of the Comprehensive Plan. The Land Use Map calls for HDR (High Density Residential) development in this area, which is the zone designation sought.

6. The subject property is located within Area "M" of the "Areas of Special Concern" as listed in the Comprehensive Plan. Area "M" is described as a "developed neighborhood of single family dwellings on conventional City lots. Area "M" is "planned for eventual redevelopment to more of a multiple family and duplex character". The verbiage for Area "M" goes on to state that "Any proposals for new development or redevelopment of the area, other than for one single-family dwelling per lot, will require prior upzoning to R-2". Thus, the proposed zone change would be consistent with the intent of Special Area of Concern "M".

#### iv. ENVIRONMENTAL CONCERNS

■ **GOAL:** 1) TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

2) TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION. TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

Policy #1-R-A: Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible for them to do so.

Policy #1-R-B: Canby shall encourage the urbanization of the least productive agricultural area within the Urban Growth Boundary as a first priority.

Policy #6-R: Canby shall preserve and, where possible, encourage restoration of historic sites and buildings.

#### ANALYSIS

1-R-A. The proposed rezoning has no negative impact on agricultural uses within the Urban Growth Boundary. The proposed rezoning will focus additional growth in an existing residential zone, increasing existing residential density. The lot in question and all lots in the surrounding area are used for residential purposes.



1-R-B. The subject property (12,700 sq. ft.) could not be used as productive agricultural land because of its small size and residential nature of all surrounding lots. For these reasons, the subject property should be considered high priority for development.

6-R. There are no historically significant buildings or sites on the subject property, as identified in the Comprehensive Plan.

vi. **PUBLIC FACILITIES AND SERVICES**

■ **GOAL:** TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

**ANALYSIS**

1. All needed public facility and service providers were sent a "Request for Comments" regarding this application. No concerns were raised. All services are available or will become available with adequate capacity to service the property.

vii. **ECONOMIC**

■ **GOAL:** TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.

Policy #1: Canby shall promote increased industrial development at appropriate locations.

Policy #4: Canby shall consider agricultural operations which contribute to the local economy as part of the economic base of the community and shall seek to maintain these as viable economic operations.

**ANALYSIS**

1. The proposed rezoning will not involve the encroachment of a "non-compatible" use upon a future industrial area. The proposed rezoning is in accordance with the Land Use Map of the Comprehensive Plan.

4. The proposed rezoning is not in an area which is viable for agricultural operations given its small size and surrounding residential properties. In addition, the area is included in the Comprehensive Plan Map as an area designated for High Density Residential Development. Developing this area focuses development away from agricultural land toward an existing residential area.

## viii. HOUSING

■ **GOAL:** TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.

Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

Policy #3: Canby shall coordinate the location of higher density housing with the ability of the city to provide utilities, public facilities, and a functional transportation network.

Policy #5: Canby shall provide opportunities for mobile home developments in all residential zones, subject to appropriate design standards.

## ANALYSIS

2. The proposed rezoning, and associated application MLP 97-07, will facilitate an increase in density in a residential area and provide an additional single family housing unit.

3. The proposed rezoning will locate higher density housing in an area which is equipped to handle it. Requests for comments were provided to all utility and service providers and no deficiencies in facilities, utilities, or transportation were noted. Additionally, the proposed rezoning provides higher density housing in an area which has been identified in the Comprehensive Plan Land Use Map as being an ideal location for such housing.

5. The proposed development is not intended to be used to provide a mobile home development or unit.

ix. ENERGY CONSERVATION

- **GOAL:** TO CONSERVE ENERGY AND ENCOURAGE THE USE OF RENEWABLE RESOURCES IN PLACE OF NON-RENEWABLE RESOURCES.

Policy #4: Canby shall attempt to reduce wasteful patterns of energy consumption in transportation systems.

**ANALYSIS**

4. The Comprehensive Plan Land Use Map does not have the subject property designated for industrial or commercial development. Thus, the proposed rezoning is not in conflict with this policy. The proposed zone change is consistent with the designated zoning of the Comprehensive Plan Land Use Map and thus no wasteful patterns of energy will be created.

**Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan:**

Staff concludes that the proposed rezoning is consistent with the policies of the Comprehensive Plan. This site is designated as HDR (High Density Residential) on the Comprehensive Plan Land Use Map and the proposed zone sought by the applicant reflects this designation. The proposed rezoning will not impact agricultural land and will focus development into an already-developed residential area. All utilities and services are readily accessible to the property. Additionally, the lot in question is located in Area of Special Concern "M", which is an area designated for High Density Residential (R-2) development such as multi-family or duplex development. While this rezone will not create a multi-family or duplex development, the proposed rezone is consistent with the higher density intent of Area of Special Concern "M".

**C. Consistency with Other Plans**

There are no other known plans regarding the zoning classification of these properties.

**D. Other Applicable Criteria**

All public facilities and services necessary either exist or will be provided concurrent with the development of the area.

#### IV. CONCLUSION

The proposal to change the zoning classification of the subject property from Low Density Residential (R-1) to High Density Residential (R-2) is appropriate in light of the Goals and Policies of the Comprehensive Plan, and is consistent with Policy #6 of the Land Use Element (i.e., Area of Special Concern "M"). In addition, the proposed rezone is consistent with the land use designation on the Comprehensive Plan Land Use Map. Furthermore, all public facilities and services necessary either exist or will be provided concurrent with the development of the area. Finally, the applicant sent a letter to nearby landowners and received no substantive objections to the proposed rezone or associated minor land partition (MLP 97-07).

#### IV. RECOMMENDATION

Based on the findings and conclusions presented in this report, and without benefit of a public hearing, staff recommends that the application, ZC 97-02, to change the zoning classification of tax lot 4900 of tax map 3-1E-33BC from R-1 (Low Density Residential) to R-2 (High Density Residential), be approved.

#### Exhibits:

1. Application
2. Vicinity Map
3. Areas of Special Concern Map
4. Tentative plat map
5. Responses to Request for Comments forms
6. Letters from neighboring landowners

**ZONE CHANGE APPLICATION**

Fee: \$1500

**OWNER**

**APPLICANT**

Name Clifford L and Irene Busby

Name Edward and Mary Ann Schram

Address 741 N. Holly St.

Address 24605 S. Central Point Rd

City Canby State OR Zip 97013

City Canby State OR Zip 97013

SIGNATURE Clifford L. Busby

Phone: (503) 266-1990

Irene Busby

**DESCRIPTION OF PROPERTY:**

Tax Map 3-1E-333C Tax Lot(s) 4900 Lot Size 12,700.5 sq Ft  
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name ROTH Addition to Canby Lot      Block 5

**PROPERTY OWNERSHIP LIST**

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2 x 11 sheet of labels, just as you would address an envelope.

**USE**

Existing R1 single family  
Proposed R2

Existing Structures House and detached shop

**PROJECT DESCRIPTION**

Rezone to R2 to allow 12,700 sq. ft. lot to be partitioned. Existing home would be on 7,027 sq. ft. lot; new single family home to be built on 5,673 sq. ft. lot. This upgrade is in conformance with the Comprehensive Plan & existing lots in the area.

ZONING      COMPREHENSIVE PLAN DESIGNATION       
PREVIOUS ACTION (if any)     

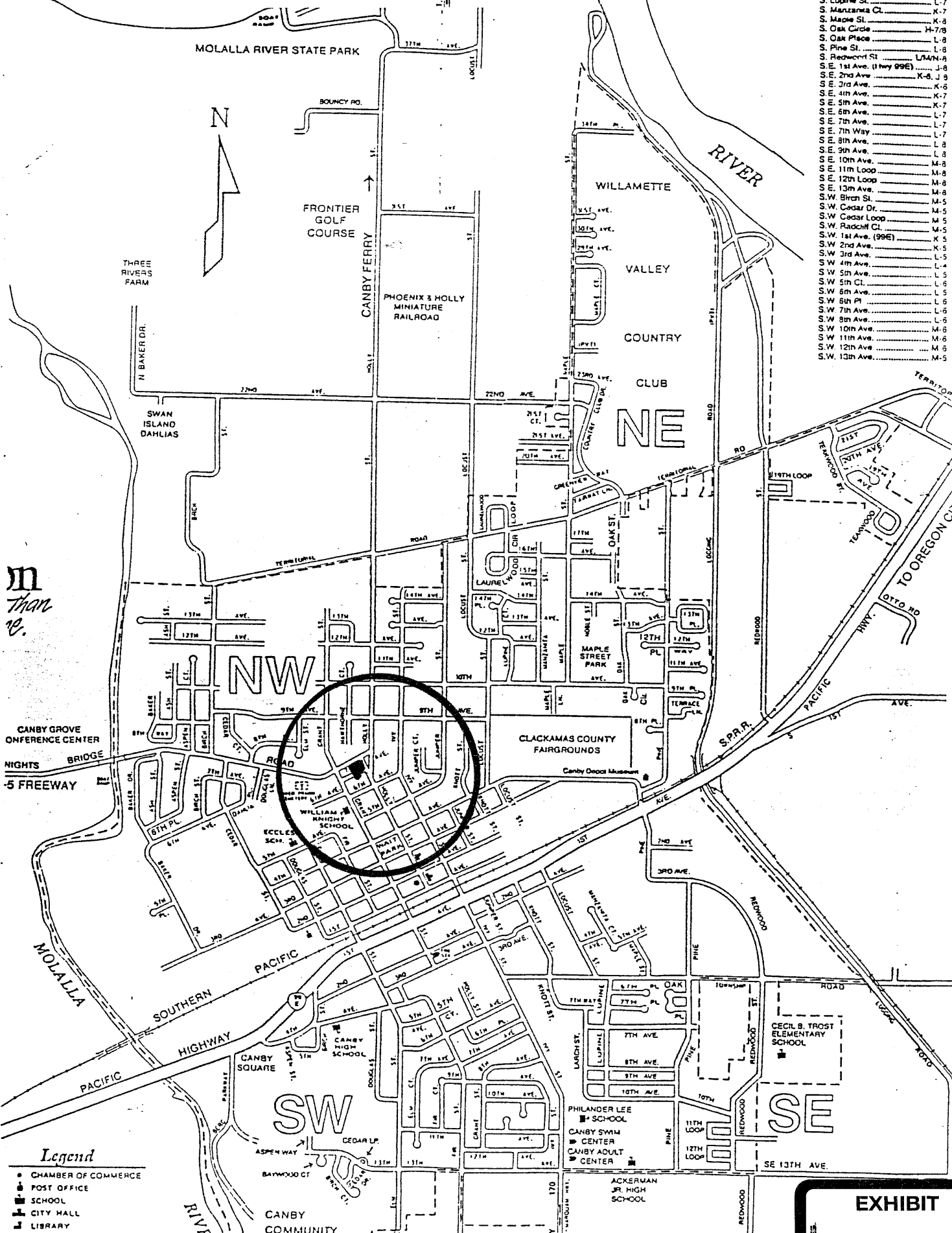
File No. 76-97-02  
Receipt No. 2591  
Received by ASW  
Date Received 7.23.97  
Completeness Date 8.4.97  
Pre-App Meeting       
Hearing Date 8.25.97

\* If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application.

