

CANBY PLANNING COMMISSION  
Regular Meeting

July 27, 1992

7:30 p.m.

APPROVED

---

**I. ROLL CALL**

Present: Chairman Schrader, Vice-Chair Mihata, Commissioners Fenske, Maher, Gustafson, Wiegand and Zieg.

Staff Present: Robert Hoffman, Planning Director; Jim Wheeler, Assistant Planner; and Joyce Faltus, Secretary.

Others Present: Annette Griffy, John and Wanda Moody, Joan and Lorraine O'Connor, Allen Manuel, Tom O'Halloran, Arlie Lenhardt, Halvor and Lillian Gregersen, Ronald Berg, Mike Faha, Mike Gillkand, John Beck, Councilor Smith.

**II. MINUTES**

The minutes of **June 29, 1992** were approved unanimously.  
The minutes of **July 13, 1992** were postponed to August 10, 1992.

**III. CITIZEN INPUT ON NON-AGENDA ITEMS**

None

**IV. FINDINGS**

The following Final Orders were **approved unanimously**:

**MLP 92-04 (Payless)**, as amended.

**CUP 92-07 (Eccles Portable)**, as submitted.

**CUP 92-08 (Lee Portable)**, as submitted.

**CUP 92-08 (Knight Portable)**, as submitted.

The Final Order for **SUB 92-02 [Hoodview Estates I]** was carried over to August 10, 1992.

## V. COMMUNICATIONS

None

## VI. OLD BUSINESS

**DR 91-08**, an application by David Nelson for Site and Design Review of a manufactured home park known as "Village on the Lochs." The property is generally located east of the Canby Community Park and south of S. Elm Street (Tax Lot 1790 of Tax Map 4-1E-4C). **Continued from February 24, 1992.**

Chairman Schrader explained the hearing process and procedures, as outlined on the agenda. He asked if any Commissioner had ex-parte contact or conflict of interest. None was expressed, other than visits to the site. The Commissioners who visited the site all agreed they had come to no conclusions after the visit.

Mr. Hoffman presented the staff report. He explained that the proposed land use was previously approved as a conditional use in an R-1 zone [CUP 90-01] in 1991, with 44 conditions, one of which was for a Site and Design Review of the proposed manufactured home park. Since the original Conditional Use approval in 1991, the applicant has attempted to comply with each of the 44 conditions placed upon the approval. When this Design Review application came before the Commission in February, 1992, there were conflicts between the engineering drawings and the landscape drawings. After many modifications, the engineering drawings were finally accepted and a building permit issued. At the present time, a lot of the early stages of construction grading has been accomplished and construction of the roadway that lies in the County, but is in the process of being annexed to the City, is progressing nicely.

The City received the road dedication offer for the extension of S. Elm Street today, which includes a slope easement and drainage easement which is necessary for the maintenance, and right-of-way, meeting one of the Conditional Use conditions of approval. Another condition insured that a major part of the site shall be preserved as wetlands, which is also depicted on the plans submitted.

The landscape plan that was submitted depicts a large area which will be dedicated to the City for a park, pedestrian trails to be constructed, and a large portion of each lot to be landscaped according to one of three submitted drawings which illustrate how typical sites would be developed, the buffer area around the wetlands and a new small man-made lake. The proposed landscaping of either native or ornamental landscaping far exceeds the required fifteen percent. As part of the construction drawings, there

is a layout of all of the lots, indicating the size of units and approximately how each units would be placed on each site. As part of the siting of the units, all the distance requirements have been met.

Timing of landscaping improvements will have to be addressed by the applicant, as it is unclear to staff just when it will be installed, as it appears Mr. Nelson is planning to phase the development. Until it is clear how the phasing improvements include landscaping, occupancy permits should be held or staged, or a condition placed addressing this issue. The trees to be retained and the new trees are indicated on the recently submitted landscape plan. The access road is proposed to be landscaped on both sides with trees and groundcover. A carport or garage is proposed for each lot, plus a driveway, so two parking spaces are always available on each lot. Additionally, guest and/or resident parking is permitted on all private streets, but where streets are less than 32 feet in width, there will be "one-side-only" parking, complying with Condition #26. No permanent buildings are proposed as part of the landscape plan. All drawings have been modified to protect the wetlands.

