

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – April 27, 2015
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Commissioners John Savory, Shawn Hensley, John Serlet, Larry Boatwright, and Kris Rocha

ABSENT: Tyler Smith

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

OTHERS: Clint Coleman, Councilor and Planning Commission Liaison, Lee Wiegand, Kim Wiegand, and Jenny Wiegand

1. CALL TO ORDER

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

2. CITIZEN INPUT – None

3. MINUTES – None

4. NEW BUSINESS – None

5. PUBLIC HEARING

- a. Consider a Conditional Use Permit application from Lee P. Wiegand to allow construction of a detached garage with an accessory dwelling unit above, located in the rear yard of 613 N Holly St. **(CUP 15-01)**

Chair Savory opened the public hearing and read the hearing statement. No Commissioner had any conflicts of interest or ex parte contacts to declare.

Bryan Brown, Planning Director, entered the staff report into the record. This was a Conditional Use application in a low density residential zone for constructing an accessory dwelling unit above a new detached garage. The applicants worked hard to make sure the unit did not exceed the 800 square foot maximum size and height of the unit would not exceed the 22 foot maximum. Staff would like the Commission to consider finding an exception to the other standard that the height was slightly over 2 feet taller than the existing home when it should not exceed the height of the principal structure. The City encouraged setting structures 4 additional feet back from an alleyway for adequate space for vehicles to back out. The applicant had done so voluntarily. This was a large lot and there was room for the unit. The existing home was historic and they did not want to do an addition which could have been by right, but to add a detached accessory dwelling instead. The applicant planned to match the exterior character of the existing home. The roof could be lowered to not exceed the existing home height to comply, but it would create a nearly flat roof which would not be considered suitable or compatible with the neighborhood. The large lot helps assure that the ADU will not pose an incompatible use with the surrounding properties. He suggested changing the Code to make both attached and detached accessory dwellings outright permitted uses in order to encourage these types of units in low density districts to prevent urban sprawl. They satisfied the one additional parking space requirement by building a garage underneath. There was no adverse impact on utility services. There was a letter from a citizen concerned about this becoming a separate rental unit in the future, however the applicant's intent was to house family members. It could be used as a rental unless the Planning Commission places a specific condition to prohibit it. The other written testimony received was in support of the application. Staff recommended approval with conditions.

Applicant: Lee Wiegand, resident of Canby, was the applicant along with his wife, Kim, and daughter, Jenny. His house was built in 1926 and was made from terra cotta. It could not be torn into to include an addition. His father had lived in the house, he bought the house from him, and he intended to pass it on to his children. He would like the height to be as proposed in the application. He thought it would be complicated to condition it for a non-rental use.

Kim Wiegand said they planned to tie in the utilities to the existing house. Mr. Wiegand explained how water and power would be brought to the new unit.

Proponents: None

Opponents: None

Rebuttal: None

Chair Savory closed the public hearing.

Deliberation:

There was discussion regarding the suggested findings for the height exception.

Commissioner Serlet thought it made sense due to the historical nature of the house, pitch of the roof, and a flatter roof would go against the architecture.

Mr. Wiegand said there were two chimneys that were two feet above the existing roof.

Commissioner Savory did not have a problem with the height or with it becoming a rental in the future.

Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Boatwright to approve CUP 15-01 as stated by staff with the findings for the height exception to be the pitch of the roof, a flat roof would not be compatible, and the existing chimneys would match the height of the accessory dwelling. Motion passed 5/0.

6. FINAL DECISIONS – None

7. ITEMS OF INTEREST / REPORT FROM STAFF

- a. Next regular Planning Commission meeting scheduled for Monday, May 11, 2015

Mr. Brown reported on the meetings for the N Redwood Concept Plan.

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

9. ADJOURNMENT

Motion: Commissioner Serlet moved for adjournment, Commissioner Hensley seconded. Motion passed 5/0. Meeting adjourned at 7:40 pm.

The undersigned certify the April 27, 2015 Planning Commission minutes were presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 8th day of June, 2015


Bryan Brown, Planning Director


Laney Fouse, Minutes Taker

Assisted with Preparation of Minutes – Susan Wood