

MINUTES
CANBY PLANNING COMMISSION
7:00 P.M., November 24, 2003
City Council Chambers, 155 NW 2nd

I. Roll Call

PRESENT: Chairman Jim Brown, Commissioners Geoffrey Manley, Paul Thalhofer, Dan Ewert, John Molamphy, Robert Able, Tony Helbling

STAFF: John Williams, Planning and Community Development Director,
Darren Nichols, Planning Technician

OTHERS PRESENT: Karl Mawson, Deloris Reed, Jim Reed, David Wichman, Ron Berg, Myron Mohr

II. CITIZEN INPUT

None

III. NEW BUSINESS

None

IV. PUBLIC HEARINGS

ZC 03-03 Zoar Lutheran Church, an application to change the zoning designation for a .87 acre tax lot located at 190 SW 3rd Ave. Current zoning on the subject parcel is R-2 High Density Residential. The church proposes to amend zoning to reflect the Comprehensive Plan designation and to match adjacent Zoar parcels zoned C-2 Highway Commercial. Continued from November 10, 2003.

Mr. Brown asked if any member of the Commission had a conflict of interest. None was stated. When asked if any member had ex-parte contact regarding this application. None was stated.

Mr. Brown explained that public testimony was heard at the last meeting. The applicant stated he had no additional testimony. Mr. Brown closed the Public Hearing and opened Commissioner deliberations.

Mr. Manley stated this looks like a sensible application and believed it met all the criteria for the zone change request.

It was moved by Mr. Manley to recommend approval of ZC 03-03 as written. Seconded by Mr. Ewert. Motion carried 7-0.

MLP 03-07 Jim Reed, an application to partition an existing 12,632 sq.ft. parcel into 2 lots, lot 1 consisting of 7277 sq.ft. and lot 2 consisting of 5355 sq.ft.

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.

Darren Nichols, Planning Technician presented the staff report. He explained the applicant has provided the Commission with 2 additional options for this application since he was unaware of the density requirements of the R2 zone when he submitted the application which requires a minimum of 14 units per acre. The applicant is seeking to build a single family residence on the proposed parcel which would require a duplex be built. Darren stated that there is adequate access to the site and that Knott St. can easily handle the traffic from the development.

The applicant has proposed a 15' wide access drive to serve the rear parcel. Darren explained that a 15' wide access is sufficient for the existing home, but if the rear property is developed to it's full potential in the future it could contain a triplex and that would require a 20' wide driveway with a 5' sidewalk, option A and option B provide more access and shrinks the size of parcel 2 to make it more compatible with the required density standards.

Darren stated the surrounding properties were zoned R2 that have mostly been developed as single family homes with some multi family housing. This application would allow additional development of the subject parcel which would help maximize efficient use of the property. Darren clarified that option B would meet the minimum density requirement by creating a 4662 square foot lot for the single family home.

Darren stated no negative comments were received from service providers. NW Natural Gas Company had concerns regarding the location of the service line which will be dealt with during the development and the building permit process. Darren explained that all property owners and residents were sent notices regarding the application and no comments had been received. Darren explained that sidewalks were not proposed with this application but they are addressed in the conditions of approval.

Darren stated that with the conditions of approval staff believes all requirements have been met and recommends approval of the application.

Mr. Brown clarified that the original application would only allow a single family home to be built on the rear lot (without modification), option A would allow a duplex and option B would allow a triplex. Darren explained that the Commission is being asked to consider the future potential use of lot 1 and whether to allow a single family home on lot 2.

APPLICANT:

Jim Reed addressed the Commission, he explained that the original application was for 2 single family homes. He learned after he submitted the application that a duplex was required on the newly created lot, he added the rear lot was never intended to be developed that it would remain a single family home. He asked the Commission to use their discretion to allow a single family home on the proposed lot.

Mr. Reed stated that the surrounding neighborhood contains a lot of single family homes so allowing this to be a single family would fit the neighborhood. He added that the property in the rear could be developed into a duplex in the future. Mr. Reed explained that there are some easement requirements that need to be worked out as part of the preconstruction process.

Mr. Reed was asked why he did not want to build a duplex. His response was that it was his personal preference.