The entrance road, which is an extension of S. Elm Street, would be a public roadway.

Mr. Hoffman then reviewed the applicable criteria. Access to the property is to be via a public street which will be an extension of S. Elm, southerly across a County area, across the Urban Growth Boundary, adjacent to the City on the southern side and then access from a private road to the public road. The grading for construction of this street has already started and the County has given approval for this street with regard to its crossing the stream, which is now in a culvert, crossing of the wetlands, and fill and grading necessary to construct the road. The road will be built to City standards and vision clearance standards will be maintained. Immediately to the north is the Cedar Ridge subdivision and Elmwood Mobile Home Park. The Canby Community Park is located to the west, and farms and an aggregate mining operation are located to the south and east.

Part of the access will be across Tax Lot 1300. This annexation application was approved by METRO and is in the 45-day waiting period before becoming final. On February 3, 1992, the Canby Building Official issued a construction permit for the manufactured home park on this parcel. Mr. Godon, the Building Official, has received regular reports from a geotechnical engineer regarding site grading and fill.

Mr. Hoffman explained that staff recommends approval with conditions, as enumerated in the updated, revised staff report. He reviewed the report from the wetland's expert, who proposed a series of mitigation steps to make the wetlands

more desirable. The mitigation proposals were made a part of the approval for the construction of the roadway, by the State. The proposals are included in the landscape plan. A portion of the site will be dedicated and made a part of the City park system, pedestrian trails will be included on both portions of private and public land. Only a small part of the site will be in barkdust; most will be in grass and other landscape treatments. Agreements have been reached with the owners of

Elmwood Manufactured home regarding access and a portion of the stub street has been accomplished, so the applicant now has full control of the access to the property. No permanent buildings are proposed as part of the landscape plan.

Mr. Hoffman advised the Commission that a pre-construction conference has been scheduled for July 28, 1992. No sign plans had been submitted at the time the meeting was planned, but sign plans have since been submitted. The proposed new conditions recommended by staff are:

1. A registered landscape architect shall be retained to supervise the landscape installation and maintenance for a two-year period after installation, to ensure compliance with Ordinance No. 848, Part IV, Sections 2-7.
2. The utilities installed shall meet the requirements of the service provider. The City Planner shall ensure that the utilities' requirements are met.

As the applicant has indicated there will be an identification sign, Condition #3 is proposed to read:

3. Any identification sign for the manufactured home park shall be reviewed and approved.
4. Occupancy of units will not be permitted until all landscaping related to its particular phase of construction has been completed. The trail system shall be built in useful segments and constructed prior to occupancy of adjacent site plans.

Mr. Hoffman pointed out an area on the landscape plan where there appears to be a gap and suggested that the applicant would clarify such gap.

### **Applicant**

**Mike Faha, Landscape Architect**, referred to the new Landscape Plans and cross section plans, explaining all modifications. The typical lots near the wetlands, he explained, would be 70x100. Mr. Faha explained that he worked with a biologist and

