

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – November 23, 2009
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Dan Ewert, Vice Chair Jan Milne, Commissioners Sean Joyce, Chuck Kocher, Misty Slagle and Jared Taylor

ABSENT: None

STAFF: Bryan Brown, Planning Director; Melissa Hardy, Associate Planner; and Jill Thorn, Planning Staff

OTHERS PRESENT: Pat Sisul, Norm Beck, City Councilor Brian Hodson

1. CALL TO ORDER

2. CITIZEN INPUT **None**

3. PUBLIC HEARINGS

a. Annexation – (1) Annex 4.77 acres of land; and (2) Change the zoning from Clackamas County RRFF-5 to City of Canby R-1 (Low Density Residential); and (3) Approve a development agreement for 4.62 acres. 1732 N Pine Street – ANN 09-01.

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.

Melissa Hardy, Associate Planner presented the November 16, 2009 staff report for the record. She also stated that since the staff report had been issued one additional comment was received from JoAnn Hamilton-Scott and gave members of the Commission and the applicant a copy.

Commissioner Milne asked why the westerly portion of the street was being included in the annexation.

Ms Hardy stated the property directly across Pine Street had been annexed last year, but the street was not included and staff felt it appropriate to include that on this annexation so that there would be no island portions of the road.

Commissioner Milne asked if it wasn't automatic to include the roads in annexations.

Ms Hardy stated the Engineering Department didn't recommend to include it.

Mr. Brown stated the legal description submitted by the applicant had not included it.

Commissioner Ewert asked what our reserve for low density residential (R1) land was at this time.

Ms Hardy stated there was no recent study.

Chair Ewert asked if that meant we did not know what our reserve is.

Mr. Hardy said that was correct, but the applicant had done his own analysis and was suggesting that the annexed land would create a two month supply.

Mr. Brown stated that in terms of a rate of consumption based on building permits issued from 1969 until this year he felt that 75 to 80 single family permits were issued on average each year with 250 being the highest number and 3 for this year being the lowest.

Commissioner Milne stated she thought that when the Northwoods Subdivision application was heard before the Commission there had been a study on how much land was available in Canby for single family homes.

Mr. Brown stated he was not aware of the study.

Commissioner Ewert asked about Item D under Other Considerations in the Development Agreement; why it was in the agreement and what the process would be.

Ms Hardy stated that the attorneys had inserted that item and if there would be any modifications, there would be a public hearing before the City Council.

Applicant: **Pat Sisul** of Sisul Engineering representing Norm Beck – stated this site had been before the Planning Commission in 2006, but was defeated by the voters by 250 votes. He said it had taken six or seven months to work through the development agreement process. He said Ms Hardy had done a good job explaining the process.

Mr. Sisul stated that the neighbors had indicated they wanted low density residential (R1) at the neighborhood meeting.

He said that based on the number of permits issued between 2004 and 2008, 499 building permits had been issued with a high of 201 in 2006 and a low of 15 in 2008. He also cited a study done by Portland State University for the school district that concluded that between 1996 and 2008 the average number of single family permits was 106 per year. Based on the information he concluded the current available land fell under a 3-year buildable supply.

Mr. Sisul stated the applicant was planning on a November 2010 election and it would be late 2011 before the land would be available to develop.

Commissioner Taylor asked if there was a preference for the park land dedication.

Mr. Sisul responded his preference was not to dedicate land, but it was the City's choice.

Ms Hardy stated the Molalla Forest Trail area was close by and that could serve this area, but the decision for dedication or SDC's would be made at the time of development.

Commissioner Joyce asked why the annexation had not passed the last time.

Mr. Sisul said he felt it was because of school over-crowding.

Proponents: None
Opponents: None
Neutral: None
Rebuttal: None

Chair Ewert closed the public hearing.

Commissioner Milne stated she felt the application met the criteria and she didn't see any red flags. She felt Mr. Sisul had given an accurate evaluation of the buildable lands.

Commissioner Ewert stated this site had been looked at in 2006 and felt this was a win-win for the City; that Pine Street will be built out and as soon as the economy rebounds this was a good jumping point.

Commissioner Milne moved to approve the Development Agreement in Exhibit B should be approved, executed, and recorded; and Annexation 09-01 in Exhibit C should be approved for submission to the electorate for vote; and the zoning of the property upon annexation shall be designated as follows: the westerly 20-foot-wide half of N. Pine Street (approx. 6,598 sq. feet) shall be zoned Medium Density Residential, and the remainder of the annexed property (approx. 4.62 acres) shall be zoned Low Density Residential; and approval shall include a Condition, consistent with recital 1.C of the Development Agreement, that Beck shall have 7 calendar days from the date the Council approves the Development Agreement, Annexation, and Zone Change, to record the Development Agreement; and failure to record the Development Agreement within the time specified will result in removal of the annexation application from the ballot for consideration by the electors. It was seconded by Commissioner Taylor. The motion passed 6-0.

- 4. NEW BUSINESS None**
- 5. FINAL DECISIONS None**
- 6. MINUTES**

November 9, 2009 - Commissioner Milne moved to approve minutes of November 9, 2009 with corrections on pages 2 and 4 to add the words "square feet" after 1,000. Motion seconded by Commissioner Slagle and passed 6-0.

7. ITEMS OF INTEREST FROM STAFF Commissioner Ewert asked if it was possible to have a buildable lands study done to help the Commission on future annexation applications.

Commissioner Ewert asked for an update on activity in the Industrial Park.

Ms Hardy said the applicants of the subdivision and minor land partition that had been approved had requested an extension to complete improvements to the sites.

Mr. Brown said the Walnut Street extension contract had been approved and a spring construction was planned.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION Mr.

Brown said the buildable land supply or land needs study has been recommended by Matilda Deas, Project Planner is needed for an update of the Comprehensive Plan.

Mr. Brown stated the customer service survey was complete and generally the results were favorable. He said a copy would be sent to the Commissioners.

9. ADJOURNMENT