

MINUTES

Canby Planning Commission
Regular Meeting
January 8, 1990

MEMBERS PRESENT: Commissioners Schrader, Lindsay, Meeuwsen, Nicholson, Zieg, Bear and Wiegand

OTHERS PRESENT: City Planner Hank Skinner, Public Works Director Rusty Klem, Secretary Virginia Shirley, Fred Kahut, Councilman Bob Smith, Councilman Terry Prince, Wayne Scott, Maynard Nofziger, Mr. and Mrs. Sean McVickers, Roger Reif, Dr. Kadwell, Lee Shirley and Dave Anderson

The first order of business was the election of a Chairman and Vice-Chairman for the new year. Vice-Chairman Schrader handed the gavel to City Planner Skinner who opened the meeting. Commissioner Lindsay opened the nominations and nominated Commissioner Kurt Schrader for Chairman and then asked that nominations be closed. The Commission voted unanimously in favor of the nomination. City Planner Skinner turned the gavel over to Chairman Schrader. Commissioner Bear nominated Commissioner Carol Meeuwsen for Vice-Chairman, seconded by Commissioner Zieg. The nominations were closed. The Commission voted unanimously in favor of the nomination.

City Planner Skinner reviewed the ordinances that had been passed out to the Commissioners. These are ordinances that had not yet been placed in the codified edition of the Municipal Code. Mr. Skinner had also given the Commission a copy of Ordinance 793, Mr. Kahut's franchise agreement with the City. City Planner Skinner also showed the Commissioners a new format for agendas which he wanted to use. The Commission agreed to the use of the new format.

City Planner Skinner gave the Commission and update on acquisition of park and recreation development plan. The Council has asked the staff to recommend a committee to develop a Park and Recreation Master Plan. Staff is currently looking into the possibility of hiring a consultant to write our master plan.

The minutes of the December 21, 1989, meeting were approved as presented to the Commission.

Item #1: Request for a Minor Land Partition of property located at 255 S.W. First Avenue and described as Tax Lot 8600, Map No. 3-1E-33CD. This request is to partition from one lot into two lots. The applicant is David R. Anderson.

Commissioner Bear stated that he had made a site inspection along with the City Planner. Chairman Schrader said that he hoped everyone on the Commission had visited the site.

City Planner

Mr. Skinner gave the staff report and made a recommendation for approval, subject to several conditions.

Questions from Commission Com. Wiegand asked if it was normal to get permission from the state for ingress/egress.

Commissioner Bear asked if there would be a further discussion after the public the public hearing.

Chairman Schrader asked why the dual driveway with was 24 feet.

City Planner Skinner answered that in order to build sidewalks, curbs or an access from the highway the state would issue permits. There will be a further discussion regarding the application after the public hearing. He informed the Chairman that the applicant had requested a 24-foot driveway and if the state allowed the 24 feet had no objection to it.

Chairman opened public hearing portion.

Proponents None came forth.

Opponents Wayne Scott stated that he had attended the meeting to address the setback variance for which Mr. Anderson had applied. If the variance is allowed, the new building will hide the sign put in by Mr. Scott.

Mr. Skinner asked Mr. Scott to put this in writing and submit the information to him prior to the next meeting and it will be considered. Mr. Scott replied that he would write the information and submit it to Mr. Skinner.

Chairman closes public hearing portion.

Discussion Com. Bear was concerned that there was not enough parking space. He also noted that the applicant can cover sixty percent of lot with building.

Com. Nicholson asked if the real estate office would have enough parking for their business. Also asked for the width of sidewalks for the adjacent properties.

Mr. Scott stated that his sidewalks were eight (8) feet in width.

Com. Nicholson asked if the street would have enough vision clearance and have adequate parking.

The Commission discussed the use of "no left turns" from this driveway. Mr. Anderson asked if the state would not have something to say about such a restriction. The City Planner stated that any signing would have to be done by the state.

Action

Commissioner Bear moved to approve the minor land partition of property described as Tax Lot 8600, Map No. 3-1E-33CD as it meets all of the criteria for approving a minor partition and subject to the following conditions: 1) The applicant shall prepare a final partition map. The final partition map shall be a survey, prepared by a registered engineer or licensed surveyor, and shall be recorded with the Clackamas County Surveyor, in compliance with all applicable 1990 State and County survey and recordation standards. A copy of the recorded survey or a set of the official recording numbers shall be provided to the Planning Division. The copy of the recorded survey or the copy of the recording numbers must be submitted prior to the issuance of a building permit. 2) New deeds and legal descriptions for the two new lots shall be prepared and recorded with the Clackamas County Recorder. The new descriptions shall include the necessary reciprocal easements for access. Copies of the newly recorded deeds and easements or the recording numbers under which they were filed shall be provided to the Planning Division prior to the issuance of a building permit. 3) The applicant is responsible for any and all necessary permits for work within the Highway 99-E right-of-way. Authorization from the Oregon State Highway Division shall be obtained prior to the applicant initiating any work within the 99-E right-of-way. 4) The applicant shall be responsible for constructing an eight(8) foot wide curb and sidewalk across the entire frontage of the original parent parcel (approximately 126.08 feet). The curb and sidewalk shall be constructed to City specifications as required by the City Public Works Director. 5) The new driveway approach shall be constructed to City specifications as required by the City Public Works Director. 6) The applicant shall obtain all necessary permits from the City and other agencies for work on and/or reconnection to utilities and services. Separate utility connections shall be required for each lot. The motion was seconded by Com. Lindsay. Com. Meeuwsen asked that the findings

of fact in the staff report be included in the motion. This was acceptable to the maker of the motion and the second. The motion passed unanimously with the Chairman voting.