a native plant specialist with regard to the fill removal permits and how to landscape around stream corridors and wetlands. The Bureau of Land Management required that Mr. Nelson's plans follow the recommendations of both specialists to enhance the stream corridor and wetlands, with regard to upland native plantings. The trees lining Elm Street are proposed to be Red Maple and/or Red Sunset, which provides a nice canopy for shading the sidewalks. There are proposed to be narrower trees on the interior streets, skipping every other lot line to facilitate bringing in the manufactured homes and to avoid disturbing utility lines. Mr. Faha further explained the biofiltration system which routes stormwater flow into the wetlands and streams by filtering through the wetland areas via underground piping. Landscape plans for each of the lots include ornamental plantings, native plantings, and grass. The existing trees, planned to be saved, were pointed out, as were the plans for the plantings of Douglas Firs on many of the lots. Mr. Faha pointed out the man-made lake which is planned to contain natural habitat trees and plantings. He then explained that there will be required watering on each individual lot and residents will also be required to water the street trees. Although the irrigation system is planned for each lot, it is up to the individual tenant whether or not to use the system or water manually. The cost of requiring the built-in sprinkler system becomes prohibitive for some residents, in terms of qualifying for a loan, so it becomes an issue of affordability, according to Mr. Nelson. Each resident will be required to pay a \$250 deposit to ensure proper landscaping installation. The entrance monument sign has been relocated to the corner, near Lot #121. It is proposed to be 13-1/2 inches wide, made of concrete with natural lettering and set into the landscaping. Mr. Faha pointed out the 20 foot wide easement through the City Park for emergency vehicle access. The existing berm will be excavated and the area will be raised so the sewer will flow back.

Mr. Faha referred to the gap on the Site Plan that Mr. Hoffman mentioned earlier. Both Mr. Faha and Mr. Nelson explained that it is part of the wetlands, and is specified by the dashed line and should be colored green. The other side belongs to Lot #44. It will be a landscaped area, consistent with the buffer area proposals in adjacent areas.

The Commission asked Mr. Faha about the timing of the tree planting. Mr. Faha explained that the trees will be available between November and April. Planting does not take place until the Fall rainy season.

The Commission questioned how it could be assured the landscape plan for each lot was adhered to by each resident. Mr. Nelson explained that each individual plot plan has its own landscape plan and, prior to the home being placed on the lot, the City would review the plan for conformance. The \$250 deposit is an incentive to assure the landscaping is accomplished.

With no further testimony, the public portion of the hearing was closed for Commission deliberation.

Issues discussed:

1. The most recent Site Plan was tagged with an Exhibit "4" sticker, as were the Engineering Drawings (Exhibit "5") so as to cite the ones that were referred to at this hearing. Exhibits 4 and 5 reference better circulation, trees to be retained and trees to be planted, the width of each lot, and the width of the access drive.
2. The Elm Street access road - to clarify that there would be an 8 foot bike path on one side and a 5 foot pedestrian sidewalk on the other side. It will be a full public street to an adequate turnaround at the end, where it leads to the private streets. The Commission agreed to add a condition with regard to the 5 foot sidewalk on the west side of Elm Street, as follows:
  5. An additional five (5) foot sidewalk shall be provided along the west side of S. Elm Street, extended as shown on the Engineering Drawings (Exhibit 5).
3. The extension of S. Elm - Mr. Hoffman explained that Mr. Klem prefers that it remain Elm Street the entire length. The Commission agreed to add a condition with regard to the naming, as follows:
  6. The Elm Street extension shall be named S. Elm Street over its entire length to the turnaround.
4. The private roadway system - Mr. Hoffman explained that there are sidewalks on one side of each of the private roads in the development. He pointed out the footbridges which cross the stream, the designs of which are in the engineering drawings.
5. The revised lot layout. Mr. Hoffman explained the revised layout and that it functions better than the previous layout, with a few less lots than the previous submission. The Commission accepted this explanation for the differences with the preliminary plan.

6. Tree Retention - Mr. Hoffman explained that the engineering drawings indicate which trees are to be retained and where new trees are planned for planting. The massive amount of regrade, which was necessary to rise above the 100-year floodplain, caused many trees to be removed. The significant stand of trees along the wetland will be protected by the buffer.
  
