

CANBY PLANNING COMMISSION

Regular Meeting
April 8, 1991

7:30 p.m.

APPROVED

I. ROLL CALL

Present: Chairman Schrader, Commissioners Westcott, Wiegand, Fenske, Mihata and Zieg.

Staff Present: Robert Hoffman, Planning Director and Joyce Faltus, Secretary.

Others Present: Butch Olsen, Mr. and Mrs. Ernest Vaughn, Lyle Lee.

II. MINUTES

Approval of minutes was postponed to April 22, 1991.

III. BUSINESS FROM THE AUDIENCE

None

IV. COMMUNICATIONS

Mr. Hoffman stated that Resolution No. 469 was approved by the City Council on April 3, 1991. This resolution establishes policy regarding submittal of information for proper decision-making by the Planning Commission. It further encourages applicants to meet with the Planning Director to learn what is expected to be submitted with an application, in order to enable the Commission to render a swift and judicious decision at the earliest possible time. The City is now operating under this resolution. He further explained that the City Administrator, in the budget submitted to City Council, included adding a position to the Planning Department.

Chairman Schrader advised the Commission and audience that a workshop will be held on April 16, 1991 for the City Council, Planning Commission and Parks Committee to further work on the Systems Development Charge, and to give further direction to John Kelley. On April 17, 1991, the Park Plan will be reviewed by the City Council in a public hearing format.

V. UNFINISHED BUSINESS

None

VI. PUBLIC HEARINGS

MLP 91-02, a request by Arthur R. and Lynn M. Olsen for approval of a minor land partition to create one 10,920 square foot lot and to create a flag lot containing 13,920 square feet (including the driveway). The property is located at 1059 N. Locust Street, between N.E. 10th Avenue and N.E. 12th Avenue (Tax Lot 1500 of Tax Map 3-1E-33BA).

Chairman Schrader asked if any Commissioner had a conflict of interest or ex-parte contact. Commissioners Fenske, Mihata and Westcott reported they had visited the site. Chairman Schrader reported he visited the site and met Mr. Olsen and after they said hello, he asked where the property line was.

Mr. Hoffman presented the staff report, explaining that the parcel is approximately .57 acres, 90 x 276 feet, with 90 lineal feet of frontage along N. Locust Street. The entire area is zoned R-1, Low Density Residential. The rear portion of the lot would be accessed by way of a 20 foot driveway which, due to a reciprocal agreement, both the front and rear lot owners would have rights to use it. Mr. Hoffman then summarized the applicable criteria and standards for flag lots. The driveway that presently serves this parcel was not constructed entirely on the existing parcel, as five feet exists on the property to the north, for which an easement has been provided. Mr. Hoffman said, after discussion with the applicant, that if the adjacent lot owner wanted, a reciprocal access easement could be entered into which would permit use of the 20 foot driveway for both parcels. There is a sewer line in N. Locust Street, approximately 12 feet deep. Easements will be necessary to serve each lot, and there are no known sewer capacity problems in this part of the City. There will need to be on-site storm drainage provided so as not to discharge to the City system. There are two catchbasins in Locust Street, one at 10th and Locust and one at 12th and Locust. A 4 inch water line exists in N. Locust Street too. Staff

recommends approval, subject to conditions, which include that a minimum distance of 5 feet shall be maintained at all times, between the existing home and the required 20-foot wide paved driveway. Additionally, the garage shall be located at least 3 feet from the driveway. The existing buildings shall be indicated on the survey drawing.

A discussion was held regarding the required footage between the garage and the driveway. Mr. Hoffman explained that the ordinance does, **literally**, require 5 feet, but that Mr. Godon, the Building Inspector, said that this is an accepted tradition and all that is necessary. He further explained that the ordinance refers to existing buildings, where new buildings are permitted to be built 3 feet from the driveway. Mr. Hoffman added that there is sufficient room on the parcel to require 5 feet though. Accessory buildings could be built three feet from side yard as long as they are 60 feet back from the street. Mr. Godon said that to make a turn with a full sized car, 24 feet would be necessary.

Applicant

Arthur R. (Butch) Olsen, 1059 N. Locust Street, stated that he concurred with the staff report.

Lyle Lee, 1085 N. Locust Street, stated that he is the adjacent property owner and that he has decided not to enter into a reciprocal access agreement.

Ernest Vaughn, 1070 N. Locust Street, stated that he has no objection to the proposal, but that he hoped similar lot line adjustments will not become the trend, because the area will become too congested.

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

Mr. Hoffman relayed a discussion he had with Ron Tatone about some concerns relating to this proposal. One concern was that a series of flag lot proposals could cause too much congestion, and change the character of the neighborhood. They discussed the Comprehensive Plan policy which is clearly intended to increase the densities and encourage development of the land in the City.

The Commission agreed this was a straight-forward application that contained nothing out of the ordinary. Absent the City Council amending the Comprehensive Plan, there appeared to be no way to address the concerns that flag lots could become a trend in the neighborhood.

Based on the staff report, testimony by the applicant and proponents,
**Commissioner Fenske moved for approval of MLP 91-02, as recommended
by staff. Commissioner Westcott seconded the motion and it carried
unanimously.**

Mrs. Vaughn stated that there would be no opposition to these flag lot proposals
if they remained single family residential structures.

VII. FINDINGS

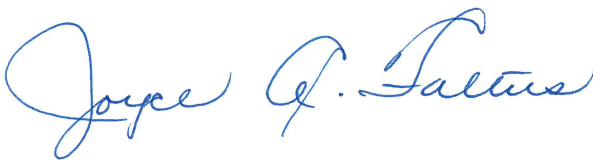
**Commissioner Zieg moved for approval of the MLP 91-01 (Laitinen)
Findings, Conclusions and Order. Commissioner Wiegand seconded the
motion and it carried unanimously. Commissioner Westcott abstained.**

**Commissioner Mihata moved for approval of the CPA 91-03 (H.O.P.E.)
Findings, Conclusions and Order. Commissioner Zieg seconded the motion
and it carried unanimously. Commissioner Westcott abstained.**

VIII. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Joyce A. Faltus