**EXHIBIT**  
1

# VICINITY MAP

- S. Ivy St. K-6
- S. Juniper St. K-6
- S. Knott St. L-7
- S. Larch St. L-7
- S. Locust St. K-7
- S. Lupine St. L-7
- S. Manzanita Ct. K-7
- S. Maple St. K-6
- S. Oak Circle H-7/8
- S. Oak Place L-8
- S. Pine St. L-8
- S. Redwood St. L-7/8
- S.E. 1st Ave. (11 Way 99E) J-8
- S.E. 2nd Ave. K-6, J-8
- S.E. 3rd Ave. K-6
- S.E. 4th Ave. K-7
- S.E. 5th Ave. K-7
- S.E. 6th Ave. L-7
- S.E. 7th Ave. L-7
- S.E. 7th Way L-7
- S.E. 8th Ave. L-8
- S.E. 9th Ave. L-8
- S.E. 10th Ave. L-8
- S.E. 11th Loop M-8
- S.E. 12th Loop M-8
- S.E. 13th Ave. M-8
- S.E. 14th Ave. M-8
- S.W. Birch St. M-5
- S.W. Cedar Dr. M-5
- S.W. Cedar Loop M-5
- S.W. Radcliff Ct. M-5
- S.W. 1st Ave. (99E) K-5
- S.W. 2nd Ave. K-5
- S.W. 3rd Ave. L-5
- S.W. 4th Ave. L-4
- S.W. 5th Ave. L-5
- S.W. 5th Ct. L-5
- S.W. 6th Ave. L-5
- S.W. 6th Pl. L-6
- S.W. 7th Ave. L-6
- S.W. 8th Ave. L-6
- S.W. 10th Ave. M-6
- S.W. 11th Ave. M-6
- S.W. 12th Ave. M-6
- S.W. 13th Ave. M-5

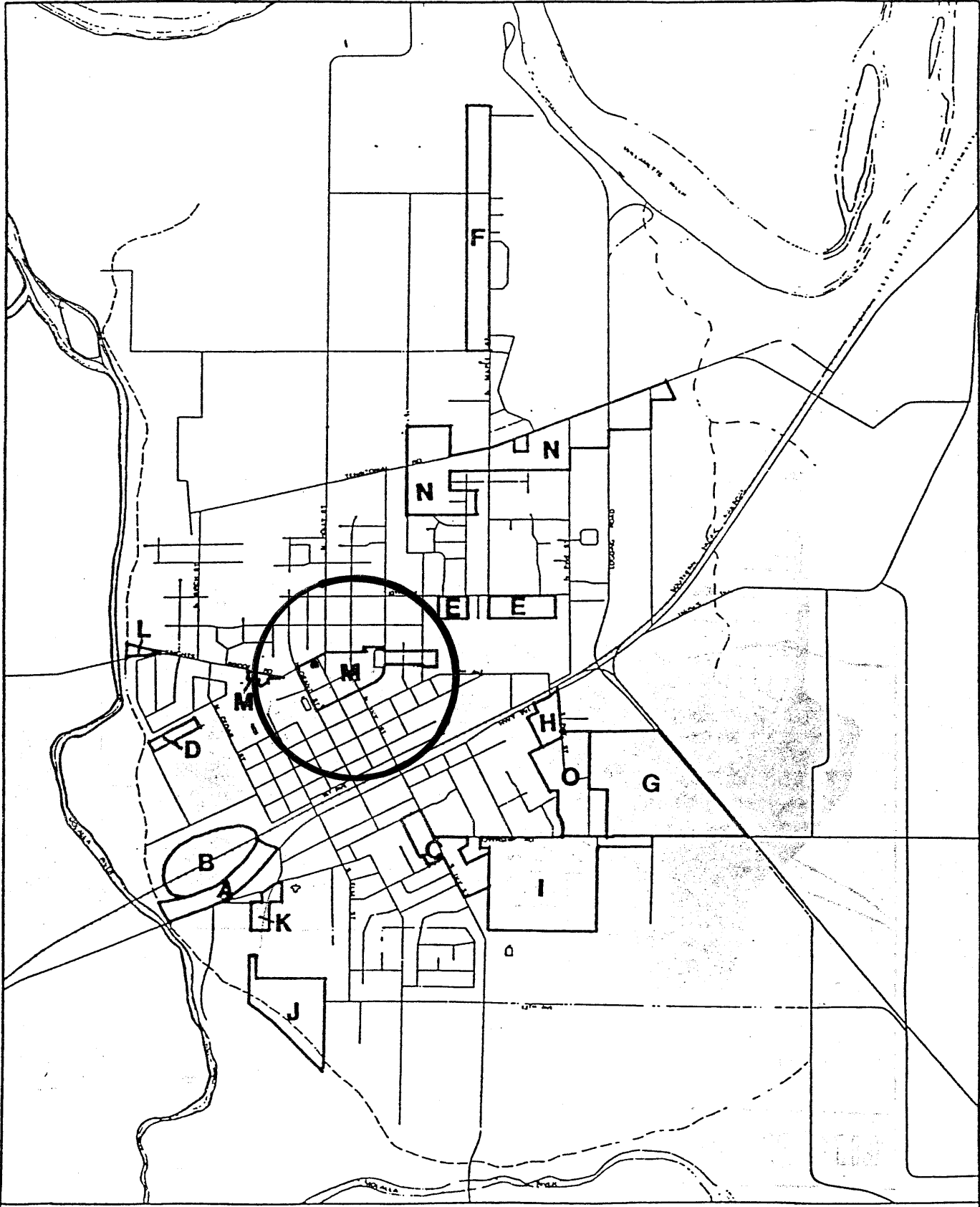


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18.

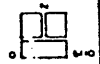
- Legend**
- CHAMBER OF COMMERCE
  - ✉ POST OFFICE
  - 🎓 SCHOOL
  - 🏛️ CITY HALL
  - 📖 LIBRARY
  - CITY LIMITS

**EXHIBIT**

2



**CITY OF CANBY AREAS OF SPECIAL CONCERN**



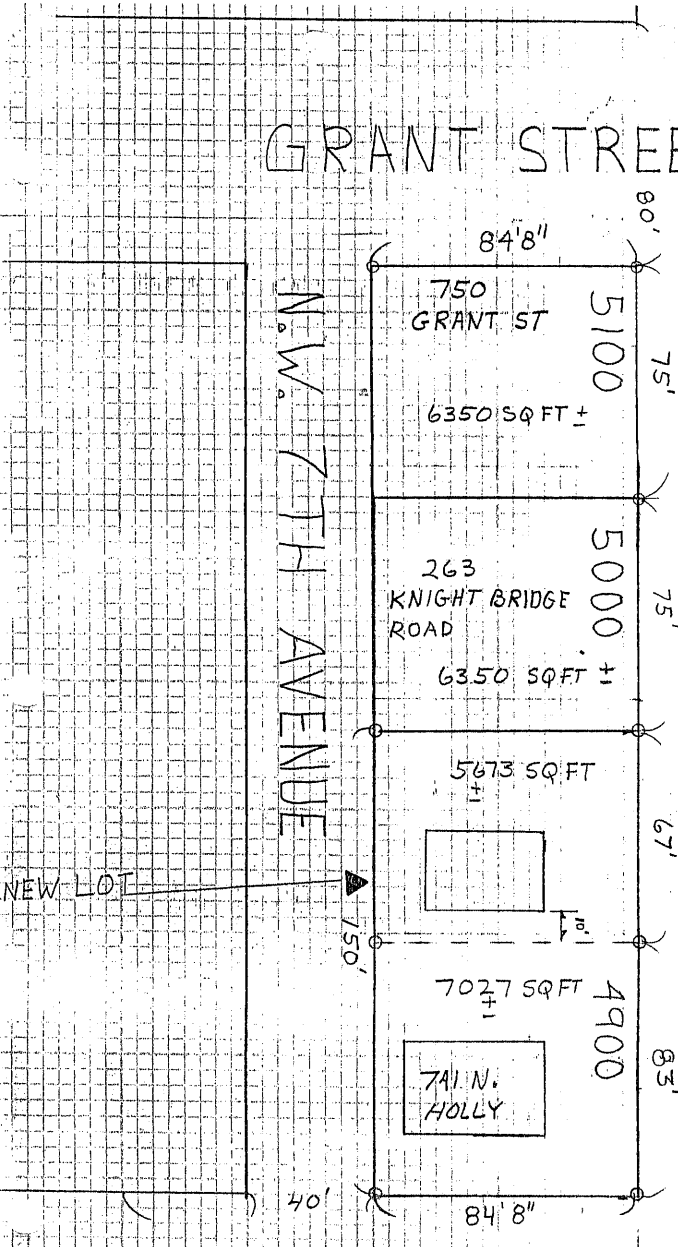
**EXHIBIT**  
 3

GRANT STREET

KNIGHTS BRIDGE ROAD

N.W. 7TH AVENUE

NEW LOT



N HOLLY STREET

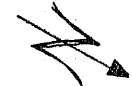


EXHIBIT  
4

SCALE 1" = 40'



PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 4, 1997

TO: FIRE, POLICE, SCHOOLS, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY (ROY), STEVE, CLACKAMAS COUNTY PLANNING

The City has received ZC 97-02, an application by Edward and Mary Schram (applicants) and Clifford and Irene Busby (owners) for approval to rezone a 12,700 square foot parcel on N. Holly Street from R-1, Low Density Residential to R-2, High Density Residential. The parcel is addressed as 741 N. Holly Street, and is located on the west side of N. Holly, between N. W. 7th Avenue and Knights Bridge Road [Tax Lot 4900 of Tax Map 3-1E-33BC].