PROPOSERS:

None

OPPONENTS:

None

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

Mr. Manley stated that as part of the process changing the procedures requiring high density to meet certain standards it was because we wanted to make sure that high density land be built out at high density levels. He believed the access strip should be wide enough so the back parcel can be redeveloped for more than a single family home and the front parcel should either be required to have either a duplex or a small enough lot to allow a single family home. He would like to have a triplex in the back and a duplex in the front.

Mr. Molamphy stated the density requirements are in place, and he would like to see it set up so the minimum density requirements can be met in the future. He preferred option A.

Mr. Brown questioned the Commissioners regarding which option they preferred. The majority of the Commissioners believed that this is a mixed area with single family and duplexes so option A was preferred.

Mr. Manley explained he reason the standards had been changed was to insure that higher density land was built out at high density levels. He believed the access strip to lot 1 should be built wide enough to allow redevelopment in the future. He

stated his preference would be a triplex in the back and a duplex in the front.

Mr. Molamphy agreed there are density standards in place and he would like to see it designed so the minimum density requirements can be met in the future. He stated he preferred option A.

Mr. Thalhoffer moved that the Planning Commission approve MLP 03-07 option A and that the density requirement be waived based on the site characteristics and the surrounding neighborhood. Seconded by Mr. Able. Motion carried 6-1 with Mr. Manley voting nay.

V. FINDINGS

DR 03-05 (Burden/Thompson) an application to construct a 3,500 sq.ft. bank building adjacent to Canby Farm and Garden Store on Highway 99E north of S. Sequoia Parkway.

It was moved by Mr. Able to approve DR 03-05 as written. Seconded by Mr. Ewert. Motion carried 4-0-3 with Mr. Brown, Mr. Thalhoffer and Mr. Helbling abstaining.

MLP 03-06 (Teller) an application to partition an existing 13,068 square foot parcel at 487 S. Knott Street into two lots. Lot 1, approximately 8200 square feet. Lot 2 approximately 4800 square feet.

It was moved by Mr. Able to approve MLP 03-06 as written. Seconded by Mr. Ewert. Motion carried. 4-0-3 with Mr. Brown, Mr. Thalhoffer and Mr. Helbling abstaining.

DR 03-06 (Martin) an application to construct a 2,327 square foot, single story dental office and clinic at 150 NE 3rd Avenue.

It was moved by Mr. Able to approve DR 03-06 as written. Seconded by Mr. Manley. Motion carried 4-0-3 with Mr. Brown, Mr. Thalhoffer and Mr. Helbling abstaining.

ZC 03-03 Zoar Lutheran Church, an application to change the zoning designation for a .87 acre tax lot located at 190 SW 3rd Ave.

It was moved by Mr. Molamphy to approve ZC 03-03 as written. Seconded by Mr. Ewert. Motion carried 7-0.

VI. MINUTES:

November 10, 2003

It was moved by Mr. Manley to approve November 10, 2003 as written. Seconded by Mr. Ewert. Motion carried 5-0-2 with Mr. Thalhoffer and Mr. Able abstaining.

October 27, 2003

It was moved by Mr. Ewert to approve the minutes for October 27, 2003 as amended with a topographical correction. Seconded by Mr. Manley. Motion carried 4-0-3 with Mr. Thalhofer, Mr. Ewert and Mr. Helbling abstaining.

February 24, 2003

It was moved by Mr. Ewert to approve the minutes for February 24, 2003 as submitted. Seconded by Mr. Manley. Motion carried 4-0-3 with Mr. Thalhofer, Mr. Molamphy and Mr. Able abstaining.

VII. DIRECTOR'S REPORT

John Williams said he would take the direction he received from the annexation workshop and bring something back to the Commission. The Commissioners stressed that this decision will have an economic impact on developers and it is very important that citizen be involved and have input on the decision. John stated that there are 2 annexations that were denied at the last election that have already submitted applications to be on the May ballot.

Mr. Brown asked what the buildable land supply was. John stated that by May it would be down to a years worth.

John explained that a hearing has been scheduled for December 4th for the Northwood case to be heard at LUBA. The attorneys will present their opinions and a decision will likely be made 4 to 6 weeks after that.

John informed the Commission that Darren Nichols had been promoted to Associate Planner. It was decided that since there were no public hearing scheduled for December 8th it would be a good time to continue the discussion regarding annexation priorities and to have a visioning session.

VIII. ADJOURNMENT