

MINUTES

CANBY PLANNING COMMISSION

7:00pm January 28, 2002
City Council Chambers, 155 NW 2nd

WORKSHOP

Non-residential SDCs for Parks

Matilda Deas explained the proposed methodology establishing SDC fees for commercial developments. Issues discussed included:

- Using Metro's standard for number of employees per acre to establish non-residential SDCs instead of the number of parking spaces.
- Notice requirements have been expanded from 45 days to 90 days.
- Detailed accounting of all charges necessary to meet State law.
- How to figure the value of land, appraisal rate or average of 3 years market value.
- Making it more onerous to pay SDC's than to donate land.

Goal 5

Wetland & Riparian Area Protection Ordinance

Matilda stated the Division of State Lands had walked the City of Canby wetlands sites with her and decided which sites were jurisdictional. All but one site is currently owned by the City of Canby or Canby Utility, the privately owned property is adjacent to the Willow Creek wetlands. She explained that the City is required to map all wetlands within the UGB and to create ordinances that protect the wetlands.

Matilda explained Canby could create a Safe Harbor ordinance that stipulates a certain set back from the top water line. She explained that Clackamas County has a state mandated process, (ESEE Process) the City is able to apply the County's larger setback standards (100-150' along the Molalla River) to everything outside the City limits but inside the UGB.

I. ROLL CALL

PRESENT: Vice Chairman Jim Brown, Commissioners Jean Tallman, Paul Thalhofer, Geoffrey Manley, and Randy Tessman

ABSENT: Chairman Keith Stewart, Commissioner Tom Sanchez

STAFF: John Williams, Planning & Community Development Director, Kelley Canode, Planning Technician, Carla Ahl, Planning Staff

OTHERS PRESENT: Beth Saul, Pat Sisul, Tom Kendall, Jason Bristol

II. CITIZEN INPUT ON NON-AGENDA ITEMS

None

III. PUBLIC HEARINGS

SUB 01-06 The applicant is requesting approval of the fifth phase of the Faist Addition subdivision, south of Trost School and north of Faist IV, which contains 24 single family homes on 5.77 acres. In all, the first five phases of the subdivision will contain 130 lots on 29.6 acres.

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

Matilda Deas presented the staff report, she explained that this is a 24 lot subdivision on 5.77 acres and is the fifth and final phase of the Faist subdivision. She stated that Teakwood would be continued to the north edge of the subdivision. Teakwood would be completed as a neighborhood connector when the property to the east is developed. She explained that at the public hearing for phase IV, it was decided not to connect SE 10th to S. Redwood Street due to safety concerns.

Matilda stated the applicant will create a 20' wide pedestrian way that will connect SE 10th and S. Sycamore to S. Redwood, staff is recommending a 6' high, good neighbor fence except in street yard setbacks which call for 3 ½' fencing.

Matilda explained that the code requires a mid block pedestrian connection for any street that is over 600' long, the applicant has proposed moving the pedestrian way to the western edge of Tract C which would allow for fencing on one side instead of creating a tunnel and make a nice walkway for people to access the property to the north.

Matilda stated a letter had been received from neighbors in the area regarding the increase in traffic, she explained that a traffic study was done for the entire development which stated the road system could adequately accommodate the traffic from this subdivision and that no adverse comments were received from either the Traffic Safety or the Bike and Ped Committees.

Matilda stated planter strips will be required to match the existing phases, 5' sidewalk, 4 1/2' planter strip, and 6" curb.

Mr. Manley asked if the applicant was proposing to increase Tract C by the width of the

pedestrian walkway, or if they intended to use 20' of Tract C for the path. Matilda believed they were using part of Tract C for the pathway. Mr. Manley questioned if the applicant has proposed any park improvements. Matilda stated they had not.

Mrs. Tallman questioned where the original pathway location was. Matilda stated it was 130' west of the current location.

Mr. Brown explained using the proposed parks dedication methodology a 130 lot subdivision should have a parks dedication of 3.5 acres, even using the methodology in place at this time the proposed dedication is only about half of what it should be. Matilda explained this development didn't come in as a whole piece, it was phased in. Mr. Brown stated one of the concerns the Planning Commission had at the original public hearing was that there would not be an adequate park dedication because of the phasing.