We would appreciate your reviewing the enclosed application and returning your comments by August 11, 1997 PLEASE. The Planning Commission plans to consider this application on August 25, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

Comments on MLP-97-07

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: ROY Date: 8-15-97

Title: Public Works Supervisor Agency: City

EXHIBIT  
5  
9 pages

**PLEASE RETURN ATTACHMENTS!!!**

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

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Comments or Proposed Conditions:

None

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Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated

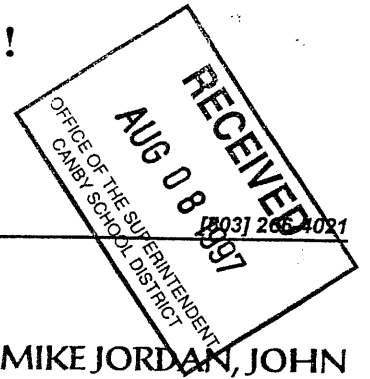
Adequate public services are not available and will not become available

Signature: Steve Jordan Date: 8/8/97  
Title: WWTP Supervisor Agency: City of Canby

**PLEASE RETURN ATTACHMENTS!!!**

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013



**DATE:** August 4, 1997

**TO:** FIRE, POLICE, SCHOOLS, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY PLANNING

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**Comments or Proposed Conditions:**

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**Please check one box:**

- Adequate Public Services (of your agency) are available
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- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

**Signature:** Stephen Miller **Date:** 8-10-97  
**Title:** Super **Agency:** Canby Sch. Dist.

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 4, 1997

TO: FIRE, POLICE, SCHOOLS, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY PLANNING

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Comments or Proposed Conditions:

*No comment*

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: *L. Harbrough* Date: *8-6-97*  
Title: *Fire Marshal* Agency: *Canby FD #62*

# PLEASE RETURN ATTACHMENTS!!!

## CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 4, 1997

TO: FIRE, POLICE, SCHOOLS, CUB, CTA/NWT, NW NATURAL GAS MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY PLANNING

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Comments or Proposed Conditions:

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Please check one box:

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- Conditions are needed, as indicated
  
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Signature: Gary F. Hyatt Date: 8-8-97  
Title: Engineering Field Supervisor Agency: NW Natural Gas

**PLEASE RETURN ATTACHMENTS!!!**

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 4, 1997

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Comments or Proposed Conditions:

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Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Tom Purvis Date: 8/7/97  
Title: ENG. DEPT. Agency: NWT - CTA

# PLEASE RETURN ATTACHMENTS!!!

## CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 4, 1997

TO: FIRE, POLICE, SCHOOLS, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY PLANNING

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Comments or Proposed Conditions:

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Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Harold D. Stipes

Date: 8/7/97

Title: Chief of Police

Agency: Police Dept.

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: Under two conditions

1. That the dwelling is a single family unit.

2. The unit be ten feet from our property line.

Robert D. Anderson

Robert D. Anderson

Rebecca A. Anderson

Rebecca A. Anderson

EXHIBIT

6

10 pages



June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

*July 8, 1997*

Comments:

*OK by me. They know what they  
are doing. Myra Horton*

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford L. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: Hi Neighbors - Thanks for your interest in our views on your proposal. Within reasonable limits, we feel people should be free to do what they will with their own property, so we see no reason you should not proceed. When having new neighbors, one always hopes for the best, but the possibility of the worst is not a reason for you not to carry on. So, we wish you the best.  
We will watch, with interest, your progress.

Sincerely,

*Ken and Mary Ann  
Celley*

P.S. Our house is at 245 NW 7th, across the street from your shop.

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford L. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments:

*If this project you are wanting to do is O.K. by your next door neighbor I wouldn't object - but your shop would have to be an acceptable building to your close neighbors*

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*  
*Irene Busby*

Clifford & Irene Busby

June 28, 1997

Dear Clifford & Irene:

Comments: I can think of no reason to object to your desire which  
you apparently have about splitting your property in  
half and turning the shop into a residence.

*E. Dale Jones*  
E Dale Jones  
665 N. Holly St.  
Canby, OR 97013

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: *We have no problem in that decision*  
*Thanks The OTTS*

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford L. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: We have No problems with  
Your proposal -  
MARC + Kelly Welker  
260 N. Knightsbridge CANBY  
266-1489

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: it's fine with us, we have  
no negative comments.

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments:

*That's fine by me!*

*Rep. Weyan*



June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments:

*I think there are enough houses  
on Holly St. and especially 7th St.,  
too much traffic already.*

Mr. John Meredith  
Longhorn Development  
2250 S. Shore Blvd.  
Lake Oswego, Oregon 97034

August 11, 1997

Planning Commission c/o Mr. Jim Wheeler - Director of Planning  
City of Canby  
182 N. Holly  
Canby, OR 97013

RE: Leura Meadows Sub 96-03 Proj. No. 97043

Dear Mr. Wheeler:

Please consider this letter as a formal request for an extension of time in accordance with 16.68.020. It is my understanding that the Findings, Conclusions and Final Order were signed August 26, 1996. In accordance with the normal procedures, the plat must be submitted to the City by August 26, 1997.

We are preceding with development of this parcel in accordance with the approved preliminary plat. We purchased the property in May of 1997 from Mr. Tom Kendall who had the project on hold for approximately 9 months. We understand that the City wanted to have the full width of Ivy Street improved and that this required a dedication of land from the Methodist Church. The Church land also needed to be annexed. Negotiations for this process began before the preliminary plat was approved and continued with annexation and final dedication into 1997. I am sure that this was a part of the reason that Mr. Kendall had the development process on hold. The project has also been delayed in order to assure that the project costs were acceptable. This is an expensive project because 460 linear feet of sanitary sewer main must be run in Territorial from Juniper to the project and all of Ivy Street is to be constructed with only one side available for development. August 7, 1997 we were able to meet with the Director of Planning and Director of Public Works to get an idea of the costs that the City will pay. Finally, by the time that we purchased the property we were into the busiest season for engineering and surveying and it was very difficult for us as new clients to get top priority for this project.

We are proceeding with development of this parcel as quickly as practical; however, it does not appear that we will be able to submit the final plat before August 26, 1997. We are for the reasons stated above with this letter requesting an extension of time for submittal of the final plat.

We appreciate you help in pursuing a time extension. Please feel free to call if you need additional information or if you have any questions.

Sincerely,



John Meredith  
Longhorn Development

# MEMORANDUM

TO: Honorable Mayor Taylor, City Council and Administrator Jordan  
FROM: James Wheeler, Planning Director *JSW*  
RE: Monthly Report - July, 1997  
DATE: August 13, 1997

---

## *Community Services*

### Permits Issued:

13	Residential Permits [7 units/1 sign]
1	Commercial
0	Industrial
0	Institutional
4	Mechanical
1	Demolition
19	Total Permits

Total inspections made in July - 223

### Building Permit Valuations

Residential	\$1,200,991.00
Commercial	14,980.00
Industrial	.00
Institutional	.00
<b>TOTAL</b>	<b>\$1,2154,971.00</b>

Total SDC fees collected for the month, are broken down as follows:

Sewer Systems Development Charge	=	\$ 7,140.00
Parks Systems Development Charge	=	4,720.00
Transportation Systems Dev. Charge	=	5,733.00
Advanced Financing	=	2,037.45
Excise Tax	=	8,079.75
Stormwater Systems Dev. Charge	=	<u>28.00</u>
<b>TOTAL</b>	=	<b>\$ 27,738.20</b>

### NEW PLANNING APPLICATIONS RECEIVED:

APPEAL 97-03	-	U.S. West Cell Tower [CUP 97-03/DR 97-02]
ANN 97-05	-	Gramor [31 acres commercial/industrial]
ANN 97-06	-	Faist Property [S.E. 13th Avenue]
ANN 97-07	-	Riverside Homes [30 lots - N. Redwood]
MLP 97-06	-	Marlon East [2 lot - financial partition]
MLP 97-07	-	2-lot partition [7th and Holly]
SUB 97-06	-	Riverside Homes [39 lots - N. Redwood]
ZC 97-02	-	R-1 to R-2 [7th and Holly]

### PLANNING COMMISSION

The Planning Commission held two meetings in July. At the July 14th meeting, the Commission approved final orders for the Les Schwab design review [DR 97-03], the City of Canby's Logging Road annexation [ANN 97-02], and the Moir minor land partition [MLP 97-04]. The Commission heard and approved an application from H.O.P.E., approving the construction of a 50-apartment, 2-story wood framed low income housing apartment building, which is actually Phase 3 of the project. A subdivision application by Willow Creek Estates [SUB 97-04] to subdivide a 5.04 acre parcel which is located northwest of Highway 99-E, on the south side of Territorial, into 22 single family residential lots, was also approved. Wayne Scott's annexation application [ANN 7-03], requesting approval to annex a 4.84 acre parcel on the east side of S. Ivy Street, south of S.E. 13th Avenue, across from the southern portion of H.O.P.E. Village, was denied as inappropriate for annexation. The Commission also discussed the fencing issue at Eileen Acres, on S. Knott and agreed that a 6-foot sight obscuring fence should be built along the property line, as originally conditioned when the application was approved.

At the July 28th meeting, the Commission approved the final order for the H.O.P.E. Village project [DR 97-04]; approved the Vine Meadows final order [SUB 97-04]; and approved the final order for ANN 97-03, denying the annexation on S. Ivy, south of S.E. 13th Avenue. ANN 97-04, an application by Willamette Valley Homes to annex Wright's Nursery, 18.86 acres located on the south side of S. Township, was recommended for approval to City Council. Three applications by Pahlisch Duncan for Phase 2 of Tofte Farms, were also approved - a Zone Change [ZC 97-01] reclassifying the site from Agricultural to R-1, Low Density; a minor land partition [MLP 97-05] partitioning the acreage into 3 acres; and a subdivision application [SUB 97-05], requesting approval to develop Parcel 2 into 41 single family residential lots.

