

MINUTES
CANBY PLANNING COMMISSION

7:00pm March 26, 2001
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Chairman Keith Stewart, Commissioners Jim Brown, Geoff Manley, Randy Tessman, Tom Sanchez

ABSENT: Commissioners Jean Tallman, Paul Thalhofer

STAFF: John Williams, Planning Director, Clint Chiavarini, Associate Planner, Carla Ahl,

OTHERS PRESENT: Brian Huggins, Paul Huggins, Stan & Stephanie Lowden, Tonya & Greg Strejan, John Chriswell, Darryl Krupicka, Jason Bristol, Ken Hostetler, Jackie Rowney, Jesse Ben Kylo, Georgi Cam, John Schmitz, Lee Leighton, Westlake Consultants, Neil Fernando, Westlake Consultants, Craig Finden

II. CITIZEN INPUT ON NON-AGENDA ITEMS

Mr. Stewart informed the audience the discussion on the Downtown Plan has been rescheduled as a Workshop for the Planning Commission April 9, 2001, and will be heard as a Public Hearing on April 23, 2001.

III. PUBLIC HEARINGS

MLP 01-01 An application by Mr. Robert Reznicek to partition an existing 18,225 square foot lot into 2 lots with the existing single family home on Lot 1, and a new home to be built on Lot 2.

Mr. Stewart explained this hearing was continued from March 12, 2001. When asked if any Commissioner had a conflict of interest, none was stated. When asked if any Commissioner had ex-parte contact, Commissioners Brown, Tessman, and Stewart had visited the site but had drawn no conclusions. No questions were asked of the Commissioners.

Clint Chiavarini gave the staff report. He presented slides of Mr. Reznicek's property which showed the lay out of the house, carport, lights, and the trees on the property. Mr. Reznicek studied his options and decided to put the access drive on the south side of the property, which would retain the large trees on the north side of the property. There was a

discussion regarding the location of the light fixture and whether it would have to be moved. Clint stated it was at the discretion of Canby Utility and the applicant would have the responsibility of paying for the relocation.

Mr. Stewart asked if the neighbors had been consulted. Clint stated he had no contact with the neighbors since the last public hearing, but the applicant had stated he had spoken with the neighbors and though they do not like the idea of the access on their side, they have not brought any issues forward to challenge the application.

APPLICANT: Mr. Resnicsek did not attend the meeting

PROPONENTS: None

OPPONENTS: None

Mr. Stewart opened Commissioner deliberations.

Mr. Manley stated it seemed the most logical location since the neighbors already are parking their RV on that side, and the applicant would be able to retain the large trees on the lot.

Mr. Brown stated there were no reasons to deny the application, he added he has heard concerns from citizens about allowing two story homes on flag lots behind existing one story homes. Mr. Stewart explained that Canby has many neighborhoods consisting of one story ranch style homes and when people partition off flag lots and put two story homes among existing one story homes, they look transplanted and don't fit the neighborhood. Clint responded that the issue had come up many times in the Residential Zoning Neighborhood meetings, and they are looking at adopting some sort of design review for in fill developments.

Mr. Manley moved to approve MLP 01-01 as amended with the condition of "No Parking" on the access strip. Seconded by Mr. Brown. Motion carried 5-0.

ZC 01-02/CPA 01-02 An application by George Cam to amend the Comprehensive Plan Land Use Map and zoning designation for a 3.09 acre lot on the west side of S Redwood across from Trost Elementary, from R1 low density to R 1.5 medium density.

Mr. 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, Commissioners Brown, Tessman, Manley and Stewart had visited the site but had drawn no conclusions. No questions were asked of the Commissioners.

Clint presented the staff report. He stated this property was located southeast of the Blair Commons subdivision and had originally been part of the Blair Commons development, but for

some reason had not been developed. Clint explained that the developer of Blair Commons had applied for and was granted a zone change from a mix of low and high density residential to R 1.5 (medium density residential) which allows 6000 square foot lots.

