

DRAFT MINUTES
CANBY PLANNING COMMISSION
7:00 PM – February 28, 2022
City Council Chambers – Virtual Meeting via Zoom

PRESENT – Commissioners Michael Hutchinson, Jason Padden, Judi Jarosh, Chris Calkins, and Dan Ewert

ABSENT – James Hieb

STAFF – Ryan Potter, AICP, Senior Planner, and Erik Forsell, Associate Planner

OTHERS – Darren Monen, Todd Iselin, Kamal Salem, Jim Bernklau, Charlene Chase, The Dimicks, Pat Sisul, Kevin Czerwinski, Marie Holladay, Mimi Doukas, Michael Robinson, Trevor Synkelma, Corry Bittner, Tyson Hemrich, Mike Morse, and Chad (unknown last name)

The Planning Commission and Planning staff attended this meeting virtually via Zoom.

1. CALL TO ORDER

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

2. CONSENT ITEMS –

- a. **Final Findings Canby High School New Wing & Improvements (DR 21-13/CUP 21-01)**
- b. **11-22-21 Planning Commission Minutes**

Motion: A motion was made by Commissioner Ewert, seconded by Commissioner Hutchinson, to approve the consent agenda containing the final findings for Canby High School New Wing & Improvements DR 21-13/CUP 21-01 and the November 22, 2021 Planning Commission Minutes. Motion passed 5/0.

3. CITIZEN INPUT ON NON-AGENDA ITEMS – None

4. NEW BUSINESS – None

5. PUBLIC HEARINGS

a. **531 NE Territorial Rd Multi-Family Project (DR 21-12)**

The applicant requests Planning Commission approval to develop (2) two buildings as fourplexes for a total of (8) eight residential units on a ±0.52-acre site. Both buildings will be 2-stories in height with most units sharing a common breezeway entrance. One entrance on the front building, Building A, will face Territorial Road. A single driveway into the site will be along the western side of the site, in the same location as the current driveway to the property. All units will share common parking / maneuvering area and a common trash and recycling enclosure. The property will be professionally landscaped and maintained, as are other developments owned by the owner.

Chair Padden opened the public hearing and read the hearing statement. He asked if any Commissioner had conflicts of interest or ex parte contacts to declare. There were none.

Erik Forsell, Associate Planner, presented the staff report. This was a request to develop two buildings as fourplexes for a total of eight residential units on a .52-acre site on NE Territorial. He described the existing conditions on the site, applicant's proposal, key highlights from staff, approval criteria, and public comments received. Staff recommended approval with conditions.

Commissioner Ewert suggested adding a condition that this area of Territorial be signed with No Parking signs.

There were questions regarding traffic impacts, density, reason for no parking signs, lighting fixture requirements and light trespass, and Type III applications.

Applicant: Darren Monen, applicant, gave a history of himself and the project. This was a long term investment and would be built to a high standard.

Pat Sisul, Sisul Engineering, discussed the street view, Zoning Map and Comprehensive Plan Map, R-2 zoning, proposed site plan, utility plan, and landscaping plan.

Todd Iselin, Iselin Architects, discussed the main level floor plans and lighting.

Proponents: None

Opponents/Neutral: Charlene Chase, Canby resident, asked about the paving stones on the back parking lot against her property. Mr. Sisul said it would be used as an outdoor community space.

Rebuttal: None

Chair Padden closed the public hearing.

The Commission discussed whether or not to restrict parking on Territorial. It was agreed to discuss parking on collector streets during the TSP update.

There was discussion regarding the landscape plan, architectural style, and undergrounding power.

Motion: A motion was made by Commissioner Padden, seconded by Commissioner Calkins, to approve DR 21-12 with conditions suggested by staff. Motion approved 5/0.

b. Continuation: Mark's Place Subdivision (SUB 21-03)

A request for approval of a residential Subdivision on approximately 55 acres, which would consist of a ±167-unit mixed density single family subdivision with associated public improvements, park land, open space, and linear trails. The overall development scheme closely matches what was approved as part of the Development Concept Plan (DCP) approved in late 2021 (City Files ANN 21-01/ZC 21-02). The proposal contains a variety of lot sizes and dimensions as part of the overall development pattern.

Chair Padden opened the public hearing. He asked if any Commissioner had conflicts of interest or ex parte contacts to declare. There were none.

Mr. Forsell presented the staff report. This was a request for approval of a subdivision on 55 acres which would consist of a 167-unit mixed density single family subdivision with associated public improvements, park land, open space, and linear trails. He discussed the process and timeline of the project, annexation and Development Concept Plan, approval criteria, proposed park dedication and parks in general, changes to the conditions of approval, and public and agency comments. Staff recommended approval subject to the revised conditions.