**Meeting attended by Staff:**

1. Planning Commission (2)
2. City Council (2)
3. City Council - Voter Annexation Issue
4. Safety Training Meeting
5. Communications Seminar
6. Chamber of Commerce Luncheon
7. Tofte Farms, Phase 1 - Street trees
8. Preconstruction Meeting - Spencer Partition on N. Maple
9. Territorial/99-E meeting with ODOT and Clackamas County
10. Redwood/99-E meeting with ODOT

## HOUSING UNITS WITH BUILDING PERMITS

YEAR	SFR*	MH*	MFR*	TOTAL*
1976	63	-	32	95
1977	205	-	160	365
1978	157	-	22	179
1979	64	-	12	76
1980	49	-	5	54
1981	29	-	24	53
1982	12	-	38	50
1983	7	-	0	7
1984	21	-	0	21
1985	21	20	0	41
1986	22	46	0	68
1987	37	34	0	71
1988	40	10	1	51
1989	47	6	37	90
1990	85	6	42	133
1991	84	21	10	115
1992	69	8	9	86
1993	108	32	59	199
1994	150	38	34	222
1995	51	54	58	163
1996	71	53	104	228
1997	75	16	89	180

TOTAL	SFR	MH	MFR	TOTAL
1976 - 1997	1467	344	736	2547
% of Total	57.6%	13.5%	28.9%	

\* Totals do not include demolitions or replacements

## 1997

YEAR	SFR*	MH*	MFR*	TOTAL*
Jan	7	3	2	12
Feb	22	0	4	26
Mar	12	3	0	15
Apr	9	4	0	13
May	9	2	83	94
Jun	9	4	0	13
Jul	7	0	0	7
Aug				0
Sep				0
Oct				0
Nov				0
Dec				0
Total	75	16	89	180

\* Totals do not include demolitions or replacements

SFR = Single Family Residential

MH = Manufactured Housing

MFR = Multi-Family Residential

TOTAL	SFR	MH	MFR	TOTAL
1990 - 1997	693	228	405	1326
% of Total	52.3%	17.2%	30.5%	

Sort by alphabetical listing

Sort by year approved

Sort by year approved  
Within each school boundary

07/31/97

NUMBER OF LOTS/UNITS CREATED SINCE 1988

Subdivisions	Lots	Built	Elementary School District
Canby Garden Estates	7	7	Knight
Cedar Ridge	56	56	Knight
Fairgrounds Park	13	13	Knight
Harvest Oak Estates No. 2	10	10	Knight
Leura Meadows	5	0	Knight
Lillian's Meadow, Phase I	12	11	Eccles
Lillian's Meadow, Phase II	10	4	Eccles
Noble Addition (Evergreen)	4	4	Knight
North Pine Addition No. 2	13	10	Knight
North Woods Addition	8	8	Knight
Rebecca Estates	31	30	Eccles
Redwood Meadows	21	21	Knight
South Redwood Estates	6	2	Trost
Tofte Farms I	56	25	Trost
Township Village, Phase I	42	42	Trost
Township Village, Phase II	30	30	Trost
Township Village, Phase III	36	36	Trost
Township Village, Phase IV	19	19	Trost
Township Village, Phase V	27	27	Trost
Township Village, Phase VI	12	12	Trost
Township Village, Phase VII	32	32	Trost
Township Village, Phase VIII	96	46	Trost
Twelfth & Pine Addition	14	14	Knight
Valley Farms, Phase I	43	42	Trost
Valley Farms, Phase II	42	42	Trost
Valley Farms, Phase III	20	20	Trost
Villa Nova Estates (Pizzuti)	7	7	Eccles
Wiederhold Village	3	0	Trost
Willow Creek, Phase I	49	49	Knight
Willow Creek, Phase II	37	31	Knight
<b>Total</b>	<b>761</b>	<b>650</b>	

Year	Subdivisions	Lots	Built	PCT	Elementary School District
1988	Fairgrounds Park	13	13	100.0	Knight
1988	Township Village, Phase I	42	42	100.0	Trost
1989	Rebecca Estates	31	30	96.8	Eccles
1989	Township Village, Phase II	30	30	100.0	Trost
1989	Twelfth & Pine Addition	14	14	100.0	Knight
1990	Cedar Ridge	56	56	100.0	Knight
1990	Harvest Oak Estates No. 2	10	10	100.0	Knight
1990	Lillian's Meadow, Phase I	12	11	91.7	Eccles
1990	Township Village, Phase III	36	36	100.0	Trost
1991	North Pine Addition No. 2	13	10	76.9	Knight
1991	Willow Creek, Phase I	49	49	100.0	Knight
1991	Willow Creek, Phase II	37	31	83.8	Knight
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles
1992	North Woods Addition	8	8	100.0	Knight
1992	Redwood Meadows	21	21	100.0	Eccles
1992	Township Village, Phase IV	19	19	100.0	Trost
1992	Township Village, Phase V	27	27	100.0	Trost
1992	Valley Farms, Phase I	43	42	97.7	Trost
1993	South Redwood Estates	6	2	33.3	Knight
1993	Valley Farms, Phase II	42	42	100.0	Trost
1993	Valley Farms, Phase III	20	20	100.0	Trost
1994	Noble Addition (Evergreen)	4	4	100.0	Eccles
1994	Township Village Phase VI	12	12	100.0	Trost
1994	Township Village, Phase VII	32	32	100.0	Trost
1994	Villa Nova Estates (Pizzuti)	7	7	100.0	Eccles
1995	Canby Garden Estates	7	7	100.0	Knight
1995	Township Village Phase VIII	96	46	47.9	Trost
1995	Wiederhold Village	3	0	0.0	Trost
1996	Tofte Farms I	56	25	44.6	Trost
1996	Leura Meadows	5	0	0.0	Knight
1988-1996		<b>761</b>	<b>650</b>	<b>85.4</b>	

Year	Subdivisions	Lots	Built	PCT	Elementary School District	Permits Issued This Month
1989	Rebecca Estates	31	30	96.8	Eccles	0
1990	Lillian's Meadow, Phase I	12	11	91.7	Eccles	0
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles	0
1994	Villa Nova Estates (Pizzuti)	7	7	100.0	Eccles	0
1988	Fairgrounds Park	13	13	100.0	Knight	0
1989	Twelfth & Pine Addition	14	14	100.0	Knight	0
1990	Harvest Oak Estates No. 2	10	10	100.0	Knight	0
1990	Cedar Ridge	56	56	100.0	Knight	0
1991	Willow Creek, Phase I	49	49	100.0	Knight	0
1991	North Pine Addition No. 2	13	10	76.9	Knight	0
1991	Willow Creek, Phase II	37	31	83.8	Knight	0
1992	North Woods Addition	8	8	100.0	Knight	0
1992	Redwood Meadows	21	21	100.0	Knight	0
1994	Noble Addition (Evergreen)	4	4	100.0	Knight	0
1995	Canby Garden Estates	7	7	100.0	Knight	0
1996	Leura Meadows	5	0	0.0	Knight	0
1988	Township Village, Phase I	42	42	100.0	Trost	0
1989	Township Village, Phase II	30	30	100.0	Trost	0
1990	Township Village, Phase III	36	36	100.0	Trost	0
1992	Township Village, Phase IV	19	19	100.0	Trost	0
1992	Township Village, Phase V	27	27	100.0	Trost	0
1992	Valley Farms, Phase I	43	42	97.7	Trost	0
1993	Valley Farms, Phase II	42	42	100.0	Trost	0
1993	Valley Farms, Phase III	20	20	100.0	Trost	0
1993	South Redwood Estates	6	2	33.3	Trost	0
1994	Township Village Phase VI	12	12	100.0	Trost	0
1994	Township Village, Phase VII	32	32	100.0	Trost	1
1995	Township Village Phase VIII	96	46	47.9	Trost	3
1995	Wiederhold Village	3	0	0.0	Trost	0
1996	Tofte Farms I	56	25	44.6	Trost	3
1988-1996		<b>761</b>	<b>650</b>	<b>85.4</b>		<b>7</b>
	Eccles	60	52	86.7		0
	Knight	237	223	94.1		0
	Trost	464	375	80.8		7

Developments	Units	Built	Elementary School District
Eileen's Acres	6	0	Trost
Elmwood M.H.P. Expansion	22	22	Knight
H.O.P.E. (Adult Living Facility)	350	92	Eccles
Manor on the Green (Vill. Commons)	30	9	Eccles
Maple Terrace Apartments	28	28	Knight
Marion South Apartments	92	56	Trost
N. Knott Apartments	10	10	Knight
Orchard Apartments (Canby Apts.)	76	76	Trost
Pine Crossing M.H.P.	74	60	Trost
Pine Terrace Apartments	40	40	Knight
Rackleffe House (Convelescent)	25	25	Knight
Redwood Terrace Apartments	57	57	Knight
T&J Meadows	10	0	Knight
Village on the Lochs M.H.P.	133	130	Knight
Walt West Office Apts.	4	4	Eccles
<b>Total</b>	<b>957</b>	<b>609</b>	

Year	Developments	Units	Built	Pct.	Elementary School District
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight
1989	N. Knott Apartments	10	10	100.0	Knight
1990	Maple Terrace Apartments	28	28	100.0	Knight
1991	H.O.P.E. (Adult Living Facility)	350	92	26.3	Eccles
1993	Redwood Terrace Apartments	57	57	100.0	Knight
1993	Village on the Lochs M.H.P.	133	130	97.7	Knight
1994	Pine Crossing M.H.P.	74	60	81.1	Trost
1995	Marion South Apartments	92	56	60.9	Trost
1995	Orchard Apartments (Canby Apts.)	76	76	100.0	Trost
1995	Manor on the Green (Vill. Commons)	30	9	30.0	Eccles
1995	Pine Terrace Apartments	40	40	100.0	Knight
1996	T&J Meadows	10	0	0.0	Knight
1997	Walt West Office Apts.	4	4	100.0	Eccles
1997	Eileen's Acres	6	0	0.0	Trost
1988-1996		<b>957</b>	<b>609</b>	<b>63.6</b>	