Clint stated the applicant originally submitted a plat showing 20 lots to be developed on the property, but it did not meet the necessary criteria for a subdivision and the applicant has submitted an alternate plat with an 18 lot subdivision, he explained theoretically there is enough land to create 17 lots in the R1 zone, but because of the layout of the land, and lot standards that need to be met, it would be difficult to create that many lots under the R1 designation. Clint stated the applicant has tried to make this subdivision an extension of Blair Commons with most of the development consisting of single family homes, and two common wall structures facing Redwood.

Clint stated the only comment from service providers was one from the School District stating they were in favor of the application, due to the need to have the sidewalks installed for children who would be required to walk back and forth to school.

Clint explained that this development would continue 8th street through to S. Redwood, extending the sidewalks between 8th and 9th St., and will create a 15' public walkway from 7th St. to Redwood.St.

Clint explained that currently Canby has an oversupply of Low Density land, and a deficit of Medium and High Density property. Clint stated it was staff's opinion the applicant's request to change the zoning designation and the comprehensive plan designation was justified, considering the surrounding use, and the type of development that is proposed.

Mr. Brown asked what the sidewalk configuration would be between 8th and 9th. Clint responded the Public Works Supervisor had suggested continuing the existing 6' sidewalk. Mr. Brown asked if the 15' "mystery" Clackamas County easement was still there. Clint stated the easement is called out on the plat, but the street is already built out at full width and it is still a "mystery" easement.

Mr. Sanchez questioned if the walkway is optional. Clint explained it is what the applicant has proposed so the people who live in that area would not have to walk all the way around to get to the school. He explained that the walkway could be discussed further in the Subdivision application hearing.

Mr. Stewart opened the public hearing

APPLICANT:

Lee Leighton, Director of Planning for West Lake Consultants addressed the Commission, he stated the application matches the development to the west (Blair Commons).

He stated this development is consistent with the City's policy of accommodating in-fill, and will address the communities deficit of medium density housing.

PROPONENTS:

None

OPPONENTS:

Jason Bristol, 983 S. Redwood St, stated his concern that this zone change would affect parcels further south on 9th St, and they would become extensions of Blair Commons. He stated he did not like duplex lots bordering R1 zones and questioned if an increase in density is appropriate since there are no parks or open spaces in the area, and suggested the developer build tighter and donate land for a park.

Mr. Bristol asked if lot #4 (which is 10,000 square foot lot) could be built out as a duplex. John stated that duplexes are allowed in a R1.5 zone. Clint stated the developer does not intend to build a duplex on that lot. Mr. Bristol stated he did not believe common wall housing "fit" in with Blair Commons and it would extend the use of duplexes.

Brian Huggins, 384 SE 9th St. stated his concern that there are too many townhouses being built, they are tightly squeezed together, and really don't "fit" in with the neighborhoods. He suggested the developer combine lot 1 with lot 2, and lot 17 with lot 18, and create nice single family home lots which would "fit in" better.

Mr. Huggins questioned if a cul-de-sac would be a better option than developing 8th St. through to Redwood St. Clint explained that the City had always intended for 8th Street to go through, the developer was aware of that intention and that was what he had submitted. Mr. Huggins explained that during summer hours traffic on Redwood increases due to activities at the school grounds such as soccer games, and the parking situation becomes congested. Mr. Huggins stated he wanted to keep the low density zoning.

Jackie Rowney, 682 S. Ponderosa Court, addressed the Commission, she agreed with Mr. Huggins, and did not want developments like the ones located on Pine St. to be built on Redwood St. Mr. Stewart asked what she didn't like about the Pine St. development. She replied the duplexes are placed very close to the street, the residents park in the street so their children can play in the driveways. She stated she would like to see the zoning stay in R1. Clint explained there is a difference between a duplex and common wall housing, a duplex is usually a rental, and common wall dwellings are generally occupied by owners. Mrs. Rowney added she was in favor of the public parkway connecting 7th with Redwood.

John Chriswell, 856 S. Ponderosa questioned why, if the applicant is not proposing to build duplex units, would he need to change the zoning to medium density. Clint explained that

changing it to R 1.5 would allow for smaller lot sizes (from 7000 to 6000). Mr. Chriswell did not believe there should be driveways allowed on Redwood in front of the school.

