

MINUTES

CANBY PLANNING COMMISSION

7:00 PM December 12, 2005
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Commissioners John Molamphy, Geoffrey Manley, Randy Tessman, Dan Ewert, and Barry Lucas. Chairman Jim Brown and Mr. Tony Helbling were absent.

STAFF: John Williams, Community Development and Planning Director, Kevin Cook, Associate Planner, and Carla Ahl, Planning Staff.

OTHERS PRESENT: Teresa Snelson, Todd Snelson, Pat Sisul, Paul Hawkins, David Olsen Jamie Netter, Nick Netter, Darren Monen, Darren Gusdolf, Norm Beck and Mike Patterson

II. CITIZEN INPUT

None.

III. PUBLIC HEARINGS

DR 05-08 Hawksoft – This was an application by H & O Development Company, LLC to develop a 1.1 acre CM zoned parcel with a 12,295 square foot corporate office building for Hawksoft. The site was located northeast of the intersection of SE 3rd Avenue and S Pine Street. Access to the site would be from SE 3rd via a shared access drive with the property to the east. Mr. Manley asked if there was any conflict of interest. There was no conflict, all intended to participate. Mr. Manley asked if there was any ex parte contact and there was none.

STAFF REPORT: Mr. Cook said there would be a 25,985 square foot parking area with 60 spaces. The site was allowed 368 square feet of signage, but the applicant was going to put up one 35 square foot building sign and one 12 square foot building sign. All landscaping requirements were met. There would also be a pedestrian access. This would be developed in two phases. The applicant had a score of 75.8% for compatibility. They received one comment from Mike Patterson stating if the request met the zoning rules, then he had no further comment. All service providers gave approval.

APPLICANT: David Vonada, Ankrom Moisan Architecture, went through the plans with the Commission. Hawksoft was a local company and this would be

their new headquarters. This would be the first phase, the second would be for expansion and the main entry would be off the pedestrian access. They would have a pattern concrete flush to the pavement going to the main entrance. The refuse enclosure would be to the back.

Mr. Molamphy was curious about the lighting, and they would have four lights and there would be building lights from the canopy. He was also concerned about creating a cul-de-sac when they expanded and it would not be safe because it was away from the street and property line. They were aware of the fact.

They submitted two versions of the exterior elevations for the rear of the building which would be either brick or hardy-plank, and he asked that they accepted both so they could determine what could be done budget wise. The sides facing the street would be brick.

Mr. Ewert asked how many employees they had? They responded by saying for the first phase, they would have 29 employees, and near that on the second phase. They were planning to build the parking lot completely in the first phase.

PUBLIC TESTIMONY

PROPOSERS: David Olson said they purchased the land and would be leasing it to Hawksoft. He was in favor of the application.

OPPOSERS: None.

REBUTTAL: None.

DISCUSSION:

Mr. Molamphy said they did a land partition to bring a business in, and it fit their needs. He preferred the brick front. It met all the criteria and was the type of business they were looking for.

Mr. Tessman said it was a straightforward application and met the criteria.

Mr. Ewert said this was exactly the type of business they needed.

Mr. Lucas agreed and did not have a preference for what siding they used at the back of the building.

Mr. Manley was in agreement, and was happy to see a local company growing.

Mr. Ewert moved to approve DR 05-08 as submitted. Motion seconded by Mr. Molamphy and passed 5-0.

ANN 05-06 (Beck) – This was an application to annex a single 4.5-acre tax lot, located on the south side of Pine Street, west of the Logging Road Trail. If annexed, the applicant proposed to construct 18 single-family homes with vehicle access from N Pine St. Mr. Manley asked if there was any conflict of interest. There was no conflict, all intended to participate. Mr. Manley asked if there was any ex parte contact and there was none.

STAFF REPORT: Mr. Cook said the property to the north of this application was zoned R2, to the east R1, and to the south and west the land was not in the city limits. It was Priority A designation, and the traffic engineer said it would not put undue pressure on neighboring intersections. Utilities could readily serve the site. The buildable lands supply for R1 was 1.9 years. There were no citizen comments.