Year	Developments	Units	Built	Pct.	Elementary School District	Permits Issued This Month
1997	Walt West Office Apts.	4	4	100.0	Eccles	0
1995	Manor on the Green (Vill. Commons)	30	9	30.0	Eccles	0
1991	H.O.P.E. (Adult Living Facility)	350	92	26.3	Eccles	0
1993	Redwood Terrace Apartments	57	57	100.0	Knight	0
1995	Pine Terrace Apartments	40	40	100.0	Knight	0
1990	Maple Terrace Apartments	28	28	100.0	Knight	0
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight	0
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight	0
1989	N. Knott Apartments	10	10	100.0	Knight	0
1993	Village on the Lochs M.H.P.	133	130	97.7	Knight	2
1996	T&J Meadows	10	0	0.0	Knight	0
1995	Orchard Apartments (Canby Apts.)	76	76	100.0	Trost	0
1994	Pine Crossing M.H.P.	74	60	81.1	Trost	2
1995	Marion South Apartments	92	56	60.9	Trost	0
1997	Eileen's Acres	6	0	0.0	Trost	0
1988-1996		<b>957</b>	<b>609</b>	<b>63.6</b>		
	Eccles	384	105	27.3		0
	Knight	325	312	96.0		2
	Trost	248	192	77.4		2

Sort by percentage of buildout

Year	Subdivisions	Lots	Built	PCT	Elementary School District
1991	Cedar Ridge	56	56	100.0	Knight
1988	Willow Creek, Phase I	49	49	100.0	Knight
1993	Township Village, Phase I	42	42	100.0	Trost
1990	Valley Farms, Phase II	42	42	100.0	Trost
1989	Township Village, Phase III	36	36	100.0	Trost
1994	Township Village, Phase VII	32	32	100.0	Trost
1992	Township Village, Phase II	30	30	100.0	Trost
1992	Township Village, Phase V	27	27	100.0	Trost
1993	Redwood Meadows	21	21	100.0	Knight
1992	Valley Farms, Phase III	20	20	100.0	Trost
1989	Township Village, Phase IV	19	19	100.0	Trost
1988	Twelfth & Pine Addition	14	14	100.0	Knight
1994	Fairgrounds Park	13	13	100.0	Knight
1990	Township Village, Phase VI	12	12	100.0	Trost
1992	Harvest Oak Estates No. 2	10	10	100.0	Knight
1994	North Woods Addition	8	8	100.0	Knight
1995	Canby Garden Estates	7	7	100.0	Knight
1993	Villa Nova Estates (Pizzuti)	7	7	100.0	Eccles
1990	Noble Addition (Evergreen)	4	4	100.0	Knight
1992	Valley Farms, Phase I	43	42	97.7	Trost
1989	Rebecca Estates	31	30	96.8	Eccles
1990	Lillian's Meadow, Phase I	12	11	91.7	Eccles
1991	Willow Creek, Phase II	37	31	83.8	Knight
1991	North Pine Addition No. 2	13	10	76.9	Knight
1993	Township Village Phase VIII	96	46	47.9	Trost
1996	Tofte Farms I	56	25	44.6	Trost
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles
1995	South Redwood Estates	6	2	33.3	Trost
1996	Leura Meadows	5	0	0.0	Knight
1995	Wiederhold Village	3	0	0.0	Trost
	1995-1997 Subdivisions	167	78	46.7	
	1988-1994 Subdivisions	594	572	96.3	

Sort by percentage of buildout within each school boundary

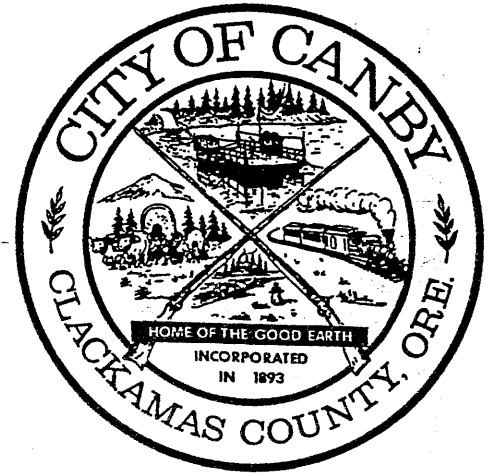
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1989	Rebecca Estates	31	30	96.8	Eccles
1990	Lillian's Meadow, Phase I	12	11	91.7	Eccles
1992	Lillian's Meadow, Phase II	10	4	40.0	Eccles
1990	Cedar Ridge	56	56	100.0	Knight
1991	Willow Creek, Phase I	49	49	100.0	Knight
1992	Redwood Meadows	21	21	100.0	Knight
1989	Twelfth & Pine Addition	14	14	100.0	Knight
1988	Fairgrounds Park	13	13	100.0	Knight
1990	Harvest Oak Estates No. 2	10	10	100.0	Knight
1992	North Woods Addition	8	8	100.0	Knight
1995	Canby Garden Estates	7	7	100.0	Knight
1993	Noble Addition (Evergreen)	4	4	100.0	Knight
1991	Willow Creek, Phase II	37	31	83.8	Knight
1991	North Pine Addition No. 2	13	10	76.9	Knight
1996	Leura Meadows	5	0	0.0	Knight
1988	Township Village, Phase I	42	42	100.0	Trost
1993	Valley Farms, Phase II	42	42	100.0	Trost
1990	Township Village, Phase III	36	36	100.0	Trost
1994	Township Village, Phase VII	32	32	100.0	Trost
1989	Township Village, Phase II	30	30	100.0	Trost
1992	Township Village, Phase V	27	27	100.0	Trost
1993	Valley Farms, Phase III	20	20	100.0	Trost
1992	Township Village, Phase IV	19	19	100.0	Trost
1994	Township Village, Phase VI	12	12	100.0	Trost
1992	Valley Farms, Phase I	43	42	97.7	Trost
1995	Township Village Phase VIII	96	46	47.9	Trost
1996	Tofte Farms I	56	25	44.6	Trost
1993	South Redwood Estates	6	2	33.3	Trost
1995	Wiederhold Village	3	0	0.0	Trost
	Eccles	60	52	86.7	
	Knight	237	223	94.1	
	Trost	464	375	80.8	

Year	Developments	Units	Built	Pct.	Elementary School District
1995	Orchard Apartments (Canby Apts.)	76	76	100.0	Trost
1993	Redwood Terrace Apartments	57	57	100.0	Knight
1995	Pine Terrace Apartments	40	40	100.0	Knight
1990	Maple Terrace Apartments	28	28	100.0	Knight
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight
1989	N. Knott Apartments	10	10	100.0	Knight
1997	Walt West Office Apts.	4	4	100.0	Eccles
1993	Village on the Lochs M.H.P.	133	130	97.7	Knight
1994	Pine Crossing M.H.P.	74	60	81.1	Trost
1995	Marlon South Apartments	92	56	60.9	Trost
1995	Manor on the Green (Will. Commons)	30	9	30.0	Eccles
1991	H.O.P.E. (Adult Living Facility)	350	92	26.3	Eccles
1996	T&J Meadows	10	0	0.0	Knight
1997	Eileen's Acres	6	0	0.0	Trost
	1995-1997	258	185	71.7	
	1988-1994	699	424	60.7	

Year	Developments	Units	Built	Pct.	Elementary School District
1997	Walt West Office Apts.	4	4	100.0	Eccles
1995	Manor on the Green (Will. Commons)	30	9	30.0	Eccles
1991	H.O.P.E. (Assisted Living Facility)	350	92	26.3	Eccles
1993	Redwood Terrace Apartments	57	57	100.0	Knight
1995	Pine Terrace Apartments	40	40	100.0	Knight
1990	Maple Terrace Apartments	28	28	100.0	Knight
1988	Rackleffe House (Convelescent)	25	25	100.0	Knight
1989	Elmwood M.H.P. Expansion	22	22	100.0	Knight
1989	N. Knott Apartments	10	10	100.0	Knight
1993	Village on the Lochs M.H.P.	133	130	97.7	Knight
1996	T&J Meadows	10	0	0.0	Knight
1995	Orchard Apartments (Canby Apts.)	76	76	100.0	Trost
1994	Pine Crossing M.H.P.	74	60	81.1	Trost
1995	Marlon South Apartments	92	56	60.9	Trost
1997	Eileen's Acres	6	0	0.0	Trost
	Eccles	384	105	27.3	
	Knight	325	312	96.0	
	Trost	248	192	77.4	





## - STAFF REPORT -

**APPLICANT:**

Edward and Mary Ann Schram  
24605 S. Central Point Road  
Canby, OR 97013

**FILE NO.:**

MLP 97-07

**OWNER:**

Clifford and Irene Busby  
741 N. Holly Street  
Canby, OR 97013

**STAFF:**

Jason Kruckeberg  
Associate Planner

**LEGAL DESCRIPTION:**

Tax Lot 4900 of Tax Map 3-1E-33BC

**DATE OF REPORT:**

August 15, 1997

**LOCATION:**

W. Side of N. Holly Street,  
between NW 7th Avenue and Knights Bridge Road  
(Roth's Addition)

**DATE OF HEARING:**

August 25, 1997

**COMP. PLAN DESIGNATION:**

HDR (High Density Residential)

**ZONING DESIGNINATION:**

R-1 (Low Density Residential)

**I. APPLICANT'S REQUEST:**

The applicant is requesting approval to partition a 12,700 sq. ft. lot into two lots, 7,027 sq. ft. and 5,673 sq. ft. respectively. Currently, the lot contains a single family residence and a detached shop building. Under the proposed partition, the 7,027 sq. ft. lot will house the existing single family residence with a new single family residence being built on the 5,673 sq. ft. lot.

## II. APPLICABLE CRITERIA:

### A. City of Canby Code Section 16.60.030

This is a quasi-judicial land use application. Applications for a minor land partition shall be evaluated based upon the following standards and criteria:

- i. Conformance with the text and applicable maps of the Comprehensive Plan.
- ii. Conformance with other applicable requirements of the Land Development and Planning Ordinance.
- iii. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
- iv. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to City standards is not necessary to insure safe and efficient access to the parcels.
- v. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

### B. Other Applicable Policies and Regulations:

#### ■ City of Canby General Ordinances:

- 16.14 Agricultural Zone
- 16.16 R-1 Low Density Residential Zone
- 16.60 Major and Minor Partitions

## III. FINDINGS:

### A. Background and Relationships

The subject property is a 12,700 square foot lot which contains an existing single family dwelling and a detached shop. The applicant is proposing a minor land partition of the existing lot into two lots; 7,027 sq. ft. and 5,673 sq. ft. respectively. The property is currently zoned R-1 (Low Density Residential) but is designated as R-2 (High Density Residential) on the Comprehensive Plan Land Use Map.

