

CANBY PLANNING COMMISSION
Regular Meeting

September 14, 1992

7:30 p.m.

APPROVED

I. ROLL CALL

Prior to calling the roll, Chairman Schrader announced that applicants for the last two applications, **MLP 92-09 and ZC 92-02, have elected to carry these applications over to September 21, 1992.**

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

Staff Present: Robert Hoffman, Planning Director; Jim Wheeler, Assistant Planner; John Kelley, City Attorney; Mike Jordan, City Administrator; Rusty Klem, Public Works Director; and Joyce Faltus, Secretary.

Others Present: Don Smeback, Linda Peck, Sandra and Joe Haftoron, Carole Jean Berggren, Larry Leavitt, Mary Hellhake, Donna Ylvisaker, Lowell Morse, Kelly and Toni Callaghan, Russell Newcomer, Curt Clawson, Kaylene Clawson, Wayne Scott, Karen Haring, Tom Weber, Tom Holmes, Larry Chapman, Ivan and Roberthe Arneson, Donna Jean McManamon, Dave Anderson.

II. MINUTES

The minutes of **August 10, 1992** were tabled to September 21, 1992.

III. COMMUNICATIONS

None

IV. CITIZEN INPUT ON NON-AGENDA ITEMS

None

V. FINDINGS

None

VI. PUBLIC HEARINGS

CPA 92-02, a proposal by the **City of Canby** for a Comprehensive Plan Amendment to amend: 1) the Public Facilities and Services Element and incorporate a proposed Capital Improvements Project list; and 2) the Environmental Concerns Element to provide policies to give additional protection to the wetlands; and 3) the Economic Element to promote industrial development of a list of larger industrial sites. The proposals include text and also general maps illustrating locations of potential capital projects, wetlands sites, and larger potential industrial sites.

Mr. Hoffman reviewed the staff report, final order, resolution for Council adoption, and amendments proposed for the Comprehensive Plan. He also reviewed the proposed Urban Growth Management Agreement between the City of Canby and Clackamas County.

LCDC requested a discussion, from the Periodic Review Report, of the 10 wetlands areas found to exist in Canby. What is proposed to be added to the Environmental Concerns chapter, as Findings #10, are the classifications and the map that is keyed to the site numbers. This follows the Federal and State mandates which require that if we find any proposal which affect the wetlands, we notify the state and work with the developer to try to protect the wetlands. If not entirely possible, develop some type of mitigation procedures that would be worked out with the State and Army Corps of Engineers. The basic policy, therefore, would be to try to minimize any adverse impacts of new developments on the wetlands.

The Capital Improvement Plan is similar to that submitted in 1988. Those that have already been implemented have been deleted, and some proposals have been added. As denoted, some are long term projects and some are short term projects. Short term projects are those the City hopes to implement by 1998. Long term projects are those included in a 6-20 year improvement plan.

Members of the public asked questions about Township Road and proposed it receive high priority for improvement.

1. The Commission discussed the proposal to amend the Comprehensive Plan to include policies regarding wetlands, capital improvements and commercial/industrial site improvements, as requested by DLCD by letter dated March 17, 1989.
2. The Commission agreed this application is compatible with the text and maps of the Comprehensive Plan, and County plans for the area. There is a public need for the changes and it is the best available at this time. The proposal preserves and protects the public health, safety and general welfare and aids in implementing State Goals.
3. The Commission asked that the area referred to under "Findings No. 10-R" - Wetlands, on page 3, be given a site designation 10. The dammed stream near Territorial Road, easterly of Redwood, was designated Site #10.
4. Under the Capital Improvement Plan, the Commission asked that "Short Term" and "Long Term" projects be separated. The Commission asked that the proposals relate more specifically to the approved Parks Plan and that Parks Plan priority Phase I and II be given first priority. The also requested that as many projects as possible have estimated costs included.
5. This application complies with all City ordinances and policies.

Based on the findings and conclusions in the staff report dated September 4, 1992, on testimony and deliberations at the September 14, 1992 meeting, **Commissioner Fenske moved to recommend approval of CPA 92-02, as amended, and with the priorities requested by the Planning Commission for the Capital Improvement Projects. Commissioner Wiegand seconded the motion and it carried 5-0.**

SUB 92-05, an application by **Dave Anderson** (applicant) and Douglas Hanson (owner) for approval of a subdivision to divide an approximate 32 acre parcel into four lots. The application was submitted and noticed as a two lot Minor Land Partition (MLP 92-08). The City is requiring dedication of land for a roadway, resulting in the creation of four lots, possibly five lots, depending on the exact location of the land dedication. With the additional number of lots and the land dedicated for a roadway, the application must be reviewed and noticed as a subdivision. The property is located on the north side of S. Township Road and on the west side of the Logging Road (Tax Lot 1801 of Tax Map 3-1E-34C). *Continued from August 24, 1992.*

Chairman Schrader reviewed the hearing process and procedures. He asked if any Commissioner had ex-parte contact or conflict of interest. None was expressed.