7. Phasing - The Commission questioned the building of the infrastructure. Mr. Hoffman explained that the land is privately owned and the phasing is clearly indicated. The necessary improvements are proposed to be done as each phase is accomplished and Mr. Hoffman explained that he is recommending that the landscaping proposed for each phase be accomplished at the same time. The trail system should be constructed as each adjacent phase is built, to include changes relative to wetlands either prior to or simultaneously with each adjacent phase. Mr. Hoffman explained that the City Code has a provision regarding three different alternatives for posting a bond if the City was concerned with any phase of construction. It was agreed to revise proposed Condition #4 to include this, and it is proposed to read as follows:
  4. Occupancy of units will not be permitted until all the general off-lot landscaping and wetlands mitigation landscaping related to its particular phase of construction has been completed. The trail system shall be built in useful segments and constructed prior to occupancy of adjacent site plans.

Mr. Nelson stated that all major improvements and common area landscaping would be done in two phases. Phase I, would include approximately 80 lots. The second major phase, Phase II, would include Phases 7, 8, 9 and 10 as depicted on Page 1 of 23 [Lot Layout & Phasing West] of the Engineering Drawings last revised on July 10, 1992 (Exhibit 5)

8. Landscape Maintenance - The Commission expressed concern about landscaping installation. Mr. Hoffman read Section 16.49.100 with regard to bonding for Landscaping Installation and Maintenance. He further explained that under the approval, it would be necessary for the developer to continually maintain the landscaping. The Commission agreed to add a condition referencing this, as follows:
  7. Bonding, as provided by Section 16.49.100, shall be provided for the "Common Areas" with installation and maintenance for the first two years, plus other areas maintained in perpetuity by the management.

The Commission agreed to issue temporary permits if bonding was provided, with regard to the landscape phasing issue. Mr. Nelson agreed to post a bond for the common areas so the City would have leverage. Mr. Nelson further explained that the City would be reviewing each lot individually before issuing a Certificate of Occupancy. With regard to maintenance after installation, Mr. Nelson explained that there is a maintenance clause in each lease agreement. Mr. Hoffman further explained that the City also has leverage when it comes to road improvements and infrastructure improvements due to the individual issuance of Certificates of Occupancy.

9. The \$250.00 performance bond, per home, with regard to landscape maintenance (Condition #38 of CUP). Mr. Hoffman explained that the bond would not cover the level of extensive landscaping proposed.
10. Distancing between units - Mr. Hoffman explained that the revised site plan definitely provides for proper distancing between units and there is ample parking on-site.
11. How the trail connects to the Cedar Ridge development trails. The City has been assured that DeAnza is in the process of dedicating the needed connection land to the City.
12. How the balance of the conditions of approval for the Conditional Use application are or have been met.
13. The appearance of the units (Conditions #24 and 38 of CUP) - Mr. Hoffman explained that Mr. Nelson submitted restrictions, which were reviewed and approved by the City Attorney. A copy of the CC&Rs shall be registered with the property, regarding the types of units (i.e. roof peaks, sizes, orientation, etc.) that could come into the park.
14. The monument identification signage - The Commission agreed the proposed sign was acceptable. A condition was added to address this, as follows:
  3. The proposed monument sign, the location of which is depicted on Exhibit 4, is approved, provided it is of natural concrete color, and sand blasted, and has natural color letters.



15. Covenants and Restrictions - Mr. Hoffman explained that CC&Rs were submitted. They were reviewed and approved by the City Attorney for consistency with the conditions of approval. Mr. Hoffman further explained there is a copy of the CC&Rs in the file.