Mr. Chriswell stated he did not want medium density zoning, which would allow duplexes in his neighborhood and explained that CC&R's don't work unless the developers or Home Owners Associations enforce them.

Clint explained it would be possible to approve the Zone Change, which would allow 6000 square foot lots, and deny the Conditional Use Permit which would allow common wall housing.

Georgi Cam, Applicant, explained he tries to balance his desired to build good quality homes, and keeping the prices affordable. In his experience dwelling units on high traffic streets are hard to sell. He explained the common wall housing proposed on Redwood St. will be larger than the projects on Pine St, with more space for yards. He explained that building a duplex on lot 4 would be like "shooting himself in the foot" because it would decrease the value of his surrounding lots.

Mr. Tessman asked what Mr. Cam's definition of affordable was. Mr. Cam stated at this time, in that area, affordable would be under \$200,000 for a single family home, depending on the size. His initial goal was to build 1,500 + square foot homes that would sell for \$170 - \$180,000.

Mrs. Rowney asked Mr. Cam if he had considered created a cul-de-sac in the development, instead of developing the street through. Mr. Cam stated that cul-de-sacs create strange shaped lots that are hard to place houses on and waste land. Mr. Stewart explained the City has always planned on having 8th Street connect with Redwood St. He stated the Fire Marshal has asked the Planning Commission to try discouraging cul-de-sacs because they are harder to service.

Mr. Chriswell stated that building duplexes would reduce the value of his home. And even though Mr. Cam has stated he would not build duplexes in the subdivision, there is no guarantee that he would not sell off the lots to some other developer who would build duplexes there. Mr. Cam stated there is only one lot (lot 4) that can be turned into a duplex without a public hearing.

Mr Chriswell asked if lot shapes could change after the Planning Commission approves the subdivision. Clint stated that an applicant could apply for a lot line adjustment. Mr. Chriswell questioned if the neighbors would be notified. Clint explained the City's policy is to notify neighbors and property owners within 200' of an affected property.

Mr. Brown explained that there are many issues that need to be discussed but at this time the discussion should focus on the Zone Change.

Mr. Cam stated he would be willing to reduce the size of lot 4 so that it will not be large enough to build a duplex on.

Clint read into the record a letter from David Garin, which stated he was not in favor of the zone change and felt it could negatively affect his property value. Clint stated he had spoken with Mr. Garin and explained that the neighborhood he lived in (Blair Commons) had the same zoning designation as the applicant was proposing for his property, medium density.

REBUTTAL:

Mr. Leighton addressed Mr. Garin's letter and explained Mr. Garin did not live in a low density zone, he lived in a medium density zone, which is the same designation Mr. Cam is asking for in this application. He stated this development will provide housing options, from a large single family home on a 10,000 square foot lot, to smaller homes on 6000 to 7000 square foot lots, and homes with common wall construction allowing for a variety of housing without segregation.

Mr. Leighton addressed the concern there was not a community park or open space proposed. He explained Canby's code does not require such dedications, citing that Blair Commons was developed without a community park, and that Trost school is an open space that is accessible to the community.

Mr. Leighton addressed Mr. Bristol's concern that the development wouldn't fit in with the existing subdivision. He explained that with large subdivisions it is easier to create uniform sized lots. He displayed a diagram comparing the existing lots in Blair Commons with Mr. Cam's proposed lots, and the proposed lots are the same or slightly larger than the existing lots. Mr. Leighton stated the 10,000 square foot lot was created due to the unusual shaped property, but creating a flag lot in the middle of the development would not be a value adding feature. He explained that potential buyers of these properties value the same things as the people who were attending the meeting, and it would not be in Mr. Cam's best interest to violate the values of the potential buyers.

Mr. Leighton stated one of the recommendations from staff regarding the common wall construction was to have one driveway accessing Redwood Street and one accessing 8th Street, making the houses look like large homes that would fit in with the rest of the community. Mr. Leighton stated the concerns regarding the possibility of rezoning the property to the south, that was not part of this application and was not an issue.

