

**MINUTES**  
**CANBY PLANNING COMMISSION**  
7:00 PM – March 26, 2007  
City Council Chambers – 155 NW 2<sup>nd</sup> Avenue

---

**PRESENT:** Chair Jim Brown, Vice Chair Dan Ewert, Commissioners John Molamphy, Janet Milne, Bruce Holte, Jared Taylor and Rick Gamble

**ABSENT:** None

**STAFF:** John Williams, Community Development and Planning Director; Kevin Cook, Associate Planner; Carla Ahl, Planning Technician and Jill Thorn, Planning Staff

**OTHERS PRESENT:** Todd Gary, Jay Head, Scott Smith, James Larson, Linda Geddes, Tom Scott, Vincent Andersen, John Gunter, Al Geddes, Tom Keenan, Laurel Boone, Pete Kelley, Roger Reif, Paul Toole, Wade Smith

Chair Jim Brown welcomed Rick Gamble to the Planning Commission.

**I. CITIZEN INPUT** Pete Kelley of 840 NE 10<sup>th</sup> requested a work session with the Commission between now and the next commission meeting to discuss options for the property owners around the fairgrounds.

John Williams said that it could be an Old Business item on the agenda of the April 9<sup>th</sup> meeting. That was agreeable with the Commission and Mr. Kelley.

**II. NEW BUSINESS**

**MOD 07-03 (DR 04-04)** – Extension of the existing storage facility at Canby RV and Boat Storage located at 373 S Redwood Street to modify the 2004 Site and Design Review Approval (DR 04-04).

Carla Ahl, Planning Technician gave the staff report. The applicant is requesting approval to develop a 1.46 acre lot into an extension of his existing RV storage facility. The development will take its access through a driveway ingress and egress easement which will be created on the current 25' wide private drive from S. Redwood St. The development would consist of 115-125 outdoor storage spaces in addition to the existing 250 spaces from the original development.

Chair Brown asked why this application was not a Design Review application. Ms Ahl explained that it was a second phase of the previous Design Review application that had been approved in 2004 and the code allows for modifications to such applications. The Planning Commission would make a decision and then the surrounding property owners and person with standing from the original decision would receive notice and could request a public hearing.

John Williams explained this process was a shorter path for existing businesses and residents and generally paving of parking lots was a staff decision.

Commissioner Holte felt it was an application to pave a parking lot and felt this was a good choice.

Commissioner Milne said the public would have the opportunity to respond after the decision.

Commissioner Ewert had no major issues.

Chair Brown stated he was worried about the fencing, buffering, lighting and the edges of the site.

Wade Smith of 373 S Redwood Street and applicant said the landscaping from the current site would be continued. He felt it was a positive addition to the City in that people would have a place to park their RV vehicles.

Commissioner Milne felt the expansion would be handled correctly as the original project had been done well.

It was moved by Commissioner Ewert to approve MOD 07-03 as presented. It was seconded by Commissioner Taylor. Motion carried 6-1.

### **III. PUBLIC HEARINGS**

**ZC 07-02 – S.T.J., LLC** - For the property at 1295 NE Territorial Road a zone change from R-1 (Low Density Residential) to R-2 (High Density Residential)

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. The applicant is seeking to change the zoning designation for two parcels totaling 0.89 acres. The current zoning on the parcels is R-1 Low Density Residential. The applicant proposes to amend zoning to reflect the Comprehensive Plan designation. No development plans are associated with the zone change at this time.

The site is located south of NE Territorial Road and west of the Molalla Forest Road. Tax lots 1500 and 1501 are zoned R-1. Adjacent properties are also designated High Density Residential in the Comprehensive Plan. There is an existing residence located on Tax Lot 1501.

Adjacent uses include single family subdivisions (west and east, across the Molalla Forest Road); apartments (south); large lots not yet subdivided or annexed (east across the Molalla Forest Road); and the golf course with associated residential development (north). Water and Sewer are available from NE Territorial Road.

**Applicant:** Tom Scott of 214 SW 2<sup>nd</sup> Avenue, reported the property was just under 1 acre and the zone change from R-1 to R-2 would bring the property in compliance with the zoning in the Comprehensive Plan. The property would be developed with an adjoining piece into town homes and well situated for high density use.

