

# MINUTES

## CANBY PLANNING COMMISSION

7:00 PM June 27, 2005  
City Council Chambers, 155 NW 2<sup>nd</sup>

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### I. ROLL CALL

**PRESENT:** Chairman Jim Brown, Commissioners John Molamphy, Tony Helbling, Geoffrey Manley, Randy Tessman, Dan Ewert, Barry Lucas

**STAFF:** John Williams, Community Development and Planning Director, Darren Nichols, Associate Planner, Carla Ahl Planning Staff

**OTHERS PRESENT:** Jason Bristol, Stacy Zauner, Tom Zauner, Milo Ford, Pawnee Ford, Margaret Schoonover, Paul Jordan, Ron Berg, Pat Sisul, Tom Scott, Katie Westcott, , Ken Sandblast, Katherine Jordan, D. McCormick, Trina McCormick, Brett Allen,

### II. CITIZEN INPUT

None

### III. PUBLIC HEARINGS

**ANN 04-07 McMartin Farms** The applicant seeks to annex five tax lots containing 32 acres south of HOPE Village. The parcels are located between S. Ivy and S. Fir Streets bordering the Molalla River. If annexed the applicant proposes construction of 55 single-family homes, 41 townhomes and 118 apartments on lots zoned for Low, Medium and High Density Residential development.

Chairman Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

John Williams stated that in December the City Council had a workshop to address the 3-year needs requirement for annexation. It was decided that the 3-year supply is a ceiling and the Commission should consider there is a need if there is not a 3-year supply available. The Council also decided that only platted lots or approved units should be included in the calculations, so land that is annexed but not subdivided should not be counted.

Darren presented the staff report. There are 5 parcel equaling 32 acres of vacant farm land, he explained that there 3 lots inside the City's UGB and 2 smaller parcels along the river which are outside the UGB which will be dedicated to the City for open space.

Darren explained the higher density development would be to the north of the property going to medium in the center of the development and low density along the river to the south.

Darren explained that the applicant has submitted a comprehensive design for a subdivision, if the property is annexed the applicant has proposed a development plan with a mixture of housing types and densities. The discussion tonight is only in regards to the annexation application, the question for the Commissioners tonight is whether this property should or should not be added inside the Canby City limits.

Darren stated that adjacent properties all the way around are outside the City limits, the applicant is proposing to annex the portion of S. Fir St. which lies between HOPE Village and the northern part of these parcels to become contiguous to the City. Darren stated that there would then be access available from S. Fir St. as well as from S. Ivy.

Darren stated that staff has recommended the Planning Commission condition a signed development agreement be accepted by the City prior to any subsequent development which would include a comprehensive master plan showing how everything will be put in place and that guarantees the quality of development before the application is forwarded onto the voters.

John explained an annexation application doesn't get into the details of where streets are located, but the proposed design will tell what direction the applicant is headed in terms of master planning. He explained that Renaissance Homes had provided a development agreement with their annexation application, which met all the conditions that the City placed on them, it was then sent to the voters and if it had been approved, the agreement would have been recorded.

Mr. Brown explained that the discussion tonight would be on the appropriateness of the annexation. The Planning Commission will require that a master plan be created with public input, the design that the applicant has submitted gives an idea of what the applicant's intent is, but it cannot be relied upon and would not be a part of the application if approved.

Darren explained the property has 3 different annexation priority designations. According to the comprehensive plan and the adopted growth phasing strategies, property designated "A" would be annexed prior to "B" and "B" would be annexed prior to "C". Mr. Brown questioned if the application has to provide a special benefit to the City, how can that be determined if the plan the

applicant has proposed cannot be discussed. John explained that the willingness of the applicant to enter into a development agreement which would guarantee a master plan be created with a public input process, is a benefit.

Darren explained that the special benefit would have to be something that would not occur if the phase pattern were followed. He stated the fact that the applicant is bringing in 32 acres for review gives the City the opportunity to master plan the development, giving more assurance of how this will develop than if it was brought in a few acres at a time.

