

Canby Planning Commission
Regular Meeting
February 13, 1989

MEMBERS PRESENT: Chairman Kahut, Commissioners Nicholson, Harmon, Schrader and Meeuwsen

MEMBERS ABSENT: Commissioners Lindsay and McKibbin

OTHERS PRESENT: City Attorney John Kelley, Public Works Director/Planner Rusty Klem, Secretary Virginia Shirley, Adriene Smith, Bruce Goldson, David and Marybeth Kostrikin, Iris and Bill Stevens, Marv Dack, Dave Anderson, Mike Jordan, Mr. and Mrs. Bob Smith, Mr. and Mrs. Lee Faucett, Gloria Ives, Theresa Brown, Tim Barton, John Christensen and others.

Minutes of the previous were corrected on page 3, No. 9, second sentence: "... eight (8) foot parking spaces." Condition No. 5 was corrected to read: Each unit to contain a minimum of 1,000 to 1,099 square of living area for a two bedroom unit. Anything over 1,099 may be a three bedroom unit. The minutes were approved as corrected.

Item #1: Request for a Major Land Partition from one lot to three lots on the west side of N. Ash Street approximately 200 feet north of N.W. Ninth Avenue and described as Tax Lot 300, Section 32A, T3S, R1E. The applicants are Ronald G. Tatone and Gloria Ives. The staff report was made by Rusty Klem with a recommendation for approval subject to seven conditions. Gloria Ives, applicant, stated that she would be willing to answer any questions. There being no questions of the applicant, Chairman Kahut opened the public hearing portion of the meeting by calling for proponents. There being no proponents, he then called for opponents. There being no opponents, Chairman Kahut closed the public hearing portion of the meeting. *Commissioner Schrader moved to approve the major partition as it meets the standards and criteria for a major partition. This approval to be subject to the following conditions: 1) Utility easements are to be provided having a minimum width of twelve (12) feet along all street frontages. Easements along interior lot lines are to be as specified by the Canby Utility Board or the Canby Telephone Association. 2) All recommendations of other agencies are to be regarded as conditions of approval. 3) Full street, sidewalk, and storm drainage improvements to City standards are to be constructed along the street frontage of Parcels IV and V. A one-foot reserve strip dedicated to the City is to be provided at the south end of the new street improvements, to prevent access from the unimproved areas. 4) Dedication of property for street, sidewalk, and utility improvements is required for Parcels IV and V. The form of this dedication is to meet the requirements of the City Attorney. 5) Street, sidewalk, sewer, and storm sewer improvements are to meet the requirements of the City Public Works Director. 6) Street lights, electrical system, and water system improvements and hydrant locations to meet the requirements of the Canby Utility Board. The local Fire Marshal's requirements for hydrants and water line sizing shall also be observed. 7) No development on Parcel I is to take place in the proposed right-of-way for N.W. 9th Avenue.

The motion was seconded by Commissioner Nicholson and passed unanimously with the Chairman voting.

