

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – July 11, 2016
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Commissioners John Savory, Shawn Hensley, Larry Boatright, Kris Rocha, John Serlet, and Derrick Mottern

ABSENT: Tyler Smith

STAFF: Bryan Brown, Planning Director

OTHERS: Scott Beck, Tom Scott, and Pat Sisul

1. CALL TO ORDER

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

2. CITIZEN INPUT – None.

3. MINUTES

- a. May 9, 2016 Planning Commission Minutes

Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Serlet to approve the May 9, 2016, Planning Commission minutes. Motion passed 5/0.

4. PUBLIC HEARING

- a. Consider a request for a Site & Design Review for a proposed multi-tenant Commercial Building (DR 16-03 Tom Scott)

Chair Savory opened the public hearing and read the public hearing format. He asked if any Commissioner had a conflict of interest or ex parte contact to declare. Commissioner Hensley worked on SW 2nd and drove by the site every day.

Bryan Brown, Planning Director, entered the staff report into the record. This was a site and design review for 851 SW First Avenue adjacent to Burgerville and Taco Bell. This was to solve an existing issue with the driveway off of 99E which was a common driveway with Burgerville and there had been issue with Burgerville customers parking on this property. This new design would make the driveway an exit for Burgerville and there would be a new two-way driveway for this property. A traffic study was done and the recommendations were to keep the site lines clear with low landscaping and parking spaces away from the driveway, large truck deliveries would be done at off peak hours, two parking spaces were removed that were planned to be at the entrance off of Highway 99E, and increasing the bicycle spaces from five to seven spaces. The building would be 6,109 square feet with four different retail tenants. The applicant thought they qualified for a reduction in the minimum required parking spaces by 10% based on the fact that they had a unique situation of having the high school directly across the street and a great deal of the customers would be pedestrian oriented coming to the site. Some of the requirements the application did not meet were related to this property being in the Downtown Overlay

District in the Outer Highway Commercial Subarea. The Outer Highway encouraged automobile uses, but the standards did not allow that. The standards required buildings to be close up to the street as possible and a floor area ratio of .18. To meet the standard the building would have to be close to the street which would make it difficult for a drive thru scenario and they would have to build a two story building which was uncommon for this type of retail use. The Commission had faced this issue before and he suggested the design standards for the Outer Highway areas be changed in the future so applications did not have to try to comply with standards that were geared for the downtown core commercial area. Staff was pleased with the proposed appearance of the building and it would be an upgrade to the highway frontage. The outdoor lighting standards were met.

Applicant: Scott Beck, architect, was representing the applicant. This was a mixed use highway oriented commercial project. Some of the project goals were visibility, curb appeal, and pedestrian friendly connections. All sides of the building could be viewed which was taken into the consideration in the design. The highest and best use for the site was to accommodate a drive up window and in order to have that, they had to be able to queue up a number of cars and also have room for parking. They also wanted to make the building compatible with the adjacent neighborhood but still have individual identity. The expected tenants were food related, such as a sandwich shop or pizza, and there would also be retail. There would be a two way access from 99E to 4th Avenue and a broad pedestrian walkway in front of the building. They were requesting a 10% reduction of parking due to the vicinity to the high school and they were providing a pedestrian oriented development with extra wide sidewalks and seating. The first two upper left parking stalls had been eliminated per the traffic study for safety concerns and there would be seven bicycle stalls. He explained the revised site plan parking, landscaping, and building elevations. The building would have contemporary architecture with flat parapet walls of varying heights. It would have dominant cornice line and architectural elements to break up the mass of the building. There would be a covered walkway and the bicycle parking would be covered. The design met the Code with a few exceptions. One was having a larger setback than the 10 feet allowed and 40% façade frontage. In order to accommodate the drive up window, there needed to be a loop around the building, so the setback was 21 feet, eight inches from 99E. They provided 43% of the façade frontage in order to make the radius work for the drive up aisle. Another exception was the floor area ratio. The Code required 25% and the applicant was proposing 18.5% in order to provide adequate landscaping and parking. Having a two story building would be difficult due to the need for space for stairs and an elevator as well as the needed rooftop fans for the restaurant tenants. Another exception was the requirement for a 15 foot landscape buffer for the drive aisle, and the applicant was requesting reducing the 15 feet to 5 and a half feet. The last exception was the requirement for a 13 x 35 dedicated loading stall and the applicant was proposing a 13 x 35 non-marked loading space. The tenants would not have bulky merchandise and the deliveries would be done at off peak hours and the applicant was requesting to have a non-dedicated stall. They were planning to add fire sprinklers to the building.

There was discussion regarding waiving the development standards for these types of applications and examples of waiving the standards for other projects in the City.

