

MINUTES
CANBY PLANNING COMMISSION

7:00 PM August 28, 2006
City Council Chambers, 155 NW 2nd

PRESENT: Chair Jim Brown, Vice-Chairman Geoffrey Manley, Commissioners Randy Tessman, John Molamphy, Janet Milne, Bruce Holte

STAFF: Kevin Cook, Associate Planner, Jill Thorn, Planning Staff

OTHERS PRESENT: Catherine Davis, Doris Creedon, Esther Nelson, Eric Salamour, Sandy Woods, Neil Thogerson, Seth Moran, Brad Riegg, Marcy Riegg, John Phillips, Margaret Ward

I. CITIZEN INPUT None

II. OLD BUSINESS None

III. NEW BUSINESS **MOD 06-12 – Kimco Properties** – The applicant is seeking to modify the Tofte III subdivision (SUB 00-01) by requesting a re-plat of the residual lot containing the original Tofte home site. The applicant seeks to create 4 new lots out of the existing 27,131 sq. ft. lot by utilizing the lot size averaging provision of the Canby Municipal Code in order to allow one of the lots to be less than 7,000 sq. ft. (6,128 sq. ft.).

Kevin Cook explained that the process was that the modification is placed on the agenda, the Commission makes a decision and then adjoining property owners are notified. If one property owner objects, then it comes back to the Planning Commission for a public hearing.

Chair Brown noted that two members of the Commission are residents of the subdivision.

Applicant: Neil Thogerson – Based on conversation with Kevin Cook, he felt that a modification proposal was the best way to handle the application, then based on the consensus of the Commission do a subdivision or a partition. The average lot of the 46 lots is 8781 square feet, five lots or 11% are over the maximum of 10,000 square feet. With this proposal three additional lots for a total of 49 lots with the average lot size of 8244 square feet. One new lot would be under the 7,000 square foot minimum which would be 10 % and conform. This one lot being proposed is 6128, which meets the requirements. The reason for proposing a 4 lot modification instead of a 3 lot partition is that the existing house would have to be kept. The existing house is in need a lot of repair. It is not functional for resale in that quality of a neighborhood.

Commissioner Holte asked if the homes would be associated with the CC&Rs of the Tofte Homeowners Association. The Applicant responded that they would be.

Commissioner Milne asked why the house and garage were not included in the original subdivision. The Applicant said the owner was going to stay there, but now has moved to a new home.

Chair Brown commented that the process is dissimilar to any applications in the City and has no problem allowing the applicant that configuration if in a public hearing the neighbors come and provide testimony. Mr. Cook indicated that fees paid could possibly be applied towards a new application.

It was moved by Commissioner Molamphy to deny MOD 06-12 – Kimco Properties and allow the applicant to come back with an application that allows a public hearing without excessive fees. Seconded by Commissioner Holte. Motion carried 6-0.

IV. PUBLIC HEARINGS

DR 06-05 – Scott Family Limited Partnership – Continued until September 11, 2006.

DR 06-06 – Ward-Henshaw

Chair 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.

Kevin Cook presented the staff report. This is an application request to develop a new 7,200 sq. ft. office building for the existing Ward-Henshaw Construction Company grounds. Ward-Henshaw stores pond inserts and equipment as part of their construction operation. The applicant requests engineered gravel over the entire site. City Ordinance number 1079 requires a conditional use permit application for parking and circulation areas; the proposed parking and circulation area surrounding the building (area demarcated by rectangular box around the building on the applicant's site plan) shall be asphalt (Condition 5). There are two existing accesses to the site; both are required to have approach aprons constructed to City standards (Condition 20).

Commissioner Tessman commented about N Baker Drive traffic. Mr. Cook responded that there would be no new trip generations, thus a traffic study was not required.

Applicant: Margaret Ward of Ward Baker Properties and owner of the property. The operation of the business will remain the same, but they want to develop the property and have a nice office. The trailers currently in front of the site on N Baker Drive are not the applicants but Johnson Controls and are definitely a problem.

Chair Brown asked the Applicant how they intend to maintain landscaping in the compacted gravel areas. The Applicant responded that they would probably do curbs and compacted gravel around that so that they can maintain the landscape areas.

Proponents: None

Opponents: None

It was moved by Commissioner Molamphy to approve DR 06-06 – Ward-Henshaw as submitted. Seconded by Commissioner Tessman. Motion carried 6-0.

MLP 06-12 – Kreigshauser

Chair 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, Commissioner Molamphy stated he had a conversation with the applicant's daughter regarding access on Territorial Road, but he will be participating. None of the other commissioners had any ex-parte contact. No questions were asked of the Commissioners.

