

Canby Planning Commission  
Regular Meeting  
July 25, 1983

MEMBERS PRESENT: Vice-Chairman Catherine Davis, Commissioners Baller, Shinn, MacKenzie, Cutsforth and Schrader

MEMBER ABSENT: Chairman Kahut

OTHER PRESENT: City Attorney Lynn Molander, City Planner Bud Atwood, Secretary Virginia Shirley, Frank Blecha, Bernice A. Wenrick, Mary Safarik, Edna Nelson, Jan Humber, Dick and Judi Land, Dick Donlee, Steve Frederick, Mary Lou Dack, Marv Dack, Arthur Elleckson, Katherine Elleckson, Patricia Schwarzin, Bill Stevens, Iris Stevens, Jane Carlson, Lynn Boy, John Carlson, Tish Wallbaum, Kathy Hostettler, David and Linda Baker, Rod Beck, Ron Gray, Janice Logsdon, Ron Berg, Joe Sweet, Gene Mohan, Lillian Gregersen, Mike Zagya and others

The minutes of the meeting of July 9, 1983, were approved as presented.

Item No. 1: CONTINUED PUBLIC HEARING on request for a four lot subdivision on property located at the north end of S. Holly Street and described as Tax Lots 5500 and 5501, Section 33CD, T3S, R1E. The applicant is Dave Anderson. City Planner Bud Atwood gave the additional staff report regarding the meeting with people in the neighborhood. Since a solution for access had been found, it was recommended that the Planning Commission approve the preliminary plat. The Planning Commission will need to approve the final plat prior to recording. Acting Chairman Davis opened the public hearing and called for proponents. When none came forth, she called for opponents. Ron Berg, 203 S.W. Third Avenue, stated that not enough time had been allotted to do much in the way of alternatives, but doesn't know if there would be anything better. He thanked the Commission and staff for the extra time they had taken in order to try to achieve more access to the area. Janice Logsdon stated that she was still opposed to the subdivision for the same reasons as before. Commissioner Schrader informed the Commission and audience that he had listened to the tape of the last meeting and therefore would vote on the application. He stated further that he also had a concern for the open space in the area, but did not know how the Commission should handle such cases. Commissioner Baller moved to approve the four (4) lot subdivision located between S.W. Third Avenue and S. Holly Street and described as Tax Lots 5500 and 5501, Section 33CD, T3S, R1E, as the project fits a need in the City of Canby and is better than an apartment complex for the area, conforms with the adopted city plan, complies with the statewide planning goals, and the proposal meets the requirements of city zoning and subdivision regulations and the design will be appropriate with homes in the community. This approval to be subject to the following conditions: 1) All recommendations and requirements of other staff reports to be made conditions of approval for this project. 2) A fifteen (15) foot utility easement to be granted on the east property line for sanitary sewer, and an 8-inch sewer line to be constructed from S.W. Third Avenue to the project's south property line. 3) Single family dwelling units only. 4) Site drainage to be handled to the satisfaction of the Public Works Department. 5) Upon completion of streets and all underground

utilities, the street right-of-way from curb to property line will be placed in a maintainable condition approved by the Public Works Department. During construction, maintenance of street right-of-way will be the responsibility of the subdivider. 6) Final plat to be submitted within one year after approval of the tentative plat. If the applicant wishes to proceed with the subdivision after the expiration date, he must formally request an extension of time, in writing, stating the reasons therefor. The Commission may allow an extension of not more than 6 months, provided the request is properly filed prior to the end of the one year approval period. 7) The subdivider shall, without delay, submit the final plat to the County Assessor and the county governing body for signatures as required by ORS Chapter 92. Approval of the final plat shall be null and void if the plat is not recorded within 6 months of the date of the signature of the Chairman of the City Planning Commission. 8) After the plat has been approved by all City and County officials, two reproducible copies of all data (plat face, dedications, certifications, approvals) and one copy of recorded restrictive and protective covenants shall be returned to the Public Works Office. 9) No parking to be allowed on the half street. The motion was seconded by Commissioner Shinn and passed 4 to 1, with Commissioner Schrader voting nay. The acting Chairman did not vote.

