

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – Monday, August 28, 2017
City Council Chambers – 222 NE 2nd Avenue

PRESENT: Commissioners John Savory, Larry Boatright, John Serlet, Derrick Mottern, and Shawn Varwig, and Tyler Hall

ABSENT: Commissioner Andrey Chernishov

STAFF: Bryan Brown, Planning Director, and Laney Fouse, Recording Secretary

OTHERS: Jason Bristol, Natalie Bristol, Havlin Kemp, and City Councilor Tyler Smith

1. CALL TO ORDER

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

2. CITIZEN INPUT – None

3. MINUTES

Approval of the June 26, and July 10, 2017 Planning Commission Minutes

Motion: A motion was made by Commissioner Serlet and seconded by Commissioner Varwig to approve the June 26, 2017 Planning Commission minutes. The motion passed 6/0.

Motion: A motion was made by Commissioner Varwig and seconded by Commissioner Mottern to approve the July 10, 2017 Planning Commission minutes. The motion passed 6/0.

4. NEW BUSINESS – None

5. PUBLIC HEARINGS

a. Consider a request for a Zone Change and Comprehensive Plan Amendment for 853 & 861 S Redwood St. **(ZC 17-01/CPA 17-01 Hostetler)**

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 Varwig said Peter Hostetler and he attended church together. He did not think that would have any bearing on his decision.

Commissioner Boatright drove by the site.

Bryan Brown, Planning Director, entered his staff report into the record. This was a request for a zone change and Comprehensive Plan map amendment for two tax lots on S Redwood Street to be changed from R-1 to R-1.5. The original application included a subdivision as well, but that had been withdrawn. The applicant was now planning to only divide the lower tax lot into three lots and only needed to do a partition. He showed a map of what was on the property today, two existing homes and a detached garage. There were existing easements around the outside edge of the property and two street frontages. If

the applicant partitioned the upper lot, it would leave a detached garage without an associated residence on the tax lot which would create a non-conformity. The garage would need to be removed and the applicant was not ready to do that. Staff thought the change in zoning would be a more efficient use of the land, it extended the higher density to the street boundaries, and there was a need for smaller residential lots. A traffic analysis was done and no expected further degradation of the traffic conditions on the two adjacent streets was found. Staff recommended approval of the application.

Commissioner Boatright asked where on Redwood was the higher density. Mr. Brown said immediately to the north and west there was R-1.5. These were the only two lots left in the area that did not have that designation.

Chair Savory asked why staff was not recommending improvements on Redwood with the rezoning. Mr. Brown replied there was a subsequent application for a partition and a half street improvement would be required to be done through that application. Redwood was a County road and the County dictated what would be done on that road. That was another reason the applicant decided not to do a subdivision because the County would have made him remove the existing driveway on the northern lot, which was his parent's lot. He decided to start with a less impactful partition on the southern lot.

Commissioner Varwig asked if medium density residential allowed for attached dwelling units. Mr. Brown said it allowed detached or attached duplexes or triplexes. The applicant was proposing single family homes on the partitioned lots.

Public Testimony: None.

Chair Savory closed the public hearing.

Motion: A motion was made by Commissioner Mottern and seconded by Commissioner Varwig to approve ZC 17-01/CPA 17-01 Hostetler. The motion passed 6/0.

b. Consider Minor Land Partition and Variance applications to partition a .21 acre property into three parcels. **(MLP 17-03/VAR 17-02 Bristol)**

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 his staff report into the record. This was a request for a minor land partition and variance to divide a .21 acre property on NE 4th Avenue into three parcels. It was in a high density zone area and N Locust ran north and south of the east boundary of the property. He explained the proposed lot lines and how the applicant intended to build common wall townhomes. The minor variance was needed in order to save the existing house. The variance was for the rear setback to allow a 9.5 foot rear yard instead of the required 10 foot. This was a 5% variance that the Planning Director could approve, and he did support the variance. There would be a new driveway for the existing home off of N Locust Street. There would also be driveways accessing the townhomes as well. One of the City's standards was a 10 foot separation between individual residential driveways on local streets, which meant at the right-of-way line there was a five foot separation from an adjacent property line. Another issue was related to the half street improvements. There was no need for improvements on NE 4th Avenue except an ADA ramp at the intersection. The City had a street improvement project planned for this section of N Locust Street, however the final design had not been decided. No additional right-of-way was being requested because it was very unlikely the street would be widened. They were asking the applicant not to make the half street improvements at this time, but to have their engineer calculate the cost of a standard half street improvement with a curb tight sidewalk and contribute cash that the City would use for the project. The

project would be done next fiscal year. In fill home standards did not apply to high density residential zone properties, but there were residential design standards that the townhomes would have to follow. He then reviewed the conditions of approval. He recommended changing the wording on the condition about the driveways to say the driveways proposed on Parcels 2 and 3 would have a five foot separation from the adjacent property lines. Staff recommended approval of the application with conditions.

Chair Savory said the Fire Department recommended residential fire sprinklers due to the proximity of the proposed buildings to other structures. He asked if that needed to be included in the conditions. Mr. Brown said it was a recommendation, not a requirement.