There is an associated application (ZC 97-02) which proposes changing the zoning designation from R-1 (Low Density Residential) to R-2 (High Density Residential). In addition, the applicant sent a letter to adjacent landowners informing them of the proposed partition and zone change and requesting comments. Ten responses were received from neighbors, of which there were no substantive objections. While not objecting, Robert and Rebecca Anderson (who own Tax Lot 5000 on Tax Map 3-1E-33BC) provided two suggested conditions of development. 1) That the dwelling is a single family unit, and 2) the unit be 10 feet from their property line. The applicant has indicated that a single family home will be developed on the lot. Further, the size of the proposed lot would preclude any other type of residential development. Regarding the "condition" asking for a 10 foot separation between the unit and the Anderson's property line: Chapter 16.20.030(D) of the Land Development & Planning Ordinance states that interior yard setbacks must be 7 feet on one side and 10 feet on the other. The Planning Commission can condition the applicant to leave the 10 foot interior yard setback on the Anderson's side of the property, although this is not required by Code.

## **B. Comprehensive Plan Consistency Analysis**

### **ii. URBAN GROWTH**

■ **GOALS:** 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.

2) TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITHIN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.

Policy #1: Canby shall coordinate its growth and development plans with Clackamas County.

### **ANALYSIS**

1. Clackamas County has been notified of the proposal. At the time that this report was prepared, no comments have been received from Clackamas County. Implementation Measure D of this policy states that "lack of comment by either entity to the requests of the other shall be considered the same as a "no objection" response."

iii. **LAND USE**

■ **GOAL:** TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.

Policy #1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

Policy #2: Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.

Policy #3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

Policy #4: Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.

Policy #6: Canby shall recognize the unique character of certain areas and will utilize the following special requirements, in conjunction with the requirements of the Land Development and Planning Ordinance, in guiding the use and development of these unique areas.

**ANALYSIS**

1. The lot in question is currently zoned R-1 (Low Density Residential) with an associated rezoning application to change the zone designation to R-2 (High Density Residential). Under the current zoning designation, the minimum lot size is 7,000 sq. ft. Without rezoning of the lot to R-2, the partition should not be approved as it will create a lot which is less than 7,000 sq. ft. (the proposed second lot is 5,673 sq. ft.). The properties in all directions from the subject property are zoned and developed for R-1 (Low Density Residential). Despite this, the other two lots in Roth's Addition (Tax lots 5000 and 5100 on Tax Map 3-1E-33BC) are smaller than the minimum square footage allowed in an R-1 zone (7,000 sq. ft.). Additional lots in the immediate area range from 6,000 to 19,000 sq. ft. There is a chance that further redevelopment of this area will result in additional requests for partitioning of land for development of higher density housing. This area is designated in the Comprehensive Plan Land Use Map for high density residential development and the existing development pattern in

the area may facilitate such development. This being the case, the property proposed for partition is compatible with nearby current uses and potential future uses.

2. Density of the property is being increased in that land that is within the City limits and within the Urban Growth Boundary will, through this and an associated proposal (ZC 97-02), be developed with an urban-type development.

3. Request for comments have been sent to all public facility and service providers. No problems or issues were raised by utility or service providers.

4. No natural hazards have been identified on the subject property. The subject property is not within an official 100-year flood plain, as provided by the Federal Emergency Management Agency.

6. The subject property is located within Area "M" of the "Areas of Special Concern" as listed in the Comprehensive Plan. Area "M" is described as a "developed neighborhood of single family dwellings on conventional City lots". Area "M" is "planned for eventual redevelopment to more of a multiple family and duplex character". The verbiage for Area "M" goes on to state that "Any proposals for new development or redevelopment of the area, other than for one single-family dwelling per lot, will require prior upzoning to R-2". Thus, the proposed zone change would be consistent with the intent of Special Area of Concern "M".

#### iv. ENVIRONMENTAL CONCERNS

■ **GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.**

**TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION.**

**TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.**

Policy #1-R-A: Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible for them to do so.

- Policy #4-R: Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.
- Policy #7-R: Canby shall seek to improve the overall scenic and aesthetic qualities of the City.
- Policy #10-R: Canby shall attempt to minimize the adverse impacts of new developments on wetlands.
- Policy #1-H: Canby shall restrict urbanization in areas of identified steep slopes.
- Policy #2-H: Canby shall continue to participate in and shall actively support the Federal flood insurance program.
- Policy #3-H: Canby shall seek to inform property owners and builders of the potential risks associated with construction in areas of expansive soils, high water tables, and shallow topsoil.

## ANALYSIS

1-R-A. The proposed rezoning has no negative impact on agricultural uses within the Urban Growth Boundary. The proposed rezoning will focus additional growth in an existing residential zone, increasing existing residential density. The lot in question and all lots in the surrounding area are used for residential purposes.

4-R. The minor land partition will not, in of itself, generate any noise. The existing use is not known to generate excessive noise, or have a noise pollution problem. Insubstantial noise can be expected as a result of residential development.

7-R. The partition itself will not affect the scenic or aesthetic quality of the City. The visual impacts of development of the subject parcel will be reviewed through the Site and Design Review process at the development phase. Future development of a single family residence complete with required setbacks and landscaping will have no greater impact on the scenic and aesthetic quality of the City than the current "shop" located on the property.

10-R. The subject property does not contain any wetlands.

1-H. The subject property has no steep slopes.

2-H. The subject property is not in a flood zone.

3-H. The site has loam soil, a deep, well-drained soil. No expansive soils, shallow topsoil, high water table, or other potential risks associated with construction on the subject property have been identified.

v. **TRANSPORTATION**

■ **GOAL:** TO DEVELOP AND MAINTAIN A TRANSPORTATION SYSTEM WHICH IS SAFE, CONVENIENT AND ECONOMICAL.

Policy #1: Canby shall provide the necessary improvement to City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.

Policy #2: Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the City's growth needs.

Policy #4: Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.

Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.

Policy #7: Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles.

**ANALYSIS**

1. The partition will not necessitate improvements to existing infrastructure or provision of new infrastructure.

2. No new streets will be constructed as a part of the partition. The partition will not hinder the ability to continue and/or provide needed transportation facilities.

4. Adequate right of ways are provided along both NW 7th Avenue and Knights Bridge Road along the subject property. There are no curbs or

sidewalks along NW 7th Avenue. It is the opinion of the Public Works Supervisor that the installation of curbs and sidewalks along the subject property should not be required along NW 7th Avenue for the following reasons:

- Traffic volume in the area is very low and there is little through traffic along NW 7th Avenue..
- Installing curbs and sidewalks would channelize stormwater which would overload the existing stormwater system. In order to handle the excess stormwater, the City would need to install a complete stormwater system along 150 feet of frontage.
- Public Works does not require curb and sidewalks in alleys and NW 7th Avenue has similar characteristics to an alley.

Curbs are currently installed along both Knights Bridge Road and N. Holly although there are no sidewalks. Staff recommends that sidewalks be required along the entire frontage of Knights Bridge Road. This would allow for a connection with an existing sidewalk along the other two properties in Roth's Addition (Tax Lots 5000 and 5100 on Tax Map 3-1E-33BC). Installation of a sidewalk along N. Holly would require removal of two mature street trees. In Staff's opinion, the need for a sidewalk along N. Holly does not merit the removal of the existing street trees.

6. The partition will not, in of itself, result in further development and infrastructure provision and/or improvements. Ample access to the site currently exists from both NW 7th Avenue and Knights Bridge Road.

7. The proposed partition will not, in of itself, impact existing bike accessibility along Knights Bridge Road, NW 7th Avenue, or N. Holly Street.

#### vi. PUBLIC FACILITIES AND SERVICES

■ **GOAL:** TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

Policy #5: Canby shall assure that adequate sites are provided for public schools and recreation facilities.



## ANALYSIS

1. All needed public facility and service providers were sent a "Request for Comments" regarding this application. The departments have indicated that adequate facilities and/or services are available or will become available with development. Sewer, electric, water, and telephone facilities are currently available on site. The Public Works Supervisor has stated that no curbs or sidewalks should be required along NW 7th Avenue (see discussion under Transportation Element, Analysis for Policy #4). No other concerns were raised. All services are available with adequate capacity to service the property.

5. No public or private recreation facilities are proposed or necessary as a part of the proposed partition. The Parks Master Plan does not call for any new parks in the vicinity of the subject property.

## viii. HOUSING

### ■ GOAL: TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.

Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

Policy #3: Canby shall coordinate the location of higher density housing with the ability of the City to provide utilities, public facilities, and a functional transportation network.

Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the City.

## ANALYSIS

2. The proposed partition, and associated application ZC 97-02, will facilitate an increase in density in a residential area and provide an additional single family housing unit.

3. The proposed partition will facilitate the siting of higher density housing in an area which is equipped to handle it. Requests for comments were provided to all utility and service providers and no deficiencies in facilities, utilities, or transportation were noted. Additionally, the proposed partition will facilitate the provision of higher density housing in an area which has been identified in the Comprehensive Plan Land Use Map as being an ideal location for such housing.

4. The proposed partition has not requested density bonuses due to special designs to serve handicapped or elderly persons.

ix. **ENERGY CONSERVATION**

■ **GOAL:** TO CONSERVE ENERGY AND ENCOURAGE THE USE OF RENEWABLE RESOURCES IN PLACE OF NON-RENEWABLE RESOURCES.

Policy #2: Canby shall encourage development projects which take advantage of wind and solar orientation and utilization.

**ANALYSIS**

2. Given the configuration of the subject property and surrounding streets and right of ways, the subject property should meet solar access standards at the time of development.

**C. Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan and Compliance with Other Applicable City Ordinances:**

Review of the above analysis will show that the proposed partition, with the recommended conditions of approval, is consistent with the policies of the Comprehensive Plan. Development of the lot will need to comply with all applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State codes and regulations.

**D. Evaluation Regarding Minor Land Partition Approval Criteria**

1. **Conformance with the text and the applicable maps of the Comprehensive Plan.**

See the discussion under above-sections B and C.

2. **Conformance with all other requirements of the Land Development and Planning Ordinance.**

As far as staff can determine, the partition is in conformance with all other requirements of the Land Development and Planning Ordinance (see below).