Item No. 2: Request for a twelve (12) lot subdivision and a conditional use permit for a ninety-one (91) unit mobile home park to be located on the south side of S.W. 13th Avenue directly south of S. Elm Street. There is approximately 16.6 acres of property involved in these applications. The applicant is Canyon Ridge, Inc. The City Planner gave the staff report, noting that under "access and transportation issues" that an additional four feet of paving would be required not the fourteen as stated. Mr. Atwood further explained that the staff is only asking for a seventy (70) foot right-of-way rather than an eighty foot right-of-way in order to save the Redwood trees on the south side of S.W. 13th Avenue. If the additional access is needed in the future, the Redwood trees will then have to be taken out as that is the only way the street can be widened. Staff recommended approval of both the subdivision and conditional use permit with twenty-four conditions.

Commissioner Schrader asked Planner Atwood about the improvements to S. Elm Street. Mr. Atwood stated that within the next budget year the City should have about \$100,000 in Federal Funds saved to be used for street improvements. It will be the Public Works Department's recommendation to the City Council that these funds be used to improve S. Elm Street. However, the final decision will be up to the City Council. Commissioner Schrader asked if that property used for a public street was used in calculating allowable acreage. The public street is not included, however, the private streets may be included.

Commissioner MacKenzie asked if there was any move by the City Council to acquire land to push 13th Avenue through from Elm to Berg Park Way. This has been a recommendation of the Comprehensive Plan. Mr. Atwood stated that the City is not in a financial position to buy right-of-way. They have never made a practice of buying right-of-way. Mr. Atwood further stated that as he understands it, the school is not willing to participate in a street on the south side of their property. Acting Chairman Davis stated that she would like to have the City Planner read the proposed conditions of approval in order that the people present

know that a lot of thought and preparation has gone into this project and the city does want to make this as desirable a project as possible. At this time, the City Planner read the proposed twenty-four conditions of approval aloud.

Mr. Richard Land, President of Canyon Ridge, Inc., 14041 S. Canyon Ridge Drive, stated that at the city's request the plot was revised to show single family residences along S. W. 13th Avenue, with deed restrictions. These homes should provide a good buffer. Mr. Land explained that although he didn't want to, a city street was being dedicated through the park at the city's request. The park to have amenities as provided for by L.C.D.C. goals. They are trying to achieve Goal No. 10 of L.C.D.C. by providing affordable housing. They want to work with the city.

Acting Chairman Davis opened the public hearing. Mrs. Davis asked for any proponents to come forward. There being no further proponents of the application, the Acting-Chairman called for opponents.

Marv Dack, a realtor and property owner to the west, first question was a need for a mobile home park in Canby. What the vacancy factor was in the other mobile home parks in the city. Also, when the land was annexed it was to be compatible with the neighborhood, and from the people he has talked to they can't agree that a mobile home park is a compatible use with the balance of the neighborhood. Mr. Dack further stated that when the buffer was provided on 13th Avenue, one should also have been provided on the west, south and east which is all residential property. Expressed the opinion that the mobile home park should have a buffer between the residential property and the park. This project would place his property between a mobile home park and a recycling center and would limit the use of his property, and lower the value of his property. Mr. Dack's opinion that a traffic problem already exists on 13th and S. Elm Street, which needs an answer immediately. Objected to development plan for the park - city does not need single family lots and playground would be noisy.

Cathy Elleckson presented a petition with 59 names to the Acting Chairman. The people listed would be directly effected by this proposal. Mr. Elleckson stated that she lived at 1625 S. Elm Street. Her concerns are property values - mobile homes depreciate like cars - traffic, 13th and Elm is a dangerous intersection. Mrs. Elleckson informed the Commission that she was an elementary guidance counselor who works at North Clackamas School, and that Johnson City is within their district. The mobile home rental situation creates a transient kind of population, the children have learning problems, and that there is a higher incidence of domestic violence in those kinds of situations. Basically, those kids are in a highly concentrated area, in a highly transient situation and we feel that that would have a direct effect on the quality of life in our area.

Bill Stevens, 1505 S. Douglas, stated his property was adjacent to the proposed site. Agreed with Mr. Dack's statements. His two main concerns are the back ends of trailer house lots against his property and 13th Avenue west from Elm. Expressed the opinion that now is the time to get that street improved.

