

CANBY PLANNING COMMISSION
REGULAR MEETING
JULY 23, 1990
7:30 p.m.

APPROVED

I. ROLL CALL

Present: Chairman Lindsay, Commissioners Wiegand, Bear, Mihata and Zieg.

Others Present: Hank Skinner, City Planner; Joyce Faltus, Planning Secretary; Tom Tye, Marv Dack, and Art Ellickson.

II. MINUTES

The July 9, 1990 minutes were approved unanimously.

III. COMMUNICATIONS

Hank Skinner explained that the public hearing for the assisted living facility (Dan Larson) south of Territorial Road and east of Redwood Avenue, has been postponed until August 27th. Property owners adjacent to this property have been notified of the change and a new notice will be published in the Canby Herald.

Chairman Lindsay then announced the 1990 Oregon Planning Institute, "Linking Growth Management and Urban Livability," taking place September 5-8, and sponsored by the University of Oregon. Mr. Skinner detailed the agenda. Any planning commissioner wishing to attend the Planning Commission Training portion should notify the office, in time to register on August 22, 1990.

IV. UNFINISHED BUSINESS

Mr. Skinner explained that Mr. Sullivan was contacted regarding the Cedar Creek Development hearing on August 13th. Mr. Sullivan indicated he will have notified the City Planner by July 25, 1990 regarding whether or not the hearing will be continued or withdrawn.

V. BUSINESS FROM THE AUDIENCE

None.

VI. PUBLIC HEARING

Chairman Lindsay explained the public hearing format, guidelines and procedures relative to the applicable criteria. He asked whether any Commissioner had ex-parte contact or a conflict of interest. The Chairman explained he visited the site and did not arrive at any conclusions.

CUP 90-05, a request by Gerald Mootz (Wilco Farm Store) for approval to construct a new storage building on the east side of S. Ivy Street (Tax Lot 1400 of Tax Map 4-1E-4AB).

Hank Skinner presented the staff report. He reviewed the criteria, surrounding uses and history of the property. The property immediately north of the present warehouse is zoned differently. The new tax lot is zoned CR, while the remainder is zoned C-2. The uses are slightly different within the two districts. The applicant is proposing to tear down an existing warehouse and build a larger one to the north. Circulation would be improved to the site. There would be no change to the character of the neighborhood as a result of this request. With regard to curbs and sidewalks, Mr. Skinner explained that the only frontage for this lot is the 20' driveway. As the request complies with the applicable criteria, staff recommends approval subject to conditions

Applicant

Gerald Mootz, 1735 S. Ivy explained that Wilco purchased the property four years ago. At the time of purchase it was supposed to be rezoned to commercial. He explained the current wooden building was too small and that the larger concrete building would be a much safer building to store fertilizer. Wilco will not be adding to the staff, so no additional parking spaces are required. Mr. Mootz explained that there would be no automobile traffic via the small driveway to the north and that the driveway will eventually be blocked off.

With no additional testimony, the public portion of the hearing was closed for Commission deliberation. Issues discussed:

1. The curb and sidewalk issue was discussed with regard to consistency.
2. The driveway to the north of the Wilco store and whether it would be used for access to the new warehouse.

Commissioner Bear moved for approval of CUP 90-05 based on the Findings and Conclusions in the July 13, 1990 staff report, the applicant's testimony and the Commission deliberations, with the addition of condition #3:

3. The applicant shall be required to sign a waiver of remonstrance against future street, curb and sidewalk improvements along Ivy Street. This condition shall apply to all of the property under the ownership of Wilco Farms, Inc.

Commissioner Wiegand seconded the motion and it carried unanimously.

CUP 90-02, a request by DeAnza Development (William Stevens) for approval to construct 22 additional manufactured home spaces on a site adjacent to the existing Elmwood Mobile Home Park on property identified as Tax Lots 700 and 1100 of Tax Map 4-1E-4C.

Commissioners Wiegand, Zieg, Mihata and Bear stated they had visited the site, but had reached no conclusions regarding it. Commissioner Lindsay stated that the purpose for his visit was to see the recreation areas. During his visit, he encountered the manager. They discussed the versatility of the recreation areas and office building. Mr. Lindsay said he concluded that those areas appeared sufficient to handle the additional mobile home sites.

Hank Skinner presented the staff report, reviewed the history of Elmwood Mobile Park and the applicable criteria. The developers are requesting approval to add an additional 22 spaces to its 90-unit facility. The park is located on the south side of 13th Avenue, south of a new assisted living facility, and north of a 50-acre gravel extraction operation. Under the proposal, 22 homes will be constructed on an estimated 4-acre parcel, west of the existing mobile home park. In addition, a current street within the park will be extended to accommodate the proposed homes. Based on the existing vegetation on site, Mr. Skinner recommended limiting tree cutting to only those

necessary to site mobile homes and streets. He discussed the possible minor modification of the plan for possible access onto S.W. 13th. In the event such future connections to public streets are made, Mr. Skinner explained that the applicant should be required to install street and traffic signs in accordance with City standards. After discussing how the application complies with the applicable criteria, Mr. Skinner said that staff recommends approval with conditions.

Applicant

Tom Tye, Compass Engineering, concurred with the conditions of approval, except for the tree removal. He explained that trees remaining after the homes and roads are added will be vulnerable to high winds and present a safety hazard to residents living in nearby mobile homes. He stated that the larger trees should be taken out, and would agree to planting smaller ones in their place. Mr. Tye submitted an easement agreement for the record (Exhibit 5), which settles all problems between Mr. Dack and the Torgesons.

