

MINUTES

CANBY PLANNING COMMISSION

7:00 P.M., June 9, 2003
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Chairman Jim Brown, Commissioners Geoff Manley, Paul Thalhofer, John Molamphy, Dan Ewert, Mark Vissers, and Robert Able

STAFF: John Williams, Planning Director, Matilda Deas, Project Planner, and Carla Ahl, Planning Staff

II. CITIZEN INPUT

None.

Mr. Brown modified the agenda to discuss MOD 03-01 under New Business.

III. NEW BUSINESS

MOD 03-01 Mr. Williams said this had been discussed at the last meeting, and had been requested to bring it back. The applicants were requesting approval to put fireworks stands in the Fred Meyer and Safeway parking lots. When the design review for these applications was approved, there were conditions that prevented any accessory use in the parking lots. Fireworks stands went up last year as a communication error. If approved, they would send out notice to everyone who was involved in the public hearings for these applications, and they would have the opportunity to call for a public hearing. Staff recommended approval. The fireworks stands were regulated, so there were no public safety concerns.

Mr. Brown asked about letters they had received. Mr. Williams said they had letters that showed both property owners approved of this.

It was moved by Mr. Molamphy to approve MOD 03-01 as written. Seconded by Mr. Vissers. Motion carried 7-0.

Mr. Williams said there was a 10 day appeal period.

IV. PUBLIC HEARINGS

ANN 03-02 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 Commissioners.

Staff Report: Ms. Deas said this was an application to annex 4.57 acres into the City located across NE 12th Avenue, north of 99E and east of Redwood. It was directly

above a parcel that was recently approved for high density development. This had a previous application in 1999, but it was denied because there was a surplus of low density residential, which it was zoned at that time, there was no special benefit, and schools were an issue. It had recently been rezoned from low density to a combination of high and medium density. This was Priority B property, all the utility improvements were in Redwood Street, and the intersection at Redwood and 99E was fully functional. They had one year and one month of buildable lands, however there were many factors that could bring it up to the three year recommendation. This property would provide three months of land, but at a higher density. There was precedent for bringing in smaller parcels and it was not in agricultural use. There were no concerns by the service providers. The traffic study said the level of service would not change at 99E and Redwood, but at the intersection at NE 12th and Redwood, in the peak evening hours, the level of service would go from A to B. This would not be a safety concern, but there would be disruption to traffic flow until such time as surrounding development happened. The schools were always facing overcrowding, but they were hoping to get a new school in 2006. Storm water would be a future issue, and the applicant was working with the development to the south and coordinating with their storm water management. The Traffic Safety Committee expressed concern about the road width and bike lanes, but improvements would be required at development. The parks plan identified a park in this location, and at some point they would try to locate a park there. The applicant did hold a neighborhood meeting. Staff thought this met all the requirements and was recommending approval.

Mr. Manley wondered how many acres of high and medium density land they had that was Priority A? Mr. Williams was not sure, but thought there was very little of it inside the City limits.

Mr. Able asked about their coordination with the Garden Crossing development? Mr. Manuel said they intended to trail this development and do something similar. Mr. Williams was not sure when they were planning to break ground.

Applicant: Allen Manuel, resident of 1612 N Redwood, said this was an application by ManDan LLC, a property management development company owned by him and Glennette Danforth. In regard to timing, 30 days after the election they could start a subdivision process which would take a year. Then with lot construction in the spring, it would be available for home construction in summer of 2005. In addressing the need for this, they sold the lots to local builders. The process that rezoned this to higher density was well supported. It was Priority B, but all the utilities were there and it made good sense to use what they already had. They were trailing behind Garden Crossings, because the storm drainage for both properties was intertwined and they were doing some advanced engineering work. They had about 20 people show up to the neighborhood meeting, and most of the discussion was about the next annexation on the agenda. They planned to do townhomes, duplexes, and R1 development on 5,000 square foot lots. Traffic was always a concern, but moving ahead did more to solve these problems than not moving ahead.

Mr. Ewert asked what would they be doing to help solve the stormwater issues? Mr. Manuel said the drainage of both of these projects went northeasterly along the railroad tracks, so it would not go into the City built storm drainage system. He explained the proposal, which would be a swale system filled with washed sand and an underground

storage.

Mr. Brown said this property was Priority B, what was the special benefit of this application? Mr. Manuel said it was the service systems that were already in place and the lack of high and medium density land.

Proponents: None.

Opponents: Daniel Webb, resident of 1864 N Redwood, said they had a wetlands area near the property and were concerned about the storm run off.

Rebuttal: Mr. Manuel described his plans for the storm water.

Discussion: Mr. Manley thought the special benefit was the higher density.

Mr. Thalhofer said his concern was that they needed less expensive housing, and there should be a wider range of housing choices even though this was Priority B.

Mr. Ewert thought the higher density did outweigh the Priority B. However, he was concerned about the storm water.

