

MINUTES

CANBY PLANNING COMMISSION

Regular Meeting

May 11, 1998

7:30 pm

I. ROLL CALL

Present: Chairman Dan Ewert, Vice Chair Keith Stewart, Commissioners Jim Brown, Vern Keller, Jean Tallman, Terry Prince

Staff: Aneta Synan, Planning Director, Jason Kruckeberg, Associate Planner; Dixie Harms, Secretary

Others Present: Patrick S. Harmon, Matt Grady, Terry and Suzanne Webber, Barry Lucas, Roger and Ann Skoe, Terry Fillis, Randy Carson, Keith Guisinger, Matthew Madeira, Roy Zimmer, Bob Zimmer, Terry N. Tolls, Phil Parson, Fritz and Janet Hostetler

II. MINUTES

April 13, 1998

Commissioner Stewart moved to accept minutes of April 13, 1998, as submitted. Commissioner Tallman seconded the motion and it carried unanimously.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

Barry Lucas, 2165 Country Club Dr., Canby, invited the Commissioners to attend the dedication of a skate board park for the City of Vancouver on May 17, 1998 at 2:00pm. He stated members from the Park and Recreation Advisory Committee, Blue Heron Recreation District and the City Council would be going up by bus to attend.

IV. COMMISSION DISCUSSION OF PLANNING ISSUES

Commissioner Tallman asked about the status of the sidewalk on Territorial Rd., since it had not been installed yet. Staff stated an enforcement letter has been written.

V. PUBLIC HEARINGS

MLP 98-01 Harmon (N. Pine partition), an application requesting approval to partition a 25,026 square foot lot into two 11,445 square foot lots.

Chairman Ewert reviewed the hearing process, procedures and format. He referred to applicable criteria posted on the wall and on page 2 of the staff report. When asked if any Commissioner had a conflict of interest or ex-parte contact, except for visiting the site, but coming to no conclusions, none were expressed.

Mr. Kruckeberg presented the staff report. The property is located on the west side of north Pine Street, between NE 11th Place and NE 12th Way. The property currently contains a single family dwelling with a detached garage and shop building, and is zoned R-1. The existing house is located appx. one and one half feet from the southern property line and is a non-conforming structure. The proposed partition will allow the existing buildings, with exception of the house, to meet the setback requirements. The properties in the surrounding area are also zoned R-1, with area lots appx. 9,000 to 22,000 square feet. This site is currently 25,026 square feet; the two 11,445 lots proposed would meet the city's lot standards. No natural hazards were noted. Half street improvements would be on Pine and the entire frontage of the property, with 10' right of way dedication to facilitate the development of the street. A 5' sidewalk on the frontage would be conditioned. Request for Comments forms indicated no overburdening or problems by the service providers. Staff believes all criteria has been met and recommends approval with the conditions listed in the staff report.

Staff indicated there were no storm water requirements on the half street but could be part of the improvement, if deemed necessary.

Staff also stated that if the existing house were altered, another process would take place - notice to nearby property owners and a chance to request a public hearing.

Commissioner Tallman corrected the location of the property; the property was located on the west side of Pine Street.

Commissioner Prince stated it was his understanding there was no natural gas service on that side of the street.

Applicant

Patrick Harmon, 735 NE 30th Pl., Canby, stated that the property was 100% conforming and generous in square footage. He explained natural gas is

located at the corner of 10th and Pine, and has no plans for making alteration to the existing home.

Proponents

None

Opponents

None

With no additional questions, the public portion of the hearing was closed for Commissioner deliberations.

Commissioner Keller moved to approve MLP 98-01 as submitted. Motion was seconded by Commissioner Prince, and it carried unanimously.

DR 98-04, an application by Rick Beko requesting site and design review approval to construct a 9,000 square foot metal fabrication building with an office and caretaker apartment, has been postponed to June 22, 1998.

Chairman Ewert opened the public hearing. Staff explained the grant continuance extension of the 120 day rule was for more time to process the application.

Commissioner Keller moved to extend DR 98-04 to June 22, 1998. Commissioner Stewart seconded the motion, and it carried unanimously.

CPA 98-01 Industrial Park Master Plan (continued from April 27, 1998)

Chairman Ewert noted no request was made to re-read the public format, and everyone was present at the first reading. When asked if any Commissioner had a conflict of interest or ex-parte contact, except for visiting the site and drawing no conclusions, Commissioner Brown declared he is employed by MGA Architects who has a client, Gramor Development, had met with the Arnesons and Metro, and intended to participate. There were no questions by the audience. No-one in the audience indicated they wanted a full overview of the history of the plan when asked by Chairman Ewert.

Staff reported receiving two letters; one from the Department of Land Conservation and Development, generally supporting the plan, but suggesting the City include policies that restrict the rezoning of the industrial land within the

park boundaries. Ms. Synan pointed out the City does have a policy that does discourage rezoning. Another item stated was traffic circulation and the few connections to the park from the west. A letter from Terry and Suzanne Webber stated concerns such as drainage, truck traffic, and speed on Mulino Rd. Staff was asked to obtain clarification regarding the State's comment of limiting uses in the zone.

Chairman Ewert opened the session to public hearing.

Terry Webber, 24464 S. Mulino Rd., Canby, presented pictures of an accident that has occurred recently. He commented it was a dangerous intersection, the trestle is a problem, and he would like to see a stop sign to possibly lower speed.

Terry Tolls, representing the Madeiras and Zimmers, stated concerns about assessment formulas, major access problems, and loss of land.

The Commission viewed maps, verified lot ownership and discussed the possible location of the boulevard. Otak representative stated the location could be expected to shift 70' either way of the right of way. He stated the northern access, onto 99E, would be the state's decision. Chairman Ewert stated land swaps would need to be presented to the Commission to be considered.

