

**MINUTES**  
**PLANNING COMMISSION**  
**REGULAR MEETING**  
**MARCH 27, 2000**  
**7:00PM**

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**PRESENT:** Chairman Keith Stewart, Commissioners Jim Brown, Paul Thalhofer, Jean Tallman, Geoffrey Manley.  
**ABSENT:** Corey Parks, Teresa Blackwell  
**STAFF:** John Williams, Interim Planning Director, Carla Ahl  
**OTHERS:** Karen Hill, Lesli Plummer, Earl Plummer, Troy Winklebleck, Jacquelyn Morris, John Garcia

**I. ROLL CALL**

**II. CITIZEN INPUT ON NON-AGENDA ITEMS**

Terry Prince, City Council Liaison, addressed the Commissioners, and discussed the "ABC" plan (a system that prioritizes annexations), does it need to be modified, how much density does Canby want/need, mixed use zones (commercial/residential) and how to deal with the historical area.

Mr. Brown asked about the status of the Canby Bus System. Mr. Prince responded that the city is looking at the frame work for putting together it's own bus service. He stated that Sandy and Wilsonville have already established their own systems and they seem to be working well. Mr. Prince explained the tax money is already paid to Tri-Met. He thought the city can do it cheaper, have more local stops and supply handicap needs. He added that a decision needs to be made within the year.

Mr. Brown questioned whether there was still the possibility of an Amtrak Station in Canby. John responded that Canby did not score high enough in the rating system. Mr. Prince stated that providing bus service to the proposed Amtrak Station in Oregon City would be something to look at.

Mr. Brown asked if there was any action on the dedication of 2 pieces of property (at Knights Bridge Rd and by the Molalla Forest Rd) to the city for the parks system. Mr. Prince stated that there was nothing going forward at this time, but the Canby Skate Park construction would be starting soon.

Mr. Stewart asked about the Green Corridor (a program to keep green space between Canby and neighboring cities), Mr. Prince stated that the city and Clackamas County had signed

off on it and that ODOT has it now.

Ms. Tallman asked if there would be opportunities for the Commissioners to have input on the "ABC" plan modification. John stated that it was part of the Periodic Review and that there would be many opportunities for input.

Mr. Thalhofer asked what role the Planning Commission would have in the Urban Renewal process. Mr. Prince explained that the City Council was the voting body for Urban Renewal, but in his opinion he thinks the City Council would welcome the Commissioners input. Mr. Stewart stated that he was a voting member in the Advisory Council and would take any input the Commissioners had with him to the meetings. Mr. Prince suggested that the Planning Commissioners receive the minutes from the meetings in their packets to keep them informed on the progress.

### **III. PUBLIC HEARING**

**ZC 00-01** an application to change the zoning from low density to high density at 429 Knights Bridge Rd.

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 a conflict of interest, none was stated. When asked if any Commissioner had ex-parte contact, Mr. Stewart stated that he had visited the site, but drew no conclusions. No questions were asked of the Commissioners.

John Williams gave the Staff Report. He noted that the zone change was a separate application because it requires a recommendation from the Commissioners and then must go before the City Council for approval.

John explained that with low density zoning there could be 4 units put on this lot, with high density there could be a maximum of 12 units on the lot. He stated the Commissioners must consider the Comprehensive Plan, (giving special attention to policy # 6 of the land use element) and whether all public services will be available. John added that no issues came up except that the school would be impacted since it was already at capacity.

John stated the applicant was proposing is to change the zoning to the Comprehensive Plan designation and all services will be available except for schools, staffs' recommendation was for the Planning Commission to recommend approval to the City Council.

Mr. Brown asked when the decision was made to change the Comprehensive Plan to R-2, John replied it was done in 1984.

Mr. Stewart opened the public hearing.

**APPLICANT:**

Mr. Darren Monen 270 Escort St. Molalla. Mr. Monen stated he felt this was a straight forward application that utilized the property well.