Darren stated that public facilities and services have been deemed adequate upon development, which means the applicant will make improvements necessary to provide access to the parcel.

Darren stated that upon development there would be approximately 17 acres of R-1 low-density residential land, 7.25 acres of R 1.5 medium density and 7.25 acres of R 2 land. The applicant is proposing 57 single-family homes, 41 townhomes and 118 multi-family units. Darren stated that when the area of the bluff and the square footage of the parcels that are outside the UGB is subtracted this meets the comprehensive plan.

Darren stated that staff tracks residential land according to each individual zone. The R 1 supply is approximately at a 2 year 1 month supply, this annexation would bring in about a 6 1/2 month supply for a total of a 2 year 8 month supply, which would be just shy of the 3-year supply. He explained that this is the first time that R 1.5 land supply has been tracked. There is currently a 1 year 9 month supply; this annexation would bring in a 2 year 11 month supply bringing the available land to a 4 year 8 month supply, which is above the recommended amount. The R 2 land supply is estimated at 2 years 7 months, this application would add about a 27-month supply for a total of 4 years 10 month supply.

Darren stated the comprehensive plan encourages growth in areas where land is fragmented into small parcels and not conducive to productive agricultural use. There are a couple of large parcels that are dedicated to agricultural use and 3 very small fragmented parcels.

Darren explained that the only wildlife habitat is the area around the river and bluff. The applicant has proposed donating those 5 acres to the City as a part of the Emerald Necklace. Mr. Brown questioned how much of the 5 acres is useable for the development. Darren guessed that half of the 5 acres would be developable.

Darren explained that the City Engineer and the Public Works Supervisor agree that sewer service would be difficult to provide since existing sewer is not

adequate in that area. The applicant would be required to participate in or install a lift station to serve their parcels and connect to City services to the northeast. ‘

Mr. Brown questioned the Public Works Supervisor’s comments. Darren read the comments and explained that the existing lines at S. Fir or at S. Ivy could not serve this annexation. It will require installation of sewer line and a pump station that would serve not only their property but also the property on the other side of S. Ivy also.

The Traffic Safety Committee Chair expressed her concerns about traffic impacts of the development, especially noting that there is traffic and pedestrian issues already existing that would be compounded with this development. The traffic study stated capacity is not an issue and could handle the amount of traffic generated but what is an issue is the access location as far as safety onto the highway and the volume and the impact it would have. The traffic engineer recommended a master plan to help iron out those issues.

Darren introduced written comments that had been received.

**Jerry Barkman**, Director of HOPE Village wrote regarding concerns that the original application had that showed their new streets connecting with HOPE Village, that proposal has since been withdrawn and the streets connect with Ivy and Fir.

**Robert Ruby** was concerned that how this project would negatively affect the quality of life in Canby.

**Al Green’s** concerns were the loss of farmland, loss of open space, and the view for the residents of HOPE Village, the strain on City maintenance budgets and the potential of higher taxes on Canby residents.

**Hazel McQuire** had concerns regarding traffic and other perceived density problems and that the subsequent development might not be in keeping with the high standards of HOPE Village.

**Vivian Ward** stated that no additional residential land was needed on S. Ivy or S. Fir.

**Caroline McFarland** stated that the rock heavy clay soils are poor for farming and believed this annexation was a natural extension for the City. She believes Canby has a need for affordable homes and appreciated the applicant’s proposal to build row houses with lots of open space.

**Alan Gallagher** expressed concerns regarding the overall impact of the development on existing housing density, the environment, the quality of life and concerns regarding the notice requirements.

Darren explained that the property is currently used in agricultural. A portion of the property is designated as priority "A" for annexation and can be served by services upon development. The Comp Plan talks about the need for housing in Canby and this land has been identified as land that is intended to be developed. The remaining properties are designated priority "B" and "C", but staff has concluded there are special benefits and that there is a need for the housing.

