



MINUTES
PLANNING COMMISSION
August 11, 2014 7:00 PM
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Commissioners Shawn Hensley, John Savory, John Serlet, and Larry Boatright

ABSENT: Chair Tyler Smith

STAFF: Bryan Brown, Planning Director, and Laney Fouse, Planning Staff

OTHERS: Ed Netter, Pat Sisul, Gordon Root, and Ken Rider - Council Liaison

1. CALL TO ORDER

Vice Chair Savory called the meeting to order at 7:00 pm.

2. CITIZEN INPUT ON NON-AGENDA ITEMS – None.

3. MINUTES

- a. *Planning Commission Minutes, July 14, 2014*

Motion: *A motion was made by Commissioner Serlet and seconded by Commissioner Hensley to approve the July 14, 2014 Planning Commission minutes as written. Motion passed 4/0.*

4. PUBLIC HEARING

- a. *Consider a request from Ed Netter for approval of a Minor Partition application proposing to partition three existing lots by splitting each equally to result in six lots suitable for single family attached homes in a R-2 zoned district located at 462 & 480 SW 3rd Avenue (MLP 14-01).*

Vice Chair Savory read the Public Hearing format and opened the public hearing.

Bryan Brown, Planning Director, entered the staff report into the record. This was an application for a minor lot partition for three existing lots with access on SW Third Avenue. There were previous homes on two of the lots that had been removed quite some time ago and existing homes in the area. The street had recently been overlaid, and the City would decide what degree they would allow cuts into the new street surface for the connections that might be necessary. The lots were approximately the same size and the idea was to divide each lot in half and place town homes on each tax lot. The town homes would have driveways and single car garages for parking. The existing street width was 32 feet, and the new City standard is 34 feet. Because of that, it would be narrower for on street parallel parking and two way traffic which would still function but contributing to traffic calming because of the narrowness. He did not think widening the street in front of these lots should be required since we would be unlikely to ever widen the remaining portions of this street. Sidewalks were required to meet the six foot wide City standard and two feet of the sidewalk would be placed on the private property. The applicant would be dedicating a sidewalk easement to cover that

additional sidewalk width. Staff did not receive a response from the utility companies and the applicant would continue to check with each utility to make sure a 12 foot public utility easement was needed. The general lot width/depth ratio was not met, however staff was not concerned as the lots only slightly exceeded the ratio and there were no adverse impacts. There was a question whether a parallel parking restriction adjacent to the partition was needed. He did not think there would be much room for parallel parking as the driveways were close together. Staff found the application conformed to the review criteria and recommended approval with conditions. A citizen who lived nearby submitted written comments explaining her concern that the application would add congestion and through increased traffic and parking on the street.

Applicant:

Ed Netter, applicant, said he was trying to take the already R-2 zoned lots and divide them in half to build individual sellable town homes that would be attached. He talked to the utility providers and they did not have an issue with the public utility easement. The utilities would be underground. He discussed where the on street parking was located. He was following the Code for the R-2 zone.

There was no proponent, opponent, or neutral testimony.

Vice Chair Savory closed the public hearing.

Commissioner Deliberation:

Commissioner Hensley confirmed the 12 foot easement was in the conditions.

Motion: *A motion was made by Commissioner Hensley and seconded by Commissioner Serlet to approve MLP 14-01 as written. Motion passed 4/0.*

- b. *Consider a request from Stafford Land Company for approval of a Subdivision application proposing a 4.47 acre residential subdivision consisting of 19 lots in an R-1 zoned district located at 1732 N Pine Street (SUB 14-04)*

Vice Chair Savory read the Public Hearing format and opened the public hearing.

Mr. Brown entered the staff report into the record. This was an application for a 19 lot subdivision on N Pine Street. The lot to the south was part of an annexation that would be on the November ballot. There was R-1.5 zoned property nearby, but the majority was R-1. This property would be developed as R-1. He explained the proposed layout of the subdivision. All but one lot had the sidewalks completely in the public right of way and the streets were proposed to be 34 feet wide which was the City standard. The applicant held a neighborhood meeting, and the width of the streets was one of the topics discussed and they came to an agreement for the 34 feet. When the property was annexed in 2009, the property had to enter into a Development Agreement which included continuing an extension of NE 17th Avenue. He explained how it would be aligned and the shadow plat that had been submitted by the applicant which showed how the property to the west might continue 17th Avenue. Regarding Plum Court, the applicant proposed on the west side to have planter strips except on Lot 13. In order to get every sidewalk to fit within the public right of way, Lot 13 would have a curb tight sidewalk and all the others would have a planter strip. Because of that, the pattern of street trees would continue and for Lot 13, there was a condition for a tree easement on the private property to plant a street tree. An alternative would be to move the sidewalk and put in a planter strip which would move the sidewalk in a sidewalk easement on private property and the street tree back in the right of way with a planter strip. The applicant preferred putting the

tree on the private property and leaving the sidewalk in the public right of way and that was how the condition was written. There was a pedestrian easement to the Logging Road Trail which was on Lot 11 which could result in issues with who would put in the fencing. It needed to be either a chain link fence or a screening fence that needed to be set back from the boundaries of the easement. Whatever fencing was done needed to be done in compliance with the ordinance requirement. Staff thought the application conformed to the review criteria and recommended approval with conditions. He discussed a written comment received wanting to preserve the deer and trees on the property, although it could not be done with the development. A traffic report was done in 2009 and said the additional 19 lots would have no significant impact on the local streets. There was a piped storm water system for the entire subdivision – public and private property.

