

MINUTES
CANBY PLANNING COMMISSION
Monday, July 12, 2021

PRESENT: Commissioners John Savory, Larry Boatright, Michael Hutchinson, Jeff Mills, and Jason Padden

ABSENT: Commissioners Jennifer Trundy and James Hieb

STAFF: Don Hardy, Planning Director; Ryan Potter, Senior Planner; and Brianna Adotta, Associate Planner

OTHERS: Tyler Smith, Petronella Donovan, Scott Sasse

CALL TO ORDER

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

CONSENT ITEMS

- a. Final Findings for Dragonberry Produce (DR 21-03; LLA 21-03)

Motion: A motion was made by Commissioner Boatright and seconded by Commissioner Hutchinson to approve the final findings for DR 21-03; LLA 21-03 Dragonberry Produce. Motion approved 5/0.

- b. Final Findings for Canby South (DR 21-01)

Motion: A motion was made by Commissioner Boatright and seconded by Commissioner Hutchinson to approve the final findings for DR 21-01 Canby South. Motion approved 4/1 with Commissioner Mills opposed.

CITIZEN INPUT ON NON-AGENDA ITEMS – None

MINUTES – None

NEW BUSINESS – None

PUBLIC HEARING

- a. Remand of the Appeal Application (APP 20-01) For The Memory Care Facility To Request For Conditional Use and Design Review Approval

Chair Savory opened the public hearing and read the hearing statement. He asked if any Commissioner had ex parte contacts or conflicts of interest to declare including a visit to the site. There was none.

Staff Report: Brianna Adotta, Associate Planner, presented the staff report. This was a City Council remand of the Planning Commission's denial of DR 20-03 and CUP 20-02 memory care facility at 13th and Ivy. She discussed the timeline of the application, existing conditions, site plan, and applications for conditional use for a nursing home in the R-1 zone and site and design review for new structures, parking reduction, and access spacing reduction. She explained the criteria that the applications met including site design, landscaping, lighting, public improvements,

and zoning. The Planning Commission unanimously denied the application in April due to the unclear definition of use, unclear number of beds, unclear parking space allocation, building mass and density, and traffic and access analysis. The applicant appealed the denial and the City Council remanded the application back to the Planning Commission in June to consider additional information. The new information provided by the applicant included a definition of use and expected impact, number of beds, and parking reduction. Memory care residents and assisted living residents did not drive and generated the same level of traffic according to the Institute of Transportation Engineers Manual. There would be 102 total beds. Parking counts from six similar facilities in the region showed the proposal provided an above median average number of parking spaces for the use. The nursing home standard was one space per two residents plus one per employee. The applicant stated memory care and assisted living facility residents would not drive or own cars. The total required omitting facility resident parking was 53 spaces and the applicant was proposing 60 spaces. Regarding massing and density, there would be one story for memory care. The second story would be for assisted living above the memory care. There would be eight duplex units for independent senior living with dedicated parking. Setbacks, height, and impervious surface coverage all met the requirements. The similar facilities in the area included the Senior Center, Swim Center, School, and Senior Living Facility. She reviewed the criteria for a Conditional Use. Staff thought the height, massing, and amount of impervious surface reflected the character of the uses adjacent to the site. A full traffic study was conducted. The intersection and both access points were analyzed. No safety or intersection capacity issues were identified. The proposal would create 21 a.m. peak hour trips, 29 p.m. peak hour trips, and 295 daily trips. Covid-19 factorial was applied as well as a 2% background regional trip growth rate and trips from projects currently under development. The Transportation System Plan included no proposed alterations to S Ivy or SE 13th at this intersection except to fill in sidewalk gaps which this project would do. Regarding access spacing, the lot was 330 feet by 315 feet. There were existing accesses to the south and east. Facilities were required to have an entry and exit drive that would allow for vehicle circulation without the need for vehicles to back up. Staff thought the second restricted access on Ivy Street was appropriate. Staff thought the applicant addressed the final findings for denial. The definition of use and number of beds had been clarified, the parking allocation had been affirmed with new information, the massing and density was addressed through the approval criteria for conditional uses, and the traffic study affirmed as accurate and consistent with the Transportation System Plan. Any change to the development, physically or operationally, would be subject to additional review. Staff thought the additional information was sufficient to address the Planning Commission's final findings of denial. Staff recommended approval of DR 20-03 and CUP 20-02 as amended.