Kevin Cook presented the Staff Report. The applicant is seeking approval to partition an R-1 zoned parcel into three separate parcels. The existing parcel is currently 48,790 square feet in size. A recently approved lot line adjustment with the lot to the north will reduce the lot size to 26,434 square feet. The current proposal is based on the configuration of the lot after the lot line adjustment is complete (Condition 1 requires recordation of the lot line adjustment prior to the recordation of the proposed partition plat). Parcel 1 (west) is proposed to be 8,311 sq. ft. and will have frontage on Territorial Rd. Parcel 2 (middle) will be 9,381 square feet and contains the existing dwelling; frontage for Parcel 2 will be on Territorial Rd. Parcel 3 (east) will be 8,742 square feet and will have frontage on Territorial Rd. and Maple St. Territorial Rd. is classified as an arterial road in the Canby Transportation System Plan (TSP). Section 16.46.030 of the CMC requires 300 ft. between accesses onto Territorial Rd.; due to this requirement Condition 9 requires a shared access drive to be installed for the three parcels by way of N Maple St. (a lower classification street). Condition 9 requires the installation of the access drive prior to the signing of the final plat in order to insure that the work is completed prior to individual properties being sold off into differing ownerships.

Commissioner Tessman expressed concern about visibility. Mr. Cook responded that any building plans submitted, the applicant would have to stay out of the vision clearance triangle. And the conditions state that vegetation will be kept to a low level on the corner.

Commissioner Manley asked if there would be requirements for half street improvements. Mr. Cook responded that he received no comments or requests for improvements because both streets have been built out to full width.

Applicant: John Phillips of JP Construction – When he received the conditions from Kevin Cook he had questioned the access. Mr. Phillips' understanding was that the access would be on the topside of the Parcel 3 to go to all three parcels. He didn't think the proposed access would decrease the traffic on Territorial.

Chair Brown suggested a better access plan might be to share between Parcels 1 and 2.

Commissioner Manley asked where is the existing access on the middle lot. The Applicant responded that it was closer to Parcel 3.

Proponents: None

Opponents: None

Commissioner Holte liked the suggestion of the Chair to share access between Parcel 1 and 2.

Mr. Cook indicated that if there was a finding that you were relocating the existing access and not considering it a new access then it would be okay in terms of the code and could in the findings indicate you are moving it farther from the intersection.

Commissioner Manley felt if it was shared access they wouldn't be backing on Territorial.

Commissioner Milne could see an aesthetic benefit to having the new drive access off of Maple that would be eliminate the need for a garage on the front of a narrow lot.

Chair Brown proposed a joint shared access between Parcel 1 and 2 at the property line and access Parcel 3 from Maple, and make a make a finding that the proposed relocation of the access point is intended to increase safety at the intersection and is geographically required because of the configuration of the existing lots.

Chair Brown asked the Applicant if it would be acceptable to change the access to a shared access between Parcel 1 and 2. The Applicant responded that would be ideal.

It was moved by Commissioner Holte to approve MLP 06-12 - Kreigshauser as submitted with the modification of Condition 9 that Lots 1 and 2 share a driveway for safety reasons and Lot 3 have access off of Maple for safety. Seconded by Commissioner Manley. Motion was a tie vote. 3-3.

It was moved by Commissioner Milne to approve MLP 06-12 – Kreigshauser as submitted. Seconded by Commissioner Molamphy. Motion carried 5-1.

DR 06-08 – Andrus Building

Chair 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, Chair Brown announced he had visited the site but drew no conclusions. None of the other Commissioners had any ex-parte contact. No questions were asked of the Commissioners.

Kevin Cook presented the Staff Report, The City has received DR 06-08, an application to develop a 9,200 sq. ft. C-1 zoned parcel with a professional/commercial building. The proposed two-story building would occupy a footprint of 3,200 sq. ft. and would contain 6,200 sq. ft. total floor-space. The proposed height of the building is 29

ft. The site is located within Downtown Canby's parking exempt zone which does not require onsite parking. The applicant is proposing an 11 space parking lot behind the building fronting the existing alley behind the lot.

Mr. Cook also passed on a letter from Catherine Comer of CBRD. The application was in compliance with the Downtown Plan.

Commissioner Tessman asked about the Comment Form submitted by Linda Martin which lists Knight Elementary, Baker Prairie Middle School and Canby High School. Mr. Cook felt she was listing the schools that would serve the area if it were a residential building.

Applicant: Esther Nelson – Representing Andrus Enterprises which consists of Ms Nelson and her two sisters, Doris Creedon and Catherine Davis asked if any Commissioner had any questions.

Commissioner Manley inquired if the Applicant had considered another level up over the businesses. The Applicant responded that they had considered it. That might be in the future, but in terms of the size of the loan they were signing up for this was prudent course of action.

Seth Moran of Fletcher, Farr Ayotte, Inc and architect for the project presented a design that will prioritize the pedestrian, street and the park and helps to reinforce the south edge of the park and the north edge of the downtown area in a way that is consistent with the type of building it is, a two story office building but also in a way with material and color that is compatible with existing structures around the park that are slightly more residential in character, if not in use. There is a great deal of glass on the north side of the building and a big feature from the street elevation.

