

MINUTES

CANBY PLANNING COMMISSION

March 10, 2003

7:00 PM

City Council Chambers, 155 NW 2nd

I. ROLL CALL

Present: Chairman Jim Brown, Commissioners Geoff Manley, Paul Thalhofer, James Molamphy, Dan Ewert, Mark Vissers

Staff: John Williams, Community Development & Planning Director, Clint Chiavarini, Associate Planner, Carla Ahl, Planning Staff

Others Present:

II. CITIZEN INPUT ON NON-AGENDA ITEMS

Randy Tessman address the Commission. He invited residents of Township Village, Blair Commons, Tofte and Valley Farms to attend a March 17th meeting at the Canby Adult Center to find out what steps are necessary to establish a neighborhood association.

Mr. Tessman explained that this is a way for citizens to get their ideas to the City government and a way the City can get issues out to neighborhoods. He explained that a neighborhood association is different than a home owners association and encouraged people to attend.

Mr. Brown amended the agenda and began the session with unfinished business.

III. UNFINISHED BUSINESS

ZC 03-01/CPA 03-01/SUB 03-01/PUD 03-01/MLP Continuation from 2-24-03

The applicant is seeking to amend the Comprehensive Plan Land Use Map and zoning designation for a 4.79 acre taxlot on the northeast corner of Highway 99E and N. Redwood Street. The applicant has also submitted a concurrent request for

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Subdivision, Planned Unit Development and Minor Land Partition approval and is proposing a 56 unit planned unit development subdivision.

Mr. Brown read the public hearing format, when asked if any Commissioner had a conflict of interest none was stated, when asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commission.

Pat Sisul, addressed the Commission. He explained that the applicants had presented the Commissioners with 2 alternative plot maps that addressed the three major concerns the Commissioners had with the original application, a larger open space, noise along the railroad tracks and the storm water issue

Mr. Sisul stated that due to the configuration of the lot and the restraints of meeting all of the City and Fire Marshal's requirements, the only way to meet the density requirements is to maximize the longest dimension on the property. In this case it is the dimension along the railroad tracks. If the units were not backed up to the railroad tracks it would not be possible to meet the 14 units per acre requirement.

Mr. Sisul stated the developer prefers the original plan which has open spaces separating the site into groups of buildings, a trail system that meanders throughout the site, no windows in the site that gets direct glare from vehicle headlights and only 2 lots that are back to back so there is a more private feel to the development. Mr. Sisul stated that the only negative is that there is no large open space.

Mr. Sisul stated that the advantage option A had is the large open space by the entry which gives an expanded feeling, but there is a larger number of homes that are back to back which decreases the privacy of the units. There are also some trail connections that can't be made.

Mr. Sisul stated that option B creates an other large open space and it would create a nice street scape to have the fronts of the homes facing Redwood. One benefit of this design is that there are 2 additional units. Mr. Sisul explained that there will be some privacy lost due to the amount of traffic on both sides of the homes. Mr. Sisul stated the applicant would prefer the original design, then option "A" with option "B" being a distant third.

Mr. Vissers asked why the play area was not centrally located. Mr. Sisul explained that having the playground at the entrance may not be the feature the applicants want to have potential buyers see first as they come into the development.

Mr. Sisul explained that the objectives of the developers is to create a nice community, in the \$150,000 range where people want to live that looks nice and is well maintained, close to shopping. But the constraint on that home would be the close proximity to the railroad tracks. He stated anyone purchasing a home in this development would know they were purchasing home near the noise of the railroad

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tracks.

Mr. Sisul stated the applicant has committed to using triple pane windows on all the rear of all homes that back up to the railroad tracks and is open to other possible noise abatement options.

Mr. Sisul stated the applicant is asking for the flexibility to create a storm water system that would best suit their development while assuring that the storm drainage would be properly handled. They are suggesting a condition that states the applicant would be required to demonstrate to the City Engineer and the Public Works Supervisor that their proposal would comply with all necessary city and DEQ rules and regulations.

Mr. Brown questioned why the applicant didn't shorten the proposed street on option "A", which would eliminate the need for the emergency hammerhead turnaround and probably allow another unit to be built. Mr. Sisul stated that the Fire Marshal had been insistent that there was a need for the hammerhead.

Mr. Brown asked for clarity on the easement to continue the trail head on lot #57. Clint stated there was an easement called for on all three options. The applicant had originally presented a 6' easement and staff had required a full 10' width which allows for 2 bicycles to pass each other.