Proponents

Dave Nelson, 25610 S.W. Mountain Road, West Linn stated that he has an option on the Torgeson property. He explained he intends to develop a manufactured home park, different from Elmwood in that it will be more like a residential subdivision. He stated he supports the Elmwood Mobile Home Park application and intends to cooperate fully.

Bill Stevens, 801 S. Hine Street stated he owns the property Phase II would be located on and supports the application. Phase I is well maintained and attractive, and Phase II would be a welcome addition.

Marv Dack, 715 S.W. 13th Avenue stated that he owns property to the west. He said he is concerned that as many trees as possible need to be left, to act as a buffer between the mobile home park and its adjacent properties.

With no further testimony, the public portion was closed for Commission deliberation. Issues discussed:

1. The Commission agreed to leave the amount of tree removal to the discretion of a City forester. They agreed that trees along the north and west property lines are to remain intact to act as a

buffer between the park and adjacent properties, as well as to protect a 60-foot bluff.

2. The Commission found that the existing mobile home park had adequate open space, including a playground, adult recreation and picnic areas. In the proposed expansion, a one-acre area on the side of a bluff will serve as open space for the new homes.
3. Out of concern for park residents, the Commission required a locked gate be placed so residents could not use the bluff.
4. The Commission agreed that a six foot, site obscuring fence should be built.
5. The Commission agreed the applicant should submit a site drainage plan.

Commissioner Wiegand moved for approval of CUP 90-02 based on the findings and conclusions in the July 13, 1990 staff report and on Commission deliberations, with conditions as follows:

1. Appropriate easements shall be dedicated for required public services and facilities, as determined and required by the respective service providers. Wording of the easements to be approved by the City Public Works Director and the City Attorney. Costs of required recording to be borne by the applicant.
2. Curbs, sidewalks and street improvements along public street frontage shall be installed at applicant's cost, as determined and required by the Public Works Director.
3. Appropriate and necessary land from Tax Lot 700 shall be dedicated to the City in order to maintain the Southwest 13th Street extension alignment. The amount of land required and the dedication to be approved by the Public Works Director and City Attorney. Costs of required recording to be borne by the applicant.
4. Staff review and approval of all development plans at a pre-construction conference is required. This includes storm water drainage plans.
5. All utility installations shall have the prior approval of the service providers and shall comply with required specifications.

6. A six (6) foot site-obscuring fence, matching the existing fence, shall be installed around the perimeter of this mobile home park addition at locations approved by the Public Works Director.
7. Tree removal and replacement necessary to provide clear sites for mobile homes and streets and clearance for the perimeter fence shall be approved by the City Forester. Trees along the north and west property lines shall be kept intact to act as buffers from adjoining properties.
8. Street and traffic control signs and devices, as determined by the Public Works Director, shall be installed, at applicant's cost, at intersections with public streets in accordance with City standards; or the applicant shall deposit with the City a cash sum equal to the cost of such installation.
9. Mobile Home Park rules and regulations established by the applicant shall be the same for this addition as for any other part of the park. A copy of the rules and regulations shall be submitted to the City Planner for a determination of compliance with the applicable laws, conditions and the health, safety and welfare of the residents.
10. Residents' mail boxes shall be located, installed, identified and maintained as required and recommended by the Postmaster of the Canby Branch of the United States Post Office.
11. Trash receptacles shall be placed so they are protected from the vision of passers-by and from animal vandalism.
12. All single-wide models shall be a minimum of 800 square feet; all double-wide models shall be a minimum of 1,000 square feet. No units shall be metal, nor have metal exterior sides and roof. All units shall have skirting attached at the time of installation.
13. Each mobile home shall be allowed one (1) storage building containing no more than 168 square feet.
14. All units must meet all HUD and OSSC requirements.
15. Curbs and three (3) foot sidewalks shall be installed along the internal private street, as determined by the Public Works Director.

16. Guard rails shall be installed at the south end of the internal private street. The type and location of installation of the guard rails to be determined and approved by the Public Works Director.
17. Developer must post a performance bond for the mobile home park, using the format described in the Canby Municipal Code.
18. Prior to the issuance of Certificates of Occupancy, the mobile home park addition shall be completed.
19. Development of the open area slope and wetlands at the bottom of the slope will require an application for an expansion or modification or alteration of this Conditional Use Permit.
20. A gate is allowed in the fence along the bluff ridge. The gate is to be kept locked at all times to insure the safety of residents.
21. All mobile home park requirements listed in the Canby Municipal Code, with the exception of Section 16.44.030(H), shall be requirements of this Conditional Use Permit.
22. Appropriate easements shall be dedicated for required public services and facilities as determined and required by the respective service providers.

Commissioner Zieg seconded the motion and it carried unanimously.

VII. FINDINGS

Commissioner Bear moved for approval of the MLP 90-07 (Bayless) Findings, Conclusions and Order as amended. Commissioner Zieg seconded the motion and it carried unanimously.

Commissioner Bear moved for approval of the ANN 90-03 (Tatone) Findings, Conclusions and Order as amended. Commissioner Mihata seconded the motion and it carried unanimously.

Commissioner Zieg moved for approval of the CUP 90-03 (Wright) Findings, Conclusions and Order. Commissioner Bear seconded the motion and it carried unanimously.


Commissioner Mihata moved for approval of CUP 87-04(Mod. 6-90) (St. Patrick's Church) Findings, Conclusions and Order. Commissioner Bear seconded the motion and it carried unanimously.

Commissioner Zieg moved for approval of VAR 90-02 (Poole) Findings, Conclusions and Order. Commissioner Mihata seconded the motion and it carried unanimously.

VII. ADJOURNMENT

With no further business before the Commission, the meeting was adjourned at 10:05 p.m.

Respectfully submitted,


Joyce A. Faltus
Secretary