Mr. Brown questioned statements regarding lots 1, 2, 17 and 18 of having less value than the rest of the lots in the developments because they are on Redwood St. Mr. Leighton explained appraisers commonly make adjustments to property on busy streets, but he was unsure what the adjustment would be. Mr. Brown stated there are many people who would be interested in the lots because they are near a school and have views of Mt. Hood. Mr. Cam stated in his

experience homes built on busy streets are harder to sell.

Mr. Higgins addressed the Commissioners again and stated that the school grounds are not available to residents during school hours. He questioned the map that compared the lot sizes, and did not agree that it showed Mr. Cam's development "fit" with Blair Commons. Clint explained it was a diagrammatical map and was not accurate, he stated the plot map he had presented was drawn to scale and showed more accurately how the development would fit. Mr. Leighton stated everyone would like to have more open green spaces surrounding their property, but it was not a requirement for Blair Commons, nor was it a requirement under the City's code and not an appropriate issue to be considered for this application.

Mr. Stewart closed the public hearing, and opened Commissioner deliberations. He reminded the Commissioners that they are only considering the zone change and comp plan amendment at this time.

Mr. Sanchez asked for clarification on whether approving the zone change/comp plan amendment would approve the proposed plat. Mr Stewart explained the plat would be voted on with the subdivision application.

Mr. Brown expressed his concern that the first time a citizen became aware of their zoning and what types of dwellings are allowed in their neighborhood was when they receive a letter from the City, read a notice in the paper, or saw the posting on the property. He explained the comprehensive plan for the City has been in place for 20 years. Blair Commons was approved at medium density to ease the transition between low density and high density. There could have been large lots with large houses costing \$30,000 to \$40,000 more, so if the zones had not been blended, people living in Blair Commons at this time might have been priced out of their homes.

Mr. Brown stated the Commission has heard from public meetings that people are concerned about smaller lots, apartments, attached dwellings, and duplexes in Canby. He stated the realities are that 50% of the population of Canby live in dwellings other than single family homes, in the future we may be able to afford the houses that we have now, but our children may never be able to afford to live here as adults. Mr. Brown explained the Planning Commission has to decide where density can be increased, currently land designated R1.5 and R2 has developed out as R1. He stated it looks reasonable to increase the density on adjoining property to allow a similar development.

Mr. Tessman stated the City should try to increase density in existing neighborhoods and not develop into surrounding agricultural property in outlying areas, and changing from R1 to R 1.5 would help create affordable housing.

Mr. Manley stated that raising the density on property across from a school and adjacent to existing medium density was a good idea. The comp plan shows a need for higher density

areas, and this looks like a good place to bring forward some medium density zoning, with little impact to surrounding area.

Mr. Stewart thanked the audience. He did not agree with his colleagues on this issue. He stated the City is spending a lot of time looking at residential rezoning, and it should not be done in a piecemeal way, it should be done with a plan, and the plan should be followed. He stated there have been enough questions raised by the residents that he is not in favor of rezoning at this time.

Mr. Brown moved to make a recommendation of approval to the City Council for ZC 01-02/CPA 01-02. Seconded by Mr. Manley. Motion carried 4-1 with Mr. Stewart voting against the recommendation.

SUB 01-01/CUP 01-01 An application by George Cam to subdivide 3.09 acres into 18 single family lots, 4 of which have common wall construction.

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

Clint gave the staff report, he explained the original staff report was based on developing 20 lots, but the applicant had revised his plot plan and reduced the number of lots to be developed to 18. The applicant is asking for a conditional use permit to allow common wall construction on 4 lots. He explained that approving the subdivision would also approve the conditional use.

Clint stated the utility providers had no concerns with this application, though the Bike and Ped committee did have some minor issues with the public pathway. Clint showed slides of where the path would be located, and explained the path would be 15' wide and 260' long with a straight line of sight. The committee had some safety concerns with the path, one is whether the path would be fenced the entire length. Clint explained fences have been conditioned in the past, when fences are required prior to development you get a uniform fence. The negative side to that is home owners do not get to select the type of fence they want, for example chain link would allow them to see what is going on in the pathway. The other concern the committee had was the proximity the path has to the adult and swim center, they believe a 260' straight pathway would allow children on bikes to streak out into traffic on Redwood, they suggested installing a barricade similar to ones on Ivy St., with no curb cut.