Mr. Brown asked why the crash gate was needed. Mr. Sisul stated that the Fire Marshal required 2 emergency access points for that many units. He explained that the turnaround at that access point was for the convenience of moving vans and garbage trucks.

Mr. Manley asked if the area next to the access point to the north was part of the open area. Mr. Sisul stated there would be a little room there but that set backs would need to be met.

PROPOSERS: None

OPPOSERS: None

Mr. Brown closed the public hearing.

Mr. Thalhofer asked if the access to the trail system was a benefit to the city. John stated the City would like to have a trail that paralleled the railroad tracks, stretching from downtown to Pine St., but the structure of the system has not been decided.

The Commission discussed a trail system through and around Canby, the idea has been discussed at the recent park plan update, but there is no finalized plan at this time. Mr. Thalhofer questioned if there were any physical obstructions that would

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prevent this pathway from connecting to one that went to Territorial, John did not believe there were any. Mr. Thalhofer believed that paths/trail system helps connect the community, this decision may not affect the people living here now but it may be an asset for the future.

Mr. Brown addressed the applicants request to modify the conditions of approval regarding the drainage issue. He questioned what would happen if the proposed drainage system failed. It was decided that the system will be privately maintained and be the responsibility of the development.

Mr. Brown stated the applicant's response to the noise abatement issue is to install triple glazing along the railroad frontages. People who chose to purchase homes in this development will know that the railroad tracks are there.

The Commission discussed the benefits of the proposed options. The preferences were for either the original plan or option A. The Commission suggested taking the hammerhead configuration from the original plan and incorporating it into option A. They would like to see a stronger connection of the pedestrian way to the entrance at NE 11th and relocating the sidewalk toward NE 11th and the proposed Spruce Ct.

John explained that since the Commission were adding conditions that the applicant had not testified on, the Commission could have them respond at this meeting, or if the applicant could request a hearing at a later time. Mr. Brown asked the applicant if they would prefer to speak to these changes or if they would prefer to have more time to prepare. The applicant chose to speak at this time.

Tony Marnella stated that unit #55 on the original plan is a single unit which has been pushed back to comply with the front yard setback. On option A, 11th St, has been realigned which allowed a duplex to be placed on the lot, to make it look the same #54 and #55 will have to be shoved back and would place them closer to the tracks and they would lose more of their backyards.

Mr. Marnella questioned if the entire sidewalk would be required to be 10' wide through out the interior. The initial plan shows a 5' sidewalk, if the intent is to make 11th St. the trailhead, will the Commission require 10' sidewalks throughout. The Commission explained they were suggesting a 5' sidewalk with a turn toward 11th St.

The Commission decided to allow the applicant flexibility in setbacks and the location of the hammerhead turnaround so the pathway could proceed along the north property line and not going back on the asphalt. Mr. Sisul suggested that the applicant submit a plan for the Planning Commission prior to the written findings.

It was moved by Mr. Manley to approve SUB 03-01/PUD 03-01/MLP 03-02 as modified. Seconded by Mr. Thalhofer. Motion carried 6-0.

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IV PUBLIC HEARINGS

DR 03-01 Jack in the Box/Canby Market Center Associates, LLC The applicant is requesting site and design review approval for a new fast food restaurant, 2100 square feet in size, with associated drive-thru facilities. The restaurant will be accessed via existing and internal drives at the Canby Market Center.

Mr. Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none were stated. When asked if any Commissioner had *ex-parte* contact, Mr. Brown explained that he was an architect for CM architects 2-3 years ago but had not worked with Jack in the Box, he intended to participate in the discussion. No questions were asked of the Commission.

Clint Chiavarini presented the staff report. Access to the restaurant would be from internal streets of the existing center. This project is inside the industrial area overlay zone and is subject to it's design review matrix. Staff believes that the overlay zone design review criteria has been met.

Clint explained that the applicant would be allowed 144 square feet of wall signage and will be leasing monument signage from the landlord. The exterior will match the existing development.

Clint explained that parking spaces have been added behind Fred Meyers that corrects the deficit that was created during the siting of the West Coast Bank, with the parking this development will meet the minimum number of required parking spaces.

Clint stated that the pedestrian walkway will be bricked and connect with the street sidewalk and the interior pedestrian way.