Commissioner Tallman recognized that the "triangle" on Mulino Road would need to be realigned.

Steve Dixon, Otak, explained conductivity and circulation through the area.

Commissioner Brown was concerned that if traffic isn't addressed, how is it determined where the changes in zoning are going to fall. Commissioner Stewart suggested one map show land swaps, roads, and such on it.

Craig Lewelling and Matt Madeira stated they were not aware of all the problems when this process first started, and that more information has since been presented and they would like to see a meeting of the owners.

Mr. Palmer stated the road would go through his house.

Chairman Ewert stated that the roads will not be built if the property is not developed, and Commissioner Tallman said that until the property is developed the houses will remain.

Roy Zimmer said that the issue of First Street having to be changed did not come up until about four meetings ago, that it's his understanding that First

Street needs to be changed before the boulevard goes in, and would need to be done simultaneously or the whole thing is a standstill.

It was noted that traffic engineers are designing the intersection and where roads need to be.

Chairman Ewert stated where the boulevard would be situated, except for the entrance onto 99E and its connection with Redwood, is pretty much set except for a 70' movement. It was stated the boulevard wouldn't move more than the width of the right of way. Chairman Ewert explained the roads to stay would be 4th, Township and Mulino, and two other connections between 4th & First, and Township & 13th. ODOT would have a minimum standard for distance between the connections. It was also suggested the boulevard have a curve in it to reduce traffic speed.

Mr. Palmer asked if land could be condemned to put in a road. It was explained the City wouldn't want to do that and it would be an absolute last resort. Barry Lucas agreed and stated it was something Mr. Palmer didn't need to worry about.

Chairman Ewert also suggested zoning be discussed at a later date since the Comprehensive Plan is being reworked. Commissioner Brown clarified that it is not the Commission's intent to change the zoning, but clarify the area. The Commission agreed the master plan maps provided to the public should show what the Comprehensive Plan does for zoning to avoid any confusion.

Viewing a map and discussing the realignment of First St. and a north-south road, the Commission agreed the "dotted line" would be swapped with the "straight line".

Chairman Ewert asked the First St. property owners meet with Otak to discuss the First St. issues of it becoming a private road, maintenance, access, and where it hooks into Redwood.

The matrix was discussed. Commissioner Brown stated he felt instead of seeing few numbers with high point values, he'd rather have many items with few point values.

He suggested parking change to 0,1, & 2; minimum interior parking lot landscape issues change to 15%-18% =0, 18%-22%=1, 22%+=2; minimum number of parking spaces are ok; change the landscape buffer on the front and sides to 0, 1, 2; and installation of parking lot trees to 0,1, & 2. He stated low points would require participation in more than one area in order to achieve the minimum required value, with zero meaning the minimum requirement of the

ordinance has been met. The Commission agreed six out of nine total points were preferred, but no lower than five.

The Commission agreed transportation/circulation point values should change to 0,1 & 2, and shared driveways be a possible condition during minor land partition time not at design review. The Commission agreed to strike the verbiage "raised/rolled" for internal circulation. The Commission agreed the pedestrian route lighting would be mandatory for safety reasons. A total of three points would be an acceptable minimum score for transportation/circulation.

Tree retention points were acceptable as listed, but the Commission agreed to add public open space on site with point values of 0 and 1, and in striking the verbiage "one point if no trees recommended for retention" and "one point if no designated trails or parks."

Landscaping points were also adjusted to 0,1 and 2. The Commission liked the idea of maintaining the theme of trees in the public right of way and usable outdoor amenities were supported such as water features or plazas. Minimum acceptable score, with an overall minimum acceptable score of four.

Chairman Ewert directed staff to check on the code for closing First Street and asked the Commission members to come prepared to finish the discussion on the Industrial Park Master Plan at the next meeting.

Mr. Kruckeberg explained to the Commission that the reason he had not returned Mr. Tolls phone call last week was because he was ill last week and that he had met with him previously, however, none of the information presented tonight had been discussed.

Chairman Ewert stated the Commission would review the allowed uses in the M1 and M2 zones in a future meeting.

VI. COMMUNICATIONS

The Commission briefly mentioned billboards in the development code and staff stated that an ordinance amendment would need to be done to change it.

Staff stated the City has contracted with Otak to do a portion of a study for housing needs due to a TGM grant. The city has appointed Teresa Engeldinger, Duane Weeks, Randy Carson, Delbert Hemphill, Jerry Simmnit, and Dana Tyler to serve on this committee to inventory buildable lands. Terry Prince volunteered to be the Commission's liaison, if needed.

VIII. NEW BUSINESS

The Commission agreed issues concerning mobile food unit requests would be handled on a case by case basis.

IX. DIRECTOR'S REPORT

Staff stated an annexation application has been filed to the Boundary Commission by Walt West Construction. Ms. Synan stated they were working on the process and procedures for handling a request that goes directly to the Boundary Commission.

Staff stated the Commission asked a letter be prepared to the City Council concerning comprehensive Plan changes and to start scheduling public hearings. Ms. Synan stated she had been instructed by the City Administrator to put it on hold temporarily. Commissioner Prince stated he objected to the City Administrator trying to dictate what the Planning Commission decides to put before the Council. Commissioner Keller agreed. Commissioner Stewart stated he would like to know from the Mayor or the President of the City Council, in person or in writing exactly if the City Administrator has the statutory and regulatory authority to halt what the Planning Commission is doing. Chairman Ewert stated he will pass the request on.

Commissioner Brown stated there is a school board meeting on Thursday, May 14, 1998, 6:30pm at Canby High School, and the bond will be presented.

IX. ADJOURNMENT

The meeting was adjourned at 11:15 pm.