Clint stated the largest issue with this application is the common wall housing units. He stated staff had recommended only two of the driveways access onto Redwood St. and two of the driveways access on SE 8th St.

Clint explained some of the issues the Commission needed to address was the applicant's request regarding condition #13 be changed to read "a 15' public pathway with a 10' paved walkway", and whether a fence would be required.

Clint stated the Bike and Ped Committee did not recommend a crosswalk on Redwood since there is an existing crosswalk at 9th St. Having crosswalks too close together could be confusing for children. He stated if there was a problem in the future the Traffic Safety Committee would look into it.

Clint stated there were some minor modifications needed to conditions #12 and #20 to reflect the appropriate lot numbers with the second plat map that was submitted.

Mr. Brown asked if the placement of 8th St. would align with the school or would it be off set. Clint said the street would not align with the school.

Mr. Sanchez asked who would be responsible for the maintenance of the pathway. Clint responded that the maintenance would be done by the Parks or Public Works Department. Mr. Sanchez questioned if there were other public pathways that long. John stated there were some in Valley Farms that were 200' long, but probably none longer.

Mr. Brown questioned the accuracy of the plat map, it was agreed the engineer would have to make sure it was correct.

Mr. Sanchez asked for clarification on the pathway and sidewalk for lot #5. Clint explained the 5' sidewalk would continue to the pathway where it would widen out. Mr Sanchez stated his concern that the home owner of lot #5 would have the pedestrian traffic in his front yard. Clint stated there would probably be ballards installed to prevent any type of motorized traffic on the path, and the applicant would work with the City on how to taper the sidewalk to the larger pathway.

Mr. Manley stated his concern with the length of the path and the safety of people traveling the path at night, he questioned if some sort of low level lighting could be conditioned. Mr. Stewart held that question for Commissioner deliberations.

Mr. Stewart opened the public hearing.

John explained there were two different processes at these hearings, the zone change/comp plan application which must go before the City Council, and the public hearing for the subdivision application, which is approved or denied by the Planning Commission. He encouraged everyone who had testified at the last hearing to speak again at this one so they will be part of the public record for this application.

APPLICANT: Lee Leighton, Director of Planning for West Lake Consultants

Mr. Leighton explained originally 4 common wall dwelling units were proposed, two of which were on flag lots, the flag lots have been eliminated with the new plat. He stated it is difficult to come up with a plat configuration for a parcel that has been built around and must meet the street standards in accordance with the City's planning for transportation.

Mr. Leighton stated the developer is sensitive to the neighbors concerns regarding common wall dwellings, which is why a second plat was submitted. He stated that traditionally a single family home would orient to 8th Street which would likely mean a solid privacy fence being built along Redwood St. With common wall housing one would face Redwood and the other would face 8th Street, this would benefit the school by putting windows on the street, and increase the safety factor of children who walk back and forth to school.

Mr. Leighton stated that Lancaster Engineering's traffic study had raised no concerns regarding school traffic and this development.

Mr. Leighton stated the City does not have a policy to preserve the property values of people who live in existing neighborhoods, though it is worth considering, it is important to remember it is not a criteria for approval. He stated the proposed use would not alter the character of the surrounding property in a manner that would substantially limit, or preclude the surrounding property for the uses listed as permitted in the zone.

He addressed the concerns that have been raised regarding the 10,000 square foot lot and explained the lot is a result of the shape of the parcel, and that two lots could not easily be created there due to the width of the lot. He stated the lot will be a very valuable lot for a single family home buyer.

Mr. Leighton stated the applicant is agreeable to the barricade at the pathway, and though the pathway is relatively long, it has a straight line of sight. He believes it is in an appropriate location to allow people to cross where traffic will expect them. He stated the surface of the path will be asphalt, and the sidewalks in the development will be concrete.

