

**MINUTES**  
**CANBY PLANNING COMMISSION**  
**Monday, September 27, 2021**

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**PRESENT:** Commissioners John Savory, Jennifer Trundy, Michael Hutchinson, Jeff Mills, Jason Padden, and James Hieb

**ABSENT:** Commissioner Larry Boatright

**STAFF:** Don Hardy, Planning Director, and Brianna Addotta, Associate Planner

**OTHERS:** Matt Radich, Pat Sisul, Blake DuPont, Roger & Cheryl Steinke, Joe Sheets

**CALL TO ORDER:**

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

**CONSENT ITEMS:**

- a. Planning Commission Minutes for June 14, 2021

Some of the Commission had not had a chance to review the minutes.

**Motion:** A motion was made by Commissioner Padden and seconded by Commissioner Hieb to table the June 14, 2021 minutes to the next meeting. Motion approved 6/0.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** None

**NEW BUSINESS:** None

**PUBLIC HEARINGS:**

- a. **Active Water Sports (DR 21-05)**

To consider a request from an applicant who is seeking to construct a second building on a property developed as a sales and service business for boats and watercraft. The second building is proposed to be approximately 10,000 square feet and will be used primarily to service watercraft, and is designed to complement the existing building's design.

Chair Savory 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.

Staff Report: Brianna Addotta, Associate Planner, said this was a request to construct a second building at 1907 SE 1st Avenue for Active Water Sports. It was in the Commercial Manufacturing zone and Industrial Area Overlay. The building would be 11,550 square feet and would be used for watercraft service and storage. There were overhead doors on either side of the building and 14 additional parking spaces. She reviewed the applicable criteria and discussed how the application was consistent in zoning, project design, parking, traffic, employment, and utilities. She then discussed the conditions of approval. No public comments were received for this proposal. Staff recommended approval with conditions.

Questions from the Commission: Commissioner Mills asked about the matrix that was used to review the application. Ms. Addotta said there was some discretion. The review took into

account the impact of the addition and what was done in 2018 where the applicant provided more landscaping than what was required.

Commissioner Padden asked about the applicant meeting the three employees per acre requirement. Ms. Addotta said there would be eight additional employees with the addition.

Public Testimony:

Matt Radich, applicant, said they enjoyed their location in Canby and wanted to expand their business. Regarding employees, the additional eight included both office staff and technicians. The look of the new building would be similar to that of the existing building.

Chair Savory closed the public hearing.

**Motion:** A motion was made by Commissioner Mills and seconded by Commissioner Padden to approve Active Water Sports (DR 21-05). Motion approved 6/0.

**b. 1495 S. Fir St. Annexation (ANN/ZC 21-02)**

To consider a request from an applicant who is seeking approval to annex 1.37 acres of land located at 1495 S. Fir Street into the City of Canby. As part of the annexation request, the applicant is also seeking an amendment to the zoning map which would change the annexed property from Clackamas County Exclusive Farm Use (EFU) to City of Canby Medium Density Residential (R-1.5).

Chair Savory opened the public hearing and read the hearing statement. He asked if any Commissioner had conflicts of interest or ex parte contacts to declare.

Commissioner Hieb drove by the site.

Staff Report: Ms. Addotta said this was a request for annexation of 1.31 acres and zone change from County EFU to City R-1.5 for property at 1495 S Fir Street. This was currently an island of county land; however the property was included in the SW Canby Development Concept Plan. She explained the approval criteria and SW Canby DCP. In the DCP there were potential future development scenarios that pulled access from the property to the south. Those property owners appealed the DCP because they felt it limited the development potential of their property. The DCP was upheld by the City Council with an additional condition that the approval of the DCP would not determine the configuration of any future development on this tax lot. Any future development proposal would be judged on its own merits and would not be bound by any shadow plat that had come before the City. The conceptual site plan showed viability of the development without access to the south. Any future subdivision would be subject to planning review. Comments were received from DirectLink, Canby Public Works, and City Engineer as well as Jan Kester, a neighbor. Staff recommended approval with conditions.

Questions from the Commission: Commissioner Trundy asked if any of the roads were in County jurisdiction. Ms. Addotta said no, they were not.

Commissioner Hieb asked how common these County islands were. Ms. Addotta said it was the property owners' right to decide not to annex. Previously this was a small farm use and if they came into the City they would not be able to have that use. It was not a common situation. The Comprehensive Plan was already set up so when these properties did come into the City, they already knew what the zoning would be.

Commissioner Padden was in favor of annexing in county islands. The developer would be responsible for improvements to the streets. He would like to see the streets tied into the larger road system instead of creating two dead end streets.

Public Testimony:

Pat Sisul, representing the applicant, discussed the subject site, vicinity map, Comprehensive Plan map and zoning, SW Canby DCP's original street extension and creation of a substandard sized cul-de-sac, appeal of the DCP and tax lot 1500 preferred street layout, R-1.5 zoning, and conceptual development plan. He stated due to the Elwood Mobile Home community and lack of connectivity, they could not make a through street. This was an island of county land surrounded by the City. It was located in an area that was experiencing growth at this time. It was within the City's UGB and was expected to develop consistent with R-1.5 densities per the Comprehensive Plan. As of May 17, 2021, the City's single family residential lot inventory was determined to be 60 lots, a 10 month supply based on current growth. When subdivided, approximately six lots would be created for new homes, approximately a 1 month supply. The proposed rezone would not have a significant impact on the transportation system. Utilities were available to the site. He thought this was an appropriate time to annex this parcel.

Commissioner Mills complimented the applicant on the quality of the presentation.

Chair Savory said he typically was opposed to annexations that had a lot of traffic, but this made sense to be a part of the City.

Commissioner Padden was not a fan of private streets, especially when residents were not able to maintain them and asked the City to take them over when they were not up to City standards.

Commissioner Trundy agreed. She thought they should have to meet City standards.

Mr. Sisul said street maintenance for this development would be up to the homeowners. The reason for the private street was because it was zoned R-1.5 and the DCP showed it developing as eight lots. This proposal was for six lots and the only way to get six lots was with a hammerhead street configuration. If it was a public street, it would need to end with a 54 foot radius cul-de-sac which took up a tremendous amount of the site. The hammerhead was a way not to do the cul-de-sac and still work for the Fire Department and fit the small site. He did not think the applicant would have a problem with building it to a public standard. If the neighboring property owned by the Steinkes developed before this property, they could require a different layout on that property and a through street could be constructed. However, he did not think the Steinkes had any intention of developing the property in the near future.

Blake Dupont, applicant, would like to move forward with the project.

Commissioner Padden thought the hammerhead could be turned into a through street in the future. He was in favor of it being built to City standards.

**Motion:** A motion was made by Commissioner Trundy and seconded by Commissioner Hieb to recommend approval to the City Council of the 1495 S. Fir St. Annexation (ANN 21-02/ZC 21-02). Motion approved 6/0.

**ITEMS OF INTEREST FROM STAFF:**

- a. Next regularly scheduled Planning Commission meeting – Monday October 11, 2021.

Don Hardy, Planning Director, discussed upcoming Work Sessions, training, and hearings.

**ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION:**

Chair Savory said this was Commissioner Trundy’s last meeting. He thanked her for her service.

Commissioner Trundy said she was moving out of town. She appreciated working with the Commission and staff.

**ADJOURNMENT:**

***Motion:*** A motion was made by Commissioner Trundy and seconded by Commissioner Mills to adjourn the meeting. Motion approved 6/0.

**Meeting was adjourned at 8:15 PM.**