Chair Brown asked why cedar siding. Mr. Moran said it was a material that appropriate to this region. Chair Brown asked if the Applicant wasn't concerned about how the cedar will perform in a commercial application. Mr. Moran said the Applicant plans to own the building for a very long time and will maintain it

Proponents: Doris Creedon Stated they had spent a lot of hours on this project and the idea was to have something with clean lines, something that was totally maintainable through the years. The coloring will make the building blend in with the trees.

Opponents: Marcy Riegg She was impressed with the thoughtfulness in planning in Canby. Excited about the vision of the town, wants to be involved in the town. She sees Wait Park as the heart of the town. She spent time in Europe and liked the idea of a plaza which served as a central meeting point and is delighted to see that in Wait Park. She felt this site is unique opportunity to do something to preserve the character of Wait Park like what has been done on Second Street. Would like to preserve the charm of this part of Canby. Would like to see the building look more charming.

Chair Brown said he was glad the Commission had the conversation about this topic. He felt that the City was a fabric of different colors of thread. The more colors in the tapestry, the more unique the whole cloth seem to be. The Commission has not had the opportunity of late to do full development downtown of anything that looks like a commercial facility. A great amount of the historic architecture that existed in Canby has burned to the ground. This is a very clean looking office building. Once the building is erected it will not look as austere. The planning looks great. The way the building is set up looks good. The amount of glass looks great. The storefront is fine. The only thing he responded to strangely was the wood, even though the architect was trying to tie the building into all the residential areas that surround the park. Chair Brown felt the masonry could be treated in the same way by raking the horizontal joints. The building was not objectionable or too modern.

Commissioner Tessman commented that when he first saw the drawings of the building in his packet, it reminded him of an office in Bend that was not on Drake Park, but a couple of blocks away. He would feel more comfortable if the building was on Second rather than on Third facing Wait Park. The original intention of the Downtown Development Plan was a more residential aspect of this downtown area and he didn't see this in this building at all. Feels the building looks dated.

Commissioner Molamphy felt everybody had their own decision on what quaint is, Canby is going to develop at its own pace and style. We don't want to be a Sisters or Redmond. Canby was going to develop as it develops and he felt it was developing quite well. He thinks this building fits in there. Wait Park was going to evolve over periods of time. It's going to change; it's not going to stay the same. We do need commercial buildings. The cedar siding is little more to maintain but it does weather well over time.

Commissioner Holte agreed with Chairman Brown's statement and he liked the building and also liked the cedar.

Commissioner Milne felt the building had no character. The building doesn't do anything for that street; especially a street facing the park, and was the center of the community. Didn't think cedar was an appropriate material. Was concerned because the Applicant hadn't talked about access from 2nd Avenue to 3rd Avenue. Would like to see the building designed for pedestrian access right through the center of the building. Create a situation where you have retail or office space on either side of a lovely aisle way.

Commissioner Manley mentioned that it was kind of fun to see an application that brings out debate about pros and cons. Would prefer not having cedar as it doesn't maintain well for an exterior surface.

Commissioner Milne stated she lives in a house with cedar siding and it takes a lot of maintenance and doesn't see cedar as a material for commercial buildings.

Chair Brown had concerns about the cedar siding and the joints at the corners would start to come apart.

Commissioner Tessman had a concern with the cedar because he consults with architects on paint and coatings and if they stain, it should be a solid color stain because they aren't going to get too much durability out of semi-transparent stain. The life span of semi-transparent stain was about two years. And then you should overcoat with heavy body stains or remove the existing and put a new semi-transparent stain over the top. It was going to be a maintenance issue.

Seth Moran asked if the client is willing to upgrade materials, what is the process.

Chair Brown explained that every person on the Commission is excited about this project. Nobody is opposed to the project. Wants to give guidance to the applicant and move the process forward.

Seth Moran was excited to hear the comments from the Commission. This is a transactional building.

Esther Nelson appreciated to hearing the comments.

Chair Brown asked the Applicant would be willing to look at some alternate materials and continue the hearing and bring it to a close. The Applicant was willing to continue the hearing and submit alternative siding materials.

The hearing was continued until September 11, 2006 at 7 PM.

V. FINDINGS

MLP 06-11 – David Foster, PLS for Walgreen's – Commissioner Molamphy moved to approve the findings, conclusion and final order for MLP 06-11 as written. Motion seconded by Commissioner Holte and passed 6-0.

DR 06-07 – Bay Singer Partners Architects for Walgreen's – Commissioner Molamphy moved to approve the findings, conclusion and final order for DR 06-07 as written except Condition 21 to be aisles instead of aisle. Motion seconded by Commissioner Manley and passed 6-0.

IV. MINUTES

V. DIRECTOR'S REPORT Carla Ahl has been promoted to Planning Technician and Jill Thorn is taking over the position of Office Specialist and will be attending Planning Commission meetings.

The training session will be held on September 5th for the Commission.

VI. ADJOURNMENT