

MINUTES

CANBY PLANNING COMMISSION

7:00pm March 11, 2002
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Chairman Keith Stewart, Commissioners Jim Brown, Paul Thalhofer, Geoffery Manley, Randy Tessman, Tom Sanchez

STAFF: John Williams, Planning and Community Development Director, Clint Chiavarini, Associate Planner

OTHERS PRESENT: Ernie Laitinen, Georgia Newton, Roger Reif, Melody Thompson, Sharon & Steve Hughes, Carolyn Ann Carson Graybill, David Sheldon

II. CITIZEN INPUT ON NON AGENDA ITEMS

Mr. Stewart announced that Mr. Sanchez had accepted a position at Virginia Tech University to Chair their new Urban Affairs and Planning Department and this would be his last Planning Commission meeting.

III. PUBLIC HEARINGS

MLP 02-01 An application by David Sheldon to partition an existing 26,571.6 square foot lot located at 687 S Redwood St. into two lots.

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, Manley, and Stewart had visited the site but had drawn no conclusions.

Clint Chiavarini presented the staff report. He explained Mr. Sheldon's property was recently annexed into the City, and the applicant stated at that time he intended to develop the property.

Clint explained there is an issue with the width of the lot, a normal width requirement is 60' for a single family lot, in this case there is only 60' from the existing house to the edge of the property, the applicant is proposing a lot width of 53' which would maintain the required 7'

setback for the existing house. Clint explained the proposed lot would be fairly deep and there should be no problem with siting a house on the property.

Clint explained the applicant would be required to put in sidewalks, meet all necessary utility easements, pay all costs of relocating services and install a new sewer lateral.

Mr. Brown questioned the ordinance that requires 60' street frontages. Clint read the development standards, which states the Planning Commission may approve lots having less frontage subject to special conditions to assure adequate access. Clint stated that there are a number of lots in town that are 50' wide. Mr. Stewart stated that the Fire Department, Street Department and the Traffic Safety Committee did not see a problem with the proposed lot width.

Mr. Manley wanted clarification that sidewalks would be required across both lots, Clint stated it would be conditioned.

APPLICANT:

David Sheldon, stated there are a couple of contractors interested in buying the property and all the conditions would be met. Mr. Stewart questioned when construction would start. Mr. Sheldon stated that if the application was approved the construction would start as soon as possible.

PROPOSERS: None

OPPOSERS: None

Mr. Stewart closed the public hearing and opened Commission deliberations. He questioned the Commissioners regarding allowing the 53' lot width. Mr. Brown explained the City is looking at design standards, after setbacks are met there is only 39' of useable space. The view from the street would be mostly of the garage, which is one thing citizens have stated they did not like.

Mr. Thalhoffer agreed with Mr. Brown's comments regarding residential design standards, he stated there are not many options available for this property and that he would be in favor of approving the application to allow utilization of this lot to increase density.

Mr. Manley believed the proposed application is a workable solution for the property and he would be in favor of approving the application.

Mr. Stewart explained that the Planning Commission, City Staff, developers and citizens have been working to come up with design standards for in fill property. Citizens have expressed concerns of allowing large two story homes to be built in smaller one story neighborhoods.

It was moved by Mr. Manley to approve MLP 02-01 as written. Seconded by Mr. Tessman. Motion carried 6-0.

MLP 02-02 An application by David Eby to partition an existing 12,701 square foot lot located at 464 S. Township Rd, into 2 lots.

Mr. Stewart asked if any member of the Planning Commission had a conflict of interest. Mr. Thalhoffer stated that his law partner Roger Reif was representing the applicant, and he would not participate in the hearing. When asked if any member of the Planning Commission had ex-parte contact Mr. Tessman, Mr. Manley and Mr. Stewart had visited the site but had drawn no conclusions.

Clint Chiavarini presented the staff report. He stated there is an existing duplex located on the lot, and the applicant is petitioning to divide the back portion of the property off in order to build a second duplex on the property. Clint explained the property is zoned R-2 which requires a minimum density of 14 units per acre instead of a minimum lot size. He stated the existing lot would be 8114 sq. ft, and the proposed lot would be 5193 sq. ft. An access easement would be created for the back lot and an existing garage will need to be removed.

Clint explained the plot plan shows a 12' access because originally the applicant had planned on building a single family home on the second lot, the code requires a 20' access if it is accessing more than one unit and a condition has been added to increase the access width to 20'.