Applicant: Tyler Smith, representing the applicant, agreed that the application should be approved. He showed the renderings of the proposal. There would be two separate buildings with a breezeway in between the buildings. There would be a courtyard in the middle for open space for the residents. The R-1 zone did allow nursing homes, which was the use of this facility. It was being marketed as memory care and senior assisted living and both of those uses were for people who were not self-sufficient. These residents did not drive and they would not have cars to park in the parking lot. This was the right kind of transitional use between Dinsmore II subdivision, Hope Village, and the Adult Center, Swim Center, and school. The Code allowed the

Planning Commission to determine the necessary parking spaces needed for a particular application. Because the residents did not drive or own vehicles, the normal standard for R-1 did not make sense here. If traffic and parking was a concern, this would be one of the least traffic and parking types of use. The proposed 60 spaces was high for this type of facility. He pointed out that other cities had different parking standards for these facilities, which were much less than Canby's. He noted there would be 102 beds in the facility. A traffic study was done, even though it was not required. It used the same data as other applications in the City. A supplemental study was done as well. All of the data showed that the application met the criteria. The intersection operation exceeded ODOT's operational standards and improvements were not necessary. The accesses were located in the best possible locations considering the site's limited frontages. The site's trip generation was considerably lower than other land uses that had been previously proposed on the property. The two access points helped to reduce congestion.

Commissioner Boatright said they would have 33 employees, how long were the shifts?

Petronella Donovan, applicant, said from 6 a.m. to 2:30 p.m. there were 16 staff members and from 8:30 a.m. to 5 p.m. there were 12 staff members and from 2 p.m. to 10:30 p.m. there were 12 staff members and from 10 p.m. to 6:30 a.m. there were 8 staff members. They were not all there at the same time.

Commissioner Padden asked about relocating the post that held up the stop lights in the intersection to make way for a sidewalk. He wanted to make sure that was addressed.

Edward Radulescu, consultant, said they would be working with City staff when designing the sidewalks. They had discussed opening up the corner to a wider section of sidewalk creating a plaza area so they could still provide the minimum clearance for ADA and pedestrian access, not have to move the post, and make that whole corner look better.

Commissioner Padden clarified the reason they were asking for the variance on the parking was because none of the residents would drive. He did not think it was offensive to ask for a signed agreement that assured that would happen.

Mr. Smith said they were trying to be respectful of the residents and not pointing out that they could not drive. If it was an added condition, they would comply. It was not necessary and the licensing of the facility could only go to certain types of care.

Ms. Donovan said that in all the years that she had been doing this, no resident had driven themselves to her facility.

Commissioner Boatright did not think with the current configuration of the intersection that the post would need to be moved.

Proponents: None

Opponents: None

Neutral: Scott Sasse, Canby resident, owned Puddin' River Chocolates that was adjacent to this property. He would like to work with the applicant to stub the sewer and other services to the south of the property so his property could hook up. He was concerned his property would be sealed off.

Rebuttal: Mr. Smith said the decision before the Commission was based on the applicable approval criteria. He thought the applicant could work with Mr. Sasse, but that was not an approval criterion.

Chair Savory closed the public hearing.

Deliberation: Commissioner Mills was still concerned about the building mass. He did not agree with the comparison to the Swim Center or Adult Center. The nearby senior living facility was in R-1.5. He thought the facility was too large and tall relative to the R-1 zone.

Commissioner Hutchinson thought it was a suitable addition to the neighborhood. Other nearby buildings were similar in massing, however they had trees to help soften that. He hoped landscaping on this site would do the same.

Commissioner Boatright said there was only two feet of difference between the proposed building and the two story houses in Dinsmore. It was a nice building and it had been difficult to build something on this lot due to the restrictions. Parking was a big issue for him last time, but with the evidence from the applicant, he thought the proposed 60 spaces would be enough.

Chair Savory said this property had been vacant for a long time. This proposal would have less of a traffic impact than most other possible uses that could go on the site. He was in favor.

Motion: A motion was made by Commissioner Boatright and seconded by Commissioner Hutchinson to approve APP 20-01 with the conditional findings in the staff report. Motion approved 5/0.

ITEMS OF INTEREST FROM STAFF

- a. Next Planning Commission meeting scheduled for Monday, July 26, 2021.

Don Hardy, Planning Director, gave an update on the Walnut Street extension which would begin construction in 2023. They would have a joint Work Session with the City Council on food carts in August. He explained training that would happen on July 26. The grant application for the Housing Needs Analysis and Housing Production Strategy was being reviewed and they would know in September or October if the City would receive it.

ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

Chair Savory asked about the use of Zoom for meetings. Mr. Hardy said they could continue using it as long as they wanted. It gave some opportunity that was still beneficial.

There was discussion regarding the amount of staff time needed to set up hybrid in-person/Zoom meetings and the benefits of this option.

Commissioner Mills asked about an update to the employment lands analysis. Mr. Hardy said they had started the Economic Opportunities Analysis process, but Covid had postponed it. That would be another grant through DLCDC.

ADJOURNMENT

Motion: A motion was made by Commissioner Mills and seconded by Commissioner Boatright to adjourn the meeting. Motion approved 5/0.

Meeting was adjourned at ?? PM.