

**APPROVED MEETING MINUTES  
CANBY PLANNING COMMISSION**

6:00 PM – January 22, 2024

City Council Chambers – Virtual Meeting via Zoom

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**PRESENT** – Commissioners: Dan Ewert (Vice Chair), Michael Hutchinson, Judi Jarosh, Craig Lewelling, Jennifer Driskill,

**ABSENT** – Matt Ellison (Chair), Hannah Ellison

**STAFF** – Don Hardy, Planning Director, Brianna Addotta, AICP, Associate Planner, Laney Fouse Lawrence, Recording Secretary, Emily Sasse, Office Specialist, and Ryan Potter, AICP, Planning Manager

**OTHERS** – Pat Sisul, Jason Bristol, Jessica Croald, Joseph Clifford, Cameron Lawrence, Miranda Helenius, Alex, Helenius, Bryce Lewis, Chealsey Lewis, Wade Young, Beverly Just, Christopher Sitown

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**1. CALL TO ORDER**

**Vice Chair Ewert called the meeting to order at 6:00 PM.**

a. Pledge of Allegiance

**2. CONSENT ITEMS**

a. Draft Meeting Minutes – July 10, 2023

**Motion:** A motion was made by Commissioner Jarosh and seconded by Commissioner Driskill to approve the draft meeting minutes for July 10<sup>th</sup>, 2023, as written. Motion passed 4/0.

b. Final Findings – DR 23-03/CUP 23-01, Clackamas County Fairgrounds Multipurpose Building

Vice Chair Ewert expressed concerns regarding the wording of Condition of Approval #2 within the final findings. Director Hardy suggested leaving the condition as written but adding a clarifier that says Planning Staff will review the documentation provided by the applicant and will inform the Planning Commission whether a modification process and parking management plan is required.

**Motion:** A motion was made by Commissioner Driskill and seconded by Commissioner Hutchinson to approve the final findings for DR 23-03/CUP 23-01, Clackamas County Fairgrounds Multipurpose Building, with additional clarification to Condition of Approval #2. Motion passed 5/0.

**3. CITIZEN INPUT ON NON-AGENDA ITEMS** – None

**4. NEW BUSINESS** – None

**5. PUBLIC HEARINGS**

a. **Tievoli Commons (DR 23-06/PLA 23-05) – Brianna Addotta, AICP, Associate Planner**

The project applicant requested Planning Commission approval to construct a housing development consisting of 30 townhome-style condominium units clustered into seven buildings. The subject property is zoned for High Density Residential uses and is in southeast Canby north

of SE Township Road and east of S Knott Street. The proposed project requires approval of a Type III Site and Design Review (DR) application and a Property Line Adjustment (PLA). Vice Chair Ewert opened the public hearing by asking if any of the Commissioner had any conflicts of interest or ex parte contact with the applicant and to declare the nature and extent of such contact. Commissioners Ewert, Lewelling, and Driskill visited the project site. All three commissioners asserted that the site visit did not affect their involvement in the meeting.

Brianna Addotta, AICP, Associate Planner, presented the staff report for the Tievoli Commons project (DR 23-06/PLA 23-05). She briefly explained the project proposal and discussed existing conditions and applicable zoning and development standards. Parking standards, driveways, and access spacing were discussed. Addotta stated the applicant will be providing 11 guest parking spaces when the standard is 6 spaces and described how the orientation of the building will face the street. Findings from the transportation impact analysis were shared with the proposed project adequately addressing each transportation approval criteria and livability measure. Agency comments were mentioned, and services and utilities are (or will) be available through the conditions of approval included in the staff report. Public comments concerning density, noise, privacy, and safety were shared along with responses from staff. Based on the application submitted and the facts, findings and conclusions of the staff report, Planning Staff recommended approval of DR 23-06 and PLA 23-05, subject to the conditions of approval.

Vice Chair Ewert sought questions from the members of the Commission regarding the hearing. Commissioner Driskill asked for further clarification as to how the applicant met the 15% standard for open space and common area. Addotta said she was unsure if there were regulations for including landscaping within open space and common areas. Hardy agreed with Addotta's point and asked the applicant to address the question in their presentation. Further discussion surrounding parking, garage use, and privacy were brought up for the applicant to address. Lastly, Commissioner Driskill asked why the closest intersections (Township and Knott) were omitted from the transportation impact analysis.

Vice Chair Ewert asked why the site distance at the proposed accesses was unable to be determined at this point. Addotta said it is an engineering exercise that is discussed between Public Works, DKS, and the applicant closer to construction. Ewert pointed out that the street names were not stated in the conditions of approval for frontage improvements.

Applicant: Jason Bristol (developer) and Pat Sisul (Engineer) introduced the project.

Bristol shared a brief history of the proposed site. Sisul shared a site plan showing the frontages along Knott and Township Street. The proposed buildings will primarily consist of four-bedroom units and duplex living quarters with very few two- and three-bedroom units. He made sure to point out the three major common areas designated on the site plan. Common areas include all landscaped sections besides the strips separating the driveway and all fenced in areas. Highlights from the traffic study were presented while Sisul explained that the applicant has no say in what is studied. He stated that each approval criteria and livability measure transportation related was addressed in the conditions of approval. He clarified the reasoning for postponing confirmation of the site distance from the access points. Spacing standards on Township Road, building orientation, and project layout options were presented by Sisul. Bristol stated his reasoning for choosing to develop condos versus apartments. He mentioned there will be an Homeowners Association (HOA) to help manage the property and landscaping will help shield the exterior of the site. Floor plans of the units were shared.