Clint stated the City Engineer commented that there had been a previous dedication of 606 sq. ft. for the upgrade of Township Rd. The Public Works Supervisor had stated that the current septic system needs to be disconnected and the existing house needs to be connected to City sewer, a lateral is stubbed out from Township for the existing duplex and a new lateral will need to be run from either Township or preferably through the McNamee property on S. Locust for the proposed duplex. The Public Works Supervisor prefers the lateral to come off of S. Locust due to Township being a new street and he would like to avoid cutting into it if possible. The City will work with the applicant and the McNamees to facilitate the lateral coming from S. Locust St.

Mr. Brown questioned why a 20' access easement instead of creating a flag lot. Clint stated there are a number of reasons to create an access easement, in some cases it is because of the location of existing structures that they are unable to meet the required 5' setback for a flagpole. He explained in this case the applicant wished to maintain parking control.

Mr. Manley questioned if the duplex would meet the 14 units per acre minimum. Clint explained it is very close, technically it would require 4.08 units. Clint explained the Planning Commission has the authority to modify density standards due to lot dimensions or existing conditions.

Mr. Stewart opened the public hearing.

APPLICANT:

Roger Reif, represented the applicant at the hearing. He believed the proposed duplex fit the current development in the area. He agreed with the conditions of the staff report and agreed. He explained that the applicant prefers to use the access easement rather than creating a flagpole because he believes it give the owner of the front lot more control of their property and it would look better from the street if the flagpole could not be used as extra parking for the back lot. He added that it would also preserve the ability of emergency vehicles to access the back lot. Mr. Stewart explained there is a condition which prohibits parking on flaglots which prevents people from blocking the access. Mr. Reif stated those conditions are hard to enforce with an access easement there would also be "privately enforcement".

Mr. Tessman questioned if the applicant intended to build a duplex similar to the one that is on the property at this time.

Mr. David Eby, applicant stated it is a possibility, but the existing neighborhood is mixed, there is a manufactured home next door and Township Village across the street, but it would be a consideration to build a similar duplex, but he would be looking for a design that fit on the lot.

Mr. Stewart questioned if there should be a condition added requiring signage on the access drive. Clint stated that in the past, it has been required that no parking signs be installed, and a condition could be added. It was agreed to add condition #13 requiring signage posted on the access drive.

Sharon Hughes, stated she was not necessarily opposed to the application and that Mr. Eby had done a nice job of fixing the porch on the existing building. Her concern was that there would be people parking on the street. She asked if Mr. Eby was going to maintain the driveway on the left side of the existing house and a parking strip for the duplex.

Mr. Eby stated his ideal was to put enough parking on the westside for both units, but there was not enough room to do that, so he will maintain the parking on the eastside and create parking on the westside as well. Clint stated the code requires 2 parking spaces for each unit, which would require a minimum of 8 spaces between the 2 duplexes.

Mr. Stewart explained the Planning Commission tries to discourage on street parking because it does become an issue with neighbors. Mr. Eby stated he did not want people parking on the street either and is trying to arrange guest parking on the lots also.

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

Mr. Brown stated this development is consistent with development in that area.

Mr. Tessman stated the existing house is somewhat unique, and recommended the applicant incorporate some of the features into the new duplex.

It was moved by Mr. Brown to approve MLP 02-01 with the added condition #13, requiring signage on the access drive. Seconded by Mr. Manley. Motion carried 5-0 with Mr. Thalsofer abstaining.

IV. NEW BUSINESS

Clint explained that in May of 2001, the Planning Commission had granted a conditional use permit to Mr. Ernie Laitinen allowing more than 25% of the ground floor of the building located at 410 N. Grant St. to be used for residential purposes.

Clint stated that due to costs, Mr. Laitinen had decided against converting the building and has contacted the planning department to inquire if the property could be sold as a single family dwelling under the existing conditional use permit.

After deliberations it was determined by the Planning Commission that the property could not be used solely as a single family home under the existing conditional use permit.

V. FINDINGS

None

VI. MINUTES

February 25, 2002

It was moved by Mr. Brown to approve the minutes of February 25, 2002 as written. Seconded by Mr. Manley. Motion carried 6-0.

VII. DIRECTOR'S REPORT

John stated that the Transportation Utility Fee meetings are scheduled for 7:00pm, March 12, 2002 at the Town Hall meeting room at Cutsforth Thriftway, and 7:00pm, March 14, 2002 at the Canby Adult Center.

John discussed the status of the Periodic Review Process.

VIII. ADJOURNMENT