Sam Schwarzin, 482 S.W. 13th Avenue, wanted to know who would buy the houses with mobile homes in the back yard - doesn't believe they would sell. Expressed the feeling that it is degrading to the neighborhood to bring in the high density housing.

Rod Beck, 1555 S. Fir Street, owns property that will be abutting on two sides. Presently building a new home. Opposed to this project. It has been the trend to build smaller houses on smaller lots. A need is required prior to any type of project and he had not seen any type of need. L.C.D.C. has stated that unless you can show a need to put a commercial operation into a residential area it cannot be done. Mr. Beck's feeling that this is putting a commercial operation into the middle of a residential area. Stated he had set through the hearings when the project was annexed and at the time it was represented as a location for single family dwellings. The maintenance of the public areas are not being maintained one the property is developed - it is sold. The city needs to keep some type of control over the development in the city. If the city decides it needs this type of development what part of the city are you (Commissioners) going to set aside for larger lot developments. Other mobile home parks are buffered between commercial and industrial. This project is being placed right in the middle of a residential area. Mr. Beck stated that he does not feel the project belonged in this location - maybe on the extreme outer edge of the urban growth boundary. The proposed project is not compatible with the surrounding area.

Jane Carlson, 1280 S. Elm, school buses, children on bikes, and cars on Elm and 13th - dogs and pets run at large in the neighborhood. 200 more cars with the school buses, children and pets is a dangerous situation. Children, dogs and other animals will run at-large in the mobile home park. Do the neighbors have to put with this? Have lived in a mobile home park and know this to be true.

Gene Mohan, Corvallis, owns 1.9 acres on the corner of 13th and Fir Street. This property will back up to this property. Further stated that her family planted the Redwood trees; glad the city wants to save them.

Bernice Wenwick, 1395 S. Fir, stated this project would join her property. She would not appreciate having children from the mobile home park running through the garden.

Cathy Hostetler - 11th and Elm Court - had only heard about this development this afternoon when a neighbor came by with a petition. Mrs. Hostetler offered to help with the petition and all but two people signed the petition. Mrs. Hostetler expressed concern that more people were not aware of this project. Mrs. Hostetler stated that she is also a teach and used to teach in Beaverton, which also drew from a mobile home park situation, and wished to verify what had been said earlier. When you have children in a high density area they do tend to be more aggressive. Maybe they are just living in such close quarters that they sometimes have a lot of disputes and antagonisms they bring to school. Schools in Canby are good and this project would take away from the quality of the schools.

Mr. Elleckson lives on the southwest side of this proposed development. Pastor of the church in Aurora. Concerns for affordable housing and concerned about land use planning and the placement of housing, he strongly endorsed Mr. Beck, Mr. Dack, and other who have spoken. Mr. Elleckson stated that he was disturbed over the need for a buffer on the north side of this development - why not on the other sides if there is a need at all.

Edna Nelson, 1893 S. Fir Street, owns the property and has lived there since 1939. Quite concerned that if the mobile homes are placed here the children will run through her yard.

Vern Halstein, 458 S.W. 13th Avenue, traffic is a problem and nothing has been done to improve the situation. Feels the trees are nice - access for houses is a problem. Homes in the area already that are not occupied. Value of his home will be degraded. A mobile home park in the area will keep people from buying his house.

Tish Wallbaum, 890 S. Elm Court, moved here 5 years ago. At that time, everybody owned their own homes. Since then, these people have moved out and the homes have become rentals - and nobody takes care of their lot and yard. Feels that mobile homes would be the same as with rentals.

David Baker, 1225 S. Fir, stated that it would jeopardize the value of his property to have the mobile home park in the area.

Lynn Boy, 1220 S. Elm Street, traffic concern for children. Elm Street not equipped to handle cars. Emphasized that her concern was as a parent.

Acting Chairman Davis asked the applicant if he had any rebuttal.

Mr. Land, stated that the individuals will own their own mobile homes. The City will benefit from the project and no mobile home will be over 7 years old. Will work with the city for improvements on S.W. 13th Avenue, and get the money back over a period of time from other developers, the church, etc. The playground can be changed to another location. If possible without discrimination will not allow mobile homes over three years old to be brought into the park. Feels that everybody should be able to have a home that they can afford. Every mobile home will have fifteen feet of landscaping in the rear yard, as required by ordinance. The site for a mobile home park has to be rather large and flat. Commissioner Baller asked how much rent per month would be charged. Mr. Land stated it was calculated at \$149 per month, however it was hard to tell because of the costs involved.

