

**MINUTES**  
**CANBY PLANNING COMMISSION**

7:00 PM September 26, 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, Randy Tessman, Dan Ewert, and Barry Lucas.

Commissioner Geoffrey Manley absent.  
**STAFF:** John Williams, Community Development and Planning Director, Kevin Cook, Associate Planner

**OTHERS PRESENT:** Karl Mawson , Roger Reif

**II. CITIZEN INPUT**

None.

**III. PUBLIC HEARINGS**

**MLP 05-07 (Dream House Construction)**

This application was cancelled and will be re-noticed following the City Council's decision on the Zone Change application.

**DR 05-05 (Canby Place Development)**

This application was continued to date and time certain, October 10, 2005 due to continued discussion of access issues on OR 99E.

**SUB 05-11 (Mel Lee)**

Kevin Cook, Associate Planner, presented the staff report, the applicant is proposing to subdivide a 39,865 sq ft (0.915 acre) parcel into a 14 lot subdivision consisting of 13 townhomes and one single family residence. The townhomes will consist of 3 triplex buildings and two duplexes.

The applicant is requesting a minor variance to allow 19' front yards and 18' rear yard setbacks for the east townhome units. The parcel currently contains two residences which will be removed. The applicant is proposing to extend N. Manzanita through to NE Territorial Rd with a private road connection. They are proposing a 20' wide road width and a sidewalk on the west side. The applicant

stated that half of their lots would be unbuildable if a full street width was required. Kevin stated that staff supports the narrower street width because it would provide a level of traffic calming and there are existing primary connections to NE Territorial from N. Locust and N. Maple.

The Commission questioned why a private road through to Territorial was the best solution. Some thought the access should be a cul-de-sac while there was some discussion of making Manzanita a one-way street. There were also concerns regarding where visitors would park how the private road would be maintained, and how storm water would be disposed of.

**APPLICANT:** Karl Mawson, addressed the Commissioners concerns. He stated the Utility Companies and the Fire District did not want a cul-de-sac. The applicant was willing to build the street to Clackamas County standards. He stated that the development would handle the stormwater run off on site. He did not want to put specific visitor parking spots because he believed it would be too much paving, he also asked that the Commission only require sidewalks on one side of the street.

**PROPONENTS:** None

**OPPONENTS:** None

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

There was a discussion on whether to make Manzanita as a one way street, or to require a cul-de-sac with no access onto Territorial Rd. Mr. Brown conducted a straw poll which showed the Commission was agreeable to not requiring a sidewalk on the east side of Manzanita. There would be no direct access onto Territorial Rd due to safety concerns. Conditions would be added that there would be no direct access for homes onto Territorial, a Home Owners Association would be required to maintain the street and the stormwater areas, and Manzanita would be a private street constructed to Clackamas County standards.

It was moved to continue this application to date and time certain of October 10, 2005 so the applicant could bring back a new plan to show how the access will be arranged.

### **ZC 05-02 (BRJM LLC)**

Kevin presented the staff report. He explained the applicant is seeking approval to create two tax lots, parcel #1 would contain the existing single family home, and parcel #2 would contain a duplex building. Access for the flag lot would be off of Knights Bridge Road. The width of the flag strip is purposed at 8' wide with a 4' easement from tax lot 3000 to the west, paved to the full 12' required width. This easement would be in writing and recorded prior to signing of the final plat.

The current zoning for the parcel is R 1 (low density residential) with surrounding parcel to the North, East and West also zoned R 1, the parcel to the South is zoned R 2 (high density residential). The parcels to the East, West and South are all designated R 2 in the Comprehensive Plan. The applicant is asking for a zone change for the flag lot to comply with the Comp Plan designation of R 2.

**APPLICANT:** Roger Reif stated that this development is consistent with existing developments that have been built in the past, which allowed multiple family developments in the rear portion of the property and keeping the single family homes in the front.

Mr. Reif explained that there will be adequate paved surface for residents to turn around and there will be no backing out movements onto Knights Bridge Road.

Mr. Helbling questioned if the pedestrian easement to the south would continue through this development onto Knights Bridge Road. Mr. Reif stated there had been no discussions regarding continuing the path. Kevin stated he did not believe it was an issue.

**PROPONENTS:** None

**OPPONENTS:** None

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

It was moved by Mr. Helbling to forward to the City Council a recommendation of approval of ZC 05-02. Seconded by Mr. Molamphy. Motion carried 6-0-1 with Mr. Ewert absent.

### **MLP 05-09 (BRJM)**

It was moved by Mr. Tessman to approve MLP 05-09 as written. Seconded by Mr. Helbling.

Mr. Reif asked to address the Commission. Mr. Brown opened up the hearing for new testimony.

Mr. Reif explained that the Fire Department is not requiring the removal of the existing trees, but they are asking that the trees be trimmed and that automatic sprinklers be added to the building. Mr. Reif suggested additional language be added to condition #15 that reads "or the applicant shall satisfy fire apparatus access exception, fire access road exception for automatic sprinkling systems.

It was moved by Mr. Tessman to approve MLP 05-09 as amended by the applicant's proposed language. Seconded by Mr. Helbling. Motion carried 6-0-1 with Mr. Ewert absent.

#### **IV. FINDINGS**

**MLP 05-10 (Bowers)** Findings were approved 5-0-1-1 with Mr. Manley abstaining and Mr. Ewert absent.

**DR 05-06 (Grigg)** Findings for DR 05-06 were approved 5-0-1-1 with Mr. Manley abstaining and Mr. Ewert absent.

#### **V. MINUTES**

None

#### **VI. DIRECTORS REPORT**

John discussed rezoning of small areas to higher density. It is not popular with neighbors and it is difficult to have piece meal fit with the surrounding neighborhood. If areas are removed from the higher density designation then other areas have to be found to replace it. Larger areas of development provide a better chance of treating the edges to make them more compatible with existing homes.

The Northwood development is going ahead. They are holding public meetings to get the neighbors input and will be putting a proposal together soon.

Berg parkway is on the agenda for the Oregon Transportation Commission for approval of our funding request for the state to fund 90% of the project. Citizens who live in the area are not excited about their dead end street becoming a major road. But the City really needs this connection.

Apollo Homes has been purchased by Sequoia Homes, and they have been given a copy of the requirements that were approved by the Commission.

Mr. Helbling questioned whether Mr. Weygant's property was a Measure 37 claim. John explained that Mr. Weygant wants to develop as an industrial lot and he may be using Measure 37 to allow him to divide off his home and develop the remaining property.

The Dodds property on the north side of the City has been denied annexation 4 times, has a measure 37 hearing in October. Mr. Helbling stated his concern that when this property develops the city will receive all of the traffic, but no system development fees from the project.

#### **VII. ADJOURNMENT**