Mr. Brown stated the proposed plat did not preclude the use of adjacent properties, but questioned how it would be compatible, there are no other similar developments around there. Mr. Leighton responded the City is trying to promote pedestrian use, with staff's suggestion of having one of the houses oriented toward Redwood Street it would give the area a neighborhood feel. He believed this was a good defensible proposal and was disinclined to believe there would be a tremendous value loss to properties behind it because people would have to drive by common wall housing instead of single family homes.

Mr. Brown stated this was the gateway to this development, and to the development behind it, is it appropriate or compatible to place a different, denser type of housing there. Mr. Leighton stated it is difficult to respond in the abstract without having a specific proposal, and the Planning Commission could not approve a specific structure for that location at that time. He

stated the common wall homes will consist of two units of 1600 square feet, with the orientation of each home facing different streets, it will give the impression of one large single family home. He stated there is an example of such housing in Lake Oswego and Durham where all of the corner lots have 2 and 3 homes on them.

Mr. Brown asked if there isn't less negative space around that type of unit than around the rest of the development. Mr. Leighton stated that attached units do not have to maintain the 15' of separation between structures that single family homes would, they are able to create large side yards.

Mr. Sanchez questioned if the increase in parking and driveway space needed would offset any gain in side yards. Mr. Leighton stated that if you were standing across the street you would see one driveway and one garage, so the visual appearance would be a large house instead of a privacy fence, these homes would also be larger than the average home and better able to anchor those corner lots.

Mr. Manley questioned if any of the large established trees would be retained. Clint stated the only trees that would be removed are the ones where 8th Street would come through. Mr. Leighton stated the applicant's intention is to retain as many of those trees as possible.

PROPONENTS:

Mr. Cam agreed with Mr. Leighton regarding the fence on the two lots facing Redwood, if single family homes were built there they would face 8th Street, with privacy wooden fence along Redwood, he did not believe that would beautify any entry into a neighborhood. He added there were also arborvitae he will try to retain to make it feel like an established neighborhood.

OPPONENTS:

Mr. Brian Huggins, 384 SE 9th stated his concern that the proposed duplexes planned for the corner lots at the entrance to an existing neighborhood would not fit.

John Chriswell, 856 S. Ponderosa addressed Mr. Leighton's comments about the look of a fence facing Redwood, he explained there are other homes in the same area that have their side yards on Redwood, and there are no complaints regarding the way they look. He questioned whether the lots would be of less value on Redwood since they are view lots of Mt. Hood, and across the street from a school, so there will never be any development that could be built up blocking the view of the mountain. He explained that when soccer season starts, Redwood and 9th Streets are packed with cars, 8th Street will be too once it's open, and he did not believe having an access drive onto Redwood to be a good thing, and was against the development of the duplexes.

Tonya Strejent, 845 S. Ponderosa, stated there should not be any development of

duplexes allowed. She stated there are many house plans that would allow the driveways to be built on 8th and the house orientation to be to Redwood, so you couldn't see the fence, but she was not concerned about how a fence on Redwood would look. She added that any house built facing Redwood would have cars parked in front of it all during soccer season. She did not believe the duplex style was keeping with the style of the neighborhood, and did not want them at the entrance to her neighborhood. She did not believe 2 "affordable homes" was going to have a great affect upon Canby's deficit. She agreed with Mr. Chriswell regarding the value of the lots increasing due to the view of Mt. Hood.

Jason Bristol, 983 S. Redwood St., stated he lives on Redwood and agrees it is a busy street. He stated if the lots on Redwood were single family homes with driveways accessing from 8th St. it would be safer than having accesses onto Redwood especially during soccer season, and with the bus exiting from the school there. He pointed out that there is no parking on the other side of the street because there is a bike lane there. He stated the easement from Clackamas County gives the home owner a buffer from the street. He stated having the pathway exiting on Redwood increases the possibility of children crossing in front of traffic on Redwood, he suggested the pathway connect with 8th, it would be shorter and closer to the existing crosswalk on 9th St.

REBUTTAL:

Lee Leighton, addressed the testimony regarding duplexes having no place in this community, that they don't fit with other homes, he believes they made the case that at this particular location they are a logical and reasonable choice, and can be compatible.

