

MINUTES
CANBY PLANNING COMMISSION

7:00 PM – October 9, 2006
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Jim Brown, Commissioners John Molamphy, Janet Milne, and Dan Ewert

ABSENT: Randy Tessman, Geoffrey Manley, Bruce Holte

STAFF: John Williams, Community Development and Planning Director; Carla Ahl, Planning Technician; Jill Thorn, Planning Staff

OTHERS PRESENT: Bud and JoAnn Fawver, Ken and Marge Moore, Pat Sisul, Kim Parker, Jerry Clayton and Les Johnson

I. CITIZEN INPUT None

II. NEW BUSINESS None

III. PUBLIC HEARINGS

SUB 06-04 – Fawver – 2166 N Locust Street – Continued until October 23, 2006.

MLP 06-15 – NWV Habitat for Humanity – 515 N Locust Street – A minor land partition to divide the tax lot into 3 new tax lots for 3 single family homes.

Chair Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed except for Commissioner Milne. Commissioner Milne stated she did not have a conflict but wanted the public to know that she was a volunteer for Habitat for Humanity and serves on the Family Selection Committee and participated in the home visits for two of the families selected to reside on this property. The Commissioner stated she could be fair and impartial and would be participating. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

Carla Ahl presented the staff report. The applicant is proposing to partition one 10,348 square foot lot into three (3) Parcels. Parcel one (southeast) would consist of 2,443 square feet, Parcel two (northeast) would consist of 2,293 square feet (3,193 square feet with addition of pole area). Parcels 1 and 2 could accommodate two single-family attached structures with Common Wall development. Parcel 3 to the rear (west) would consist of approximately 4,725 square feet; the applicant is proposing to access the third parcel by means of a 12' access drive. The existing residence and garage would be removed and the applicant has proposed a single family home for parcel 3, access restrictions would limit the development of Parcel 3 to a duplex.

Commissioner Molamphy requested that the findings clearly state that the existing house and garage will be removed.

Commissioner Ewert asked if height restrictions were involved. Ms Ahl responded that the applicant was proposing single story and the in-fill standards would apply to this lot.

Applicant: Kim Parker, Executive Director of NWW Habitat for Humanity. The attached unit will be 2 two-bedroom units of about 950 to 960 square feet homes. The building of the additional homes will improve the neighborhood as the existing house has been empty for two or three years.

Commissioner Molamphy asked where the parking would be provided. Ms Parker responded that off-street parking would be provided as required.

Proponents: None

Opponents: Ken Moore of 558 N Locust Street asked for clarification on the actual number and type of buildings that will be built.

Jerry Clayton of 575 N Locust Street stated his concern about yard space for children to play.

Rebuttal: None

Chair Brown closed the public hearing.

Commissioner Milne understood the concerns expressed by the Opponents about the safety of the children. She noted that the yard space was the same as single family units in the code.

Commissioner Ewert felt the proposal was tight, but it fit all the rules.

Commissioner Molamphy agreed that it was tight but the proposal met all the criteria.

Chair Brown stated that the City had spent a great deal of time reviewing the standards and found there was insufficient R2 lands inside the City. Unfortunately this is a result of cause and effect. Fourteen of the last sixteen residential annexations have been voted down.

It was moved by Commissioner Ewert to approve MLP 06-15 as modified to add a condition that the unit would be single story dwelling and clarification that existing single family dwelling and garage will be removed. Seconded by Commissioner Molamphy. Motion carried 4-0.

MLP 06-13 – Fawver – 384 NW 6th Avenue – A minor land partition to divide the tax lot into 2 new tax lots.

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.

Carla Ahl presented the staff report. The applicant is seeking approval to partition one 11,560 square foot parcel zoned R-2, into two separate parcels. The proposed southern parcel would become a 4,516 square foot lot and contain the existing dwelling. The northern parcel is proposed to be a 7,044 square foot lot (5,940 square feet if the area of the flagpole was removed). The applicant is proposing access to Parcel 2 by means of a 12' access drive off of NW 6th Avenue. An existing driveway approach will remain in place for Parcel 1. An existing driveway approach that connects Tax Lot 1900 with Tax Lot 2000 to the east would be replaced with a new driveway approach located on the east side of Parcel 1.

The applicant has proposed a single family residence on Parcel #2, but to comply with the density requirement of the R-2 zone the development would require a duplex. The Planning Commission can reduce the number of dwelling units due to site characteristics.

Applicant: Pat Sisul of Sisul Engineering representing the Applicant. Mr. Sisul stated that the applicant had tried to site a duplex plan on the site, but it was not perfect. Mr. Sisul asked for a condition that if an acceptable plan could not be found, a single family unit be allowed.

Commissioner Milne stated she had difficulty with an “either or” condition.

Proponents: None

Opponents: None

Rebuttal: None

Chair Brown closed the public hearing.

Chair Brown stated that density must have reasonableness. A single family dwelling unit behind a single family dwelling unit makes sense.

Commissioner Molamphy agreed and felt you needed to look at the neighborhood and you don't shoe horn something into it. He concurred with Chair Brown that for the overall specifics of the neighborhood a single family residence fit better on the site.

Commissioner Ewert agreed with the comments of the Commission. The footprint is too small and favored waiving the density requirement.

Commissioner Milne felt it was unreasonable to require a duplex on the back lot.

It was moved by Commissioner Milne to approve MLP 06-13 as modified with a density waiver. Seconded by Commissioner Molamphy. Motion carried 4-0.

V. FINDINGS None

VI. MINUTES September 25, 2006

Commissioner Molamphy moved to approve minutes of September 25, 2006 as presented. Motion seconded by Commissioner Milne and passed 3-0 with Commissioner Ewert abstaining.

VII. DIRECTOR'S REPORT John Williams reported that at the next Commission meeting there would be a discussion with Canby Business Development to discuss downtown design and vision and other issues raised as a result of the Andrus Building hearing.

Chair Brown reported that as a result of the last work session and the discussion of work products the Commission had, he had sent an email to the Mayor and Council regarding an idea to get together one evening in an expanded group to have Council, Commission, members of CBRD, Chamber and other stakeholders to discuss what are the big idea issues to develop a mission statement for direction.

Commissioner Molamphy requested an overall map of the Pioneer Industrial Park area showing each property that has development going on and who is developing. Mr. Williams said that the Canby Herald was preparing such a map and copies would be made available to the Commission.

During the earlier work session the Commission met with the people looking at a biofuel production facility. If the project goes forward it will require design review and conditional use hearing before the Commission.

VIII. ADJOURNMENT