Based on the findings and conclusions in the revised January 3, 1992 staff report, public testimony and Commission deliberation, **Commissioner Mihata moved for approval of DR 91-08, with the following conditions:**

1. **A registered landscape architect shall be retained to supervise the landscape installation and maintenance for a two-year period after installation, to ensure compliance with Ordinance No. 848, Part IV, Sections 2-7.**
2. **The utilities installed shall meet the requirements of the service provider. The City Planner shall ensure that the utilities' requirements are met.**
3. **The proposed monument sign, the location of which is depicted on Exhibit 4, is approved, provided it is of natural concrete color, and sand blasted, and has natural color letters.**
4. **Occupancy of units will not be permitted until all the "common area" landscaping and wetlands mitigation landscaping related to its particular phase of construction has been completed. The trail system shall be built in useful segments and constructed prior to occupancy of adjacent site plans.**
5. **An additional five (5) foot sidewalk shall be provided along the west side of S. Elm Street, extended as shown on the Engineering Drawings (Exhibit 5).**
6. **The Elm Street extension shall be named S. Elm Street over its entire length to the turnaround, as shown on Exhibit 4.**

7. **Bonding, as provided for by Section 16.49.100, shall be provided for the "Common Areas" with installation and maintenance of the City areas for the first two years, plus other areas maintained in perpetuity by the park management.**

**Commissioner Zieg seconded the motion and it carried unanimously.**

## **VII. PUBLIC HEARINGS**

**MLP 92-05**, an application by Allen Manual and Tom O'Halloran for approval of a minor land partition to partition a 19,500 square foot lot into two lots, 7000 square feet and 12,500 square feet, respectively. The parcel is located on the west side of S. Ivy Street, south of S.W. 3rd Avenue and north of S. Township Road [421 S. Ivy Street] (Tax Lot 5900 of Tax Map 3-1E-33CD).

Chairman Schrader explained the hearing process and procedures. He asked if any Commissioner had ex-parte contact or conflict of interest. Commissioner Maher explained she had ex-parte contact and possible conflict of interest and would not take part in this hearing. No other conflicts or ex-parte contact were indicated.

Mr. Hoffman presented the staff report. He explained that the applicant is requesting approval of a minor land partition to partition a 19,500 square foot parcel into two parcels. Mr. Hoffman explained that he has revised the site plan. The applicant's site plan did not allow for sufficient parking for the pre-school that exists on S. Ivy. There is room for adequate yards if the partition is granted, provided that required easements, access drives, and partition line adjustments can be provided. The subject property is adjacent to single family homes to the south, and multi-family homes to the north. The paved access drive is located immediately to the south, providing access to Tax Lot 7601 and 7700. At the present time, under the present zoning, only one single-family home would be permitted, as a matter of right, on the subject parcel. However, multiple units could be approved as a conditional use. Curbs and sidewalks would be necessary on S. Ivy when the rear parcel is developed, as neither exist on S. Ivy at the present time.

After recent discussions with the Public Works Director, the sewer treatment plant is deemed to have the capacity to handle the existing residential unit/day-care center on the front parcel, and a maximum of four residential units on the new parcel. Sewer service is available in both Ivy and Holly, so the lot would have a choice of where service would come from, if an access easement to Holly could be obtained. The partition of the subject property will allow a higher density of housing and will allow

a maximum of four units of multiple housing to be built on the subject parcel. The new parcel is proposed to have access to Ivy Street. The rear parcel is proposed to have access over an easement over the front lot, which easement is used for parking for the day-care center and is not of sufficient width. Under the applicant's proposed Site Plan, the front lot, where the day-care center operates, would be deficient in size. A proposed condition addresses this issue. The applicant has stated that he has rights of access over the adjacent 20 foot driveway to the south. This driveway can be used, if reciprocal access agreement can be applied to all four parcels, as part of the partition document, as illustrated in the revised site plan. The applicant has indicated that he intends to develop this parcel as higher density housing. Such housing would fall under a Conditional Use and further hearings would be held, including a Design Review application. If such zoning was approved, it would permit up to four units on the parcel. Due to input from the Fire Marshal, a condition is proposed for the installation of a fire hydrant if there is development more than 250 feet from a fire hydrant. Mr. Hoffman reviewed the applicable criteria and explained that the request, as modified, with appropriate conditions, is in conformance with the Comprehensive Plan and the Municipal Code. Staff recommends approval with the following conditions:

1. The applicant shall prepare a final partition map. The final partition map shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. Said partition map shall be recorded with the Clackamas County Surveyor and Clackamas County Clerk, and a copy of the recorded map shall be provided to the Canby Planning Department. The partition shall include reciprocal access agreements for use of the existing 20 foot driveway for access to the parcels and shall not include the parking area for 421 S. Ivy Street.
2. A new deed and legal description for the new parcel shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
3. A sidewalk and curb shall be provided along Ivy Street prior to or at the time of development of the rear parcel.
4. Permanent utility construction and maintenance easements including, but not limited to electric and water cables, pipeline conduits and poles shall be provided, as required by the Director of Public Works.
5. A final partition, modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition shall reference this land use application -- City of Canby, Planning Department, File No. MLP 92-05.

6. Plans to extend the sewer to the rear lot shall be approved for construction by the Director of Public Works prior to the issuance of any building permits on the site.
7. All monumentation and recording fees shall be borne by the applicant.
8. All utilities must meet the standards and criteria of the providing utility authority.
9. The location of buildings and parking layout and access drives on the rear parcel shall be designed to provide for turnaround on the lot for both autos and fire trucks and shall be approved by the Fire Marshal.
10. If the location of any building exceeds a distance of 250 feet from a fire hydrant, a new hydrant shall be provided at or near the entrance on Ivy Street.
11. The front lot shall be a minimum of 7,000 square feet, excluding the access drive, and be at least 60 feet wide.

#### **Applicant**

**Alan Manual, 1612 N. Redwood** explained that reciprocal easements do exist with all the parcels involved and pointed them out on staff's revised site plan. Further, Mr. Manual stated that he concurs with the conditions of approval. Mr. Manual pointed out the surrounding four-plexes he owns. The applicant pointed out that he had expected to own an additional parcel to the southwest, but such ownership has not yet transpired. He had planned to develop either 2 duplexes on parcel #2, the rear parcel, or a four-plex to separate the R-2 and R-1 zones.

#### **Opponents**

**Ron Berg, 203 S.W. 3rd Avenue** stated that he would not object to the construction of a single-story home. Additional concerns included the noticing procedure and the traffic conditions on S. Ivy for cars exiting this accessway, trying to enter Ivy Street, to travel north. Mr. Berg addressed the hammerhead/"T" turnaround on the site plan and stated he was under the impression that the City preferred cul-de-sacs to hammerheads.

#### **Rebuttal**

**Alan Manual** stated that it is his intention to build single-story buildings on the parcel in question.

With no additional testimony, the public portion of the hearing was closed for Commission deliberation.

Issues discussed:

1. The revised Site Plan, referred to by Mr. Hoffman, would be made part of the permanent record and used in deliberations.
2. Busy traffic conditions existing on S. Ivy, especially at the S. Ivy/Township Road intersection, especially with regard to sight distance from the accessway.
3. The accessway, and the number of units it presently serves and whether vision clearance was sufficient. Mr. Hoffman explained that vision clearance was provided for and that the Code provides that the access requirements provide for a 20 foot driveway for up to 24 cars.
4. Easements - The Commission discussed an easement to Tax Lot 7600 in order that it does not eventually become landlocked. Mr. Hoffman explained that such an easement already exists and is not a part of this application. This is conditioned to be shown on the final partition. Mr. Manual explained that he owned Tax Lot 7600.
5. Zoning to the west - which is zoned R-1 and was recently developed.
6. The noticing procedures for public hearings. Mr. Hoffman explained the procedure involved and what is required by the State and City Code.
7. Access to the adjacent back parcel, should it be further partitioned. Mr. Hoffman explained that Ms. Milbrandt was exploring further partitioning the rear parcel. She presently has access provided through an easement over Tax Lot 7601 and 7600, but such easement could only access one unit. At the present time, the back parcel is zoned R-1 and only one unit could be constructed on it. Further partitioning of the parcel would require better access.
8. The dimension of the hammerhead - which was designed to meet the Fire Marshal's requirements for turnaround on the parcels. Mr. Hoffman explained that each parcel would need a turnaround to obtain the Fire Marshal's approval, which was why a note is attached to the revised Site Plan.