Darren stated that the access is adequate to this site and with road improvements capacity is sufficient. Adequate public facilities and services are available with the exception of sewer this issue would require further discussion.

Darren concluded, with zoning to be put in place according to the Comprehensive Plan, the creation of a master plan and that the applicant signing a waiver of all Measure 37 rights and claims, staff recommends approval of the application.

Mr. Ewert stated that the need for the pump station is obvious but he questioned if the sewer lines are sufficient to handle the development. Darren explained that the sewer lines on Ivy and Fir are at capacity now. In order to provide sewer service to these properties they would need to connect with Redwood and 13th St, which is, served by a line that is 50% larger. But this would involve quite a bit of piping and a lift station to get there. John explained that any development in this area would require a connection to the Redwood Street system since this area is old and at capacity.

#### **APPLICANT:**

**Craig Morris** stated he was part of the team helping the McMartins put this project together. He explained that the McMartins have put a lot of thought and consideration into this project and have received a lot of public input. They believe they have a development that will benefit the City.

**Dwayne McMartin** stated he was the spokesman for his family. There has been a lot of time put into this to try and benefit the City of Canby, including a lot of open spaces, reductions for speed controls and consideration for seniors.

**Ken Diener**, Agent for the applicant addressed Commission. He stated that this application fits the Comp Plan expectation in density but this project doesn't have strips of R 2, R 1.5 and R 1. They have created a plan where the housing is developed around the green spaces.

He presented a Power Point presentation, which showed the proposed development in a 3-D model. He pointed out the many open spaces, multiple plazas, traffic calming devices, a proposed time capsule plaza, an overlook on

the bluff, significant tree plaza and multiple courtyards which double as storm drainage areas.

Mr. Diener explained that there is a parcel that is owned by someone who lives across the river and is not a part of this application that lies between the McMartin property and S. Ivy.

Mr. Diener stated they do not plan to remove any trees on the bluff. He explained that this application is not proposing suburban backyards that will impact the sensitive hillside. Twentieth Way will act as a buffer for the bluff and provide pedestrian access to the overlook.

Mr. Diener stated that the Parks Director had suggested placing a tot lot to the north to accommodate grandchildren visiting at the senior apartments. He explained that in the development agreement this high density would be dedicated as senior housing, they are also looking into Section 8 process. He stated there is a tight market for senior housing and a waiting list for HOPE Village so he believed this would be a benefit to Canby.

Mr. Diener stated that as part of the master plan the applicant is looking at raised street sections where the street is lowered with a little rise from the front of the yard, front porches. Garages for the single-family units will be off alleys so there won't be cars interrupting the sidewalk along the main street.

Mr. Diener believed the benefits of this development were the creation of a master plan and bringing the utilities down Fir and Ivy. He explained that the applicant is aware of the need for the lift station and an oversized line to 13th and Ivy. He stated another benefit would be further improving access for neighboring lots.

Mr. Diener stated that even though this is large agricultural parcel it is not a sustainable farm. It has been leased to a hay grower and it barely pays the taxes, so there is no income from the property.

Mr. Diener explained the area has no neighborhood association in this area, but they had a meeting to get the neighbors input. One of the issues discussed was the sight distance on Ivy; the location of the access street would be worked out in the master plan process. There was a consensus that if this property were brought into the City they would request the County to reduce the speed limit to 35mph starting at the bridge.

Mr. Brown asked if the applicant was proposing an age-restricted community. Mr. Diener stated they were, for the R-2 high density. Mr. Brown questioned the square footage of the single-family homes. The applicant explained that these will be little lots with 1920 and 1930's craftsman style

homes, with smaller homes from 1,000 to 1,200 square feet and on up to 3,000 square feet homes.