Bob Hoffman explained that this application does not include a development proposal. It is a proposal to divide a parcel of land into a number of lots so that they might developed some time in the future. The initial proposal was to divide the parcel into two lots, but when the road easements and sewer easements through the site were looked into, staff realized four lots would be created. Therefore, staff concluded that it had to be noticed as an industrial subdivision. At this time, there is no proposal to develop any specific portion of the site.

Jim Wheeler presented the staff report. He explained that the property consists of approximately 32 acres, with approximately 1558 feet of total road frontage along Township Road. The site is bordered by the Logging Road on the west and north. The entire parcel is zoned M-1, Light Industrial. There is an existing house on parcel 1. The entire parcel is within the area tentatively known as the "southeast Industrial park."

After initial review of the original application, in light of requirements for sewer service to the new elementary school being built 800 feet south of Township Road, across from this parcel, and the development of a road in an industrial area, the need for dedication of land was realized. Mr. Wheeler then reviewed the current proposed road configuration from 99-E and S. Pine to Redwood and Township Road. Dedication of land for the extension of S. Pine is being sought by the city. Part of the improvements for the area include two other roads in addition to S. Pine. S.E. 3rd would eventually be extended across the original Parcel 2 and the Logging Road. S. Redwood would extend from S.E. 3rd on original Parcel 1, to Township Road, providing the right-of-way necessary to extend the sewer service for the new elementary school and residential areas further south, including Phase I of Hood View Estates. Dedication of Redwood will also be needed as part of this application. An

extension of the Industrial Road would occur on the subject parcel to the Logging Road for access to the east side of the Logging Road. There is a parcel of land to the west of the Logging Road that is designated in the Comprehensive Plan as industrial land, which is not currently in the City.

The proposed configuration will take into account, future annexations and potential development of this land. This parcel is part of an area of special concern. At the time this parcel was annexed to the City, it was zoned M-1, Light industrial. The partitioning of this parcel will provide parcel sizes more useable for industrial purposes.

The design of the industrial road is in line with concepts in the Industrial Attraction Plan. This City is attempting to promote and develop this area with transportation and utility services for industrial purposes. The right-of-way dedication would be for 60 feet within the property. Construction of the road would not be a requirement of the subdivision, as it is planned to be improved by the City with an Advanced Finance package to be reimbursed by future developments to be located along the improvements. Along Township Road, a 10 foot dedication for widening would be required as part of the subdivision, but the actual widening would not occur until actual development of the parcels along that frontage. The County has requested that at time of development and improvement of Township, that it be improved to handle truck traffic up to the point of Redwood, from the Logging Road.

Utility services are not currently provided to the subject parcel and the proposed road system will provide the corridor needed to extend public utility services to the site. The sewer line will need to be sized to handle the additional loads of future residential development to the south. If the existing home on Parcel 1 remains when utility services are extended, it will need to be hooked to City sewer and water when improvements are installed.

Staff recommends that SUB 92-05 be approved with conditions, as submitted.

Applicant

Dave Anderson, 641 N. Baker Drive explained that he applied to the City for a Minor Land Partition in July, for two lots, as they had a buyer for 22 acres. The City then required roads, other than just perimeter roads, which were needed to expand the sewer line to the new elementary school. As the road will cost approximately \$320,000 and Mr. Hanson is a farmer, he needs to sell the property in order to put in the roads. Mr. Anderson requested that since the City is asking for dedication of roads, that the City pay for the surveying. Additionally, the applicant is requesting that the line between Lots #1 and 2, be moved west 325 feet, leaving Lot #2 approximately 9 acres.

Proponents

None

Opponents

None

Neither For Nor Against

Don Smeback, 625 S.E. 7th Place said he was concerned about access and traffic load on Township from heavy traffic. Mr. Hoffman said the City cannot guarantee no truck traffic from Township. Staff has expressed a desire to try to direct traffic off Township, but that it depends on what the specific development proposal is. Presently, there is legal rights of access to Township unless a legal restriction was placed, which the City does not recommend. Mr. Smeback asked if the roads would be completed before the lots were sold so, hopefully, traffic would be directed to 99-E. Mr. Hoffman explained that there was no way, at this point, such a pattern could be guaranteed. The road right-of-way will be dedicated and the City will attempt to accomplish that. Mr. Smeback asked for further clarification about why the application was changed from a partition to a subdivision. Mr. Hoffman explained again that the developer petitioned to develop his parcel into two parcels for the purpose of selling it. The City's response to that proposal was that roads and easements had to be identified and provided for as part of that proposal, which legally changed the application from a partition to a subdivision. Mr. Smeback asked about the sale of the 9 acre lot. Further, he asked if the garbage transfer station was planning to relocate to this parcel. He stated he had no objections to the subdivision, but did have objections to the transfer station being located there because although it would enhance the industrial area for future buyers, it will not enhance the residential area. The Commission advised Mr. Smeback that development of a particular parcel was not an issue before the Commission at this time.

Rebuttal

Dave Anderson did not believe a rebuttal was necessary.

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

1. The Commission asked Mr. Wheeler if moving the lot line between Lots #1 and 2, 325 feet to the west, was acceptable. Mr. Wheeler said 325 would cause limited access to the extension of the industrial road to the east. Two hundred twenty five feet would leave enough access frontage.