Item #2: Request for a Conditional Use Permit to build 13 units of Senior Citizen and Handicapped housing under Section 16.82 of the Canby Municipal Code on property located between N. Juniper Street and N. Knott Street east of Juniper Court and described as Tax Lots 10512 and 10513, Section 33BD, T3S, R1E. The applicant is A. M. Lon Burdge. Mr. Klem read a letter from the owners of the property Lyle and Joyce Read, stating their unhappiness with the design of the proposed housing for seniors and handicapped. Mr. Klem then gave the staff report with a recommendation for approval with eight conditions. Discussion between the Commission and Mr. Klem brought out the fact that the existing plot plan does not have a scale, that an emergency entrance is probably needed on N. Juniper Street, and landscaping was non-existent on the proposed plot plan. Dave Anderson, representing the applicant, apologized for not having a scale on the proposed plot plan, but assured the Commissioners the parking spaces were drawn to a legal size. Mr. Anderson further stated that an emergency entrance could be taken from the Juniper Street side. Mr. Anderson also stated that there would be two additional parking spaces in front of the building located on N. Juniper Street. Chairman Kahut opened the public hearing and called for proponents of the application. There being no proponents, the Chairman called for opponents to the development. John Christensen, 602 N. Knott Street, stated he had not received enough time after the notice to really investigate the matter. Mr. Christensen asked for a thirty (30) day delay to enable the neighbors to consult an attorney and prepare a case against the application. Theresa Brown, 636 N. Knott, stated there were 35 children on the north end of the dead end street who either played in or on the edge of the street. Ms. Brown further stated they were suffering from too much traffic already (people who get lost and people attending the fair). Tim Barton, 540 N. Juniper Street, questioned the setbacks for such large buildings, as are being planned in this development and the lack of any landscaping plan. Mr. Barton also stated the development would force his property values down. Theresa Brown asked if this development would include handicapped who were not elderly, and questioned whether they would have families with them. Ms. Brown spoke of vehicles and at least one trailer parked in the street. Ms. Brown asked how these could be two-story and still be for the elderly and handicapped. Lee Faucett stated that he objected strenuously to the overcrowding this would cause. Mr. Faucett stated there were no sidewalks on N. Knott or N. E. 4th Avenue and during fair-time the situation is bad. Tim Barton requested a definition of a conditional use. Mr. Klem gave him the definition. Theresa Brown stated that with all the traffic, this would not be a good place for the handicapped. Dave Anderson, representing the applicant, was given five minutes to rebut the opponent's testimony. Dave Anderson stated that the property was zoned R-2, Medium Density Residential, and had been since the mid fifties, the proposed location was a relatively quiet street, and the applicant is only asking for two additional units. Chairman Kahut closed the public hearing for the present, but will consider reopening the public hearing if the application is continued. City Attorney John Kelley informed the audience and Commission of the "Fair Housing Act" rules and regulations under whose jurisdiction this

would be handled. Commissioners Schrader and Nicholson asked to continue to application for a plot plan drawn to scale and showing the scale used, landscaping, lighting, fire access, and exact number of units. Chairman Kahut stated the public hearing would be continued on March 27, 1989, to enable the applicant to gather the needed information and also to allow the opponents additional time to seek information.

Chairman Kahut recessed the meeting at 9:22 p.m. for a 10-minute break. The meeting reconvened at 9:30 p.m.

Chairman Kahut addressed the audience and stated that Mr. and Mrs. Kostrikin had consented to a postponement of their Annexation hearing until February 27, 1989, after 7:30 p.m., due to the length of the agenda.

Item #3: Request for a zone change from R-1, Low Density Residential, to R-1.5, Intermediate Density Residential, on property located at the west end of S.W. 13th Avenue and described as Tax Lots 700 and 1100, Section 4C, T4S, R1E. The applicant is DeAnza Development represented by Bill Bartlett and Tom Tye. Commissioner Harmon stepped from the rostrum due to a conflict of interest and left the meeting. Mr. Klem gave the staff report and recommended approval subject to two conditions. The Commissioners and Mr. Klem discussed the shape of the parcel and the lack of frontage on S.W. 13th Avenue, when it eventually was built west of this property. Bruce Goldson, Compass Engineering who represents DeAnza Development, was in agreement with the staff report. Chairman Kahut opened the public hearing and asked for proponents to the application. Bill Stevens, stated that he was in favor of the application as it was his property and he wouldn't have a sale without the zone change. There being no further proponents, the Chairman called for opponents. As there were no opponents, the public hearing portion of the meeting closed. The Commission held a discussion regarding the fact that the property could not be fully developed without some connection from either the east or the west, due to the lack of street frontage. *Commissioner Nicholson moved to recommend approval to the City Council of the proposed zone change as this will bring the parcel into conformance with the Comprehensive Plan for development and there are adequate public service to develop the site. This approval is to be subject to the following two conditions: 1) Access must be provided through the adjacent mobile home park and not from the end of S.W. 13th Avenue; and 2) The cost of all facility utility improvements to the site are to be approved by the service provider and borne by the developer. The motion was seconded by Commission Schrader and passed unanimously with the Chairman voting.

