

Canby Planning Commission
Regular Meeting
May 22, 1989

MEMBERS PRESENT: Commissioners Schrader, McKibbin, Harmon, Lindsay, and Nicholson

MEMBERS ABSENT: Chairman Kahut and Commissioner Meeuwsen

OTHERS PRESENT: Public Works Director Rusty Klem, Secretary Virginia Shirley, Councilman Bob Smith, Marv Dack, Butch Olsen, G. Edward Dobbs, Michael DeShane, Tedd F. Chilless, Don Nielsen, Jack Fisher, Lee Shirley and others

The minutes of the meeting of May 5, 1989, were approved as presented.

Item #1: Continued request for a minor land partition to divide one tax lot into two tax lots on property located at the west end of S.W. 13th Avenue and described as Tax Lot 800, Section 4C, T4S, R1E. The applicant is A.L.F., Inc.

Commissioner Harmon declared a conflict of interest and stepped down into the audience and took a seat.

Staff Report

Mr. Klem informed the Planning Commission the zone change had passed the City Council on first reading. The applicant's are applying to partition a 1.38 acre from the larger site. The partitioned portion is all that A.L.F., Inc. will be handling. Staff recommended approval subject to eight conditions, which were read by Mr. Klem.

Commissioners Questions of Staff - Who would pay for the relocating of existing facilities? Beyond the drawing submitted tonight, the staff is to handle location of facilities at a pre-construction conference? How far will 13th Avenue be extended? Can we continue until we get more particulars? Has S.W. 13th Avenue been engineered? What type of street will 13th Avenue be? Does the site plan leave any smaller portions that will be unusable.

Staff Answers

The developer will pay for the relocating of any existing facilities. The pre-construction conference is information for the developer on the requirements of the City for development. Mr. Klem stated that it was up to the Commission whether or not this was continued again tonight

for more information. The corners have a 150 foot radius which will be tight. The street will be built according to specifications of the City. This road is proposed as an arterial in the Comprehensive Plan. Only the portion in the northeast corner will be unusable and it can be used as open space.

Applicant

Tedd Chilless, 208 S.W. Stark, explained the floor plan and landscaping plan for the Commission.

Mr. Chilless was asked if they would be using the same definition for "frail elderly" as used by the previous applicant. Mr. Chilless was unable to answer.

Public Hearing

Butch Olsen, 645 N.E. 22nd Avenue, informed the Commission there would be no phasing of S.W. 13th Avenue as they wanted to build it all at one time. He further stated that they would be developing open space in a pioneer fashion, using the names of pioneer women that were familiar to people in this area.

Michael DeShane, 8445 Lafayette, stated they would be following State of Oregon guidelines. Further stated that they would be serving the elderly who need assistance.

Marv Dack, 715 S.W. 13th Avenue, expressed his confidence in the project and further indicated it had been his dream.

There being no further proponents, the Chairman called for opponents. When none came forth, the Chairman closed the public hearing portion of the meeting.

Discussion

The Commission discussed the triangular parcel north of the proposed road and declared it was good for open space. Much concern regarding the inadequacy of the streets and culs-de-sac in the project. Developer to comply with all standards of street construction. Discussion turned to the extension of 13th Avenue. It was determined that the street will be built in its entirety rather than in stages. The Commissioners learned that 70 percent

of the apartment dwellers are widows and that 50 percent do not drive, making a very quiet street. It was critical to the developers that the streets be narrow. The Commission heard that two church groups were interested in building on the proposed church site. Mr. Klem informed the Commission that the City Attorney had informed him that the federal government has a stipulation that these projects be occupied by those 55 or older. The question arose again regarding apartments. By consensus of those present it was determined that apartments were appropriate. The cul-de-sac width is to be authorized by the Fire Marshal in order to have a turnaround width for fire engines. Discussion of width of streets and by consensus of the Commission the streets will have additional width. Commission wants a written document regarding "assisted living age limits." The people who own and manage this establishment aren't compelled to accept anyone. It was determined that the proposed athletic center would be part of the P.U.D.

Recessed meeting for 10 minutes at 9:40 p.m. Reconvened at 9:50 p.m.