3. **The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties.**

The size, slope, and orientation of the proposed lot is such that future development of the lots is feasible. The smaller lot (5,673 square feet) exceeds the minimum lot size for an R-2 zone (5,000 square feet) and the minimum frontage of 60 feet for R-2 zones. Thus, if the associated zone change request is approved (ZC 97-02), the lot will conform with the zoning requirements. If the associated zone change request is not approved, then this partition request should also be denied.

Although these lots have a double frontage, it is feasible to meet the setback requirements for the R-2 zone.

4. **No minor partitioning shall be allowed where the sole means of access is by private road, etc.**

No new private roads are proposed as a part of this application. Adequate public access is available.

5. **It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.**

As best as staff can determine, all required public facilities and services are available, or will become available through development, to adequately meet the needs of the proposed partition. No indication of difficulties have been mentioned, officially or otherwise, with regard to these public facilities and services providing service to the subject property.

#### **IV. CONCLUSION**

1. Staff concludes that the partition request, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan and the Municipal Code, as long as the associated zone change request is approved.
2. Staff concludes that the overall design of the proposed partition will be compatible with the area and will provide adequate building area for the provision of public facilities and services for the lots.

3. Staff concludes that, with appropriate conditions, the overall design and arrangement of the proposed parcels are functional and will adequately provide a building site, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
4. Staff concludes that all necessary public services will become available through the development of the property, to adequately meet the needs of the proposed partition.

## V. RECOMMENDATION

Based on the application, site plan, the facts, findings and conclusions presented in this report, and without benefit of a public hearing, staff recommends that should the Planning Commission approve, with conditions, MLP 97-07, that the following conditions apply:

1. The approval of this minor land partition is contingent on the approval of the change of zoning of the subject property (ZC 97-02), from R-1 (Low Density Residential) to R-2 (High Density Residential).

### For the Final Plat:

2. A final partition plat modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application -- City of Canby, Planning Department, File No. MLP 97-07.
3. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The final partition plat shall identify the newly created parcels in conformance with County Surveyor and County Tax Assessor standards. Said partition map shall be recorded with the Clackamas County Surveyor and Clackamas County Clerk, and a copy of the recorded map shall be provided to the Canby Planning Department.
4. A new deed and legal description for the new parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
5. All monumentation and recording fees shall be borne by the applicant.
6. Twelve (12) foot utility easements shall be provided along all exterior lot lines. The interior lot lines shall have six (6) foot utility easements.

**Prior to Occupancy of New Lot:**

7. A sidewalk, five (5) feet in width, shall be constructed along the full Knights Bridge Road frontage of **both** proposed lots.

**Notes:**

8. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat approval according to Section 16.60.060.

**Exhibits:**

1. Application
2. Vicinity Map
3. Areas of Special Concern Map
4. Tentative Plat Map
5. Responses to Request for Comments
6. Letters from neighboring landowners

# MINOR LAND PARTITION APPLICATION

Fee: \$900

### OWNER

### APPLICANT

Name Clifford L and Irene Busby  
 Address 741 N. Holly St  
 City Canby State OR Zip 97013  
 Signature: Clifford L. Busby  
Irene Busby

Name Edward and Mary Ann Schram  
 Address 24605 S. Central Point Rd  
 City Canby State OR Zip 97013  
 Phone: (503) 266-1990

### DESCRIPTION OF PROPERTY:

Tax Map 3-1E-33 BC Tax Lot(s) 4900 Lot Size 12,700.5 sq Ft.  
(Acres/Sq. Ft.)

or

### Legal Description, Metes and Bounds (Attach Copy)

Plat Name ROTH's Addition to Canby Lot \_\_\_\_\_ Block 5

### PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto two (2) 8-1/2 x 11 sheets of labels, just as you would address an envelope.

### USE

Existing R1 Single Family Proposed R2 Single Family  
 Existing Structures House and detached shop

### PROJECT DESCRIPTION

To partition 12,700 sq-ft. lot into 7,027 sq ft. lot + 5,673 sq ft. with a new home to be built on the 5,673 lot. This lot split is in conformance with the Comprehensive Plan and existing lots in the area.

ZONING \_\_\_\_\_ COMPREHENSIVE PLAN DESIGNATION \_\_\_\_\_

PREVIOUS ACTION (if any) \_\_\_\_\_

File No. MLP-97-07  
 Receipt No. 2591  
 Received by JSW  
 Date Received 7-23-97  
 Completeness Date \_\_\_\_\_  
 Pre-App Meeting \_\_\_\_\_  
 Hearing Date \_\_\_\_\_

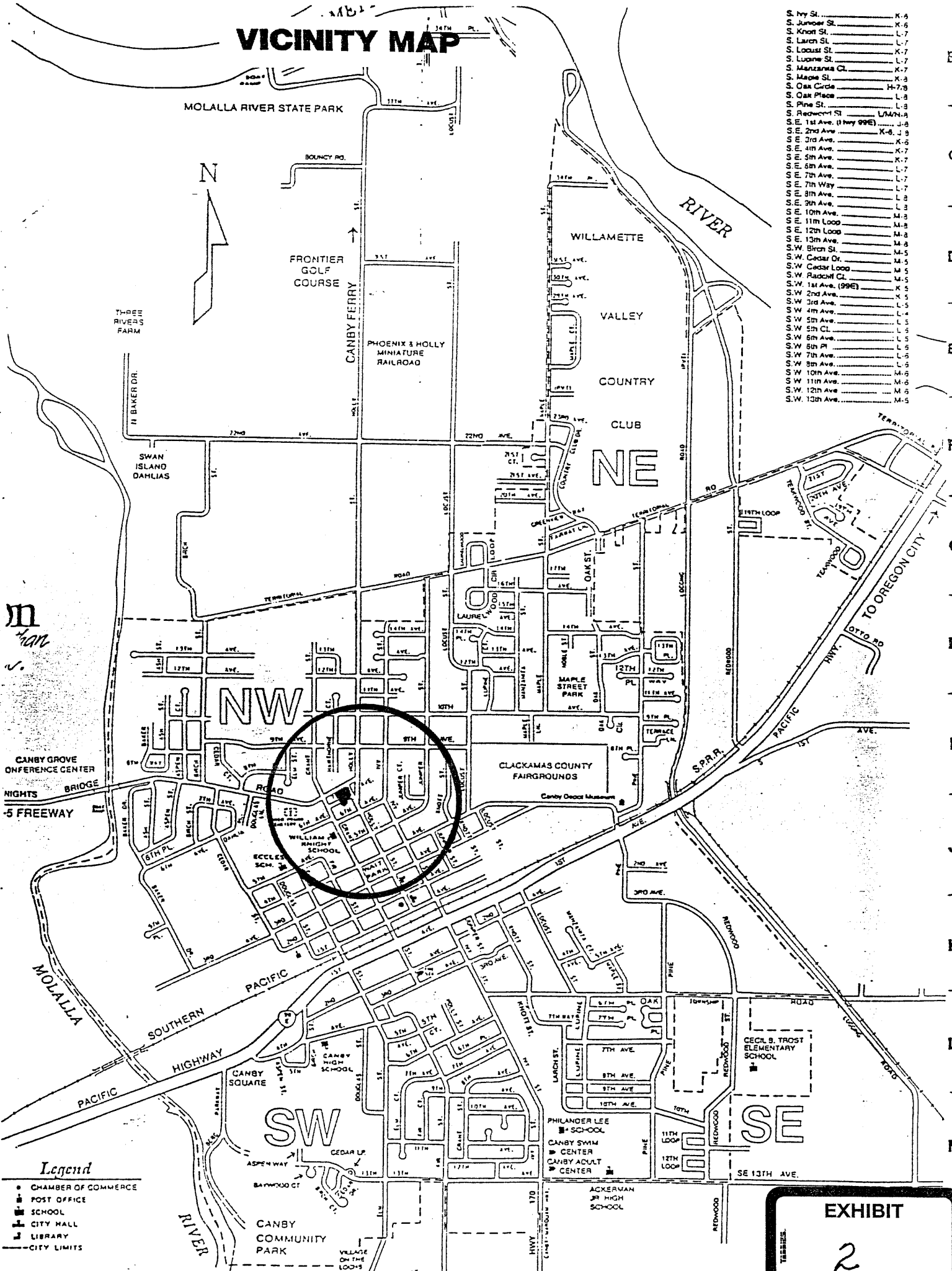
If the applicant is not the property owner, he must attach documentary evidence of his authority in making application.

EXHIBIT

1

# VICINITY MAP

S. Ivy St.	K-4
S. Juniper St.	K-6
S. Knott St.	L-7
S. Larch St.	L-7
S. Locust St.	K-7
S. Lutine St.	L-7
S. Manzanita Ct.	K-7
S. Maple St.	K-8
S. Oak Circle	H-7,8
S. Oak Place	L-8
S. Pine St.	L-8
S. Redwood St.	UNAN-8
S.E. 1st Ave. ( Hwy 99E )	J-8
S.E. 2nd Ave.	K-8, J-8
S.E. 3rd Ave.	K-6
S.E. 4th Ave.	K-7
S.E. 5th Ave.	K-7
S.E. 6th Ave.	L-7
S.E. 7th Ave.	L-7
S.E. 7th Way	L-7
S.E. 8th Ave.	L-8
S.E. 9th Ave.	L-8
S.E. 10th Ave.	L-8
S.E. 11th Loop	M-8
S.E. 12th Loop	M-8
S.E. 13th Ave.	M-8
S.W. Birch St.	M-5
S.W. Cedar Dr.	M-5
S.W. Cedar Loop	M-5
S.W. Racchi Ct.	M-5
S.W. 1st Ave. (99E)	K-5
S.W. 2nd Ave.	K-5
S.W. 3rd Ave.	L-5
S.W. 4th Ave.	L-5
S.W. 5th Ave.	L-5
S.W. 5th Ct.	L-5
S.W. 6th Ave.	L-5
S.W. 8th Pl.	L-5
S.W. 7th Ave.	L-5
S.W. 8th Ave.	L-5
S.W. 10th Ave.	M-5
S.W. 11th Ave.	M-5
S.W. 12th Ave.	M-5
S.W. 13th Ave.	M-5



