

Canby Planning Commission
Regular Meeting
August 22, 1983

MEMBERS PRESENT: Commissioners Baller, MacKenzie, Cutsfort, Schrader and Shinn

MEMBERS ABSENT: Chairman Kahut and Commissioner Davis

OTHERS PRESENT: City Attorney Lynn Molander, City Planner Bud Atwood, Secretary Virginia Shirley, Dick and Judie Land, Willie and Jeanette Leigh, Steven Amick of the Oregonian, Steve Fredericks of Canby Herald, DeLance Archer, John Wilson Beck, Duane Perkins, Les Walbaum, Jane Carlson, Ron Smith, Vern Holsten, Scott Turney, Art Ellickson, Marv Dack, Bernice Wenrick, Edna Nelson, Pat Schwarzin, Vern Jarvis, Donna Jarvis, Rod Beck, Carol Beck, Nola Lingel, Janet Holmberg, Bill Stevens, Cathy Ellickson, Paul Roth, Kathy Hostettler, and others.

The minutes of the Planning Commission meeting of August 8, 1983, were approved as presented.

The meeting was chaired by City Attorney Lynn Molander in the absence of the Chairman.

Commissioners Schrader and MacKenzie stated for the record that they had listened to the tape of the Planning Commission meeting of August 8, 1983, in order to be able to vote on the continued hearing item.

Item No. 1: CONTINUED FOR DECISION ONLY request for a zone change from R-1, Low Density Residential, to R-2, High Density Residential, of 2.81 acres located on the west side of N. Pine Street, approximately 400 feet south of N.E. Tenth Avenue, and described as Tax Lot 1600 and 1601, Section 33AD, T3S, R1E. The applicant is David Anderson, Inc. City Planner Bud Atwood stated that he had gotten some information regarding the occupancy rate, and related additional information regarding the traffic along N. Pine. He stated that no traffic problem existed or would exist should this zone change be allowed. Mr. Atwood stated that he had seen the list of names requested by the Commission of potential occupants, but because it was privileged information had not made copies for the Commission. A gentlemen from the audience questioned the location of the petition that had been turned in at the Public Works office. The City Attorney/Chairman stated that he was not going to allow it to be presented into evidence since this item was for decision only and the applicant had been refused the opportunity to submit additional information. At this point, the discussion was opened to the Commission.

Commissioner Schrader said that there are two apartment complexes existing at the present time on N. Pine Street. The vacancy rate of Timber Terrace, which is located on N. Pine, was six vacancies out of thirty-two units. Mr. Schrader stated that he had gone and interviewed the manager of Canby Garden apartments, also located on N. Pine Street. The manager stated that he had eight vacancies out of thirty-five units. Commissioner Schrader stated that his concern is that the highest vacancy rate already exists in the area in question. This area has a 20 percent vacancy rate as opposed to other sections of the city which has less than 5 percent. It seems the city has enough apartments already located in this area. They don't look like very expensive apartments - single parent families are living there and can afford it. Given the present informa-

tion, at this time it does not seem any more apartments are needed in this area. In the future, quite possibly, additional units will be needed in this area.

Commissioner Shinn stated that given time for construction - can we know that additional units would not be needed. He then asked the allowable maximum number of units that could be placed on the property were it rezoned. This number was given as 45 units. City Planner Atwood reminded the Commission that it was subsidized housing that was being planned for the area.

Discussion followed regarding the possibility that a lesser intense zone could accommodate the proposed development of the property. Subsidized housing almost assures total occupancy of any given amount of units. Additional discussion regarding the present need for additional apartments in Canby.

Commissioner Baller stated that the proposal does comply with the Comprehensive Plan. As to the health safety and welfare of the people, does not feel this proposal would enhance land values or residential housing to add apartments in this area. The present condition of the street would make this proposal burdensome to the surrounding property owners. It does comply with the state-wide planning goals.

*Commissioner Schrader moved to deny the zone change request from R-1 to R-2, on Tax Lot 1600 and 1601, Section 33AD, T3S, R1E, of approximately 2.81 acres. Since the proposal does not comply with the public need at this time, and since there is a vacancy rate of 20 percent already in the existing area there is better R-2 areas to build on and these areas better serve public need at this time. The motion was seconded by Commissioner Baller and passed with 4 ayes, and 1 nay, Commissioner Shinn voting against the motion.