Action:

Commissioner Lindsay moved to approve the minor land partition to divide one tax lot into two at the end of S.W. 13th Avenue described as Tax Lot 800, Section 4C, T4S, R1E, subject to the following conditions: 1) Approval of this land partition is subject to completion of all conditions on the zone change. 2) Development on either parcel must conform to all provisions of the Land Development and Planning Ordinance. 3) Development on either parcel must be preceded by a preconstruction conference. 4) Southwest 13th Avenue must be extended to beyond the entry to the assisted living facility shown on the smaller lot as part of development on that parcel. It must be developed to the specifications of the Public Works Director, and sidewalks on both sides are to be part of the street improvements. 5) All public facilities must be installed according to specifications of the service provider and at the expense of the developer. 6) All

utility easements for City, CUB, CTA, and NWT are to be recorded. Such easements are to be twelve (12) feet in width along exterior property lines and six (6) feet in width along interior lines. Wording of easements are to be approved by the Public Works Director. 7) Approval is conditioned on the receipt of registered survey of the small parcel in the Public Works Office. 8) Waiver of the right to remonstrate against the formation of an L.I.D. for future improvements. The wording of the waiver of remonstrance must be approved by the City Attorney and the cost of recording borne by the applicant. 9) No 3-story units to be allowed. 10) The northeast corner is to remain as open space. 11) Corner road radii and cul-de-sac radii as suggested by the Fire Marshal and staff. 12) Internal sidewalks five (5) feet in width. 13) The main road as identified at the May 22nd meeting to be 36 feet at the entrances on S.W. 13th and narrowing to 30 feet. 14) The overall density of the PUD to stay with R-1.5 development standards. The staff is instructed to draw up the appropriate findings of fact based on the April 24 and May 22 meetings input that meet standards and criteria for PUD, and major partition and present the same to the Planning Commission for Final Approval at the next meeting. The motion was seconded by Commissioner McKibbin and passed with 3 yeas and 1 nay (Commissioner Nicholson).

Item #2: Continued request for a Conditional Use Permit to build a 25 unit residential concept with handicap accessibility for the frail elderly on property located at the west end of S.W. 13th Avenue (newly created lot of minor partition above) and described as part of Tax Lot 800, Section 4C, T4S, R1E. The applicant is A.L.F., Inc.

Staff Report

The staff report for the minor land partition and the zone change included information regarding the frail elderly care facility. No questions from the Commission.

Public Hearing

With the testimony given at the public hearing for the P.U.D. and the minor land partition, there was no additional public testimony for this application.

Discussion

Commissioners asked the staff if there was enough parking for the facility and if there would be any other use of the building? Mr. Klem answered that there would be enough parking and the conditional use only approved the facility for "frail elderly."

Action

Commissioner McKibbin moved to approve the conditional use permit for the frail elderly subject to the following conditions: 1) Prior to construction of the assisted living facility, coordinate with the Public Works Director to schedule a preconstruction conference. 2) Recommendations of other jurisdictions are to be considered as conditions of approval. 3) Internal walkways are to be five (5) feet wide and well lighted to better serve the elderly and handicapped. 4) Provide landscaping to improve the living conditions for the renters. 5) Approval by City Attorney of definition of "Assisted Living Elderly Frail" as being someone 55 or older. 6) Maintain State, County and City licenses. 7) Conditional Use Permit approval is subject to approval of the zone change and minor land partition. 8) Approval of the conditional use permit is subject to general conformance with the site plan. The motion was seconded by Commissioner Lindsay and passed unanimously, with the Vice-Chairman voting.

Item #3: Request for a Minor Land Partition of property located on the south side of Knights Bridge Road and west of the Baker Prairie Pioneer Cemetery and described as Tax Lot 2900, Section 33CB, T3S, R1E.

Commissioner Harmon returned to his seat on the Commission at this time.

Staff Report

Mr. Klem gave the staff report and made a recommendation of approval.

Questions by Commission

Mr. Klem was asked if a survey of the newly created lot would be required. Mr. Klem said they could make that a condition of approval.

Public Hearing

There were no proponents and no opponents to this application.

Action

Commissioner Harmon moved to approve this minor land partition as it does comply

with the Comprehensive Plan for the area, and meets the requirements of the Land Development and Planning Ordinance. This minor land partitioning to be subject to the following conditions: 1) Utility easements for City, CUB, CTA, and NWT use are to be recorded. Such easements are to be twelve (12) feet in width along exterior property lines and six (6) feet in width along interior lines. Wording of the easement(s) to meet the requirements of the Public Works Director. The cost of recording to be borne by the applicant. 2) Sidewalks are required at the time of construction on both the new lot and the retained lot prior to occupancy. 3) The new lot will be subject to all connection fees, development fees and building permit fees. The exact amounts can be obtained from the service provider. 4) A survey of the new lot is required. The survey is to be recorded with the County Surveyor and one copy presented to the Public Works Office to complete this file. The motion was seconded by Commissioner Lindsay and passed unanimously with the Vice-Chairman voting.

There being no further business the meeting was adjourned.

This meeting has been recorded on tape.

Respectfully submitted,



Virginia J. Shirley, Secretary
Canby Planning Commission