**PROPONENTS:**

None

**OPPONENTS:**

**Karen Hill**, 478 N Knights Bridge Rd, stated that she has lived on Knights Bridge Rd for 2 years, she purchased the home without knowing that it is the second highest traffic volume street in Canby. She stated that her major concerns were the increase in traffic volume, the streets are in poor condition already, safety issues have not been addressed, aesthetic reasons, and she felt that a multi-family use was inappropriate at that location. Mr. Brown asked where on Knights Bridge her home was located, she responded that she lived directly across the street from the proposed site. Mr. Brown asked if she was aware what the zoning and the zoning plan was when she moved into the house, she replied that she was unaware there was a possibility of high density housing across the street.

**Lesli Plummer**, 400 N Knights Bridge Rd., addressed the Commissioners stating that her major concerns are for traffic safety, and the increase in volume, Knights Bridge is already a dangerous road.

**Troy Winklebleck**, 502 N Knights Bridge Rd., stated he had major traffic safety concerns. He realized that no one could stop Canby from growing but that he would like to see safety measures taken such as lower speeds, speed bumps, stop signs, stop lights and better road conditions. He questioned the affect this project would have on any future development for his property, if maintenance would be kept up to keep the development from becoming "HUD" type property and what the parking situation would be.

**Jacquelyn Morris**, 555 N Douglas Lane, stated there are Senior Living Facilities around the proposed site, the high volume of traffic at that location already makes it difficult for seniors to pull out on Knights Bridge and the increase in volume would only make it worse. She added that she is opposed to the high density use.

**John Garcia**, stated that he also had concerns regarding the increase in traffic volume. He added that he lives next door to the proposed site and would not want to have a driveway next to his property. Mr. Garcia stated that he used to live in Beaverton and does not want to see Canby develop as Beaverton has. Mr. Brown asked how long he has lived at that location he

replied that he lived there for 9 years. Mr. Stewart asked if there has been any significant change in the traffic patterns in that time, Mr. Garcia replied that in his opinion traffic has about doubled.

## **REBUTTAL:**

Mr. Monen stated that Canby has experienced a lot of growth, traffic has increased tremendously, but the city has established guidelines for sensible growth and he used those guidelines to make this application. Mr. Monen stated that this was an expensive project and it is in his best interest to build quality homes and to keep them maintained. He added that he had met all the criteria and asked the Commission to recommend approval for this application.

Mr. Brown asked why the application showed the existing house being split from the rest of the parcel. Mr. Monen stated that the house is 2700 square foot home, that is not rental material, so there is a possibility that the house would be sold separately.

Mr. Manley stated that the zone change application was within the Comprehensive Plan and felt it should be approved. There was a discussion regarding whether the Commissioners could base a denial on school impact alone. Mr. Stewart explained that it could be denied on that basis.

Mr. Thalhofer stated that the city needs to promote higher density but choosing when to in-fill instead of encroaching on farmland are difficult decisions to make since it will impact the school system.

Ms. Tallman stated that schools are a big concern, but that the Comprehensive Plan had put emphasis on giving that area special consideration, she stated that she was in favor of the zone change.

Mr. Brown explained that the Comprehensive Plan has been in effect for 16 years and the information is readily available, he felt that Real Estate Agents do not do a good job of informing people of future zoning plans. He stated this was designated by the Comprehensive Plan as an area of "special concern" and must be given extra consideration by the Commissioners. He added that the citizens of Canby have an opportunity to remedy the school situation with the upcoming bond measure.

Mr. Manley stated that this development would not be as drastic an impact on Eccles School as it would if it were at Trost School (which is already over capacity).

Mr. Stewart addressed the citizens and thanked them for becoming involved in the process. He stated that Mr. Monen had done everything by the rules, but he planned on voting against the zone change due to the schools comment that they were already at capacity and the future impact that the zone change would have on the school system.

Mr. Brown moved to recommend approval to the City Council on ZC 00-01. Seconded by Ms. Tallman. Motion carried 4-1-2 with Mr. Stewart voting nay, Ms. Blackwell and Mr. Parks absent.

**MLP 00-03/DR 00-02** an application to divide the lot at 429 Knights Bridge Road and to build 3 duplexes on one lot.

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 a conflict of interest, none was stated. When asked if any Commissioner had ex-parte contact, Mr. Stewart stated that he had visited the site, but drew no conclusions. No questions were asked of the Commissioners.

