

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – January 14, 2008
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Dan Ewert, Commissioners Bruce Holte, Janet Milne, Misty Slagle and Jared Taylor

ABSENT: None

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

OTHERS PRESENT: Jason Bristol, Bill Galbreath, Ramon Sanchez, Pable Sanchez, Bill Milne, Cherrol Pacholl, Ron Pacholl and Charles Burden

I. CITIZEN INPUT None

II. ELECTION OF CHAIR AND VICE CHAIR

Commissioner Taylor nominated Commissioner Ewert for Chair. Commissioner Milne seconded. The motion passed 4-0 with Commissioner Ewert abstaining.

Commissioner Taylor nominated Commissioner Milne for Vice Chair. Commissioner Holte seconded. The motion passed 4-0 with Commissioner Milne abstaining.

III. PUBLIC HEARINGS

MLP 07-07 – Bristol – 307 S Knott Street – The applicant is requesting approval to partition one 12,236 square foot parcel into three separate parcels. Parcel 1 would contain 6,065 sq feet and would retain the existing house. Parcel 2 would contain 4585 sq ft and would be suitable for a duplex development. Parcel # 3 would be “Tract A” containing 1,588 sq ft, which would be owned by the purchasers of Parcel #2 to be used for access and utility purposes.

Chair Ewert 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 subject property is located at 307 S. Knott Street. The parcel is zoned R-2 (HDR) with a Comprehensive Plan designation of R-2 (HDR) Surrounding properties are all zoned R-2 (HDR), with a Comprehensive Plan designation of R-2 (HDR).

The applicant is proposing a 19’ access width with a 12’ paved surface. The code allows for a 12’ wide paved drive, if accessing one flag lot less than one hundred feet long. There would be 5’ of distance to the existing house on the north side of the driveway. The existing house to south is non-conforming and is set 3.6’ from the property line with an addition that encroaches within 1’ of the property line. The applicant has spoken with the Canby Fire Marshal who allowed a variance on the access to no less than 17’ of clear width caused by the existing house side wall and eave.

Ms Ahl passed to the Commissioners a comment form from Pablo and Silvia Sanchez that was received. She said Mr. Bristol would be responding to the comments.

Commissioner Taylor asked if the existing tree would serve as the street tree or would an additional tree need to be placed. Ms Ahl responded that an additional tree would be added.

Commissioner Milne inquired about Comment 5 from Public Works in regard to the flag lot driveway having to be rocked. She wondered if it would be paved. Ms Ahl responded that she thought Mr. Bristol would be paving the area.

Chair Ewert asked about the width of the driveway and was it 19 feet instead of the required 20 feet. Ms Ahl responded that the 19 feet was being allowed with conditions from the Fire District.

Applicant: Jason Bristol of 21733 S Hwy 99E, applicant, stated the current zoning is R-2 and the Comp Plan zoning is R-2. Tract A was designed to handle the easements for utilities; for access and could then allow for condo conversion. The property is surrounded by multi-family. The sidewalk access in front of the property will connect to the neighboring properties. The driveway to the duplex will be paved.

Commissioner Taylor asked if an additional tree would be planted or would the existing be the street tree. Mr. Bristol responded that if necessary an additional tree would be planted.

Commissioner Ewert asked Mr. Bristol to respond to the Comment Form. Mr. Bristol said that he had met with the property owner and they were withdrawing their objection.

Proponents: Bill Galbreath of 19925 SW Cipole Road in Sherwood, attorney for Mr. Sanchez, said that the issue had been resolved and the objections were withdrawn.

Opponents: None

Rebuttal: None

Chair Ewert closed the public hearing.

Commissioner Milne stated that the application met the criteria and the investment in the neighborhood was a good thing.

It was moved by Commissioner Holte to approve MLP 07-07 as presented. It was seconded by Commissioner Milne. Motion carried 5-0.

MLP 07-08 – Milne – 1513 N Maple Street – The applicant is requesting approval to partition one 21,600 square foot parcel zoned R-2 into two separate parcels. Lot #1 would contain the existing single family residence on a 12,150 square foot lot. Lot # 2 would contain the existing duplex on a 9,450 square foot flag lot.

Chair Ewert read the public hearing format. When asked if any Commissioner had a conflict of interest, Commissioner Milne said she was co-owner of the property and she would not be participating and left the dais. No conflict of interest was by the other Commissioners 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 subject property is located at 1513 N Maple St. The parcel is zoned R-2 (HDR) with a Comprehensive Plan designation of R-2 (HDR). Surrounding properties north, west and south have current and comprehensive designations of R-2 (HDR), with the properties to the east having current and comprehensive designations of R-1 (LDR).

The applicant is proposing access to lot #2 by means of an existing 20' drive that is located on the south side of the property. A reciprocal access easement shall be recorded with the deed to provide access to both parcel #1 and #2.

The R-2 (HDR) designation requires that "New development shall achieve a minimum density of 14 units per acre". This application is to separate the existing homes to facilitate future refinancing of the parcels, no new development is proposed. The layout of the existing units does not lend itself to further development, but if the lot was kept undivided the likelihood of future redevelopment in keeping with the City's density goals would be increased. The Planning Commission has approved similar applications in the past, which is why staff recommends approval of the partition as presented.

Commissioner Taylor asked if sidewalks were in existence. Ms Ahl responded that there were no curbs and sidewalks and will be required.

John Williams said that could be added as a condition.

Commissioner Ewert asked why the property had not been divided when the duplex was built. Mr. Williams said that was not required for R-2.

Applicant: Bill Milne, 668 NW 12th Avenue, applicant said that he agreed and concurred with the recommendations of the staff.

Proponents: None

Opponents: None

Rebuttal: None

Chair Ewert closed the public hearing.

Chair Ewert felt the application was straightforward and should be approved.

It was moved by Commissioner Taylor to approve MLP 07-08 with the addition of Condition 13 to require the installation of curb and sidewalk along entire property that would include a concrete approach to flag lot and to replace the catch basin with a G-2 style catch basin and reconnect it to existing pipe. It was seconded by Commissioner Holte. Motion carried 4-0.

Commissioner Milne returned to the dais and Commissioner Holte excused himself.

IV. NEW BUSINESS None

V. FINDINGS None

VI. MINUTES

November 26, 2007 - Commissioner Slagle moved to approve minutes of November 26, 2007 as presented. Motion seconded by Commissioner Milne and passed 4-0.

VII. DIRECTOR'S REPORT

John Williams gave his final Director's Report as he has taken a position with Metro. He said that he had been impressed with the Commission over the years and thanked the Commissioners for their many hours of volunteer service to the City.

Chair Ewert thanked John for his service and professionalism and said he would be missed.

Mr. Williams said that Matilda Deas would be handling the day to day operations of the Planning Department and the staff was very qualified to continue the work.

Commissioner Milne said that a "no truck" sign had been placed on Birch and wondered if one would be placed in the opposite direction. Staff is to follow up.

VIII. ADJOURNMENT

Following the meeting a work session on Downtown Design Standards was held. A review of the proposed code was discussed.