

MINUTES

CANBY PLANNING COMMISSION

7:00pm April 23, 2001
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Chairman Keith Stewart, Commissioners, Tallman, Tessman, Manley, Brown, Sanchez, Thalsofer

ABSENT: None

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

OTHERS PRESENT: Ray Campbell, Georgia Newton, John Chriswell, Jeff Woodin, Sean Lowden, Greg Strejan, Rudy Prael, Carol Prael, Bob Trappe, Linda Runyan Finden, Craig Finden, George Douglas, Donna Douglass, Georgi Cam, Neil Fenando, Brad West, Peggy Sigler, Sibyle Beck, Richard Beck, Bev Doolittle, Catherine Davis

II. CITIZEN INPUT ON NON AGENDA ITEMS

Craig Finden addressed the Commission and wanted to take this time to state his support for the Downtown Master Plan. The plan represents a lot of effort and hard work by the City, Community, Business Owners, Property Owners, and CBR. He encouraged the Planning Commission to recommend approval of the Master Plan to the City Council. Mr. Finden stated the plan needs the Planning Commission's approval and recommendations for projects to proceed.

Mr. Brown asked Mr. Finden if he thought the plan fixed the problems of the Downtown area. Mr. Finden stated the plan alone won't fix the problem, but it will create an agenda, and some guidelines to follow. He added that CBR has created a subcommittee to work on recruitment and retention of businesses Downtown, but it will take a combined effort from everyone to fix the problems with marketing.

Mr. Brown stated the plan does not have many plans for the south side of Hwy 99E. Mr. Finden agreed most of the streetscape issues did focus on the Downtown area. He explained that was because that's where the interest and request for improvement seemed to be during the Master Plan process. Mr. Finden believed that as problems are solved in the Downtown core, it

will help both sides of Hwy 99.

Mr. Brown questioned how limited selection and store hours would be addressed by this plan. Mr. Finden stated that the Downtown will never be able to compete with "big block" Hwy Commercial, they are 2 separate entities. Mr. Finden explained a revitalized Downtown will offer longer hours, excellent customer service and specialty shops, and a variety of different merchants looking at relocating in the Downtown, but the plan won't make it happen, it's just a guideline.

Mr. Rudy Prael addressed the Commission, he stated he has owned a business in Canby for over 25 years. He was attending the meeting to show his support for the Downtown Plan. He explained the consultants had listened to citizen input and the final product meets the needs and desires of the Downtown Merchants.

Mr. Prael stated the Downtown area needs to be revitalized, to attract new businesses, it needs to offer something different. This plan shows potential business owners that the City is committed to Downtown revitalization. He asked the Commissioners to recommend approval of the plan to the City Council.

III. PUBLIC HEARINGS

SUB 01-01/CUP 01-01 An application by Westlake Consultants to subdivide a 3.09 acre lot into 17 single family lots was continued to this date from March 26, 2001. (Tax Lot 400 of Map 4-1e-03BB).

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, Commissioners Tallman, Tessman, and Manley, Brown and Stewart had visited the site and had attended public hearings regarding this application, but had drawn no conclusions. No questions were asked of the Commissioners.

Clint Chiavarini, Associate Planner presented the staff report. He explained that the applicant had reconfigured his subdivision design. The new design had eliminated the 4 common wall housing units on Redwood, and created a flag lot on lot #4.

Clint stated the applicant had presented several different variations for the Planning Commission, items to consider were the location of the Pedestrian Pathway, and whether the access for lot #4 would be Redwood Street (which could be conditioned to provide access to the property to the north when it is developed), or if it would access off of 8th Street.

Mr. Stewart opened the public hearing.

APPLICANT:

Lee Leighton, Westlake Consultants, explained the applicant had eliminated all lots exceeding 10,000 square feet that would have allowed duplex construction. They had also eliminated the east/west Pedestrian Pathway and submitted options for the north/south connection between 7th and 8th. The changes created a plat that yields 17 lots instead of the original 18 lots purposed, and the 6,000 square foot lots are on a par with the neighboring lot sizes.