Public Testimony:

Applicant: Jason Bristol, Canby resident, said there were duplexes and Habitat for Humanity homes in the area. He was doing a complete update to the existing house. It would be a nice corner lot with an updated house that would lead into the area. Regarding the fire sprinklers, there would be standard setbacks for the homes. The common walls would be built per fire standards. He was willing to contribute his share for the street improvements.

Proponents and Opponents: None.

Chair Savory closed the public hearing.

Motion: A motion was made by Commissioner Boatright and seconded by Commissioner Varwig to approve MLP 17-03/VAR 17-02 Bristol with the change to Condition #7 regarding the driveways. The motion passed 6/0.

c. Consider a request for Site & Design Review, Conditional Use Permit, and Variance applications to construct a 73, 215 sq. ft. warehouse and building on 4.4 acres in the Canby Industrial Park. **(DR 17-06/CUP 17-04/VAR 17-03 VLMK/BE Group)**

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 his staff report into the record. This proposed project was located in the Canby Pioneer Industrial Park. The BE Group was currently in Wilsonville and wanted to relocate in Canby. It would be a distribution facility for pressure washers and small farm equipment. They were also proposing some rental lease spaces. These were two parcels, and one parcel had two zoning designations, M-1, light industrial, and M-2, heavy industrial. The uses that were proposed fit in with the M-1 zone. It fronted on SE 4th Avenue. There were industrial uses on both sides of the property. It was part of the Trend Business Center that had been built along Sequoia Parkway who was selling off these parcels. One issue was there were existing utility easements at the property line and the applicant was planning to build over the property line and the easements. There was a condition that the applicant would replat this area to consolidate the lots and to gain consent from the utility providers that might want to utilize the easements. There were no utilities currently in the easements. He discussed the site plan for the property. They met all of the standards. There would be two driveways on each side for truck circulation. They also had planned for the required 78 parking spaces, but were asking that 46 spaces be delayed because they were not needed at this time. It would set precedent and other applicants might request less parking than what was in the standards, however no one wanted a lot of extra pavement when it was not needed. Staff recommended the Commission look at the delay and to put a set time period on it. Because the property was located in the Industrial Overlay Zone, there was supposed to be 200 foot spacing between driveways. They had 450 feet of frontage and if they put their driveway in the middle of the site, they

could meet the standard. However, that would cause them a hardship in terms of the size of the building and adequate circulation around the building that separated the truck use from employee parking. There were issues with trying to combine driveways with adjacent properties, especially the cost. There was low traffic volume in this location. The applicant was requesting a variance for the driveway spacing. The Conditional Use had to do with the standard for 12 employees per acre in the Industrial Park. Most of the current uses did not meet the standard and the Council's direction was that the standard was aspirational, but there could be discretion for the suitability of the businesses proposed. Staff thought this was the right kind of use in the Industrial Park. They might meet the standard in the future with the leased space, but they did not know now if it could be met. Staff recommended approval with conditions.

Public Testimony:

Applicant: Havlin Kemp, VLMK Engineering, was representing the BE Group. Currently they only needed about half of the building and the other half would be used for two tenants. Regarding the parking request, they planned to design the site with all of the required spaces in mind, but not put in the parking on the south side at this time but to put in a curb and landscaping. It was not a cost issue. BE Group did not have the need for the extra parking, but it could be required at the time of a building permit application for tenant improvements. The BE Group had need for outdoor storage which would occur in the back of the building. There would be a screening fence around the perimeter so it was not viewed from the street. Regarding the driveways, they were trying to maximize the size of the site and provide a building that worked for the BE Group. They would like to have angled docks on the back of the building which required trucks to be able to come in from both directions around the building. The request was to have a driveway on either side of the property. They were also trying to keep the truck traffic separated from passenger vehicle traffic. In reviewing the traffic report, the traffic volumes were very low on the street.

There was discussion regarding the delay in putting in all of the parking and setting a precedent for future applications.

Proponents and Opponents: None.

Chair Savory closed the public hearing.

Motion: A motion was made by Commissioner Mottern and seconded by Commissioner Varwig to approve DR 17-06/CUP 17-04/VAR 17-03 VLMK/BE Group and that all the parking be required up front and not delayed. The motion passed 6/0.

6. FINAL DECISIONS

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

a. ZC 17-01/CPA 17-01 Hostetler

Motion: A motion was made by Commissioner Mottern and seconded by Commissioner Serlet to approve ZC 17-01/CPA 17-01 Hostetler. Motion passed 6/0.

b. MLP 17-03/VAR 17-02 Bristol

Motion: A motion was made by Commissioner Varwig and seconded by Commissioner Hall to approve MLP 17-03/VAR 17-02 Bristol. Motion passed 6/0.

c. DR 17-06/CUP 17-04/VAR 17-03 VLMK/BE Group

Motion: A motion was made by Commissioner Serlet and seconded by Commissioner Hall to approve DR 17-06/CUP 17-04/VAR 17-03 VLMK/BE Group. Motion passed 6/0.

7. ITEMS OF INTEREST/REPORT FROM STAFF

The next Planning Commission meeting scheduled for Monday, September 11, 2017.

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

9. ADJOURNMENT - Meeting adjourned at 8:28 pm.