APPLICANT:

Pat Sisul, Sisul Engineering, addressed the Commission, he explained that phase V is similar to previous phases. He explained that the original location of the pathway coincided with Canby Utility's proposed easement for a water line. During the Pre-application, Canby Utility stated they no longer need the easement at that location, so it made sense to the applicant to move the pathway to the park location and make a connection with the trail system.

Mr. Sisul clarified that Oregon Development does not own any additional land at this time. He stated that drywells are in place, water, electrical, and sewer service will be available to the park.

Mr. Sisul addressed the letter that was received from neighbors stating their concerns about the increase in neighborhood traffic. Mr. Sisul stated the applicant had proposed an access to Redwood from 10th Street, but it was denied by the Public Works Supervisor due to sight distance, so there are only 2 accesses into the subdivision. He stated the traffic study had determined the existing roadways could handle the traffic from this development.

PROPOSERS:

None

OPPOSERS:

Mr. Brown read the letter that was submitted by neighbors living on S Redwood St. stating they are opposed to an increase in the Faist Subdivision because more houses mean more traffic on Redwood. Mr. Sisul stated he had already addressed the letter. He added that he had read the conditions of approval, and the applicant had no problems with them. Mr. Brown asked Mr. Sisul if he realized the dedication of Tract C was a condition of approval. Mr. Sisul stated

he was aware of the condition and had no objection to it.

Mrs. Tallman asked what was to the north of the pathway. Mr. Sisul explained there is a dedicated path that runs parallel to the subdivision that is an emergency access for the school and north of that is the existing school property.

Jason Bristol, resident of S. Redwood, stated he had addressed the Commission during the Blair Commons public hearing where he stated it was unsafe to have the bike path coming straight out to S. Redwood, which is a busy street. Mr. Sisul stated that the placement of ballards on a 20' wide pathway would slow the bikes down, he suggested an off set fence could be added if the Commissioners believed it was necessary.

Mr. Brown closed the public hearing. Mrs. Tallman questioned at what point the subdivision would have had to have another access. Matilda stated another access would have been required at 133 lots.

Mr. Manley was concerned that the pathway would be installed on the park dedication reducing the size of the park which he believed was too small already.

Mr. Tessman did not see an advantage to residents of placing the pathway in the proposed location, he believed the original location would serve the residents better.

Mr. Thalhoffer suggested moving the proposed pedestrian path between lots 126 & 127 so that it did not come out on S. Redwood which he believed would be safer for young bike riders. Mrs. Tallman believed it was a safer situation to have them come out at the school property than on Redwood. Mr. Manley explained there is a fence on the far side of the path and the students would still have to come out on Redwood, or go the long way around the fence.

Mr. Brown stated that the curve on Redwood has always been a concern, it is close to a school and people don't slow down to make the curve. He explained this is a confusing section of road where drivers have to maneuver between parked cars, a bike lane and the traffic lane.

Mr. Manley questioned if moving the 10th Street/S. Redwood pathway would eliminate the necessity of the second pathway. Mr. Tessman stated with the repositioning of the 10th St. pathway, he withdrew his objection of the placement of the park pathway.

It was moved by Mr. Thalhoffer to approve SUB 01-06 as amended with the modification of moving the pathway between lots #126 & #127. Seconded by Mr. Tessman. Motion carried 5-0.

DR 01-10 The applicant is requesting to increase the height of an existing AT&T wireless telecommunications tower located at 1976 South Township Rd, from 167 feet to 187 feet. co-locate new Sprint PCS antennas on the top of the tower (total height 190 feet): expand

the equipment area by 10 feet: install up to seven (7) Sprint PCS equipment cabinets: and add a 5-foot landscape buffer.

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

Kelley Canode, Planning Technician presented the staff report, she explained the application was to increase the height of the existing AT&T wireless telecommunication tower from 167' to 190' and expand the existing equipment area on the ground 10' to the west and south and install up to 7 Sprint ground mounted equipment cabinets. She stated they would also be adding a 5' landscape buffer around the entire equipment enclosure.

Kelley explained the current access is from SE 4th Avenue onto a 7' wide crushed gravel road, this road will need to be surfaced. She stated that all zoning and set back regulations have been met.