John Williams gave the staff report. He stated that the 1<sup>st</sup> condition for this application was final approval by the City Council of the zone change was needed. He added that without the zone change the applicant could divide this lot into 4 single family dwelling lots, with the zone change it would be possible to build 12 units on the property he stated that the applicant was proposing 7 units.

John stated that there were no concerns under the land use element, no environmental concerns and the only public service concerns stated were from the school district stating that they were at capacity.

Ms. Tallman stated that there were no house numbers conditioned in the report, John stated that they would fall under the sign review. Ms. Tallman no lighting was proposed for the back parking area. John explained that none was required since it was not a parking lot.

Mr. Brown asked if there was fencing required. John replied that it was not. Mr. Brown asked what off site improvements were needed. John answered that Public Works had not suggested any.

**APPLICANT:**

Mr. Monen stated that he would meet any requirement that the Commissioners thought would be appropriate. He stated that each unit would have its' own dry well for water collection and that he is willing to install lighting if it would increase safety. Mr. Monen stated that Mr. Browns' statement was correct regarding the remedy to the school situation and that Canby residents have to decide at what level they want the school system to function.

Mr. Brown asked if there were existing fences on the property, Mr. Monen stated that the property was partially fenced at this time, he intends to totally fence the development and include a fence between the R-1 and the R-2 zones.

Mr. Thalhofer questioned why Unit 2 was situated close to Knights Bridge Rd when there was room to set it further into the property. Mr. Monen replied that lateral water lines cost money, but he would not have a problem setting the unit further back if the Commissioners wanted it. Ms. Tallman stated that the area in the back would be a safe play area for children and would prefer it be retained.

Mr. Stewart asked if there were any proposed lighting on the exterior of the buildings. Mr. Monen responded that lights are required on all exterior doors and that if the Commissioners required more lighting he would install it. Mr. Stewart asked if the applicant had spoken with the Fire Marshal regarding the sprinkler system. Mr. Monen replied that he had spoken with him and was surprised to see the comment still included.

Ms. Tallman asked if there were any plans for materials, siding, paint etc. Mr. Monen stated that they would be the normal materials and colors since it would be hard to rent the units if they were painted strange colors. Ms. Tallman stated that she would want some assurances the units would be painted in subdued colors.

**PROPOSERS:** None

**OPPOSERS:** None

**REBUTTAL:**

Mr. Monen stated again that school over crowding was a state wide issue which the residents of Canby can ease by passing the Bond Measure. And that this application is within all of the requirements Canby has for growth.

Mr. Stewart closed the public hearing and opened Commissioner deliberations.

Mr. Brown stated the whole property should be fenced with good quality material. He questioned if the installation of a fire hydrant would satisfy the fire safety issue, John stated that a fire hydrant was not required by the Fire Marshal. Mr. Brown suggested using the Fire Marshals language regarding finding a fire safety system as a condition for this application. He suggested that the applicant submit color chips with their building permit application and they be approved by staff.

Mr. Brown asked why the landscaping showed mostly grass, John responded that the design review matrix favors grass. Mr. Stewart stated that plants (unless irrigated) tend to die and are replaced by grass.

Mr. Brown stated that since the application is for a parcel that is right on the edge of the R-1 zone, he liked the way the applicant had divided the parcel into 2 pieces which feathered the transition from R-1 to R-2.

Mr. Stewart stated that the Zone Change application was unique and gave him the opportunity to state on the record what he believes is occurring with the schools. The Planning Commission continues to make decisions based on codes and laws and there is no choice but to approve certain things with in reason and with conditions. Voting on a zone change gives an opportunity to address the impact the zone change will have on the school system. He still believes it will negatively impact the schools, but that was addressed in the zone change.

Mr. Brown moved to approve DR 00-02/MLP 00-03 with the conditions of a street tree, good quality fencing on the interior, working with the Fire Marshal and submitting color samples with the building permit. Seconded by Mr. Manley. Motion carried 5-0-2 with Ms. Blackwell and Mr. Parks absent.

**DR 00-03** an application to approve exterior site work and interior remodeling to the existing building at 372 S. Ivy St.

John Williams presented the staff report, stating that the value of the remodel is what triggered the design review for this application. He noted that the property is located in the commercial/residential zone.

