

MINUTES

CANBY PLANNING COMMISSION

Regular Meeting
April 12, 1999
7:30 P.M.

I. ROLL CALL

Present: Chairman Stewart, Commissioners Brown, Bliss, Blackwell, Manley

Staff: Jason Kruckeberg, Planning Director; John Williams, Associate Planner

Others Present: Clyde Powell, Jeff Herman, Brigitte Herman, Morris Cederquist, Andrew Orr, Curtis and Lila Gottman, Henrietta Orr, Rick Gemeinhardt

II. MINUTES

December 14, 1998

Commissioner Brown made a motion to approve the minutes of December 14, 1998 as submitted. Commissioner Blackwell seconded the motion and carried 5-0.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

Lila Gottman, chairman of the Bicycle and Pedestrian Advisory Committee, wanted to talk about parking on SE 13th Avenue. Ms Gottman stated that she felt parking in front of Ackerman Junior High created a terrible traffic problem. She stated that the City Council asked her to bring a proposal to them with alternatives. She discussed the crowding at the soccer fields on 13th, as well as at the swim center and school. She stated she will bring a packet to the Council on May 5, 1999. The Commission decided not to provide any information for Ms Gottman's packet due to lack of information.

IV PUBLIC HEARINGS

MLP 99-02 an application by Jeffrey Herman to partition an existing 22,000 square foot lot into 2 lots. The site is located on the east side of Juniper between NE 10th and 12th

Ave (Tax Lot 2300 of Tax Map 3-1E-33BA).

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

John Williams, Associate Planner, presented the staff report dated April 2, 1999. He stated that both lot sizes meet the square foot standards. There are sidewalks on both sides of N. Juniper. The applicant is asking for a shared access easement from the property owner to the south. When asked, the City Attorney felt the agreement was acceptable with the addition of the word perpetual in the easement. Mr. Williams also noted that Public Works wants a 12' easement on one side of the lot to get utilities to the back lot.

Commissioner Brown questioned where the access will be drawn on the partition. Mr. Williams stated that when we get the plat we will ensure that it is in the right place.

Commissioner Bliss asked about the existing structures and what the intent was for those structures. Mr. Williams stated that he was not sure but that would be a question for the applicant.

Applicant

Jeff Herman clarified that the easement will be 150' from the street. He stated that the existing foundation and shed will all come out of the back lot, and structures will be removed to allow the utilities to come in.

Commissioner Bliss asked about the fence location. Mr. Herman stated if the excavator can get in between the fence and the garage he would like to leave it, if not he would like to take it down and then replace it.

Chairman Stewart asked about the fence location along the rear lot line. Mr. Herman explained where the new property line would be and he would like to put a fence there.

Commissioner Brown discussed fire truck turnarounds.

Proponents

Clyde Powell, 1100 N. Juniper, stated that he partitioned his property 11 years ago. Mr. Powell felt this partition would be a good addition to the neighborhood.

Commissioner Bliss asked about parking on the access drive. Mr. Powell said he would

enforce “no parking” in the easement.

Opponents

Andy Orr, 1170 N Juniper, stated he lives 3 lots away. He stated he was told that his house could not be moved back 15 feet from the street. He was told that it was ‘code’. Mr. Orr stated he does not want a two story home built on the subject property.

Mr. Herman stated the house will be a one story home.

Morris Cederquist asked questions about what type of home and Mr. Herman showed a Graphic of what he planned to do. Mr. Cederquist stated that he was not opposed to Mr. Herman’s plan, he just wanted information.

Chairman Stewart closed the public hearing and opened Commission deliberations.

The following items were discussed:

- Discussion regarding fences and hedges and how the city regulates them. Staff stated that typically we do not regulate hedges.
- Code enforcement may need to resolve situations that cannot be solved between neighbors.
- Commission was polled by the Chairman and all agreed that this is a good proposal with the added condition that all building setbacks be met on both lots. John Williams read into the record a statement that all building setbacks must be met on both lots. This may necessitate demolishing or moving the existing structures.

Commissioner Brown made a motion to approve MLP 99-02 as recommended by staff with the condition read into the record by Mr. Williams. Commissioner Bliss seconded the motion Motion passed by a vote of 5-0 with one Commissioner absent.

Staff proposed that the Commission approve the findings for MLP 99-02 on the same night as the hearing as the next Commission meeting will be an informal work session and Mr. Herman would have to wait a month for the findings to be approved.

Commissioner Brown made a motion to approve the Findings, Conclusions, and Final Order with the addition of Condition #9 that all building setbacks must be met on both lots. This may necessitate demolishing or moving existing structures. Commissioner Bliss seconded the motion and the motion passed by a vote of 5-0 with Commissioner Tallman absent.

VI. NEW BUSINESS

Jason Kruckeberg, Planning Director, gave a presentation on the Access Management Plan (HWY 99-E). He discussed the history of the Access Management Plan in the city, and what the city will do with this existing document. The Access Management Citizen’s

group will continue to work with the planning staff on the policy document. Mr. Kruckeberg discussed the policy document that will be created for access management. He also discussed some of the grants that we have applied for and some of the funding options that are available. There was discussion about medians along the highway and how they would be handled.

Chairman Stewart asked about traffic studies and ODOT. Mr. Kruckeberg explained that ODOT will be involved with traffic studies but that the city's requirements are more stringent than the ODOT requirements.

Vice-Chairman Brown asked if there was a mechanism that would address four groups: access management, downtown redevelopment, Chamber of Commerce, downtown businessman's group. Mr. Kruckeberg explained that the Periodic Review process is an opportunity to bring these groups together and address coordination and long range planning.

VII. COMMUNICATION

The meeting of April 26, 1999 will be a work session to discuss Comp Plan Review. Jason Kruckeberg and Clint Chiavarini will be at the National APA Conference in Seattle and Jason noted that John Williams will be available to attend the meeting on the 26th. Mr. Kruckeberg suggested using a flip chart to identify the topics that the Commission would like to look at through Periodic Review. Chairman Stewart suggested categorizing the work plan. The Commission discussed their thoughts on the things to be discussed at the meeting of April 26th. Mr. Kruckeberg discussed citizen involvement going on through the end of the year.

The issue of how to regulate Agricultural buildings that come into the city through annexation was recently brought to the City Council by the Building Official. The City Council found that these buildings would be dealt with the existing "Dangerous Buildings Ordinance".

Pacific Rock Products has requested a change in the paint color for their concrete batch plant that was approved in the Design Review hearing (DR 98-03). The color was not conditioned but was shown on the elevations. The Commission discussed the issue and approved the request..

VIII. DIRECTOR'S REPORT

Jason Kruckeberg discussed bills in the legislature dealing with funding, the DLCD funding and TGM grants. Kurt Schrader and Rick Metsger are on committees that will be

dealing with these bills. Mr Kruckeberg asked the Commission to endorse a letter he has written recommending approval of funding for these groups and they agreed to do so.

IX. ADJOURNMENT

With no further business to come before the Canby Planning Commission, the regular meeting of April 12, 1999 was adjourned

Respectfully submitted,

Dixie D. Harms