Mr. Leighton explained there is not enough demand for duplex lots to make it a viable option for the subdivision, penciling it out the applicant would lose over \$200,000 in the market if he created duplexes.

Mr. Brown asked what option the applicant preferred. Mr. Leighton offered another option, the elimination of the Pedestrian Pathway. Mr. Leighton showed a map which illustrated the proximity of the existing roadway , and showed how the surrounding lots would be affected by the Pedestrian Walkway, the Pathway between 7th and 8th would only benefit a few homes to the north of the development by reducing the distance they had to walk by approximately 300'. Mr. Brown stated there would be a loss of 500 square feet on each lot adjacent to the Pathway if it was approved.

Mr. Sanchez asked if the Commission could condition fences and lighting for the Pathway. Mr. Stewart stated the Commission in the past had conditioned both of those items.

PROPONENTS:

None

OPPONENTS:

None

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

Mr. Thalsofer stated he preferred the option of having the driveway for lot #4 accessing off of 8th, and including the Pathway between 7th and 8th. He believed it would facilitate connectivity between the neighborhood, and thought the children would use the Pathway to go back and forth from home to school, and thought it would increase safety.

Mr. Tessman stated that he was considering this development a continuation of Blair Commons, which has no Pedestrian Pathways. This would be a Pathway that would just connect 7th and 8th Street, which already has a connection. He stated he would prefer that lot #4 access

onto 8th Street.

Mr. Brown addressed the applicants and applauded their efforts in responding to every issue that was raised by concerned citizens at the last hearing. He noted that there was no opposition from citizens who were in attendance, and that the applicant should have the design that he prefers approved. Mr. Brown explained the Pedestrian Pathway would reduce the front yard widths to just 55', creating lots just wide enough for a big garage, and a small house showing to the street, and the 2000 square feet of property the owner would be required to give up to create the Pedestrian Pathway would not be worth the small benefit achieved.

Mrs. Tallman stated she agreed that lot #4 should access off of 8th Street, due to the amount of traffic on Redwood, and that there was not enough benefit to the community for the cost of building the Pathway.

Mr. Manley stated he had no objection to lot #4 accessing Redwood Street, as the applicant prefers, and was in favor of keeping the Pathway so pedestrians and bicycle traffic could be kept off the street.

Mr. Sanchez stated he had decided there was not enough benefit to be gained by requiring the Pathway, and lot #4 should access off of 8th Street.

Mr. Stewart said he appreciated the applicants response to the ideas he heard at the last hearing, and incorporating them into this application. Mr. Stewart did not believe the Commission should condition a Pedestrian Pathway due to it dividing neighborhoods, he agreed that the access for lot #4 should be on 8th St.

Mr. Thalsofer stated he believed Pathways are used by residents of a community and would bring a neighborhood together. But he agreed to go with the majority.

Clint stated if the Planning Commission did not condition a Pedestrian Walkway, there were some conditions that would needed to either be removed or modified.

It was moved by Mr. Brown to approve SUB 01-01 with option "A" (no walkway, accessing 8th Street) as amended by the removal of condition #13, and the modification of conditions #12 and #20. Seconded by Mr. Tessman. Motion carried 7-0.

Mr. Leighton addressed the Planning Commission and expressed his appreciation of Mr. Clint Chiavarini and the service he had given the applicant.

CPA 01-03/TA 01-01 Downtown Master Plan, An application by the City of Canby to adopt the Canby Downtown Plan and amendments to sections of the Transportation Systems Plan, the Comprehensive Plan and Zoning Ordinance to implement the Canby

Downtown Plan.

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, Commissioners Thalsofer, Brown, Tallman, Manley, and Stewart had attended meetings and had discussions with citizens. No questions were asked of the Commissioners.

Matilda Deas, Project Manager, explained the staff report dealt with the code language and plan amendments, she suggested going through the staff report first then getting into the discussion of the plan itself. She explained that this is an amendment to adopt the Downtown Plan and to update the comprehensive plan map and text, modify sections of the City's land development, planning ordinance, and transportation system plan in order to implement the Downtown plan, if or when it's adopted.