Applicant:

Pat Sisul of Sisul Engineering was representing the applicant. He described the site and surrounding area. He discussed the location of 17th Avenue. Although the Development Agreement said 17th should be generally in a straight alignment, it deviated a little bit in order to meet the maximum 600 foot spacing from another intersection. The area was low density residential. He explained the existing conditions of the site and the layout of the subdivision with 17th Avenue in the middle of the property and lots on both sides. The lots would be an average of 8,500 to 9,000 square feet and were at the minimum width of 60 feet. The pedestrian walkway would be a connection to the Logging Road Trail and would also serve as a utility corridor. It would be 15 feet wide so the sanitary sewer vactor truck could drive there to vactor out the manhole. He discussed the shadow plat and how the property to the west could potentially develop. A street could be put down the middle of that site to generally align with 17th Avenue. Oak Street would probably not be a straight alignment and the shadow plat showed what he thought was the best option for connecting Oak. The shadow plat showed that where they had 17th Avenue worked for the off-site property and did not preclude them from being able to come up with a development. There was public water stubbed near the site which could be extended through Pine and the development. The storm drain plan was part of the N Redwood Advanced Financing District and there were two alternatives. The preferred route was to cross the Logging Road Trail and come up on the west side of the property that was to be annexed. If the timing did not work out, there was an alternative to the plan. Sanitary sewer would come from the Logging Road Trail and up to Pine Street and would be able to be extended in the future. He explained the grading and profile of what 17th would like. The application proposed all of the sidewalks to be in the public right of way and not on private property. 17th Avenue would be a 57 foot right of way, 34 feet of paved street, 6 inch curbs, 4.5 foot planter strips, 6 foot sidewalks, and an extra six inches behind the sidewalk on either side. Plum Court would also be 34 feet wide to accommodate the neighborhood request, however there was some lot size limitations on the east side of the street between Plum Court and the Logging Road Trail. The proposal was for that section of road to make the sidewalk curb tight with street trees on the back side. The opposite side of the street would have a planter strip and six foot sidewalk. It was not out of character with the area and would meet the requirement to have all of the public sidewalks in the public right of way. The pedestrian access way would be 15 feet paved with removable bollards.

Gordon Root addressed the connectivity of the site. All of the utilities connected to the site and they were planning for the future development of the surrounding properties. Regarding Plum Court, he thought the middle of the annexation property would be a good place to have the transition point from 36 feet to 34 feet. He explained how it would function as a hammerhead turn around for emergency vehicles until the annexed property was developed. He thought the street trees behind the public sidewalk was a good option and was done in other jurisdictions. The fencing along the trail connection would be put in by the developer. He anticipated it would be a six foot black chain link fence. It would be a 15 foot paved trail capable of maintaining the weight of city vehicles.

They anticipated building all of the homes themselves. The berms were 144.5 feet deep and he proposed moving the berms and trees north to provide some privacy from the multi-family development nearby. He explained where the fire hydrants would likely be located.

There was no proponent, opponent, or neutral testimony.

Vice Chair Savory closed the public hearing.

Commissioner Deliberation:

Commissioner Hensley commended the applicant for putting the sidewalks in the public right of way. Commissioner Serlet commended the applicant for reusing the materials for the berms.

Motion: *A motion was made by Commissioner Serlet and seconded by Commissioner Boatright to approve SUB 14-04 as written. Motion passed 4/0.*

5. NEW BUSINESS – None.

6. FINAL DECISIONS

(Note: These are final, written versions of previous oral decisions. No public testimony.)

a. Beck (SUB 14-04)

Motion: *A motion was made by Commissioner Hensley and seconded by Commissioner Serlet to approve the final findings for SUB 14-04 as written. Motion passed 4/0.*

b. Netter (MLP 14-01)

Motion: *A motion was made by Commissioner Hensley and seconded by Commissioner Serlet to approve the final findings for MLP 14-01 as written. Motion passed 4/0.*

7. ITEMS OF INTEREST/REPORT FROM STAFF

a. Next Regular Planning Commission meeting scheduled for Monday, August 25, 2014.

Mr. Brown announced the City won the second LUBA appeal case regarding the City Council's approval of the Fred Meyer fuel station application. They were waiting to see if that decision would be appealed. Currently there was nothing planned for the August 25 agenda and the meeting would likely be canceled.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION – None.

9. ADJOURNMENT

Motion: *Commissioner Hensley made a motion to adjourn; Commissioner Boatright seconded the motion. Motion passed 4/0. Meeting was adjourned at 8:30 pm.*

The undersigned certify the August 11, 2014 Planning Commission minutes were presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 22nd day of September, 2014



Bryan Brown, Planning Director



Laney Fouse, Minutes Taker

Assisted with Preparation of Minutes – Susan Wood