Item No. 2: Request for a rear yard setback variance to allow construction of an attached greenhouse on property located on the north side of S.W. 12th Avenue approximately 150 feet east of S. Grant Street, and described as Tax Lot 8400, Section 4AC, T4S, R1E. The applicants are Willie L. and Jeanette E. Leigh. The City Planner gave the staff report and made a recommendation for approval if appropriate findings can be made, and subject to four conditions. Bill Leigh, applicant, stated that he had nothing further to add to the staff report, except that it would be used for winter storage of house plants. Commissioner Schrader asked him to explain his plans for the spa that presently exists in the area where the greenhouse is to be placed. Mr. Leigh explained that the greenhouse would be built around the existing spa and provide heat and moisture for the plants.

Commissioner Baller asked if this then would be classified as an addition to the existing home. A short discussion determined that although it would be an addition, it would also be a greenhouse.

*Commissioner Baller moved to approve the rear yard variance at 264 S.W. 12th Avenue as this variance is the minimum variance required to construct the

the addition. One year ago this variance would not have been required and the applicant has stated that his plans were drawn two years ago. The motion was seconded by Commissioner Cutsforth and passed unanimously.

Item No. 3: Request for an eleven (11) lot subdivision and a conditional use permit for a ninety (90) 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., F. Dick Land, President. City Planner Bud Atwood read the staff report and stated that if the Commission approves this request there is 24 suggested conditions of approval. Mr. Land, Canyon Ridge, showed the Commission the additional entrance/exit which had been placed on the east side of S. Elm; the 20' alley which will allow access to the proposed subdivision without maneuvering on S.W. 13th Avenue, the change in location and increased size of the playground, and increased parking area. These mobile homes will all be new - no used mobile homes - average size home would be 1500 square feet. Mobile homes would be required to have 800 square feet minimum to come into the park.

The Chairman asked for additional proponents to the application.

DeLance Archer, 6269 Belmont Way, West Linn - had attended the first public hearing on the mobile home park and would like to address some of the concerns of the public. Mr. Archer proceeded to discuss the impact, preservation of aesthetic value, construction of present-day mobile homes, and the need for a mobile home park as opposed to a subdivision of lots for stick-built homes.

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

John Wilson Beck, Canby resident for 35 years and served on the Planning Commission. Wants to know if this is an engineer's plan or a designer's plan. Street lights for playground and intersections. What is going to happen to the existing Fir trees.

Michelle Oliveira, 360 S.W. 13th Avenue - Children and animals on 13th Avenue and in surrounding neighborhood. Increased traffic on 13th will not help the situation - will need traffic control.

Duane Perkins, 1090 S. Elm Court - Don't need the additional traffic. Mobile homes will devalue all of the property of the homeowners in that area. Has not been convinced that there is a need for a mobile home park in Canby. Vacant subdivisions and vacant lots around, plus numerous houses for sale.

Les Walbaum, 890 S. Elm Court - Did not hear when the houses would be built. Has lived in a mobile home and there is a lot of depreciation over a period of year.

Jane Carlson, 1280 S. Elm Street - Lives close to where traffic count was taken - Canby has track school and the traffic count was taken while there were no school busses running, no teachers going by, no parents driving down Elm Street to pick up their children. Does not feel traffic count accurate. When married eight years ago, lived in mobile home park.

Ron Smith, 923 S. Fir Street - Looked at plans but did not see any fire hydrants in the area, closest fire hydrant is on 13th Street - volunteer fireman and it only takes 3 to 5 minutes to totally destroy a mobile home once it starts on fire. Heard this was going to be low income housing, works in area of low income housing and when working not sure if car will be there when through. Would not enjoy having a trailer park put at the end of his street.

Vern Holsten - Questioned when houses would be built in subdivision, when will they be occupied. Traffic survey not done at proper time. Elm Street is not compatible with the type of traffic it would get.

Scott Turney, 356 S.W. 12th Avenue - questioned the price range of the mobile homes to be placed in the park. Heard it would be low income housing.