Mr. Brown questioned if the purpose of the alleys were to accommodate the smaller lots. Mr. Diener stated the applicants want to improve the aesthetics, get the traffic off the roads and not having parked trucks hanging over into the sidewalks, the intent is too encourage pedestrian traffic.

Mr. Brown questioned where the kids would play. Mr. Diener stated that there are backyards and a lot of open space where kids can kick soccer balls and throw footballs.

Mr. Brown questioned why people should vote for this annexation when so many annexations have failed recently. Mr. Diener stated that as far as he knew no applicant had offered park space, green space or open space, just house after house. He believed that if the neighborhoods had character, people would like it better. Mr. Brown questioned if the McMartins would build the development. Mr. Diener explained that they might sell a percentage of the lots, but there would be a strict plan.

Mr. Ewert asked for an explanation regarding the Section 8 housing. Mr. Diener explained that there is a very high demand for low-income housing and for senior housing. He stated they are trying to figure out a way to get some low income housing that is subsidized by the government for one of the multi-family complexes.

Mr. Ewert questioned if staff was aware of the Section 8 issue prior to the staff report. Darren stated that there was a discussion regarding the possibility of part of the development being age restrictive, but not about the Section 8 issue. Mr. Ewert questioned if part was designated Section 8, how would it affect the build out for that type of development. Darren explained that prior to this, HOPE Village had been excluded from the need analysis; he suggested a discussion between the Planning Commission and the City Council to decide what would be appropriate. John added that when the UGB is updated the State would be making sure that senior housing is included.

Darren explained that the applicant is proposing a 118-unit apartment complex; the waiting list at HOPE Village is currently 105 and growing. Mr. Brown stated HOPE Village is different than this because it is a Continued Care Residential Community.

Mr. Tessman stated that he knows someone who waited on the list for an apartment at HOPE Village for over 4 years. Mr. Diener stated an other benefit is this will be a multi-generation community, so Grandparents could live close to their families. Mr. Ewert stated that a similar development that created smaller

lots was allowed at the Rackcliff House but it didn't work. They came back about a year later and had it changed to regular housing.

Mr. Helbling clarified that the houses will not be considered for senior housing, just the apartments. He stated that there is no guarantee that the plan will be anything like what is presented. Mr. Ewert agreed and added that the funding issue for the Section 8 housing might not happen either.

Mr. Ewert asked if the applicant is willing to be a participant in bringing the utilities into the area. Mr. Diener stated that is part of the benefit of bringing in priority A, B, and C together is that there is enough mass to generate the income to justify extending the utilities.

Mr. Diener stated that the average lot in this subdivision would be 6,000 square feet; the average lot in Portland is 5,000 square feet. Mr. Ewert asked if this project would be similar to the development around Fairview, with older style homes. Mr. Diener stated it would have that kind of flavor.

Mr. Ewert clarified that the applicant is willing to expand facilities not only for your development, but also for the developments that fall in between. Mr. Diener stated that he couldn't promise the entire drainage basin, but they would bring the utilities down Ivy, put in the lift station and oversized lines to connect to availability along 13th.

Mr. Lucas questioned if there will be curbside parking as well as the alley parking. Mr. Morris explained that there is a skirt beside the garages that would allow for parallel parking but there would be no on alley parking.

Mr. Ewert asked if the areas that were mentioned for children to play in included the areas that are intended for storm water retention. Mr. Morris explained that each of the areas intended for drainage would be constructed with "grass-crete" a driveable block that is permeable and built like sand filters. Mr. Morris hoped that as the development grows the open areas would be used in the same way that Wait Park is, with the community gathering there for concerts and group activities.

## **PUBLIC INPUT**

Mr. Brown explained that the Comprehensive Plan has designated this area for development for over 20 years. So the 10 criteria for annexation are the issues that the Planning Commission must look at.