Mr. Brown said the fact that there was no other Priority A medium or high density land, made it so there did not need to be a special benefit. It met all other criteria. Storm water was also a concern for him. He hoped that the applicant would work with staff for the design of the development.

It was moved by Mr. Thalhofer to recommend approval of ANN 03-02 to the City Council. Seconded by Mr. Molamphy. Motion carried 7-0.

ANN 03-05 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 Commissioners.

Staff Report: Ms. Deas said this was an application to annex .93 acres located below 19th Loop. It was designated as R1, and five single family houses would be built. The parcel was also Priority B. This parcel would only provide a couple of weeks of buildable lands. There were storm water issues that would be handled on site. It was not currently used for agriculture. They did not have a traffic study done on it because it was a small development. Canby Utility requested the water services to be set on N Redwood, and the City Engineer wanted to make sure half street improvements were made and storm drainage would not flow onto Redwood. If a road was to be constructed, it should be aligned with 18th Place. They got neighborhood comments, and people were concerned about it being single level family residence, the infrastructure would be overloaded, it would not blend with current development, and increased traffic. The special benefit would be that it was a small, non agricultural parcel with services available. They would have to do sidewalks and street improvements and a storm water management plan. It met all other criteria and staff recommended approval.

Mr. Thalhoffer was confused about how many houses they would build. Ms. Deas said there was an existing house that would stay, so they would build four.

Mr. Brown said the property to the north was in the City, and those to the south and east were not, and the property across the street was in the City.

Staff said there was no significant amount, about 50 small parcels, of Priority A land zoned for R1 that already had services to them.

Applicant: Allen Manuel, resident of 1612 N Redwood, said this parcel took up most of the time at his neighborhood meeting. The general concern was that it would not be duplexes or apartments. This was zoned R1. The case for bringing this into the City now was available utilities and there were subdivisions directly to the north and across the road. It was a small piece of non farmland, and would have low impact. It was important to supply lots to local builders. The storm drainage would be similar to Ivy Gardens, collection would be piped to a drainage swale.

Mr. Vissers asked why he did not wait to develop this when he could buy other adjacent properties. Mr. Manuel said he talked with the neighboring properties, but there were no prospects to let them do it. They wanted to master plan Redwood back in 1988, but the City was not in the position to do it at that time.

Proponents: None.

Opponents: Daniel Webb, resident of 1864 N Redwood, said he was not against growth, but this project did not make sense. This looked like an infill project, and the street design was much less than standard. He thought if this was developed as they planned, it would make it impossible for future development to the east unless the street was built to full standard and stubbed along with all the services to the adjoining property. They should have a master plan for this area. He thought the timing was off.

Rebuttal: Mr. Manuel said he preferred master planning, but it was not required. He did not see how he could be held to plan his property to service someone else's property.

Discussion: Mr. Manley said this was Priority B and showed no special benefit. He thought they should wait on this until it fell within the priority planning.

Mr. Thalhoffer said he did not see any special benefit.

Mr. Molamphy said he was concerned about land locking the area, and he was not in favor of it.

Mr. Brown said if they continued to bring in small acre parcels in that area, it would be piecemeal and access would not be well organized for a collector street.

It was moved by Mr. Manley to recommend denial of ANN 03-05 to the City Council based on Criteria 1. Seconded by Mr. Molamphy. Motion carried 7-0.

V. FINDINGS

ANN 03-03 Mr. Manley said in regard to the dedication and waiving their right to compensation, he thought it was applying to both sections of land they were dedicating. He wanted to see the findings amended to show that. Mr. Brown said the only part they wanted SDC credits for was development of the parks. The Commission agreed.

It was moved by Mr. Manley to approve the findings, conclusion, and final order for ANN 03-03 as amended. Seconded by Mr. Vissers. Motion carried 6-0, with Mr. ? abstaining.

VI. MINUTES

None.

VII. DIRECTOR'S REPORT

Mr. Williams said they had a new planning technician, Darrin Nichols, and Clint Chiavarini was leaving the City in August.

Ms. Deas said in regard to neighborhood associations, they had a group in the southern part of town that were organizing and they were doing a workshop with some successful neighborhood association folks in Oregon City and Gresham. They were also working on their tree inventory and on the wetlands. She was working on 13th Avenue park design and master plan for the Willamette Wayside.

Mr. Williams said they would have a workshop on annexation priorities before their next meeting. At that meeting they would have two public hearings, one on commercial design review and subdivision review.

Mr. Williams also announced that they were awarded the loan for Sequoia Parkway, for 1.95 million dollars. They should start work on it in late July.

Mr. Brown asked about the sand and gravel company going up and down the Molalla Forest Road. Mr. Williams did not think that would happen.

Mr. Brown said he talked with the Mayor about the proposed design for Northwoods property. He asked if the Commission wanted to continue with the process of making that an area of special concern. The Commission did wish to continue. Mr. Brown said the intent was to create a firewall until the area was master planned in conjunction with the surrounding neighborhood.

VII. ADJOURNMENT