PUBLIC TESTIMONY

APPLICANT: Pat Sisul, of Sisul Engineering, 375 Portland Ave, Gladstone, said the house currently on the property had the fourth generation of the family living in it. The intention of the annexation was to split it so they could sell the house to their son and they could keep the remaining property for a future subdivision. It met all the approval criteria. There was a need because the buildable lands inventory was low and this was not going to be developed immediately.

PROPONENTS: None.

OPPONENTS: None.

REBUTTAL: None.

DISCUSSION

Mr. Ewert said it met all the criteria, and if it was built out as shown, it was a good layout. It brought up the buildable lands inventory. There was no public input. The biggest challenge was the voters.

Mr. Molamphy agreed. He was also concerned about the voters.

Mr. Tessman said it met the criteria and was a logical place for an annexation.

Mr. Lucas said it was good infill, Priority A, and would bring up the buildable lands.

Mr. Manley was glad to see a Priority A come in and an area surrounded by the city, and it met all the criteria.

Mr. Ewert moved to recommend approval to the City Council for ANN 05-06 as submitted. Motion seconded by Mr. Tessman and passed 5-0.

ANN 05-07 (Netter) – This was an application to annex a single 1.95-acre tax lot located at 1401 S Fir. If annexed, the applicant proposed to construct 12 new single-family homes with vehicle access from S Fir Street. Mr. Manley asked if there was any conflict of interest. There was no conflict, all intended to participate. Mr. Manley asked if there was any ex parte contact and Mr. Tessman visited the site, but drew no conclusions. There was no other contact.

STAFF REPORT: Mr. Cook said the conceptual plan was similar to the Sequoia Place subdivision immediately to the north. It would be rezoned R1.5. Property to the north was Sequoia Place, to the east was Hope Village, to the west was R1 residential, and to the south was not in the City. They had no current R1.5 land supply. It was Priority A, and traffic analysis did not identify any failed intersections. All utilities could serve the site. He received two additional citizen comments about traffic, noise, pollution, and crime concerns.

PUBLIC TESTIMONY

APPLICANT: Pat Sisul of Sisul Engineering said this was in an area that was converting to urban uses. The property was similar in size to Sequoia Place. There was no R1.5 inventory currently. It met all the criteria and there was a need. There would be no significant traffic effects. It was a logical progression of the City limits.

PROPONENTS: Teresa Snelson said she and her husband were the property owners of this parcel. When they bought it they knew it would someday be developed, and that time had arrived. The property was surrounded by City property except the southern edge. Some of the residents of Hope Village had concerns, but the property had been zoned for further expansion before Hope Village existed. The Netters were going to build similar homes to those in Sequoia Place, which were positive additions to the neighborhood.

Jamie Netter, one of the applicants, welcomed those concerned citizens to visit the homes they were building and see the quality of construction that they did. They were a local company that wanted to stay local.

Mr. Ewert asked what was her planned build out? Ms. Netter said a year and a half, maybe two.

OPPONENTS: None.

REBUTTAL: None.

DISCUSSION

Mr. Lucas said with zero inventory of R1.5 and Priority A, it met all the criteria, and it was a good application.

Mr. Ewert agreed. He understood the concerns of those in Hope Village, but they needed to fill their buildable lands inventory. He thought it was a good project, but the challenge was to get it past the voters.

Mr. Tessman said he thought it was in the right place for an annexation request. The concerns were people against growth, but they could not continue like that.

Mr. Molamphy said they were trying to get developments in town, and it was R1.5. He did not think there would be problems with Hope Village. He hoped it passed.

Mr. Manley said it met the criteria and wanted to see it come in because it was beneficial to the health of the community to keep different kinds of land for building available.

Mr. Molamphy moved to recommend approval to the City Council for ANN 05-07 as submitted. Motion seconded by Mr. Lucas and passed 5-0.

MLP 05-08 (Thomsen) – This was an application to modify or remove a condition of approval for a previously approved partition of one .5 acre parcel located at 431 SE Township Rd. Mr. Manley asked if there was any conflict of interest. There was no conflict, all intended to participate. Mr. Manley asked if there was any ex parte contact and there was none.