## **PROPONENTS:**

**Andy Bennet** stated he supports Craig Morris with this application. He has looked at the plans and had his questions answered by the development



team. He believes they have taken a lot of time and have placed a lot of value on “family”. With his friends and other family members looking to move to Canby this is an attractive alternative, it has multiple densities, and is laid out very well. He believes that Canby needs housing alternatives; there is not a lot of affordable housing at this time.

**Sharon Hughes** stated that her Mother is Rita Smietzer who owns one of the lots on Ivy St. that is not part of this application. She stated she was in favor of this application and that it looked like a great plan. She was concerned about the traffic and thought a traffic study should be done. She explained traffic makes it difficult to pull in and out of her Mother’s home.

Mr. Brown asked Darren to explain the traffic study that was done. Darren stated that the sight distance on S. Ivy St. is short about 150’ because of the speed at S. Ivy. He explained that in that location Ivy makes a bend and then drops down the hill. He explained that where the applicant proposed the access it was difficult to achieve the sight distance to the south with speeds at 55 mph. If the speed was reduced to 35mph the sight distance could be achieved. He explained that this issue would be looked at with the master plan.

Mrs. Hughes stated for the record that the McMartins had made an agreement they would make her Mother’s access closer to the development so it would be easier for her to get out safely from her driveway.

**Tom Butler** stated he was a new resident of Canby and owners of the new Canby Pub and Grill. He stated he has seen the plan that the applicant had presented and thought it was a wonderful plan. He asked if the Commission could force the developer to build the development like they proposed. The home he purchased had only been on the market for half a day. They purchased it because there are not a lot of choices in Canby for the type of home they wanted. He believed Canby would be proud to have a community like the applicant has proposed.

**Ed Netter** believed there is a big need for affordable housing whether it is for seniors or anyone. He stated people want their master bedrooms on the main floor. He stated that the apartment, condo, townhouse homes with the master bedroom on the main floor is a option for people who do not want to have to move again.

Mr. Netter liked the idea of annexing this as a large parcel to allow it to be master planned. He believes it would be a better project than if it was annexed piece by piece.

Mr. Netter appreciated the fact the applicant has gotten a lot of neighborhood input. He liked the fact they weren’t putting huge homes sticking

out over the bluff, and were basically given the bluff to the City for citizens to enjoy.

Mr. Netter stated a lot of people walk along the streets around this area and that this project would increase the area to walk in. He liked the fact there is a lot of greenspace between homes. He believes that there is a market for all types of housing in Canby and this subdivision would address that need, and the Commission should send this application on to the citizens to vote on.

Mr. Brown questioned why, from an economic standpoint, a developer would put a 1,000 square foot home on a lot that he could put a 2,800 square foot home on. Mr. Netter stated it could be a price point, so it would be in a different price range. Mr. Brown asked if they were having problems selling 2,800 square foot lots at this time. Mr. Netter stated he didn't have any lots big enough to build a 2,800 square foot home on. Mr. Brown stated his point was that there is no guarantee that the development would be built out like this and not \$300,000 homes. Mr. Netter stated they could make million dollar homes there if they wanted to but he believes that it is a good thing for Canby that they didn't.

#### **OPPONENTS:**

**Nelda Carroll**, resident of HOPE Village expressed her concerns that this development would negatively impact the quality of living for residents of HOPE Village by increasing air pollution caused by the increased traffic, and that there will be an increase of noise from children playing and cars with loud radios.

Ms. Carroll believes that there would be increased danger for citizens of HOPE Village from reckless children riding their skateboards and bicycles through the campus, using it as a shortcut to school. She stated that HOPE Village has a strict no pet policy and believes the pets from this development would create a nuisance for residents.

Ms. Carroll believes that this development would put a strain on the school system. She also did not believe there were enough jobs in Canby and that people from this development would commute to Salem and Portland, which would create latchkey children leading to increased vandalism and car prowls requiring more police to protect the area. Ms. Carroll stated she knew that this property would be annexed at sometime, but their peaceful enjoyment of their homes would be lost

**Suzanne Wolf Gallagher**, stated she grow up on the property at the head of the bridge and across the river. She believed the development looks nice but there are some concerns that need to be addressed.