Commissioner Wiegand explained that if an application for a four-plex came before the Commission with the same access, he would have reservations about approving it.

Based on the findings and conclusions in the staff report dated July 10, 1992, on testimony, and on Commission deliberations, **Commissioner Fenske moved for approval of MLP 92-05, incorporating the revised Site Plan dated July 9, 1992, with the following conditions**

1. **The applicant shall prepare a final partition map. The final partition map shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. Said partition map shall be recorded with the Clackamas County Surveyor and Clackamas County Clerk, and a copy of the recorded map shall be provided to the Canby Planning Department. The partition shall include reciprocal access agreements for use of the existing 20 foot driveway for access to the parcels and shall not include the parking area for 421 S. Ivy Street.**
2. **A new deed and legal description for the new parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.**
3. **A sidewalk and curb shall be provided along Ivy Street prior to or at the time of development of the rear parcel.**
4. **Permanent utility construction and maintenance easements including, but not limited to electric and water cables, pipeline conduits and poles shall be provided, as required by the Director of Public Works.**
5. **A final partition, modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition shall reference this land use application -- City of Canby, Planning Department, File No. MLP 92-05.**
6. **Plans to extend the sewer to the rear lot shall be approved for construction by the Director of Public Works prior to the issuance of any building permits on the site.**

7. All monumentation and recording fees shall be borne by the applicant.
8. All utilities must meet the standards and criteria of the providing utility authority.
9. The location of buildings and parking layout and access drives on the rear parcel shall be designed to provide for turnaround on the lot for both autos and fire trucks and shall be approved by the Fire Marshal.
10. If the location of any building exceeds a distance of 250 feet from a fire hydrant, a new hydrant shall be provided at or near the entrance on Ivy Street.
11. The front lot shall be a minimum of 7,000 square feet, excluding the access drive, and be at least 60 feet wide.

Commissioner Zieg seconded the motion and it carried unanimously.

**\*\*THE FOLLOWING HEARINGS WERE CONTINUED TO AUGUST 10, 1992\*\***

**DR 92-07**, an application by The Alton Group for approval of a Site and Design Review Application for a new Payless Drug Store of approximately 28,000 square feet, which will conform to the architectural design of the existing shopping center. Sidewalks and a "patio area" will be provided. An access road will extend completely around the store. The site is located in the Canby Square Shopping Center (Tax Lot 100 of Tax Map 4-1E-4B).

Mr. Wheeler explained that the applicant for Payless would like to address the Commission with some of his concerns about the time frame for the Design Review application. Although the Commission agreed to hear the applicant, it appeared he had already left the building and surrounding area.

\*\*\*\*\*

**MLP 92-07 (previously designated MaLP 92-01)**, an application by Annette Griffy for approval of a Minor Land Partition to divide a 38,936 square foot parcel into three single family residential lots. The property is located on the south side of N.E. Territorial Road, west of the Logging Road [1295 N.E. Territorial Road] (Tax Lot 220 of Tax Map 3-1E-27C).

**MLP 92-06**, an application by Arlie Lenhardt for approval of a Minor Land Partition to divide an approximate 1.19 acre parcel into two lots, approximately .48 acres and .71 acres, respectively. The parcel is located on the south side of N.W. Territorial Road, west of N. Holly Street [407 N.W. Territorial Road] (Tax Lot 200 of Tax Map 3-1E-33BB).

\*\*\*\*\*

The Commission began reviewing the **Findings for SUB 92-02 [Hood View Estates]**, and agreed more time was needed for the review. As Chairman Schrader will not be present at the next meeting, he agreed to relay his concerns, if any, to staff prior to the next meeting. The Commission agreed to delay review of this set of Findings at the August 10, 1992 meeting.