Dr. Kadwell asked the Commission when the Urban Growth Boundary change and Zone Change application for Northwood Estates would be heard. Mr. Skinner informed they would be on the agenda at the first meeting the Commission held in February. Dr. Kadwell asked if both the zone change and boundary change could be heard the same night. Mr. Skinner said that to the best of his knowledge they would both be heard on the same night.

Item #2: Request for Annexation of 32.57 acres located on the south side of S.W. 13th Avenue between S. Ivy and S. Fir Streets. The applicant is H.O.P.E., a non-profit organization represented by Frank Morris and Roger Reif.

City Planner

Mr. Skinner gave the staff report and informed the Commission that prior to development the applicants would need to dedicate right-of-way and upgrade the streets, water and sanitary sewer. Mr. Skinner also informed the Commission of letters from an 8th grade girl, the Mayor and from Mike Christensen of the Clackamas County Transportation and Development Commission.

Questions from Commission Com. Nicholson stated that the applicant should receive some informal information regarding solar access development and the present thinking on parks development and the possibility of some type of ordinance by the time of development of this property.

Applicant's Rep. Roger Reif stated the group was from the Mennonite Church and gave a history of their search for property. His clients are in agreement with the City's staff report and are just asking permission to be a part of the City. They were looking for three things: a location with good roads and services. This property is within the priority "A" group for annexation in the Comprehensive Plan. The development the group envisions would mean housing for the city's large older population. The group wants the Planning Commission recommendation of approval to take to the City Council. At the present time, the group does not have all the plans for the project developed.

Commissioner's Questions Com. Bear asked if the proposed development was going to be strictly for the elderly. Also, will the group need to wait for sewer treatment plant expansion.

Mr. Klem stated that it was not the treatment plant that was the concern, but the eight (8) inch line in S. Ivy Street. Mr. Klem went on to say that the City has plans for upgrading that line, but must budget the money first. The money can't be budgeted until July 1, 1990, and the City plans to proceed in August with the upgrading.

Com. Meeuwsen asked if there were more improvements needed than the Commission knew about.

City Planner Skinner explained that each item will become more definitive as the plans become clear.

The Commissioners continued to discuss the sewer line in S. Ivy Street and a solution to the problems of serving a larger area without spending taxpayer's money.

Com. Lindsay expressed the opinion that the annexation could take place.

Com. Meeuwsen asked the time frame for development of the project.

Roger Reif stated that it will be at least ninety days for annexation and then they would have to hire an engineer. Mr. Reif said that the whole project may take as long as ten years. Frank Morse stated that the entire project would be done in phases. Mr. Morse also stated that the water use will be less for the elderly than for young people.

Com. Bear asked if the sewer line in S. Ivy was being replaced anyway.

Mr. Klem stated they would upgrade at least from S. Second to S. Fifth Avenue.

Com. Meeuwsen moved to recommend approval adopting the findings in the staff report and subject to the following conditions: 1) All development and recording costs shall be borne by the applicants. 2) All City and service provider regulations are to be adhered to at the time of development. 3) All subsequent development of the property shall be preceded by the complete plans including but not limited to subdivision plats, site plans, traffic volume

impact studies and detailed engineering plans, subject to review and approval by the City Staff. The motion was seconded by Com. Bear. Com. Nicholson moved to amend the finding (6) to read as follows: All affected service providing entities are not currently available to provide adequate facilities, however it is presumed that Canby will be able to improve their public facilities based on the testimony provided at this January 8, 1990, meeting to provide adequate water and sewer facilities and that a complete traffic and engineering study be completed prior to any development. Also, to add one additional finding which reads: Urbanization of a piece of property this size impacts Canby's relative open space and significant natural resource areas and therefore appropriate parkland dedication and solar access considerations will be required for any development. The maker of the motion and the second concurred. The question was called for and the amended motion passed unanimously with the Chairman voting.

Com. Nicholson asked the City Planner to investigate two comments that were made at the December 21, 1989, public hearing on the transfer and recycling station. First, if the Portland Fire Chief had told an opponent that ". . .it was crazy to build a transfer station next to a battery factory." Second, if Metro's recycling and transfer station at Oregon City could handle Canby's garbage.

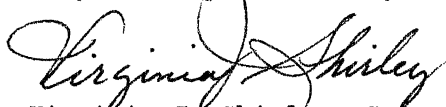
Mr. Skinner informed the Commission and he and Councilman Smith had been working on a design review ordinance and wanted an additional workshop with the Planning Commission and City Council, if a date could be set in the near future. It was the consensus of the Commission that they would be willing to meet on Thursday, January 25, 1990, at 7:00 p.m.

The Planning Commission asked the staff to confirm another place for the January 15, 1990, meeting, if the Council Chambers is too small to hold the audience. Mr. Skinner stated that he would do so.

There being no further business to come before the Commission, the meeting was adjourned at 10:05 p.m.

This meeting has been recorded on tape.

Respectfully submitted,



Virginia J. Shirley, Secretary
Canby Planning Commission