Commissioner Ewert asked if a neighborhood meeting had been held. Mr. Scott responded that it had and there were not a lot of questions by those attending.

Commissioner Ewert asked what the feeling was by those who attended. Mr. Scott responded he felt it was generally positive.

**Proponents:** None

**Opponents:** None

**Rebuttal:** None

Chair Brown closed the public hearing.

Commissioner Molamphy felt it was good to have the two pieces in one package.

Commissioner Ewert felt the zoning fit well into the overall plan and this was why we do planning.

It was moved by Commissioner Holte to approve ZC 07-02 as presented. It was seconded by Commissioner Gamble. Motion carried 7-0.

**MLP 06-16/VAR 07-01 – Willamette Valley Country Club for Minor Land Partition and Variance to the Access Pavement Width Standards for Flag Lots**

Chair Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, Commissioner Milne stated she and her husband were members of the Willamette Valley Country Club but would receive no financial benefit as a result of this application. All other Commissioners did not have any conflicts. 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. The applicant is seeking approval to partition off two new residential parcels from the existing 147 acre golf course parcel. The two new parcels are proposed for the extreme northeast corner of the golf course. Access is proposed from NE 34<sup>th</sup> Ct by way of a 20 ft. wide access strip. While the access strip itself is 20 feet wide, the applicant has proposed a 12 ft. pavement width, which requires a Variance – the applicant has applied for a variance. The access strip is currently City right-of-way and is used to access a City sewage pump station and also provides emergency vehicle access to the Logging Road Trail. Parcel 1 to the north is proposed to be 16,233 sq. ft. and Parcel 2 to the south is proposed to be 16,000 sq. ft. Access to Parcel 2 will require a 20 foot wide access easement to be placed across Parcel 1 (Condition 8). The access strip was originally intended to serve the sewer pump station located on lot 2900 when the Country Club Estates subdivision was platted in 1974. Lot 2900 is also owned by Willamette Valley Country Club. Condition number 3 requires a deed restriction indicating that the access drive will serve no more than two dwellings.

Mr. Cook stated that correspondence had been received after the packet had been distributed from the Bike and Pedestrian Committee; Tony Polito; Larry and Sandy Corder.

Mr. Cook stated that two additional conditions were being proposed if the Commission chose to approve the application. Condition 24 would require that the emergency vehicle turnaround be free of parking and Condition 25 would require a deed restriction to prevent further subdividing of the property.

Chair Brown asked about the ownership of the right of way that would be the 12 foot street.

Mr. Cook responded that there would be a maintenance agreement and Mr. Williams said it was like a private drive.

Commissioner Holte asked if the fire department was okay with the 12 foot width. Mr. Cook responded that the homes would be required to have fire sprinkler systems

Commissioner Taylor asked about runoff. Mr. Cook responded that was an issue to be dealt with during the pre-construction period with the City Engineer and DEQ.

**Applicant:** Jay Head, General Manager, Willamette Valley Country Club, 900 Country Club Place said that it was the intention of the country club to sell the 30,000 square feet site as one piece and the purchaser could put one or two homes on the property.

Commissioner Molamphy said he thought this was an application for two lots.

John Williams stated that it was possible to build on one lot and not the second lot, but if only one home was to be built it could not be built on the lot line.

Commissioner Ewert asked if Mr. Head was comfortable with the two new conditions. Mr. Head said he was.

Commissioner Ewert asked if the application was for the two lots shown on the drawing and did the applicant plan to build two houses.

Mr. Head responded the application was for the two lots to allow for the maximum flexibility of the purchaser but he did not know how many houses would be built.

**Proponents:** Tom Keenan, President of the Board of Directors for the country club, 12721 S Castro Road in Oregon City said it was the intention of the board to sell one piece and let the purchaser have the option of two lots.

He stated the requirements of the fire department would be met. The two houses to be built will have a minimal impact and it was the desire of the board to do everything to minimize the impact on the neighbors. He said the missing sheet of address was not intentional.

Roger Reif, 3310 N Maple Street, said he can't see the property because he lives around the corner and didn't feel the traffic on Maple would increase that much. He felt that one or two houses was reasonable.