John stated that the landscape requirement for this zone is 15%, the applicant is proposing 600-700 square feet more than that. He added that the parking lot landscaping is already covered by existing trees. He stated that seven parking spaces are required (5 for the office and 2 for the residence) the applicant is proposing 10 spaces with a handicap space provided in the back. John added that a bicycle rack will be conditioned, the pedestrian access is a sidewalk directly off of Ivy St. to the front of the building and that a sign will be installed on Ivy.

John stated that there was a pre-application meeting a year ago, not many construction issues came up, except that a curb and possible sidewalk improvements will be required on Ivy St.

John stated that the staff recommends approval of the Design Review.

Ms. Tallman stated that a light for the parking lot was needed, John said it would be conditioned.

**APPLICANT:**

Darrin Monen stated he would be willing to install whatever parking lot lights would be necessary to light the parking lot without disturbing the neighbors. He stated that he wanted to install as large a sign as the code would allow, it was agreed by the Commissioners that the sign

would have to come back to them for approval.

Mr. Monen stated there had been problems in the past with water covering the sidewalk and puddling up in the yard when it rains and installing a dry well will help that situation. He asked the Commissioners if anything they were deciding would impact future plans for the upstairs section of the building. John explained that it would depend on what the applicant was, Mr. Stewart explained that every application had to fall or stand on its' own.

Mr. Brown questioned the proposed parallel handicapped parking stall, without an off loading space (which is standard). Mr. Monen stated they had located the stall there because it was the closest spot to the entrance. Mr. Brown suggested the Building Official would probably require it to be located somewhere else.

Mr. Manley asked about existing trees, or if a street tree should be required. Mr. Monen stated that they have a tree designated where the existing driveway is. Mr. Stewart commented that when he drove past the property he took that proposed tree to be the street tree and felt it was an appropriate location due to vision clearance problems with the driveway for the church. Mr. Manley stated one of the things the Commission has tried to do was to keep trees easily visible from the street. Mr. Brown suggested conditioning the proposed tree to be a 2" caliper tree.

Mr. Thalhofer asked what landscaping was planned behind the house. Mr. Monen responded it was not final yet but it would be aesthetically pleasing, and low maintenance. Ms. Tallman questioned whether there was water available. John explained that would be part of the building permit process.

Mr. Stewart closed the public hearing and opened Commissioner deliberations.

There was a discussion regarding the placement of the parking lot light. It was agreed to allow the engineer provide an appropriate design that would meet the NEC requirement for parking lot illumination.

Mr. Brown moved to approve DR 00-03 with the conditions, parking lot lighting as required by the building codes, the sign to come back to the Commissioners and requiring a 2" caliper tree. Seconded by Ms. Tallman. Motion carried 5-0-2 with Ms. Blackwell and Mr. Parks absent.

#### **IV. FINDINGS:**

None

#### **V. NEW BUSINESS**

None



## **VI. MINUTES**

None

## **VII. DIRECTORS REPORT**

- ◆ Logging Rd Industrial meeting March 29<sup>th</sup> will be a town hall type.
- ◆ Citizen Involvement meeting 4-12-00 regarding, Parks and Downtown Master Plans
- ◆ When the Ordinance for the TSP is adopted, new code will be written and given to the Commissioners.
- ◆ Mr. Stewart asked if John was comfortable with where the Commission is on Comprehensive Plan Review. John said he is glad that the Commissioners have set a regular meeting time to discuss Periodic Review because now is the time to do it and feels they are on track.
- ◆ The job announcement for a new Planning Director is now closed. The applicants will be giving a presentation to the Commission and the Commission will have input on the selection. There is a possibility of having someone hired in May.
- ◆ One Public Hearing next time and a modification of the Gramor review.
- ◆ A reminder that the next meeting will begin at 6:00pm.

Mr. Stewart stated that he approved of the way John had separated the applications for this parcel, it is difficult for the public to understand the process and felt it was handled well. Mr. Stewart commented that John is doing a terrific job as Interim Planning Director. Ms. Tallman stated that she appreciated the summaries John includes in the packets they are very helpful.

Mr. Stewart stated for the record that if a new Planning Director was selected it would be his 6<sup>th</sup> Director in 4 ½ years, he added it was difficult to have any type of continuity in the office with that kind of turn over.

## **VIII. MEETING ADJOURNED**