STAFF REPORT: Mr. Cook said this was a request that the hearing for the proposed partition be reopened to reconsider the requirement that the future development on the flag lot be restricted in location in order to allow future access alignment to S Locust St, which would be through the intervening property, lot 4400. On August 22, 2005, the Planning Commission considered the application and deliberations centered largely on access spacing standards and the Commission's original desire to connect the subject parcel to S Locust through lot 4400 which would be the best design for the two properties. The applicant said the owner of lot 4400 was not interested in pursuing development and there was an existing building on the lot that would need to be removed if the connection was ever constructed. They approved the application with an amendment to remove the requirement that the existing house share access. On September 12, 2005, the written findings were presented and there was conversation that the findings represented the Commission's desire to keep the area of the flag lot free from structures in order to allow for future connection to S Locust. They approved the findings with the additional requirement. The applicant was seeking to remove the requirement. When the condition language

was derived the applicant was not there to comment or hear about it. He wanted it made available to the applicant before a final decision was made.

PUBLIC TESTIMONY

APPLICANT: Darren Monen, said he wanted the restriction removed. They purchased the property six years ago, and there was a different owner and different zoning. The first time they heard about the intention of making it a turn around was when they started the application process. It was private property, and he understood that they were planning for the best street conditions for the city. But they should be able to put a building anywhere subject to site design review or sell it in the manner that it was sold to them. This limited potential buyers and anything they might want to do with it in the future.

Mr. Molamphy said when he purchased it; it was R1 and was changed to R1.5. The Planning Commission tried to look into the future and they were not telling him where to build on the property but they wanted to leave a drive through there. There was plenty of room behind the easement they were requesting for a house and parking. No one knew what would happen to lot 4400, but when that property came in, they would be under the burden of providing a strip so the pieces tied together. They were trying to develop a plan for the property.

PROPOSERS: None.

OPPOSERS: None.

REBUTTAL: None.

DISCUSSION

There was discussion about how much land would be usable with the road easement. It would limit the kind of development that could be done.

Mr. Tessman voted no on this originally. He thought this was an encumbrance upon the property owner to force him to build in a certain way. He thought lot 4400 would be owner occupied for some time to come.

Mr. Lucas thought it did limit his potential to use the property the way it was zoned.

Mr. Molamphy thought they had intended it to be a private drive so they did not have a mandatory width and when lot 4400 developed, it would continue through to Locust and the flag lot driveway to Township would be closed. They wanted to eliminate all the access onto Township.

Mr. Lucas moved to approve MLP 05-08 modifying conditions 5 and 11 to remove the bolded portion of those conditions. Motion seconded by Mr. Tessman and failed 2-3.

Mr. Molamphy moved to approve MLP 05-08 amending the findings with a private drive and when the driveway connection to the west was developed through lot 4400 then the connection to Township would be removed. Motion was seconded by Mr. Ewert.

Mr. Monen clarified what was being said. He was limited to something that may or may not occur in the future.

Mr. Ewert thought he should not have to build sidewalks on the road that would be eventually closed when the private drive was put in. Mr. Owen (?) was concerned about the liability of not having a sidewalk on that road since it would be used until the private drive was put in.

Mr. Monen was also concerned about the need for a fire hydrant to be installed and turn around room for a fire truck.

The motion passed 3-2.

IV. NEW BUSINESS

Mr. Williams said an owner of a lot in Knightsbridge Estates had a lot that had a notch taken out of it in the back for a pedestrian easement. When he purchased the lot, he was not aware of it and he requested approval for a modification of the normal setbacks to fifteen feet for his two-story home. The Commission gave consensus that he could have the setback at fifteen feet.

V. FINDINGS

MLP 05-12 (Welch Living Trust) – Mr. Ewert moved to approve the Findings, conclusion and final order for MLP 05-12 as written. Motion seconded by Mr. Lucas and passed 2-0 with Mr. Manley, Molamphy, and Tessman abstaining.

ANN 05-05 (Thomas Holmes) – Mr. Lucas moved to approve the Findings, conclusion and final order for ANN 05-05 as written. Motion seconded by Mr. Ewert and passed 2-0 with Mr. Manley, Molamphy, and Tessman abstaining.

VI. MINUTES

None.

VII. DIRECTORS REPORT

Planning Director John Williams said this would be Mr. Lucas' last meeting and Mr. Helbling would also be leaving the Commission. There would be two positions available in January. Mr. Williams thought they should have legal training once they had a full Commission.

Mr. Williams also proposed to end the roll call at the beginning of Commission meetings. The Commission agreed.

VIII. ADJOURNMENT