Art Ellickson, 1625 S. Elm Street - The statements that manufactured housing is comparable to any other single family housing and still putting in this buffer zone of houses on the north side of the project. If this is true, why build the 11 houses if we do need the eleven houses - what is that saying. Feels there is an inconsistency in the plan. Location - for low cost housing, we need it. Has not seen where this is the only or best location for this development. The property west of this development would also be another location for this project. This is a commercial operation. Where is the pride of ownership, renting the space? The record of other rentals in town do not speak well. Neighborhood Association? Who will maintain the standards?

Mary Dack, 715 S. W. 13th Avenue - Owns property to the west of mobile home park proposal. Stated that it will effect the values of property around the park. If the City approves this project, feels they should seriously look at improving 13th Street - not just as a half-street - a full street. To say that this, or any, mobile home park is compatible with the area had better come down and take another look. The buffer zone on 13th Street - that may be a buffer, but why not a buffer around all of the property? Traffic problem has not been answered - traffic count yes - not been answered what the person going down 13th street to the west does when he gets to 13th and Elm, without some control at the intersection.

Bernice Wenrick - Opposed to having trailer homes on this property as it will devaluate her property. Buffering 13th street but have no concern for people on the other sides.

Edna Nelson, 1893 S Fir - Should expensive mobile homes go into the park, they will have two-story homes overlooking them. Is a \$76,000 homeowner going to want to overlook the mobile homes? If they do form the park, who will be taking care of the empty lots? All new units, has anyone done any researching into financing mobile homes? Since deregulation, almost impossible to finance mobile homes.

Vern Jarvis, 1255 S.W. 12th - Has anybody done any study on what the impact would be on the sewage disposal plant, on the water system of this city, if this place was put in? Are you going to have enough water to fight a fire out there?

If one trailer goes, the whole thing will go. Against the project because it will devalue property. Would like to see a deeper study. Do you have enough police to patrol something like this project?

Donna Jarvis, 1255 S.W. 12th - Traffic on 13th is bad and it is used like a racetrack. Feels that all the people who would live in the trailer court will not go any further, will be coming down 13th. Trailer park will only be as good as the management. Lived in a trailer park for 12 years - brand new when moved in and it ran down terribly bad before we left.

Rod Beck, 1555 S. Fir - High density commercial operation. Comprehensive Plan is a guide to develop the land so that you have a plan that is suitable and compatible with surrounding areas. Where the dwellers don't own the property, there is no "pride of ownership." Other concerns of Mr. Beck were: adverse impact on surrounding area, no engineered proposal, problems of control, widening of S. Elm Street, larger playground area, and if to be developed should be as a P.U.D. Also, asked for 7 to 10 foot fence around perimeter.

Lola Lingel, 1619 S. Elm - Has lovely view property and doesn't want to have to have a view on one side and the back end of a trailer on the other side. Feels this will lower the value of her property.

Janet Holmberg, 680 S. Fir - Asked for an explanation of Phase I and Phase II. How they are being financed, and why there is a phase I and phase II other than the obvious reason of offering the people a choice of living in an area with children or an area without children.

Lance Holmberg, 680 S. Fir - Traffic counts are taken and statistics say one thing and engineers say you can have so many vehicles pass in so many hours - looks good on paper, but it doesn't look so good when you live on the street. Managers can be a problem - mobile homes don't stand up - question construction quality - low cost housing should be spread around.

Bill Stevens - stated there was not much left to say but he has four acres and one side is adjacent to the project. Would like to have a buffer along his property and would like to see the other half-street finished west of Elm on 13th Street.

Cathy Ellickson, 1625 S. Elm - handed in an exhibit showing the proposal plus the surrounding homes. Single family residences on all four sides - this is a commercial operation - we and the Lingel's will have to travel through the mobile home park everyday to get to our homes. Everyone recognizes the need for affordable housing, just question this is the most appropriate place for development of this kind. Mrs. Ellickson then read from the minutes of the annexation meeting statement regarding the enhancement and increasing the value of the surrounding property. This project will create a hardship for our family and the Lingels.