Matilda stated the project's intent is to give voice to past planning efforts for revitalizing the Downtown and to come up with a comprehensive plan to guide future efforts. She stated the plan would also be used to leverage funding for loans and grants for downtown projects. A description of a "downtown street" would be added to the TSP. It will include 11' wide sidewalks, diagonal parking spaces, 11' wide travel lanes, curb extensions and planting areas for street trees. Matilda explained the area to be designated as downtown will extend from N. Juniper to N. Elm and from NW 1st to NW 4th Ave.

Mr. Brown asked why none of the "downtown streets" went south of Hwy 99E. Matilda explained that when the project was reviewed by the steering committee it was decided the existing downtown commercial core was the first priority. The intent of the plan is to provide connectivity off Hwy 99E into the commercial core area and to look at the feasibility of redeveloping SW 2nd in the future.

Matilda stated the plan allows for mixed use in the downtown core area, but limits the amount of space that can be utilized for residential to 25% of the street level, with no limit on 2nd and 3rd level residential facilities, and with no density minimum or maximums in the area. The plan suggests that residential parking should be oriented to alleys or to underground facilities to keep the feel of the downtown as a commercial area and not a parking lot. Mr. Stewart asked since the amendment mentioned 3rd stories, does the rest of the code need to be changed to allow 3 story buildings. John explained this amendment would only apply to the downtown zone.

Matilda explained the plan calls for the creation of "public" or "private" alleys for town homes or condos that are built in the downtown area. The Commission discussed whether there should be "private" alleys, since there have been problems associated with private roads in the past. Matilda said she would ask the consultants about the wording and get back to the Planning Commission with the explanation.

Matilda questioned the Commission regarding Churches being an outright use, it was agreed by the Commission that Churches should remain a conditional use. Mr. Stewart questioned why a transit center would be an outright use. Matilda explained that was a provision added so if in the future the railroad decided to stop in Canby there would be a provision for it already in the code. Mr. Stewart explained there have been conversations in the past with the Railroad to make Canby a commuter stop but unfortunately, Canby does not generate the kind of numbers that the Railroad looks for in a transit center at this time.

Matilda stated there were some changes to the development standards, which included changing the sidewalk widths from 8' to 11'. Mr. Brown suggested adding the word minimum to the 11' sidewalk widths to facilitate pedestrian use. Mr. Stewart suggested discussing the wording with the consultants.

Matilda explained Bill Adams, Grant Coordinator, for the TGM program suggested 15 residential units should be allowed to go into the downtown without requiring a traffic impact analysis. There was a discussion regarding whether this condition was appropriate for Canby, and if it would encourage developers to develop mixed uses. Matilda stated she would speak with Mr. Adams to get clarification on his recommendation.

Matilda stated there is a new Design Standard Matrix. She and John scored several buildings in the downtown using the matrix, and thought it had worked well. The Railroad parking lot would be rezoned from Hwy Commercial/Commercial Manufacturing to Downtown Commercial to ensure that any future development be compatible with the downtown. She stated she has spoken with Jim Roth from Union Pacific, and he has no problems with what the City has planned. There was a discussion regarding the City having control of the lot, since it is so important to the development of the downtown, for parking, or a unique agricultural grower market. She added that if the City doesn't buy it someone else will, and the City would have less control over how it was developed. Mr. Stewart explained that 15 years ago the City decided to keep those lots open for viewing downtown from Hwy 99E.

Matilda stated the railroad parking lot was discussed by the steering committee and they want to be sure what is developed there will not obliterate the view of the downtown from traffic on Hwy 99E, so it can draw people into the downtown area. Mr. Brown questioned what contaminates might be under the pavement in the Railroad parking lot. Matilda had asked that question of Union Pacific and was told there may be diesel contamination, but probably no pesticide contamination, but she explained there would be a level I and perhaps a level II environmental study done before the City committed to purchasing the property.