Ms. Gallagher stated that the traffic is difficult at this time and increasing traffic would make the situation worse. She stated that the McMartins have removed a lot of trees from the top of the bluff and questioned if the slope will be stable.

Ms. Gallagher stated that there has been no discussion with her family regarding the emerald necklace crossing their property. She did not think that her Father would just grant access across his property.

Ms. Gallagher had major concerns about policing the public access at the bridge to the river. She explained how bad the situation was. There was a huge amount of garbage; the area had been used for a dump for old appliances. She stated there had been gang activity with tagging, guns, drug use and parties. She explained that they placed a gate at the top of the road and stopped people going down there, implemented a no dogs, no fires and no alcohol rule. She believes that if this development goes through and the trail is open no one would be able to police the area and it will go back to the way it was.

**Leona Palma**, stated she lives at HOPE Village and stated her concerns that her quality of life will be adversely affected by this development. There will be increased noise, traffic, children, garbage and the mess from dogs and cats. She asked who would be responsible for cleaning the mess on HOPE Village from this development. She believes the safety of the residents of HOPE Village would be negatively impacted.

**Bob Reynolds**, stated he lives across the river from this development and is the President of the Molalla River Improvement District. He believes that if the development goes in as proposed it would be a landmark for the City. He believes the reduction in the speed zone would improve the safety of the access for this development and for existing residents.

Mr. Reynolds explained the MRID has spent a lot of years working on improving the Molalla River. They would like to have salmon back in the river someday. He explained that the pollution is not bad, but the river is too warm. He was glad that the storm water would not be directed to the river but the overlook would require that trees be removed, this would allow dirt from the bank to reach the river, MRID would suggest that they not put in the viewpoint and just have a path with benches to look at the river.

**Robert Inman**, resident of HOPE Village questioned how long the project would take to develop. He stated that Fir St. is narrow and asked if it would be improved, he expressed his concern that the construction equipment park along Fir and 13th makes it a dangerous corner. He asked if a Home Owners Association would be created.

**Art Turnquist**, resident of HOPE Village believed that this application did not meet the criteria that was needed since it would impact open space, it would urbanize agricultural land, it would overburden public services (sewer).

Mr. Turnquist was also concerned about added air pollution from car exhaust, smoke from fireplaces and noise pollution from kids, boom boxes and skateboards. This would have an adverse affect on the resident's ability to enjoy the serene world they expected when they purchased their homes.

**Alan Gallagher**, Vice President of the Molalla River Improvement District addressed the Commission. He complimented the McMartins for their plan and their attention to the community. He requested that if the Commission approves this application they would condition storm water not be diverted to the Molalla River. The improvement district has easement rights for the protection of the river in the deeds along the river, if this were approved he would like to have further discussion to assure the continued protection of the river. He agreed that safety along the river had been a big problem in the past.

Mr. Gallagher did not want the type of development that he sees Tofte Farms and would like to see it developed as the applicant has proposed. He stated that the there has been a lot of thought put into the logic behind the priority system and believed that there could be orderly development using that system.

Mr. Gallagher stated that if good farmland was going to be urbanized there needs to be additional extra benefits to the City. If this property was annexed it would take the City over the 3 year ceiling of buildable land.

Mr. Gallagher did not believe the bluff should be developed since it is outside the urban growth boundary and was unsure it should be allowed for open space for the development. Mr. Gallagher stated that unless the speed is actually slowed down, not just with a sign, the access would still be dangerous.

**Betty Alsting**, (spelling?) stated that this development would cause excessive traffic. She did not believe the access onto Ivy would be safe. She stated that Section 8 housing is a complicated process and is not easy to obtain. Ms. Alsting believed that the waiting list at HOPE Village was for the Garden Homes, which are home that, people purchase.

