

**MINUTES**  
**CANBY PLANNING COMMISSION**  
7:00 PM – Monday, February 13, 2017  
City Council Chambers – 222 NE 2<sup>nd</sup> Avenue

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**PRESENT:** Commissioners John Savory, Larry Boatright, Derrick Mottern, Tyler Hall, Shawn Varwig and Andrey Chernishov

**ABSENT:** John Serlet

**STAFF:** David Epling, Associate Planner, and Laney Fouse, Recording Secretary

**OTHERS:** Rick Givens, and Brett and Shannon Allee

**1. CALL TO ORDER**

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

**2. CITIZEN INPUT – None**

**3. MINUTES**

- a. January 23, 2017 Planning Commission Minutes

*Motion:* A motion was made by Commissioner Hall and seconded by Commissioner Mottern to approve the minutes of January 23, 2017. Motion passed 6/0.

**4. NEW BUSINESS – None**

**5. PUBLIC HEARING**

- a. Consider a request for a Minor Land Partition of an existing 23,958 square foot lot into three parcels located at 582 N Knights Bridge Road. (**MLP 16-03 Brett & Shannon Allee**).

Chair Savory opened the public hearing and read the public hearing format.

David Epling, Associate Planner, entered his staff report into the record. This was a request to divide an existing 23,958 square foot lot into three parcels. All three parcels would meet the minimum and maximum lot size for the R-1 zone. Access and utilities would be in a 20 foot wide easement. The utilities would be taken from Knights Bridge Road. Sidewalks were not required. This application did not warrant a traffic study and the safety standards had been met. The proposed driveway would maintain a five foot setback from the adjacent property. The existing driveway on the adjacent property did not meet the five foot setback and this property would not meet the ten foot setback between driveways. Staff thought just because the adjacent property was not in compliance, the property owner should not be denied the right to develop the property. In-fill criteria could apply at the time of building permit submittal. Staff found there was no evidence that the additional lots would impact the suitability or existing access to the lots within the neighborhood. No new roads were being proposed to trigger the minimum access standard. There were existing trees along the

frontage of N Knights Bridge, and no street trees would need to be planted and no street tree easements would be required. The proposed lots met the size, width, and shape criteria. The Commission could allow the creation of a flag lot per code. Only 15 feet of the easement would be paved because a transformer was to go in. Staff suggested creating a jog in the pavement or block out the area for any utility equipment outside of the required 20 feet of paved easement. The transformer area needed to be shown on the final plat. A paved driveway approach to City standards was required for the new access onto Knights Bridge Road. Staff recommended improvements be limited to the paved driveway approach, sewer main extension, water lateral connection, and compliance with building and erosion control standards within the development. Staff recommended approval of the application subject to the conditions of approval.

Commissioner Boatright clarified the Commission would have to waive the 20 foot paved easement requirement to allow them to only pave 15 feet.

Commissioner Varwig asked what the ramifications would be to have a 15 foot paved easement rather than a 20 foot. Mr. Epling said there may be issues regarding cars coming in and out at the same time and not having enough width to get by each other.

#### Proponents:

Rick Givens, planning consultant in Oregon City, was representing the applicants. They agreed with everything in the staff report except the paved road width. During the pre-application meeting, the Planning Director thought he could support the 15 foot width for the driveway. If the 20 feet was paved, it got close to the house in the corner and took out a tree that could otherwise be saved. At 15 feet, it lined up so the pavement came into the driveway of the existing home rather than creating a notch. He asked that the 15 foot width be considered. He thought 16 feet was adequate to allow cars to pass.

Commissioner Hall asked if there was a different width that would be acceptable to them. Mr. Givens responded any reduction would be helpful, even 17 to 18 feet would be better than 20.

Opponents and Neutral Testimony: None.

Chair Savory closed the public hearing at 7:22 pm.

Commissioner Boatright thought a 15 foot driveway was acceptable.

Commissioner Varwig stated the wider the driveway the better. He was in favor of 18 feet.

Commissioner Mottern asked if reducing a paved driveway had been done before. Mr. Epling said yes, 15 foot driveways had been approved under certain circumstances.

Commissioner Chernishov said the bottle neck was at the existing home. He suggested having a narrower driveway near the home and widening out after the home.

Commissioner Mottern asked if there were any requirements from an emergency standpoint. Mr. Epling replied the Fire Department did not have a problem with what was being proposed.

Mr. Givens said the Fire Code required 20 feet of clear space but allowed down to 12 paved feet for two homes. The idea of narrowing it at the existing house and widening it further on was acceptable.

**Motion:** A motion was made by Commissioner Varwig and seconded by Commissioner Mottern to approve MLP 16-03 Brett & Shannon as written except for the driveway to be reduced to 15 feet of paved area extending along the west side of the existing dwelling from a point 20 feet from the front property line for a distance of 40 feet and from that point widen to 20 feet of pavement for the remaining length of the easement. Motion passed 6/0.

## **6. FINAL DECISIONS**

- a. MLP 16-03 Brett & Shannon Allee

**Motion:** A motion was made by Commissioner Mottern to approve the final decisions for MLP 16-03 Brett & Shannon Allee. Motion passed 6/0.

## **7. ITEMS OF INTEREST / REPORT FROM STAFF**

- a. Next regular Planning Commission meeting scheduled for Monday, February 27, 2017.

Mr. Epling said the items that would be on the next meeting's agenda included the Northwood Estates Phase III and Canby Utility's new facility.

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

## **9. ADJOURNMENT**

**Motion:** Commissioner Hall moved for adjournment, Commissioner Varwig seconded. Motion passed 6/0. Meeting adjourned at 7:36 pm.