Questions from Planning Commission to the Applicant:

Commissioner Jarosh asked about the status of a tree that was planned to be removed from a neighboring property as stated in the pre-application materials. Bristol stated the tree was located on Township and would have blocked the site distance and has since been removed.

Proponents: None

Opponent: Cameron Lawrence, Canby resident, stated his concerns regarding the traffic impact study and the impact at Township and Ivy. He asked the City what efforts could be made to help improve the safety on Knott and Locust Streets.

Opponent: Beverly Just, Canby resident, said she had concerns around the traffic impact, the fencing, and the visibility into her yard from the two-story units.

Opponent: Wade Young, Canby resident, had many concerns around the impact within the neighborhood regarding the traffic and the addition of new residents.

Opponent: Bryce Lewis, Canby resident, asked about fencing changes and responsibility and if the applicant plans on adding shrubbery for added privacy to the current single-story homeowners.

Opponent: Miranda Morgan, Canby resident, asked about the fencing options between her property and the project site and if there would be any compromising regarding the design between the applicant and neighbor. She mentioned there have been issues in the past with equipment and construction vehicles blocking and being left in her driveway. She asked what the construction plan looked like and who to contact if there are similar issues during the construction of the project.

Opponent: Joe Clifford, Canby resident, stated his concerns regarding the traffic impact along Knott Street and safety. He suggested adding speed bumps to help reduce speed and ensure safety along the road.

Opponent: Christopher Shall, Canby resident, stated his property would be surrounded by parking lots. He said light from the street traffic shines into his bedroom window and said the increase in traffic would worsen the shining lights at night.

Planning Director Hardy explained to the Commission that this project is not a planned unit development (PUD) development, so the open space and common area code standard does not apply.

Opponent: Alex Helenus, Canby resident, asked if the on-street parking along Township Road will be used as overflow parking for the new development. He asked if the applicant has any plans to help address or mitigate the amount of on-street parking.

Opponent: Christopher Shall, spoke again using Canby resident, Jessica Croald's time. He wanted to the Commission to note that S Knott Street has many children that walk to school along it. He urged the Commission to take the safety of the present and future children that would live in the area into account.

Applicant Rebuttal: Jason Bristol and Pat Sisul

Sisul addressed traffic concerns but explained the safety of the street is under the Traffic and Safety Committees jurisdiction. The applicant is improving the frontage to provide wider sidewalks along the limited frontage along Knott and Township. Bristol addressed all other concerns including window privacy, fencing, maintenance, landscaping. He said he would be replacing any fencing that is not in good shape or standing and said the fencing gap has been absorbed. He is working to establish Covenants, Conditions, and Restrictions (CC&Rs) with an HOA that will work to enforce and manage the property. During construction he said he would post his information near the site if there were any issues during construction.

Commission Deliberation:

Further clarification about the common area and open space was provided by Planning Staff. Commissioner Hutchinson stated the project fits within the standards of the zone and did not see a reason for opposing. Commissioner Lewelling expressed understanding for both sides but said that many of the safety and parking concerns are related to City code issues rather than the developer. Commissioner Driskill urged the Commissioner to reject the proposal based on the lack of common and open space. Hutchinson explained that there is no legality for denying the project according to the code, regardless of the undefined standard. Further discussion surrounding voting on clear and objective standards took place. Commissioner Ewert summarized the concerns from the citizen comments and urged people to attend the traffic safety committee meetings to voice the safety issues along the streets.

Discussion regarding parking within the site and fire-related conditions were brought up. Commissioners asked questions about adding fire lanes within the site's private road. Addotta mentioned fire conditions are outside of Planning Staff's purview but said it could be added into a condition of approval with CFD discretion. Hardy emphasized that if a condition is added it needs to be supported by clear and objective standards. After much deliberation, the applicant agreed to painting the private road no parking. Commissioner Driskill asked to see a traffic study after occupancy to compare the local intersections. Commissioner Ewert summarized the Commissions deliberation and added conditions of approval prior making a motion.

**Motion:** A motion was made by Commissioner Lewelling and seconded by Commissioner Hutchinson to approve DR 23-06/PLA 23-05; Tievoli Commons as submitted with recommendations for conditions of approval.

Commissioner Ewert called for any discussion regarding the motion. Commissioner Hutchinson asked how many votes are needed for approval. Hardy answered that a majority of the quorum is needed for approval.

Motion approved 4/1.

## 6. ITEMS OF INTEREST/REPORT FROM PLANNING STAFF

- a. The next Planning Commission meeting is planned for **Monday, February 12, 2024**, at 6:00 pm in the Council Chambers.
- b. Planning Director's Update

The next planning commission meeting on February 12<sup>th</sup> will discuss housing efficiency measures. A continuation of that discussion will take place at the March 11<sup>th</sup> work session with the City's

consultant team. A joint work session to discuss both housing needs analysis and housing efficiency measures will take place either February 21<sup>st</sup> or March 6<sup>th</sup>. Updates regarding the timeline for the Comprehensive Plan were shared.

## **7. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION**

Commissioner Driskill asked if the definitions of common area and open space can be revisited. Hardy accepted this request since staff and their consultant team is already working on housing efficiency measures, including PUD regulations. Driskill also asked staff to follow up with DKS to inquire why they do not study the most immediately impacted streets. Other commissioners expressed their general frustration with traffic studies. Commissioner Jarosh mentioned procedural rules of the meeting and asked if they were followed correctly. Commissioner Ewert asked about the status of the Walnut Street extension. Commissioner Driskill gave an update on the timeline for the traffic light addition at the intersection of Ivy and Township.

## **8. ADJOURNMENT**

***Motion:*** A motion to adjourn the meeting was passed 5/0.

**The meeting adjourned at 8:37 PM.**