Paul Roth, 1205 S. Fir - No one can tell him that 100 more units will not change his standards. Who's going to pay for the new sewer and water - when this development is finished, do we have sufficient utilities for the city? If the developer and the realtor are willing to live in the project for ten to fifteen years, let them have it.

Marcia Zagyva, 1053 S. Fir - The cars may not mean a lot to others, but I don't want them on my street with my three children.

Cathy Hostettler, 1095 S. Elm Court - Presented a petition to the Commission with 101 names.

The Chairman stated that since there were no further opponents, the Commission would listen to rebuttal from Mr. Land at this time.

Dick Land - Some issues can be answered by the staff report, fire hydrants, and water are part of the conditions. This is an ideal spot for a mobile home park. This project is on the periphery of the City of Canby. Also on the periphery is the water tower and a church. Have answered all of the L.C.D.C. goals, plus the conditional use goals. Feels project is in compliance with the L.C.D.C. goals and trying to meet L.C.D.C. requirements (state mandated) for affordable housing. The problem is one of education. The landscaping, wood fence six-foot high, custom houses, the buffer along the front was not his idea, but the idea of the planning department. Manufactured homes do not need to be hid. The city street is for all the people of the city to drive through - not some county road where you're not allowed to go. Realizing the concern of the people, have placed conditions on the plat for top quality manufactured homes.

The Chairman called for a recess at 9:43 and reconvened the meeting at 9:58p.m.

City Planner Atwood informed the audience that the staff report addressed street lights, and fire hydrants. Water and sewer are adequate to handle this project and more. Traffic accidents - no injury accidents, but two hit and run from autos being too far out into the street, have been bumped. Police are funded by property tax dollars and this project would generate some more property tax. Open space meets the requirements with the play area, recreation room, tennis courts and at least ample space to meet the intent of the ordinance. Phase I and Phase II are building situations, building phase I first. Elm Street would be a full width street based on the new requirements. Not as wide as some other streets, but all streets in future subdivision will be narrower.

Baller - The traffic count was done basically to get some information for the planning staff at this time. It just happened to be a week when there wasn't any school buses running, but they wanted to get some information to submit - we should do another count. Mr. Atwood stated that the count could be doubled and this project added to it, and the count for the street would still be low. Streets are not a playground for children. Commissioner Baller agreed and stated that the same held true for animals.

Commissioner Shinn asked for a breakdown of the figures submitted for single family land use in the urban growth area. Mr. Atwood told them that the predicted figures show 40 percent of the new homes going into the urban growth boundary within the next twenty years will be either mobile or modular and that 60 percent will be stick built.

Commissioner Baller expressed the opinion that there was a great deal of difference between a mobile and modular home. Although they are both manufactured homes, a modular home goes on a cement foundation and a mobile homes remain moveable. Mobile homes are thin wall construction. Mr. Atwood stated that today they are building them with 2 x 6 walls, also using standard 2 x 4's and 2 x 3's for interior walls, and 2 x 6 is an option, if you want.

Commissioner Shinn stated that the major issue is around the impact on the livability and the appropriateness of the development in terms of abutting properties. In particular, in terms of the perspective of zoning and planning for this corner of town. This is the only continuous unit of single family housing on the south side of Highway 99. Although in our land use element of the omprehensive plan it does call for some R-2 to the west of this project, it is not adjacent so we would be essentially planning in R-2 prior for a couple of properties that squeeze in between. The other consideration is the extent of that in an easterly direction as well, in terms of containment. The density question is not a strong issue.

Commissioner Baller stated that development patterns of the city overall had to be a concern.

Commissioner Shinn asked what this proposal means in terms of future land use development in this area.

Commissioner Baller felt the timing to be bad at this time. Not convinced the timing is right for this particular area, as there are a large number of vacant houses and vacant lots in the area.

Commissioner Shinn stated that he had figured it out and less than 1 percent of the total number of houses were vacant - in terms of need there might be a case for this project.