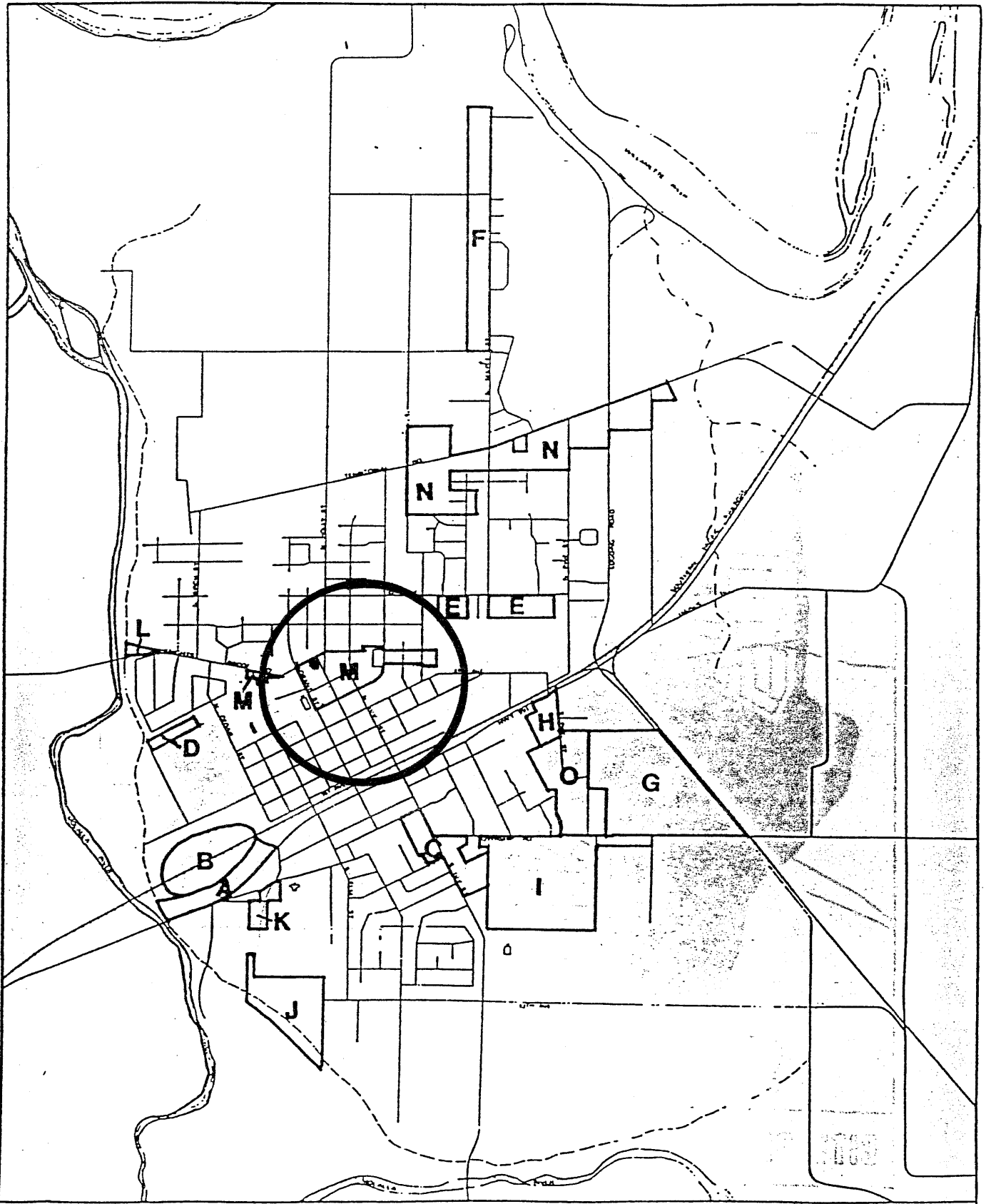
*man*

CANBY GROVE CONFERENCE CENTER  
NIGHTS BRIDGE  
-5 FREEWAY

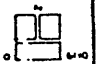
- Legend**
- CHAMBER OF COMMERCE
  - POST OFFICE
  - ▣ SCHOOL
  - ▣ CITY MALL
  - ▣ LIBRARY
  - CITY LIMITS

**EXHIBIT**

2



**CITY OF CANBY AREAS OF SPECIAL CONCERN**

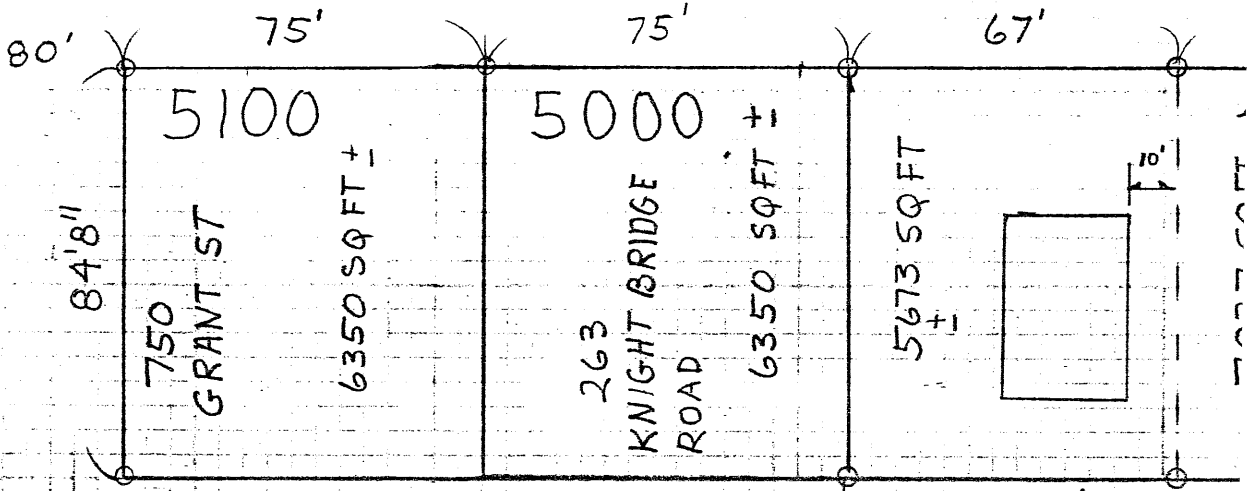




GRANT STREET

60'

KNIGHTS BRIDGE ROAD



N.W. 7TH AVENUE

NEW LOT

# PLEASE RETURN ATTACHMENTS!!!

## CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 4, 1997

TO: FIRE, POLICE, SCHOOLS, CUB, TELEPHONE/N. WILLAMETTE, N.W. Natural Gas, MIKE JORDAN, JOHN KELLEY, ROY, STEVE

The City has received MLP 97-07, an application by Edward and Mary Schram (applicants) and Clifford and Irene Busby (owners) for approval to partition an existing 12,700 square foot lot into two lots, 7,027 and 5,673 square feet, respectively. The subject parcel is known as 741 N. Holly and is located on the west side of N. Holly, between N.W. 7th Avenue and Knights Bridge Road [Tax Lot 4900 of Tax Map 3-1E-33BC]

We would appreciate your reviewing the enclosed application and returning your comments by August 11, 1997 PLEASE. The Planning Commission plans to consider this application on August 25, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

N.W. 7<sup>TH</sup> is a D.I.L mat SURFACE. This is considered more, as an alley than a street. The only use is by the Home Owners fronting this access. Curb & sidewalk would not be required on N.W. 7<sup>TH</sup>. IF these were installed, the City would have to install a complete storm system for 150 feet of frontage. The level of service for N.W. 7<sup>TH</sup> is probably 14 trips per day. We do not require curb & sidewalk in alleys and N.W. 7<sup>TH</sup> is no more than an alley.

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Roy Kester

Date: 8-15-97

Title: Public Works Supervisor

Agency: City of Canby

EXHIBIT

5

4 pages

# PLEASE RETURN ATTACHMENTS!!!

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Comments or Proposed Conditions:

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Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Darryl F. Hest

Date: 8-8-97

Title: Engineering Field Supervisor

Agency: NW Natural Gas

# PLEASE RETURN ATTACHMENTS!!!

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[503] 266-4021

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Comments or Proposed Conditions:

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Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Tom Pursa

Date: 8/7/97

Title: ENG DEPT.

Agency: NWT - CTA

# PLEASE RETURN ATTACHMENTS!!!

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P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 4, 1997

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Comments or Proposed Conditions:

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Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Jerry Stipan Date: 8/11/97  
Title: Chief of Police Agency: Canby Police Dept

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: Under two conditions

1. That the dwelling is a single family unit.

2. The unit be ten feet from our property line.

Robert D. Anderson

Robert D. Anderson

Rebecca A. Anderson

Rebecca A. Anderson

EXHIBIT

6

10 pages

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

*July 8, 1997*

Comments:

*OK by me. They know what they  
are doing. Myra Horton*

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June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: Hi Neighbors - Thanks for your interest in our views on your proposal. Within reasonable limits, we feel people should be free to do what they will with their own property, so we see no reason you should not proceed. When having new neighbors, one always hopes for the best, but the possibility of the worst is not a reason for you not to carry on. So, we wish you the best.  
We will watch, with interest, your progress.

Sincerely,

*Ken and Mary Ann  
Celley*

P.S. Our house is at  
245 NW 7th, across  
the street from your  
shop.



June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments:

If this project you are wanting to do is O.K. by your next door neighbor I wouldn't object - but your shop would have to be an acceptable building to your close neighbors

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

June 28, 1997

Dear Clifford & Irene:

Comments: I can think of no reason to object to your desire which  
you apparently have about splitting your property in  
half and turning the shop into a residence.

*E. Dale Jones*  
E Dale Jones  
665 N. Holly St.  
Canby, OR 97013

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: We have no problem with that decision  
Thanks the OTS

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: We have No problems with  
your proposal -  
MARC + Kelly Walker  
260 N. Knightsbridge CANBY  
266-1489

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford E. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments: it's fine with us, we have  
no negative comments.

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments:

*That's fine by me!*

*Rep. Weyan*

June 26, 1997

Dear Neighbor:

In reference to our property located at 741 N Holly Street, we would like to get your comments on our splitting the property in half and turning the shop into a residence.

Please use the enclosed envelope and mail it back to us as soon as possible as we have a deadline to filing our partition application.

Thank you,

*Clifford C. Busby*

*Irene Busby*

Clifford & Irene Busby

Comments:

*I think there are enough houses  
on Holly St. and especially 7th St.,  
too much traffic already.*