The Commission asked about adequate water supply, wall along Ivy Street, impact on wildlife, consultation with the Parks and Recreation Advisory Board, indigenous activity in the area and consulting with SHPO, frontage calculations, private alleyways, reasons for the frontage standards, parking on Alley C, pedestrian access connecting Alley C to the sidewalk on Ivy, fencing and signage along the river, undergrounding power, public use of the park, and shared park maintenance with the HOA and City.

Applicant: Marie Holladay, AKS Engineering, reviewed the project team, subject site, Development Concept Plan, and conceptual design of the subdivision.

Cory Bittner, Pahlisch Homes, discussed the vision for the community, lot deviation, and shared maintenance agreement. He shared a video of what the subdivision would look like.

Ms. Holladay discussed the conceptual Emerald Necklace trail, neighborhood park, and open space dedication and maintenance, internal street improvements, R-1 lot width, density and lot width comparison, adequate access, parking, and benefits to the community.

Proponents: None

Opponents/Neutral: Kamal Salem, Canby resident, was concerned about the safety of the trail due to the erosion of the hillside.

Tyson Hemrich, Canby resident, was opposed to SE 22nd abutting his property and the potential connectivity issues in the future. He proposed a 90 degree turn and using 17th or 19th as the connection instead. He was also concerned about the termination of the pedestrian path at his property and people trespassing on his property. He agreed about the erosion of the slope and need for vegetation. There was an active Osprey nest on the property as well.

Rebuttal: Mimi Doukas, AKS Engineering, said they had coordinated with City staff and no issues were raised regarding the quality and quantity of the water. They planned to put in a wall along Ivy Street. They would notify SHPO if any Native American artifacts were found. The alleys would be private as preferred by staff and the HOA would be responsible for the maintenance. The parallel parking was restricted on the alleys, but the head-in parking stalls would remain. They had presented a preliminary design for the trail and they would continue to work with staff on the final design. There would be a maintenance agreement for park maintenance. Geotechnical testing had been done on the bluff to establish the setback that ensured public safety. The design of the trail did not lead people to Mr. Hemrich's property. The location of 22nd would allow for a public street extension should Mr. Hemrich's property be redeveloped. If it was moved, the property would be landlocked. They were aware of the Osprey nest and it would be relocated in the non-nesting season. They were open to putting a pedestrian connection from the alley to Ivy Street.

Michael Robinson, land use attorney, said the application met the approval criteria and was based on the Development Concept Plan. They would coordinate with SHPO. They would like the ability to respond to any new conditions.

There was discussion and consensus to not change the connection of 22nd due the future plans for the area, but that signage and fencing/barriers should be used to keep people out.

There was discussion regarding the frontages and street parking. Ms. Doukas said each unit would have one parallel street parking space in front of their lot. The adjustment did not change the amount of parking. It allowed for more variety of housing.

Chair Padden closed the public hearing.

The Commission deliberated about frontage adjustments, open space, private vs. public alleys, traffic, parking, bank erosion, and cleaning up ambiguity in the code.

The majority of the Commission agreed to leave the alleys private as proposed. The Commission would like this issue to come back for further discussion and a possible code change.

Commissioner Ewert thought too many issues had not been addressed.

Motion: A motion was made by Commissioner Padden, seconded by Commissioner Jarosh, to approve SUB 21-03 Mark's Place subject to the conditions of approval in the original staff report and additional conditions read by staff. Motion approved 4/1 with Commissioner Ewert opposed.

Additional Conditions of Approval:

1. The applicant shall coordinate with Tyson Hemrich, owner of the adjacent property to the east of the terminus of SE 22nd Avenue that provides a barrier to trespass, the applicant shall demonstrate to Planning Staff that his agreement has been substantially satisfied at the time of construction of this portion of public right-of-way.
2. The applicant shall provide an ADA accessible pedestrian path in Tract F to connect S Ivy Street with the Alley within Tract F.

6. ITEMS OF INTEREST/REPORT FROM PLANNING STAFF

- a. The next Planning Commission meeting would be held on March 14, 2022, at 6:00 pm (New start time).
- b. Planning Department Updates

7. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

Chair Padden discussed upcoming meetings and a new visual that would be provided for traffic impacts.

8. ADJOURNMENT:

Motion: A motion was made by Commissioner Hutchinson, seconded by Commissioner Calkins, to adjourn the meeting. Motion approved 5/0.

Meeting adjourned at 11:43 P.M.