Mr. Leighton stated the City's Traffic Engineer has reviewed the proposed subdivision, and has raised no concerns regarding access onto Redwood Street.

Mr. Leighton stated he believes the pathway connecting to Redwood St. creates better connectivity for the neighborhood than bringing it down to 8th. Clint responded that one of the concerns raised by the Bike and Ped Committee representative is the sight visibility and the safety issue. He explained that from 7th to Redwood there is a straight line of sight, with Redwood being a busier street than 8th if there were to be a public safety incident on the pathway it would more likely be seen by a passing car.

Mr. Cam stated the concerns residents have are the same ones he has, he will own potentially 16 houses in this neighborhood and intends to keep the value of the homes as high as possible. He understood that it is hard for residents to know what common wall houses look like, and how they will layout, but it is not a case of "us" against "them", he is working to achieve the same things they are.

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

Mr. Brown thanked everyone for attending the meeting and for assisting the Commission in this process. He explained that from the beginning the applicant has stated lots 1, 2, 17, and 18 are the least valuable pieces of property in the subdivision. Mr. Brown stated he and his wife had thought about building a house on Redwood St. and had designed a house that accessed off 9th Street but with the Mt. Hood view. He added he has spoken to other people who are interested in large lots right across from the school.

Mr. Brown stated some mitigation is needed regarding the lots located on Redwood to preclude their lack of value, in his opinion this was not a valid concern, so the need to increase density and overcome the lack of value in the lots doesn't exist. He saw no compatibility with the existing development and the 2 zero lot line developments at the entryway. He proposed continuing to give the applicant a chance to redesign his subdivision.

Mr. Brown stated the suggestion of having the pedestrian path run from 8th to 7th should be considered, and believed it would require less land from the applicant. He questioned the width of the pathway and suggested a 10' or 12' path would be just as good. He believed it was beneficial to connect SE 8th Street with S Redwood. Mr. Brown stated he would prefer lot #4 be under 10,000 square feet.

Mr. Tessman stated other entrances to developments such as Township Village are surrounded by a CMU wall, and Blair Commons has a gateway at its entrance, neither of these developments have common wall housing at their gateway, he found no historical perspective where it had been done, and didn't believe it fit into the scheme of the area.

Mr. Tessman agreed that a bicycle path between 7th and 8th would be a better option than having it connect with Redwood. He liked the idea of completing 8th Street to Redwood, but did not agree with common wall structures on 1 & 2, and 17 & 18.

Mr. Manley stated he had mixed feeling regarding the common wall houses. He listened to testimony from residents who did not believe common wall housing was within the character of their neighborhood. He questioned whether there would be enough width on the lots between 7th and 8th to allow for the pathway and still meet the frontage requirements in the code. But he would prefer that connection because of the length required to connect to Redwood.

Mr. Manley questioned the width of existing pedestrian walkways, and Clint confirmed they are 15' with approximately 10' of paved surface.

Mr. Stewart asked if Mr. Tessman and Mr. Manley would be in favor of Mr. Brown's suggestion of continuing the public hearing. Both agreed they would be in favor.

Mr. Sanchez questioned whether it would be feasible to expect people on Redwood who would be traveling at a higher rate of speed than traffic on 8th Street, to notice anything happening on the pathway. He stated he liked the 7th to 8th connection rather than the Redwood

access for the pathway.

Mr. Sanchez stated he believed the common wall lots could be combined to create single family lots of similar size as the rest of the development. He stated the definition of "affordable housing" being under \$200,000, did not address the affordability issue. He agreed with continuing the hearing.

Mr. Stewart stated the conditional use criteria requires the Planning Commission weigh the positive and negative aspects of an application, at the location proposed. Mr. Stewart explained the testimony from neighbors has shown they are not happy with the way the entrance to their neighborhood would look, he believes the hearing should be continued. He stated he would like to see Mr. Cam go back and try and rework the plat based on some of the comments he has heard and suggestions from the Planning Commission to see if there is some way to mitigate the 4 lots in the front as well as a east west bike path.

