

MINUTES
CANBY PLANNING COMMISSION

7:00 PM June 26, 2006
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Chairman Jim Brown, Commissioners John Molamphy, Dan Ewert, and Geoffrey Manley.

Commissioner Randy Tessman absent.

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

OTHERS PRESENT: Bodie Bemroze, Pat Sisul, Terry Tolls, Charles Burden, Bob Hill, Allen Patterson, Troy Blomquist, Ted Kunze, Shaney Stone, Roger Reif, Tara Lund, Buzz Weygandt, Don Perman, and Jason Bristol.

II. CITIZEN INPUT

None.

III. PUBLIC HEARINGS

MLP 06-02 Burden (Findings) – This was a clarification as to the exact language in Condition #8 which required sidewalks.

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

STAFF REPORT: Mr. Cook said on May 22 they received draft findings on the Burden partition. The findings were approved with changes to Condition #8 requiring sidewalks. Staff researched and found there was no specific condition for sidewalks.

APPLICANT: Roger Reif requested approval of language that said at the time of any new development that required site and design review approval, the locations and specifications of sidewalks would be determined. Two and a half years ago, Mr. Burden's father died and they had five emergency situations. They needed flexibility of financing and distribution for the heirs. They did not know where the sidewalks would go, especially since Willamette Falls was going to build there.

Mr. Brown re-opened the public hearing.

PROPONENTS: None.

OPPONENTS: None.

REBUTTAL: None.

Chairman Brown said their concern was leaving a parcel without sidewalks. Mr. Molamphy said they were not asking for the sidewalk now, but they wanted a plan for when it was developed. Chairman Brown said they were trying to tie the parcels together and were worried there would be a gap between the sidewalks and the properties might not be developed for several more years.

Mr. Cook suggested that sidewalks be constructed along the parent parcel on the full frontage of 99E unless otherwise modified by the Planning Commission. Mr. Ewert wanted to make sure that any development would trigger the creation of the sidewalks.

Chairman Brown continued the hearing for MLP 06-02 to July 10, 2006.

ZC 06-02 Fire District – A request to change the zoning for three separate parcels, all currently zoned R-1. The change would be from the current R-1 zoning to the Comprehensive Plan designation for the properties.

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

STAFF REPORT: Mr. Cook said two of the properties would be rezoned C-2, highway commercial, and one rezoned M-1, light industrial. The properties are surrounded by commercial and industrial zoning. There are three separate owners of the three properties. The zone change would be beneficial since it would allow the Fire Department more flexibility for future development and expansion of the other businesses. It would also take away some mixed zoning. ODOT requested a traffic study which is underway. It was already in the Transportation Plan and the comp plan and showed no undue stresses on traffic. The Planning Commission would make a recommendation to the City Council. Anything to be built on the properties would go through site and design review.

Mr. Molamphy wondered what would happen to the house? Mr. Williams said it would be allowed to remain.

APPLICANT: Ted Kunze, Fire Chief, said the zoning they were asking for was what they were planning to do on the property. Space Age wanted to use

the rear of their property for future commercial use. It would bring the properties together.

Chairman Brown opened the public hearing.

PROPOSERS: None.

OPPOSERS: None.

REBUTTAL: None.

Chairman Brown closed the public hearing.

DISCUSSION: Mr. Williams said there was a memo from the traffic engineer stating the zone changes would not affect the City's planned improvements. The streets should not require significant improvements to accommodate the zone change.

Mr. Brown suggested that there should be one condition added stating the Planning Commission's recommended approval is based on the traffic study indicating there would be no change to the level of service or capacity of the intersection.

Mr. Brown proposed one condition, that the traffic study indicate no change to the level of service or capacity of the intersection.

Mr. Ewert moved to recommend approval for ZC 06-02 to the City Council with the added contingency of a successful traffic study on level of service and capacity. Motion seconded by Mr. Molamphy and approved 4-0.

SUB 06-02 Willamette Falls Hospital – This was a request to subdivide the existing parcel located north of Sequoia between 1st Ave and S. Hazel Dell Way into a ten lot subdivision to be utilized by the recently approved Willamette Falls Medical Center and associated office buildings.

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

STAFF REPORT: Mr. Cook said the applicant wanted to divide this into a ten lot subdivision to be developed in five phases. The City had previously approved the care center in the industrial park. The overall site is 6.27 acres, with a single 24 foot wide north south oriented drive access from SE 1st to the north and Hazel Dell Way to the south. Shared access easements, parking agreements, stormwater and utility easements would be required of the new lots

through CC & Rs as well as common maintenance of landscaping and internal infrastructure.

Mr. Ewert wanted to make sure that the road through the development would be completely built out in Phase I, He also questioned if the 24' width on the drive access was adequate.

APPLICANT: Pat Sisul of Sisul Engineering said the hospital building and access road would be built out in phase one. All utilities would be placed under the access road. In regard to the conditions of approval, Number 24 stated that they would contribute 50% of the cost towards the final SE 1st Ave traffic solution and stated their concern that there was no solution yet. They wanted the flexibility to place a bond to cover it and did not want to put in infrastructure that would have to be torn out when a solution was decided on. He asked that the condition be modified to reflect that.

Chairman Brown opened the public hearing.

PROPONENTS: Bob Hill of Cascade Development said subdividing this property allowed them to finance the first project separately from the rest of the property. It was critical to get the financing in place. They were willing to make the improvements to SE 1st, but did not want to have to pay for it twice.

OPPONENTS: None.

REBUTTAL: None.

Chairman Brown closed the public hearing.