**David Charvet**, stated the development looks great, but he has concerns regarding the traffic. He believed that the traffic from this development would also impact the route to I-5 through Lone Elder. He believes development in this area in the next 5 to 10 years will create a bottleneck at S. Ivy and hopes more research will be done.

Mr. Brown explained that 13th St. will extend and connect to Berg Parkway and then connect to Hwy 99E when funds are available.

**Chip Ohern**, stated he has concerns regarding how the perk tests have been done for this development. He does not think they are being researched properly.

## **REBUTAL:**

**Craig Morris** addressed the river access and believes the way to keep people from causing problems is to have more people watching the area. The houses that are closest to the river are near the gravel road that goes down to the river. Leaving the bank open will allow people walking the bluff to see what is happening along the river.

Mr. Morris explained that the offer of the bluff for the Emerald Necklace was just for the property they owned and were not offering the Wolf property. He stated that the McMartins are just offering their part of that pathway.

Mr. Morris stated there would be a Home Owners Association established, and they will be responsible for maintaining the open spaces. Mr. Morris addressed the concerns of the HOPE Village residents that beautiful farmland would be taken up by this development, he explained that HOPE Village was built on a productive filbert orchard. He stated that they would plant hundreds of trees with this development, which helps with pollution and increases the live ability of the project.

Mr. Morris stated that the construction vehicles that are causing the sight distance problems at 13th and Fir are caused by the construction at HOPE Village. He explained that there is a 165' buffer between their development and HOPE Village and that should alleviate that concern.

Mr. Morris explained that Oregon has a need for Section 8 housing. He stated it is a relatively easy process if you have a good product, the problems are when you are trying to take an older home and convert it.

**Elliot Leighton** addressed the Commission he stated that any project or land use application will create problems that need to be resolved, such as traffic, dust, noise, children and dogs. There are remedies for those problems. He hasn't heard anything that negates the annexation. He believes that Canby has much to be gained by this development.

**Ken Diener**, addressed the traffic study that was done and stated the streets have capacity to handle the added traffic and the applicant will be putting in sidewalks and street improvements. He stated that the traffic study is calculated for 2 cars per unit, but senior housing does not generate 2 cars so the impact would not be as large as the traffic engineer has calculated for.

Mr. Brown closed the public hearing.

Mr. Helbling stated he like this project. If the property was annexed it would bring the buildable lands inventory up and would increase the density. He stated that Jerry Barkman had presented an application at the last Planning Commission meeting and had welcomed the community use of the open spaces at HOPE Village. He stated that most dog owners are responsible for their animals and did not think that dogs would be a problem.

Mr. Helbling asked if the UGB extends to the river or just to the top of the bluff. John explained that the UGB is at the top of the bluff, but the city can own property outside the UGB such as the Willamette Wayside on the north side of Canby.

Mr. Molamphy stated that the application has met a lot of the criteria needed to be approved. He added that the city has leash laws for dogs so they shouldn't become a problem.

Mr. Molamphy stated one benefit to the city is that the applicants are willing to go through the master plan process to create a workable project. He wanted to make sure that everyone understands the sewer situation since a pump station is not cheap and takes up a large piece of land. He agreed that affordable housing is hard to find in Canby and that this project could address that issue.

Mr. Lucas believed this was a well thought out development, and it will serve a need in Canby. He liked the fact that most of the development would be built out by one builder instead of being randomly built by many.

Mr. Lucas stated he was concerned about the traffic and thought the reduced speed limit was appropriate. He was aware of a similar development in Eugene and knew that the units sold quickly.

Mr. Tessman stated he is an advocate of master planning and believed the benefit of being able to create a master plan for this area balanced out annexing priority B and C land.

Mr. Tessman addressed the opponents of this application and stated that people have a fear of what might happen. People who live in Canby want it to stay the way it is. He believed that having it developed with a master plan would be a benefit to the City.