Mr. Brown moved to continue SUB 01-01/CUP 01-01 to time and date certain on April 9th. Seconded by Mr. Tessman. Mr. Manley questioned if April 9th would allow the applicant enough time to look things over. It was decided the hearing could be continued until April 23rd without violating the 120 day rule. Mr. Brown modified his motion to continue SUB 01-01/CUP 01-01 until April 23rd date and time certain. Seconded by Mr. Tessman. Motion carried 5-0.

IV. FINDINGS

ZC 01-01/CPA 01-01 an application by Jerry G. Robinson Architect to amend the Comprehensive Land Use Map Zoning, from existing Highway Commercial to Light Industrial, and from existing Light Industrial to Highway Commercial.

It was moved by Mr. Brown to approve the findings for ZC 01-01/CUP 01-01 as written. Seconded by Mr. Manley. Mr. Stewart explained the Commission was making a recommendation to the City Council. Motion carried 5-0.

V. BUSINESS

John stated the information the Planning Commission had received was from the joint City Council/Fire Board meeting, which discussed the advantages of having a multi-family residential fire sprinkler ordinance. He stated the Council wanted the Commission's input on the ordinance.

Darryl Krupicka, Operations Chief, Canby Fire District explained he was standing in for Ron Yarbrough, who was on vacation. He believed there were no negative issues with the proposal and asked if the Commission had any questions.

Mr. Stewart explained that the Planning Commission has discussed with the Fire Chief

ways to create an ordinance similar to this one, but State building codes precluded developing one. He explained that there have been some changes to the code and it now encourages sprinkler use. He stated he would like to see the Commission make a recommendation to adopt the ordinance.

Mr. Brown asked if there were any reason to have any other exemption besides type 5 construction, he explained the building code doesn't preclude anything. John explained that the City couldn't go beyond what is allowed in the State code. Mr. Brown explained there is a fire rating system regarding the types of construction starting with Type 1 which is concrete materials, to Type 5 which is wood material. He questioned if a provision could be written for developers who were willing to build a higher rated buildings, for example metal studs with 5/8" sheetrock that would not require the installation of sprinklers.

Chief Krupicka explained that it may be possible to create a provision like that but it would not control the amount of combustible materials people put inside their homes, and with multi-family dwellings the more stuff that's inside, the more it will influence the amount of time it takes for fire to travel, he believed fire sprinklers were the best choice. Mr. Brown stated that it is beneficial for developers to install sprinklers since it doubles the allowable area. Mr. Stewart added there is the potential for lower insurance rates.

Mr. Manley asked why sprinklers would not be required for single story developments. Chief Krupicka stated the fire risk is higher when there are people living above.

Mr. Tessman stated older buildings were ones that needed sprinklers, at what point in remodeling would they be required to retro fit sprinklers. Chief Krupicka stated only if there was a substantial change that would require owners to bring the building up to existing codes. Mr. Brown explained it was any remodeling that equaled over 50% of the value of the building, and that "grandfather" clauses would prevent most existing structures from having to comply.

It was moved by Mr. Manley to recommend the City Council adopt the fire sprinkler ordinance. Seconded by Mr. Brown. Mr. Brown asked if there were any specifications regarding equipment that were recommended. John stated the ordinance talks about quick response automatic sprinkler heads, but other than that there is no references. Motion carried 5-0.

VI. MINUTES

It was moved by Mr. Brown to approve the minutes for February 12, 2001, February 26, 2001, and March 12, 2001 as written. Seconded by Mr. Manley. Motion carried 3-0 with Mr. Sanchez and Mr. Tessman abstaining.

VII. DIRECTOR'S REPORT

Issues discussed:

- The workshop on the Downtown Plan will begin at 6:00 at the next Planning Commission meeting April 9, 2001.
- He questioned what level of involvement the Planning Commission wanted with the Transit Plan. It was decided to look at it as a New Business Item.
- Senate bill 929 would make having property that is inside the City Limits but not included in the urban growth boundary illegal. The bill may be directed at a piece of property that was pulled outside the urban growth boundary because the owners had stated they were never going to develop the property.

VIII. ADJOURNMENT