Proponents: Tom Scott, resident of Canby, was representing the family that owned the property. The property was purchased eight months ago. The previous building had burned down in May of 2015. They did a market analysis for what they could do with it, and after looking at the options, this one worked out from a marketable standpoint and functionality long term. They expected to have the building filled in the next couple of months. They had a deeded access to the property that they wanted

to move 12 to 15 feet to the west and ODOT agreed verbally to the move. They would remove the access next to the Taco Bell. The setback reduction was needed as the drive thru window was important in this location and there had to be a way to loop people around the building. He thought this building would end up being closer to the street than other nearby businesses and they had to make the property functional and reasonable. Regarding the floor area ratio, it was difficult to put a two story building here and expect tenants to be successful. It was not the area for a two story building and more parking would be required when they had already maximized the parking. Regarding the 15 foot landscape buffer, there was an ODOT right-of-way near the property line that would be landscaped and maintained. It was close to where the 15 foot buffer would be. There was a City-owned 30 foot right-of-way that the applicant offered to maintain as well.

Opponents and Neutral: None

Chair Savory closed the public hearing.

Mr. Brown said in regard to the 15 foot landscape buffer, the intent was to move parking to the side or rear to see the building not a parking lot in front of the building.

Motion: A motion was made by Commissioner Rocha and seconded by Commissioner Boatright to approve DR 16-03 Tom Scott with the five modifications to the design standards. Motion passed 6/0.

- b. Consider a request for a 6 lot Subdivision suitable for single family dwellings (SUB 16-02 Charlie Clark)

Chair Savory opened the public hearing and read the public hearing format. He asked if any Commissioner had a conflict of interest or ex parte contact to declare. There was none.

Mr. Brown entered the staff report into the record. This was a request for a subdivision consisting of six lots in the low density R1 zone. The surrounding neighborhood was low density as well and when developed this application would help supply street connectivity in the area as it would complete the gap on N Oak Street. There was a slight curve in order for the dead ends to connect which pushed a half street improvement on the adjacent property to the east. The applicant negotiated with the adjacent property owner and they were able to secure a dedication deed in order to complete the construction. He commended the applicant for combining these three smaller lots into one project and coming up with a good layout that gave the Fire Department good access and provided a mix of lot sizes. The internal private road would be located on the south side, closer to 14th Avenue. There was a shadow plat for what might happen to the east as that property developed and how it would line up with this application. The plans had a sidewalk coming off of N Oak Street that would allow good pedestrian access internally for these lots. They were trying to find a name for the private street, and staff suggested it be called Kaitlyn Place. All the stormwater was proposed to be dry wells.

Applicant: Pat Sisul, Sisul Engineering, was representing the applicant. The proposal was to divide the property into six lots, two of them fronting on Oak Street. Oak currently dead ended to the north of the site and to the south of the site. To the south it was constructed to a 40 foot curb to curb width and a 60 foot right-of-way and to the north it was a dedicated 30 foot curb width with 19 feet of pavement. The goal was to create a transition through the site that tied a 40 foot wide road into a 19 foot wide road. The

plan was to build a 28 foot, two lane road through the site and that necessitated going to the neighbor to the east and getting a right-of-way dedication deed. The two lots that faced Oak were slightly over 7,000 square feet, and the other lots down the private driveway would be bigger. The driveway would be on the south side of the site due to the property owner's preference and the sanitary sewer worked better on the south side. The private driveway would be owned in common by lots 3 through 6. There was discussion regarding the area between the paved surface and the property lines to the south and there was consensus to gravel it so it could be easily maintained. The stormwater would be maintained on the lots, and the private driveway and Oak Street would have dry wells. The water line would be looped through the site. There would be a mix of one and two story homes. He thought the name Kaitlyn Place would be used.

Proponents, Opponents, Neutral: None

Rebuttal: None

Chair Savory closed the public hearing.

Motion: A motion was made by Commissioner Rocha and seconded by Commissioner Serlet to approve SUB 16-02 Charlie Clark. Motion passed 6/0.

5. NEW BUSINESS – None

6. FINAL DECISIONS

a. DR 16-03 Tom Scott

Mr. Brown said there would be waivers for the five ordinance requirements and three of the conditions would be removed.

Motion: A motion was made by Commissioner Rocha and seconded by Commissioner Serlet to approve the final decisions for DR 16-03 subject to the waiver of the five ordinance requirements. Motion passed 6/0.

b. SUB 16-02 Charlie Clark

Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Rocha to approve the final decisions for SUB 16-02. Motion passed 6/0.

7. ITEMS OF INTEREST / REPORT FROM STAFF

a. Next regular Planning Commission meeting scheduled for Monday, July 25, 2016

Mr. Brown reviewed what would be on the agenda for the July 25 meeting.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

Commissioner Hensley checked out the new McDonalds driveway and was impressed that they extended the driveway curbing to accommodate a neighboring business.

9. ADJOURNMENT

Motion: Commissioner Serlet moved for adjournment, Commissioner Boatright seconded. Motion passed 6/0. Meeting adjourned at 9 pm.

The undersigned certify the July 11, 2016 Planning Commission minutes were presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 26th day of September, 2016

Bryan Brown, Planning Director

Laney Fouse, Meeting Recorder

Assisted with Preparation of Minutes – Susan Wood