Mr. Tessman believed that if concerns were addressed regarding the sewer issue that this application meets the criteria for approval.

Mr. Ewert explained that he was a strong advocate of the ABC Priority plan, but there are times when a situation warrants being looked at differently. He believed that a master plan is needed for this area and that it would be a benefit to the City.

Mr. Ewert expressed his concern that if this application was approved it would fill up the buildable land need and make it difficult for future applicants to prove need.

Mr. Ewert agreed this is a large piece of land, but he did believe that it was not productive except for providing open space. Mr. Ewert believed that the traffic access was a problem, but that it could be worked out. Regarding public facilities he believed the installation of a lift station would be a benefit to the City. He believed this application complied with all criteria and ordinances and would provide jobs and homes for Canby. As for the dogs, cats, kids and skateboards they are a part of the world.

Mr. Manley believed the area needed a master plan. He explained that the school bond had passed and a new middle school would address the over crowding issue.

Mr. Manley had concerns regarding annexing B and C land, which would put the land supply over the designated need. He believed annexing a portion of Fir St. to create connectivity to the city was bending the rules.

Mr. Brown addressed the land needs analysis and the shortage of buildable land. He explained that he has wanted to find a lot in Canby to build his own home on and has not been able to do it.

Mr. Brown explained that the ABC priority plan was to provide a way for Canby to grow outward in an orderly manner. If an area wanted to annex and did not fit into that plan, the applicant had to show a special benefit to annex out of order.

Mr. Brown explained it would be necessary to bring in a large piece of property to justify the cost of installing the necessary facilities for this area. Mr. Brown stated that there is very little smaller farmland to annex so there are no options but to annex larger pieces.

Mr. Brown stated that it could be possible that the bank stability and the river quality could be improved through development and it could be a positive asset. He believed that if the voters approved this annexation it could affect the price of housing, the supply could go up and the selling time could go down.

Mr. Gallagher questioned if the conditions of this application follow the developer or the land. John stated that it would be conditioned to the land.

It was moved by Mr. Ewert to recommend approval to the City Council of ANN 04-07 with staff's 6 recommendations and including recommendation # 7, to require a senior housing element. Seconded by Mr. Molamphy. Motion carried 6-1 with Mr. Manley voting nay.

## **V. FINDINGS**

### **DR 04-08 HOPE Village**

It was moved by Mr. Manley to approve the findings for DR 04-08 as written. Seconded by Mr. Tessman. Motion carried 6-0-1 with Mr. Ewert abstaining.

## **VI. MINUTES**

### **January 10, 2005**

It was moved by Mr. Molamphy to approve the minutes for January 10, 2005 as amended by the correction of the date to read 2005. Seconded by Mr. Helbling. Motion carried 6-0-1 with Mr. Ewert abstaining.

## **VII. DIRECTOR-S REPORT**

John commended the Planning Commission for the job they did throughout last year.

John informed the Commission there would be two Minor Land Partitions for the next meeting.

John stated that the NE Master Plan meeting was well attended. He stated most people who live in the area do not want the master plan. He explained to them that this is their opportunity to design something that works for everyone in the area instead of having hodge podge development. The next meeting will be in February.

Darren stated the first North Redwood master plan meeting will be held January 27th to look at street designs. The next meeting will be on February 24th to discuss Willow Creek and the final meeting is scheduled for March 24th to review residential and subdivision design standards.

John stated there will be a meeting Wednesday between Urban Renewal, City Council, the Urban Renewal budget Committee and the City Council Budget Committee to do a cash flow analysis for the Ardnt Rd project.



John stated that there have been no Measure 37 applications filed at this time. He stated that nothing will really be known until there have been a few cases filed.

The Planning Commission requested copies of the live ability survey that was recently completed. John stated he would get them out to the Commission.

## **VIII. ADJOURNMENT**