Mr. Stewart opened the public hearing. He asked Mr. Finden and Mr. Prael to testify again at the public hearing. They declined

Georgia Newton, Business Owner stated she has been involved the downtown redevelopment for 16 years. She is pleased with the plan that has been developed and felt the

consultants had listened to what citizens told them they wanted, a City where people shop, work and play. She stated many citizens are committed to making Canby work, and hoped the Planning Commission would work together with them to update Canby.

Bob Trappe, Citizen of Canby stated he has been involved with Canby Business Revitalization since it started 5 ½ years ago. He stated there has always been a need for a plan to guide the efforts of everyone involved. He acknowledged the plan may not be perfect, but said it was something to work with. He encouraged the Planning Commission to recommend approval of the plan to the City Council.

Richard Beck, Property Owner. Mr. Beck explained they own property at Holly and 2nd St., and have been actively involved with the process of creating a downtown plan. He explained he has waited for 11-12 months to do anything with his property based on the fact they believe the City needed a plan. He explained that 60% of the money spent in “Mom and Pop” businesses stays here in Canby, where only 6% of corporate money is spent in Canby. He stated the plan gives developers a concept of what the future will bring, and gives him an idea of how to develop his property to best suit the needs of Canby. He stated if he invests more money into Canby parking will be a concern, there is an opportunity with the railroad lot to address that. He added that as long as property values in the downtown area are low, there probably wouldn't be developers willing do build 3 story buildings there, but agreed the language should be addressed at this time.

Mr. Stewart asked if any audience member had any questions or comments for the Commission.

Mr. Finden stated he appreciated the Commission's comments regarding the importance of keeping the line of sight from Hwy 99E to downtown. He believed the Planning Commission and the downtown merchants were thinking along the same lines and were concerned about the same issues. He stated the City had taken the initiative in involving as many citizens as possible and believed no one had been left out of the loop.

Mr. Brown expressed his concerns that there was no link connecting Hwy 99E, (where most of the traffic will come from) with the downtown area, he questioned if there had been any discussion with ODOT regarding reducing speed through town, or landscaping to draw attention to the downtown area.

Mr. Finden stated the issue of connectivity between Hwy 99E and the historic downtown core has been discussed, gateways have been planned, and signs have already been ordered that will be placed on Hwy 99E directing traffic to the downtown area. He stated physically connecting the downtown with Hwy 99E is a difficult issue.

Mr. Brown asked if there was a commitment from the downtown merchants for a Downtown Manager, someone to drive the plan. Mr. Finden explained that when the plan was

presented at the last workshop, there was consensus among all attendees regarding the need for one person to coordinate the efforts of all the groups involved.

Mr. Brown questioned if the transit center was the right feature building in the downtown area. He suggested a seasonal sales office that could direct people to other businesses. It was stated that a similar idea had been discussed.

Mr. Brown asked if there will be any attempt to create a regional draw, (the best farmers market, the best retail plant sales etc.) to create a market area beyond Canby's trade area. Mr. Beck stated there has been a tremendous amount of discussion regarding that issue, Canby has a lot of small truck farms in the area and is becoming known as the nursery capital of Oregon. He added having the railroad lot developed as a farmers market would draw people passing through Canby off Hwy 99E and draw them into the downtown area.

Matilda stated there has been discussion regarding getting the word out about Canby. The manager of the fair grounds has offered to advertise special downtown events, and because of the downtown plan, the school is doing a marketing video with a historic perspective about agriculture business in Canby. The video will be at the Smithsonian exhibit in Oregon City, the Historical Society will use the video to market the agricultural businesses, railroad, and the farmers market.

Mr. Tessman questioned if it is decided to go ahead with the plan how will the business be drawn to Canby. Matilda explained that a business retention, expansion, and recruitment program is being created to actively seek businesses who would be a good fit for the downtown area.

Georgia Newton stated that as a business person if she is looking to relocate somewhere there has to be a reason why she should move to Canby. Even though this plan doesn't cover everything, it shows the potential of the City to the businesses looking to move here, and give existing businesses a reason to stay.

Mr. Finden stated when "selling" the City to potential business, it is important to show that Canby is committed to downtown. This plan shows there is a vision for downtown, and a plan for achieving the goals.