Commissioner Baller stated that he had a problem with the plan. The driveways for the single family houses would take out most of the Redwood trees. The trees are site-obscuring for traffic. Commissioner Baller was also concerned for the 91 units of mobile homes with what he considered only one exit onto an arterial. The safety factor would require additional access. This particular plan is too congested, lacks access, and is not a good design for the property. Commissioner Baller further stated that he did not think a need had been shown for a project of this size.

Acting Chairman Davis closed the public hearing portion of the meeting, and called for a five-minute recess. Mrs. Davis reopened the meeting at 9:15 p.m.

Commissioner MacKenzie stated that he had a copy of the city's comprehensive plan regarding mobile home parks. He further stated that Commissioner Baller had agreed to read that portion of the plan aloud, which should clear up some of the questions involved with this application. Commissioner Baller proceeded to read that portion of the plan. Commissioner Schrader stated that it is hard in Canby where people take such pride in the city to change their way of thinking. Reading of this portion of the plan should answer some of the questions the audience has regarding the depreciable value of mobile homes, their affordability - costly - it is not cheap crummy housing and they meet code standards. Canby along with all the other communities are going to be seeing mobile home subdivisions, and mobile home parks being proposed in greater numbers because of the higher cost of single family dwellings.

Commissioner Shinn stated that he is not personally opposed to mobile homes and the Commission has actually been quite supportive of a variety of housing opportunities in Canby, and maintaining a range of affordability in Canby. Further stated that he had some questions regarding this plan - is this plan fitting in regard to design, general compatibility with the community.

Commissioner Baller stated that the main issue on this plan is access. The possibility of putting 300 people with only one access is not good anywhere in the city. Need better design for safety.

Discussion followed regarding the access, design, location, and compatibility. Commissioner Schrader stated that access was only one because of the fact that none of the property around it has been developed. If the access does not violate the letter of the ordinance, feels it does violate the intent. One other concern, the other mobile home parks in the city are considerably smaller than this park and recent addition made to one is a good size park for a city the size of Canby. If the Commission wanted to approve this development, we would want to scale it down either by more single family dwellings or leave some open space and see how things developed.

Commissioner MacKenzie reminded the Commission that this park is going to be developed in two stages, and what is going to happen first is just what was being talked about size-wise. The developer wouldn't develop the second phase of this particular plan unless he felt that it was going to be used.

Commissioner Schrader stated that maybe they would want to look at the second phase before letting them proceed with it, if the application were approved.

Discussion followed regarding parking, private streets, access, and guest parking and sidewalks. Commissioner Baller asked if there was a need for a facility of this magnitude. Commissioner Shinn asked if the Commission wanted such a facility in this location. City Planner Atwood informed the Commission that there is a desire to locate in Canby's two existing parks. Commissioner Schrader stated that there is a certain amount of need at anytime. Maybe a mobile home subdivision would cause single family owned dwelling and owner would do additional landscaping - people on west and south side could have buffer also. A

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mobile home subdivision would not have transient type people.

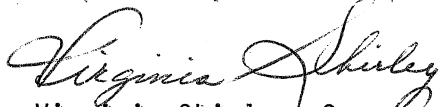
Commissioner MacKenzie stated that the city would need this type of development in the very near future.

\*Commissioner Schrader moved to deny the application for the proposed 12 unit subdivision along S.W. 13th Avenue, and the accompanying conditional use permit for the balance of the property to be developed into a 91-unit mobile home park. I think because it does not comply with the statewide planning goals, and it is incompatible, as presented, with this particular designed plat with the existing area. I think it does not meet our zoning and subdivision regulations in that, as I mentioned before, the intent of the access requirements are violated by having too many units for the given 32-foot paved blacktop access; and that the size of the project is incompatible with the town of Canby at its present state. The motion was seconded by Commissioner Baller. The motion carried with Commissioners Schrader, Baller, Cutsforth and Shinn voting for, and Commissioner MacKenzie voting against the motion. The Acting Chairman did not vote.

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

This meeting has been recorded on tape.

Respectfully submitted,

  
Virginia Shirley, Secretary  
Canby Planning Commission