DISCUSSION: Mr. Ewert wondered how the improvements done now would affect 1st Ave, and he also did not want 1st Ave unfinished because it was the entrance to Canby. He thought now was the time to decide what to do in that area.

Mr. Manley moved to approve SUB 06-02 as written. Motion seconded by Mr. Molamphy and approved 4-0.

MLP 06-08 Bristol – This was a request to partition one .33 acre parcel located at 454 S. Fir St into two separate parcels. Mr. Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none were expressed. When asked if any Commissioner had ex-parte contact, none were stated. No questions were asked of the Commissioners.

STAFF REPORT: Mr. Cook said the first parcel to the south would be 7,169 square feet and would contain the existing single family home and the second parcel would be 7,000 square feet for another single family home. Parcel two contained two small sheds and a gravel driveway. The driveway would be

paved before development of the new lot. Parcel one would have a 60 foot street frontage, and parcel two a 45 foot frontage. The code required a minimum of 60 feet, unless the Planning Commission found that adequate access could be obtained. Staff recommended approval.

APPLICANT: Jason Bristol addressed the Commission he explained that the property was surrounded by R-2 and R-1 zoning. Two off street parking spaces were proposed for parcel one, and in the future a single car garage would be built on the back side of the house. Regarding the frontage, there were several houses nearby that had smaller lots and frontages less than 60 feet. This development would fit in well with the existing neighborhood. The large tree would stay on parcel one. He talked to local neighbors who stated they knew that development of this lot was coming, and they were happy that a single family residence was being built.

Chairman Brown opened the public hearing.

PROPONENTS: None.

OPPONENTS: None.

REBUTTAL: None.

Chairman Brown closed the public hearing.

DISCUSSION:

Mr. Manley moved to approve MLP 06-08 as written. Motion seconded by Mr. Ewert and approved 4-0.

DR 06-03 Perman – This was a request to construct a 3,340 sq. ft. dental office on Lot 1 of the Redwood Medical Village subdivision, located on the east side of S Redwood Street between SE 3rd and SE 4th Ave. Mr. Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none were expressed. When asked if any Commissioner had ex-parte contact, none were stated. No questions were asked of the Commissioners.

STAFF REPORT: Mr. Cook said the development would have frontage on S Redwood. SE 3rd Court would be a private road through the subdivision. Staff has recommended this road be built as part of the construction of the dental office. A water quality pond has been proposed. There would be 17 parking spaces, and 4 bicycle spaces. The traffic study did not identify any operational issues. Sidewalks existed on Redwood and would be constructed on SE 3rd Ct. Fifty percent of the site would include a landscape area. Staff recommended revised elevation for the west portion facing Redwood.

APPLICANT: Tara Lund of Cedar Architects said the fence around the pond would be a visual detriment to the landscaping. The pond was small and not deep, and they would rather not have a fence.

Mr. Molamphy said he thought it was a safety concern and the fence should be there.

Mr. Brown wondered about putting a dental office in the industrial area. Ms. Lund said it bridged the gap between industrial and commercial.

Mr. Ewert wanted to know about the west elevation, and Ms. Lund said they could put a few more windows on that side.

Pat Sisul of Sisul Engineering said regarding the street construction and utilities, the plans had been approved and all infrastructure would be completed for the whole subdivision. The storm water would drain under the cul-de-sac in a chamber system with an overflow line. The plan is that every lot in the subdivision could handle a ten year storm event.

Mr. Sisul stated the applicant would prefer to adjust the depth of the pond if possible so they could be allowed not to fence it. They believe a fence would take away from the aesthetics.

Chairman Brown opened the public hearing.

PROPONENTS: None.

OPPONENTS: None.

REBUTTAL: None.

Chairman Brown closed the public hearing.

DISCUSSION: The Commission did not have a concern with the proposed lighting.

Mr. Brown had a concern regarding compatibility. It was surrounded by industrial looking buildings and the proposal looked residential. Mr. Molamphy said it was not compatible to the area, but compatible to the design and zoning of the site. It did fit on its own merit.

The Commission discussed the pond. They wanted the applicant to bring back a revised design that addressed safety and aesthetics and staff would review it.

Mr. Molamphy moved to approve DR 06-03 with modifications to conditions 17 and 19. Motion seconded by Mr. Manley and approved 3-1 with Mr. Ewert opposed.

IV. FINDINGS

ANN 06-01 Weygandt L.L.C. – Mr. Manley moved to approve the findings, conclusion and final order for ANN 06-01 as written. Motion seconded by Mr. Molamphy and passed 4-0.

ANN 06-02 S.T.J., LLC – Mr. Molamphy moved to approve the findings, conclusion and final order for ANN 06-02 as written. Motion seconded by Mr. Ewert and passed 4-0.

ANN 06-03 Reid Hellbusch – Mr. Molamphy moved to approve the findings, conclusion and final order for ANN 06-03 as written. Motion seconded by Mr. Ewert and passed 4-0.

CUP 06-01 – Mr. Manley moved to approve the findings, conclusion and final order for CUP 06-01 as written. Motion seconded by Mr. Ewert and passed 4-0.

V. MINUTES

Mr. Ewert moved to approve the minutes of the May 22, 2006 Planning Commission meeting as written. Motion seconded by Mr. Molamphy and passed 4-0.

VI. DIRECTORS REPORT

Planning Director John Williams said the open house regarding 99E and Territorial would be on July 6. He updated the Commission on other road projects and items on the next Commission meeting. They were almost done with Periodic Review; they only had to update the Transportation System Plan.

VII. ADJOURNMENT