Mr. Thalhofer stated it is a very good plan, with just a few details to work out. He agreed that the plan needs to get going now, and suggested timing any Hwy 99E improvements to when ODOT repaves the highway, and have a plan ready for doing physical changes that would blend the highway into downtown. He questioned if there were any economic development lottery dollars that could be available for doing some projects.

Mr. Stewart asked Peggy Sigler about relocating the Railroad Depot. She stated the City Council had suggested relocating the museum, and the historical society is willing to move due

to needing more space, and the possibility of increasing visitors by having a more visible location. However the costs have been estimated at \$100,000 and they are not able to come up with the funds needed. She explained the Depot would qualify for the national registry if it were moved to it's original location at the corner of 1st and Grant, and be eligible for federal grant money.

Mrs. Tallman stated she would like more connectivity with Hwy 99E, but thought it was a good plan.

Mr. Brown stated he would like to see the downtown plan knit the two halves of Canby together, or at least diminish the distance between the 2 halves, and thought developing the Railroad lot would go a long way towards doing that.

Mr. Sanchez stated he appreciated everyone who has been involved with creating the plan. He stated that the plan shows people both inside and outside of Canby that he City is committed to downtown, the community, to businesses, and the residents of Canby.

Mr. Manley stated he liked what the consultants had done, but wished the designs had included the commercial area south of Hwy 99E. He stated there could be a second phase that that would address that issue, and bring the design of the downtown core to the south side.

Mr. Stewart agreed that including Hwy 99E was important, but the first priority was the downtown core area. He suggested keeping the public hearing open to give people a chance to comment on the plan. It was decided by the Commission to continue the hearing until May 14th at 6:00 pm.

IV. FINDINGS

MLP 01-02 An application by Joyce Carroll to partition an existing 20,533 square foot lot into two lots

It was moved by Mr. Tessman to approve the findings for MLP 01-02 as written. Seconded by Mrs. Tallman. Motion carried 4-0 with Mr. Stewart, Mr. Manley and Mr. Thalsofer abstaining.

MLP 01-03 An application by Pat Harmon to partition an existing 37,881.25 square foot lot into three parcels.

It was moved by Mr. Thalsofer to approve the findings for MLP 01-03 as written. Seconded by Mrs. Tallman. Motion carried 5-0 with Mr. Stewart and Mr. Manley abstaining.

V. NEW BUSINESS

CANBY TRANSIT PLAN

John Williams, Planning Director informed the Commission the first draft was completed for the transit plan and will be presented to the City Council May 2, 2001.

John explained that it is unclear how much the actual funding amount will be due to the way Tri-Met taxes are paid by large corporations, for example all chains such as Taco Bells, and Fred Meyer pay their Tri-Met taxes from their corporate offices in one check. Tri-Met then has to figure out what each store paid to find out what amount of money Canby will receive. John explained the City has proposed a \$640,000 budget at this time, but revenues may be lower

John gave a brief description of the route the local shuttle will take through Canby, basically 4 loops, with downtown Canby as the center of the route. There are discussions on providing late night and weekend service and an "on demand" bus for disabled persons.

John explained that extending the service to Wilsonville will be postponed until the budget amount is finalized, but that Wilsonville and Molalla have both proposed providing service to Canby.

There were questions regarding the safety of the bus driver and passengers, especially at night. John explained there will be both a radio connection and video cameras installed on the buses.

Mr. Manley suggested that during the Clackamas County Fair, a bus could be provided to shuttle people from the fairground to the downtown area. John stated the back up bus, and the Adult Center Bus could be coordinated for use to possibly do that.

VI. MINUTES

None

VII. DIRECTOR'S REPORT

John stated there will be 2 meetings in May for the Residential Zoning Task Force, at the Adult Center, the 1st and the 30th.

Mr. Stewart addressed the Oregon Legislature passing of SB 929 (the bill that would require Canby to bring a piece of property located inside of the City limits, into the Urban Growth boundary) he believed the Legislature should not pass bills that affect only one community.

VIII. ADJOURNMENT