Kelley stated that there will be 2 parking spaces provided along the southern boundary and the northern boundary will be landscaped. The applicant will provide water services for an automatic sprinkler system.

Kelley stated that with conditions the staff recommends approval of the application.

Mr. Manley asked for clarification regarding which of the design matrix criteria Kelley had applied to this application. She stated the applicant was given points for creating a landscape buffer around the entire facility instead of just landscaping the parking area.

APPLICANT:

Kevin Martin, Land Use Consultant for Sprint PCS, stated he concurred with the staff report and the conditions of approval.

Mr. Brown questioned if the proposed elevations showed all the equipment that will be mounted on the towers. Mr. Martin stated it did, if anyone wanted to add anything else to the tower they would have to come back before the Planning Commission.

Mr. Brown asked how much additional coverage 20' would get the applicant. Mr. Martin stated the engineers had wanted to extend the tower to 200', but Mr. Martin did not believe the existing tower would be able to go that high and it would have to be painted red and white. He stated the engineers believed the extra 20' would give them the coverage they need.

Mr. Manley questioned why a 7' access road was allowed. Mr. Brown stated that the plot map shows a 12' gate, and a 12' access. He questioned if the outside line shown on the plot map was the existing property line, because the access looks beyond their property. Mr. Manley believed it showed where the existing access was and the applicant was making it wider to add the landscape buffer.

It was moved by Mr. Thalhoffer to approve DR 01-10 as written. Seconded by Mrs. Tallman. Motion carried 5-0.

IV. NEW BUSINESS

Canby Square Pylon Sign

John Williams discussed the request for the change in the signage at Canby Square. He explained the applicant has proposed removing the existing pylon sign and constructing a sign that is designed to match the Welcome to Canby sign on the highway. He stated the proposed sign is not larger than the existing sign but this sign will be red letters on white background.

Mr. Tessman questioned where the sign would be placed. John stated the sign will be placed at the existing sign location.

It was moved by Mr. Manley to approve the new business item, allowing the change of the sign at Canby Square and allowing the sign to be white with red letters. Seconded by Mr. Tessman. Motion carried 5-0.

V. FINDINGS

ANN 01-02 An application by the Canby School District to annex a total of 45.42 acres on the south side of SE Township Rd between Trost Elementary School and the Logging Rd Trail.

It was moved by Mrs. Tallman to approve the Findings for ANN 01-02 as written. Seconded by Mr. Tessman. Motion carried 4-0 with Mr. Thalhoffer abstaining.

ANN 01-03 An application by James S. Harbison to annex a 1.97 acre lot on the south side of SW 13th Ave. into the City.

It was moved by Mr. Tessman to approve the Findings for ANN 01-03 as written. Seconded by Mr. Manley. Motion carried 4-0 with Mr. Thalhoffer abstaining.

MLP 01-05 An application by Gerald and Susan Grisham to divide one parcel into two pieces. Which would allow a second single family home to be constructed on the second piece.

It was moved by Mrs. Tallman to approve the Findings for MLP 01-05 as written. Seconded by Mr. Manley. Motion carried 4-0 with Mr. Thalhofer abstaining.

VI. MINUTES

None

VII. DIRECTOR'S REPORT

- A joint meeting with City Council and the Planning Commission to discuss the parks master plan and acquisition plan is scheduled for the 6th of February before the City Council meeting.
- Matilda will bring the Park SDC ordinance back before the Planning Commission at their February 25th meeting.
- Notices have been sent out regarding the residential design process, Feb. 12th at Canby Adult Center, he encouraged Planning Commission and citizen involvement.
- John reminded the Planning Commission the ball is in their court regarding the forming of Neighborhood Associations.
- A meeting was held regarding planning fees, 150 notices were sent out and 5 people showed up at the meeting, their comments will be forwarded to the City Council.
- The second round of interviews for the Transit Director will be held this week, and John believes someone will be on board soon.
- The next task for periodic review will be Goal #5 the Natural Resources section and the residential and industrial rezoning. Staff is doing some of the pre-work now, and hopefully a consultant can be hired to facilitate the process.
- There are training sessions available for the Planning Commissioners, interested members should contact John.

VIII ADJOURNMENT