**Opponents:** James Larson, 970 NE 34<sup>th</sup> Place was concerned about the fisherman who now park now on 34<sup>th</sup> Court and would in the future park at the hammerhead. He would like to see the Commission attach additional conditions requiring an eight foot fence on his property; install an access gate and require construction traffic use the Logging Trail Road instead of Maple.

Linda Geddes, 740 NE 34<sup>th</sup> Place, spoke to a similar application in 2003 that was denied. She was concerned about how the hammerhead would be kept free of parking. She thought a gate was a good idea and the homeowner could put in a remote control to protect the area.

John Gunter of 930 NE 34<sup>th</sup> Place stated he supported the suggestions of Mr. Larson made. He was concerned about headlights in Mr. Larson's bedroom at night. He was concerned about the impact of traffic during construction.

Commissioner Taylor asked how much the impact the construction traffic would have on Maple. Mr. Gunter felt it would increase 10% to 15% during construction.

Al Geddes, 740 NE 34<sup>th</sup> Place inquired if granting the variance would be setting precedence.

Chair Brown responded that it would not set precedence, but that applicants could use the information in future applications.

Mr. Williams stated that the Commission granted very few variances as the requirements were very strict and all had to be met. This property had been originally platted as public right of way. The City owns the driveway and the square lot for the lift station is owned by the country club.

Mr. Geddes asked about the pump station and who would pay if it had to be moved.

Mr. Cook responded that the applicant would pay and be required to meet all the requirements of the Public Works Department of the City.

**Rebuttal:** Mr. Head responded to the issues raised by Mr. Larson and wanted to assure Mr. Larson that the Willamette Valley Country Club would work to provide the necessary fencing as requested by Mr. Larson.

Chair Brown asked if there would be any problem if a condition was added requiring fencing.

Mr. Head responded that as long as it was reasonable.

Chair Brown closed the public hearing.

Chair Brown reviewed the criteria for a variance with the Commission. The Commission reached consensus that the variance criteria had been met.

Commissioner Holte liked the idea of only two houses on the site.

Commissioner Taylor had no problem with the two lots as it would allow for more green space.

Commissioner Ewert felt the fire department had designed what they needed for the two lots and wondered if it would be built even if only one house was built.

Commissioner Taylor felt that where people park would not add to the problem as it was a public right of way and the applicant could mitigate. He felt that it might be a good idea to allow Logging Road Trail to be used for construction traffic during the development of the two lots.

Mr. Cook said the road was not currently maintained by the City.

Commissioner Milne added that the trail was not paved in places and was used as a walking/hiking trail thus not feasible for construction traffic.

Chair Brown had concerns about the right of way.

Mr. Cook stated that the 1974 approval did not speak to right of way for future development.

Commissioner Milne did not feel it was unreasonable to desire access to the right of way as this was an infill project.

Commissioner Molamphy asked if the pump station could be protected.

Mr. Cook responded that was covered in the conditions.

It was moved by Commissioner Ewert to approve MLP 06-16/VAR 07-01 as presented and add Condition 24 dealing with the turn around; Condition 25 dealing with a deed restriction that only two houses could be built and Condition 26 dealing with buffering on adjoining properties. It was seconded by Commissioner Taylor. Motion carried 7-0.

#### **IV. FINDINGS**

None

#### **V. MINUTES**

**March 12, 2007** - Commissioner Taylor moved to approve minutes of March 12, 2007 as presented. Motion seconded by Commissioner Holte and passed 7-0.

#### **VI. DIRECTOR'S REPORT**

John Williams reported that the Street Maintenance Task Force would probably have one more meeting and then there would be a public involvement piece to raise awareness of the need for a street maintenance fee.

Mr. Williams reported that the Berg Parkway project was going to bid with construction to begin in May or June. As part of this project there would be traffic calming on Aspen, Elm, Pine, Lupine and Ivy Streets.

Mr. Williams reported that traffic calming in various places all over the City was being proposed in the 2007-2008 budget.

The miscellaneous code amendment to Chapter 16 had been approved by the City Council and new code books would be distributed shortly.

Chair Brown announced an Earth Day project would be happening on April 28 at the Community Park and invited people to participate.

#### **VII. ADJOURNMENT**