\*\*\*\*\*

## **VIII. DIRECTOR'S REPORT**

Mr. Hoffman explained that Bob Godon, the Building Official, will be getting an award for 15 years of faithful service to the City, and one for becoming certified as a Public Building Official, which is a national rating. The Commission asked that staff extend Commission congratulations. Mr. Hoffman further stated that the Clackamas County Building Inspectors think very highly of Mr. Godon, as one of the best inspectors in the state.

Mr. Hoffman also related that the controversial fence at Fairgrounds Park has been installed. Additionally, Mr. Olsen has contacted the contractor who built the roads to cut out and rebuild the roads. The developer has been unable to reach the chief plumbing inspector from Clackamas County, but believes all the necessary work has been done.



A ruling was handed down that the County cannot force the City to see that plumbing inspections are complete. That is a County responsibility. Mr. Hoffman had routed a rough draft of a coordination agreement, depicting County and City responsibilities, to ensure the system is well coordinated, which is a requirement of LCDC.

With regard to the area adjacent to N. Pine Addition II, Mr. Hoffman said the owners of the lot were in and agreed to try to save as many trees as possible. Mr. Hoffman suggested the owner get an opinion from a professional arborist. The arborist visited the site and the remaining trees are a result of his visit. Evidently, once trees are removed for the footprint of the lot, the remaining trees are unsafe. There is an annexation application which was submitted with regard to this property, which will come before the Commission in August. Staff has asked the applicant to address the stormwater issue in his application. The City has received a letter from a neighbor to the north, addressing their concerns.

A further meeting was held with regard to Capital Improvements Projects and a draft list is in the process of being typed. They have been separated into long and short range projects and cost figures must be developed and a Comprehensive Plan Amendment public hearing held.

An application is expected from the developers of Cedar Ridge, for replatting of the site. If so, it will be scheduled before the Commission on August 24, 1992. It will come in as a new application for a PUD Subdivision. They will try to have the senior citizen restrictions removed and plat larger lots, thereby reducing the total number of lots. Mr. Hoffman advised the developer that "tot lots" would probably have to be provided. Only two lots have been sold, to date.

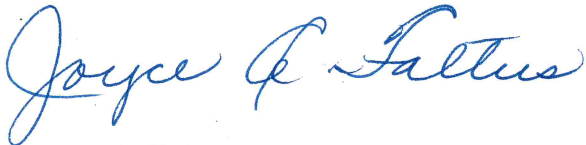
With less applications on the horizon, the Commission questioned whether time could be spent discussing the area Mr. Klem is concerned about developing, between the Logging Road and Redwood, which has poor access. Discussion could center around getting cooperative planning for the development of the area regarding utility placement, street formation, water, sewer, electric, parks, etc., so that when it come in piece-meal, a policy would have been developed for the area. Mr. Hoffman explained that there is funding in the budget to do a stormwater plan for that area. A problem arises when staff tries to develop some sort of Master Plan for that area, without Council approval, prior to a public hearing to see what a developer proposes. The Commission could not turn down an application because it does not meet staff's plan if the applicant meets all the criteria, although those issues could be **encouraged**. Master Facility Plans for utilities, and a Transportation Plan, should definitely be a priority project. Funding for a Transportation Plan is already in place. City ordinances, which are technically part of the Comprehensive Plan, could be reviewed as a step toward these projects.

As Chairman Schrader will not be present at the August 10, 1992 Planning Commission meeting, he suggested putting off Commission Discussion of Planning Issues to the August 24, 1992 meeting. The Commission requested a copy of "Leadership Canby" members, who have expressed interest and have been trained to participate in governmental issues as some of those people might be interested in serving on some committees.

**IX. ADJOURNMENT**

The meeting was adjourned at 11:25 p.m.

Respectfully submitted,



Joyce A. Faltus