Item #4: Request for a Conditional Use Permit to develop a 22 space addition to the existing mobile home park, known as Elmwood Mobile Home Park, on the west side. The proposed addition will be on Tax Lots 700 and 1100, Section 4C, T4S, R1E. The applicant is DeAnza Development represented by Bill Bartlett and Tom Tye, Compass Engineering. Mr. Klem gave the staff report and recommended approval subject to 21 conditions. Bruce Goldson, Compass Engineering, questioned conditions 1, 6, 9, and 16. Mr. Goldson wanted to be sure that all of the agencies had responded with their conditions of approval. On number six he didn't

know if the bank beyond the fence could be used for open space as the bank is quite steep. Mr. Goldson stated that 9 and 16 accomplished the same goal and the applicant wished the City to drop condition 9. The Commissioners discussed the condition of the bank on the south side of the property and whether it was too steep for development with nature trails. Mr. Goldson was questioned as to the size of the spaces and the size of the cul-de-sac. He assured the Commission they were at least as big as the spaces in the existing park and the cul-de-sac was of adequate size. Chairman Kahut opened the public hearing portion of the meeting and called for proponents. Bill Stevens stated that he was all in favor of the development. Marv Dack stated that he was neither a proponent or opponent, but would like to speak. Mr. Dack stated that he wanted to talk about conditions 6 and 15. On condition 6 he asked that the gate be locked if it were put in; and, on number 15 he requested that the Planning Commission require double wide mobile homes on the perimeter of the lot. There being no further proponents or opponents, Chairman Kahut closed the public hearing. Mr. Klem then proceeded to read the conditions one by one and discuss each condition with the Commission. After which *Commissioner Schrader moved to approve the addition to the mobile park of 22 units as it complies with the Comprehensive Plan for alternative house and higher density, the bluff will provide open space, all facilities are available, the location and design does not detract from the nature of the use or the area, and it appears to meet the requirements for a mobile home park. This approval to be subject to the following conditions:

1. Recommendations and requirements of other staff reports to be made conditions of approval of this project.
2. No trees to be removed that can safely be left to enhance living environment, at the discretion of the City Forester.
3. Site drainage to be handled to the satisfaction of the Public Works Department.
4. Street name and traffic signs shall be installed at the intersection according to city standards or deposit made with the city of an amount equal to the cost of installation.
5. Private park restrictions to be the same for the addition as the existing park. A copy of the restrictions to be forwarded to the City Planner prior to occupancy in conformance with Planning Commission and Ordinance requirements.
6. A six (6) foot site-obscuring fence to match the existing fence is to be placed around the perimeter of the mobile home park addition. The south fence shall include a locking gate allowing for the use of the slope as an open area. If the slope is developed, the open space is to be fenced.
7. Canby U.S. Post Office to be contacted to establish placement of Neighborhood Delivery Collection boxes.

8. All trash receptacles to be so located that they are not seen while driving in the park and can not be tipped-over by dogs or other animals.
9. No occupancy to be permitted in the mobile home park addition until completion of all improvements.
10. All units to have skirting attached at the time of installation.
11. All mobile home park requirements listed in Canby Municipal Code Section 16.44 to be requirements of this conditional use.
12. Each mobile home to be allowed one storage building containing no more than 168 square feet.
13. All models to be new or like new, but in no case more than two years from date of initial license (owner may change location within park).
14. No metal exterior siding or roofing.
15. All single-wides to have a minimum of 800 square feet and all double-wides to have a minimum of 1050 square feet. Double-wides are required on all exterior lots.
16. All units must meet all HUD and OSSSC requirements.
17. Guard rail to be placed at the bluff line at the south end of the newly created street.
18. Roll-over curbs and three (3) foot sidewalks to be required in street-yard of each mobile home site.
19. All utilities are to be installed to the service providers specifications.
20. A preconstruction conference is required.
21. Developer to return to Planning Commission with an open space improvement concept within one-year of completion.
22. Approval of Conditional Use Permit subject to approval of the Zone Change.
23. A full-time on-site manager is required.

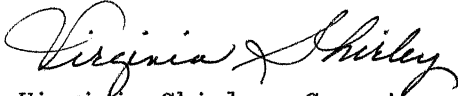
The motion was seconded by Commissioner Nicholson and passed unanimously with the Chairman voting. The Commission requested the "Conditions of Approval" be brought back to the meeting of February 27, 1989, for approval of the changes they made.

Other Business - The Planning Commission discussed amendments to the Comprehensive Plan and Zoning Ordinance. The Commission set a special meeting for March 20, 1989, to begin work.

There being no further business, the Planning Commission meeting was adjourned at 11:45 p.m.

This meeting has been recorded on tape.

Respectfully submitted,

A handwritten signature in cursive script, reading "Virginia Shirley".

Virginia Shirley, Secretary
Canby Planning Commission