Commissioner Schrader - Would like to answer some questions or misconceptions regarding modular, mobile homes, or manufactured housing and also regarding city ordinances that have been accepted and voted on by the City Council. This as been done to satisfy L.C.D.C. and while everyone enjoys the town of Canby just the way it is, and would like to leave it just the way it is, that's not going to happen. Whether it is single family dwellings or others we are going to have to be changing some. It is not necessarily correct that mobile homes depreciate - recent years manufactured homes have appreciated in value. The buffer question has been raised several times - the houses along S.W. 13th Avenue - was proposed to ameliorate having a mobile home park in that area. None

of us are too comfortable with that in an R-1 zone, but the ordinance does allow it as a conditional use. With an eye towards trying to help the people in the area working on property values and this type of thing, wonders if the buffer should not be extended to protect the other people in the area, has problems with the size of the project. One of the people speaking referred to lot size - this application has been thoroughly gone through and it does meet the requirements for lot size for R-1, mobile home development - 7 units allowable per acre, minus the streets, and this proposal does meet that. Park space based on our ordinances, exceeds the requirements for park space by about 2,000 square feet. The fir trees are a legitimate concern - conceivable that some of those could be saved - need some revisions in the map to further explain how it is sitting. I have some thoughts I would like to have considered, 13th street must be developed as a full street before we can allow this to go through - another traffic check is in order - would also like to see indication of street lights and traffic signals whichever is most appropriate from staff recommendations. Would like more buffering around the sides, this proposal is a little large for the City of Canby, the developer got into vacancy rates and there aren't a lot of vacancies in mobile home parks here in Canby. The size could be remedied, protect the property right - people don't want their property depreciated. Feels the people have legitimate concern, don't know if there is a way to develop this site economically and still provide some buffering at least on the south and west side where there are homes existing at this time. Manufactured homes should all meet HUD and SC regulations, should be written in as a condition to reiterate the fact that it is required. The manufactured home must have at least 1200 square feet - should pick a particular width in order to make it fit into the community for aesthetic purposes. This should also be a condition. This is a semi-commercial proposal in a residential area, but it maintains some of the residential features which are important. The size and how to control this development once it is built, on proposed condition #13 - if they would change that to read: ". . . to be forwarded to the Planning Commission . . ." so the comments could be along with a plan for maintaining standards. A procedure is needed to protect the park and manage and community so that we don't have run-down homes in the park. This would help to answer the maintenance question.

Commissioner MacKenzie stated that the same thing exists in a residential area at the present time. Some homes are run-down and no taken care of.

Commissioner Schrader stated that he felt the ownership thing was a valid concern on the part of the residents in the area. We need this added assurance in order to keep the park up. Would like to see all the mobile homes set on foundations.

The City Planner informed the Commission that the number of mobile homes listed for Canby included the entire postal district of Canby - not just those inside the city limits.

Commissioner Shinn stated that he had two concerns - the appropriateness of the location and traffic. All of the plans for the city call for 13th Avenue to be

arterial, and although it has never been used that way, it has always been the intent. When we talk about traffic counts, we really need to be talking about traffic plans. To suggest that by not doing this mobile home park in this location, we are going to diminish the kinds of traffic loads that 13th is intended to carry just isn't the case. The other question is what can we do to buffer the remainder of the families from the mobile home park.

Mr. Land stated that our ordinance requires fifteen feet of landscaping around the perimeter plus a six foot site obscuring fence. Also, keep in mind that you are talking about single story dwellings.

Mr. Atwood stated that if you created more private single family lots you will need more public streets as opposed to private streets.

Commissioner Shinn stated that we really needed a maintenance plan.

Commissioner Schrader stated that he felt another design was needed.

Discussion followed regarding the size of the proposal, the impact on the livability in the area, and the possibility of a new design with a larger subdivision and less mobile home park.

Commissioner MacKenzie feels that more time is needed to consider this request, and questions whether some of the items that were discussed is within the jurisdiction of the Planning Commission to take action on.

Commissioner Baller read the proposed 24 conditions of approval from the staff report.

Commissioner Baller moved to continue this request until the next Planning Commission meeting which will be held on September 12, 1983. The motion was seconded by Commissioner MacKenzie and passed unanimously.

Meeting adjourned at 10.58 p.m.

This meeting has been recorded on tape.

Respectfully submitted,



Virginia Shirley, Secretary
Canby Planning Commission