2. The road alignments. Mr. Wheeler explained the various proposals under consideration.
3. The Commission considered the fact that the Redwood/Pine Street extension intersection might relieve some of the traffic at the Ivy/Township intersection. Some of the residents from Township Village might even use it to access 99-E.
4. County requirements for improvements along Township. Mr. Wheeler stated that the County sees Township as a collector, but is taking the possibility of truck traffic into account. The County is only looking at the part from the Logging Road to Redwood, although the property goes 180 feet beyond that. Mr. Klem explained that although Township is labeled a "collector" it is not an insignificant road. It must move traffic to the arterials as quick as it can.
5. Whether each of the four lots would take access directly from Township. Mr. Wheeler explained that staff would prefer they do not all access Township, although they will have to be reviewed with each application for development of each lot. Mr. Wheeler said that the City would encourage use of Pine and 99-E, to try to decrease industrial traffic on Township.
6. The garbage transfer station, which is not an outright use. The City has determined that such use would require a Conditional Use application in an M-1 zone. In addition, any industry applying to locate here would require a Design Review application.

Based on the findings and conclusions in the staff report dated September 4, 1992, and the testimony and deliberations at the public hearing, **Commissioner Fenske moved for approval of SUB 92-05 with conditions as proposed by staff, and with the change of the lot line between Lots #1 and 2 moved 225 feet to the west, or as may be negotiated for adequate access to the industrial road.**

1. **The final plat shall reference this land use application - City of Canby, File No. SUB 92-05, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.**

2. **The final plat mylar must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recording.**
3. **A final plat modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final plat shall reference this land use application -- City of Canby, Planning Department, File No. SUB 92-05.**
4. **All monumentation and recording fees shall be borne by the applicant.**
5. **Ten (10) feet of land for street widening purposes along Township Road shall be dedicated as part of the subdivision. At the time the parcels are developed, Township Road shall be widened and a sidewalk shall be installed along the property frontage of Township Road. Improvement designs and specifications shall be approved by the Director of Public Works and Clackamas County.**
6. **Sixty (60) feet of land for street extension and utility improvement purposes for S. Pine Street and S.E. 3rd Avenue shall be dedicated as part of the subdivision. The exact location of the land to be dedicated shall be approved by the Director of Public Works and shall be surveyed and shown on the final plat.**
7. **If, after the land to be dedicated has been surveyed, there is a portion of the "original" parcel two north of the land to be dedicated for S.E. 3rd Avenue, that portion of the "original" parcel two shall become a part of the northern lot of the "original" parcel one and shall be shown as such on the final plat.**
8. **All utilities must meet the standards and criteria of the providing utility authority.**

9. **Permanent utility construction and maintenance easements including, but not limited to, electric and water cables, pipeline conduits and poles shall be provided as follows:**

6 feet in width along interior lot lines; and,

12 feet in width along exterior lot lines.

10. **If the house is remaining at the time that public sewer is provided within one hundred (100) feet of the existing home on parcel one, the owner shall comply with Sections 13.12.010, 13.12.030, and 13.12.040 of the City Code.**
11. **The lot line between Lot #1 and #2 shall be moved 225 feet to the east. Lot #1 shall have at least 640 feet of road frontage along Township Road, and at least 100 feet of road frontage along the industrial road right-of-way along the northern lot line.**

Commissioner Wiegand seconded the motion and it carried 5-0.

SUB 92-03/PUD 92-01, a request by **Cypress Ventures, Inc.** for approval to replat the subdivision into 56 lots and waive the senior housing restriction. The property is located at the western end of S.W. 13th Avenue, west of S. Elm Street (Tax Lots 100-8200 of Tax Map 4-1E-4CB). *Continued from August 24, 1992.*

Chairman Schrader asked if any Commissioners had ex-parte contact or a conflict of interest. Commissioner Maher explained a guest of hers visited the site and was told the senior citizen restrictions were already lifted. She felt she was able to participate without bias or a conflict of interest, given that contact. All the Commissioners had visited the site, but drew no conclusions. Commissioners Schrader and Fenske met on the site, but did not discuss the proposal. He then reviewed the hearing procedures and process.

Bob Hoffman presented the staff report. He explained that the current staff report was an update of the original, with deletions shown as strikeouts and new material typed in bolded caps. The applicant is proposing the elimination of the "Senior Citizen Only"

limitation, and replatting with fewer, but larger, lots. Although a couple of lots with recently constructed homes remain at 4,600 square feet, under the proposal the remaining lots would average 6,000 square feet. Under the initial application, which included Conditional Use criteria, 2 units have already been built which have common wall construction. The applicant has requested side yards equal to the 6 foot utility easement, and 12 foot front yard setbacks. This will work, with review of each site plan by the City Planner, as part of the building permit review process. All multi-family units have been eliminated from this proposed project. Mr. Hoffman reviewed the applicable criteria and the pointed out the embankment lands that were dedicated to the City after the initial approval. In fact, out of the total site, 33.8% of land has been dedicated for recreational open space. Included in the proposed conditions of approval is a requirement that the landscape plan be revised and that all dead and/or dying vegetation must be replaced. At the time the application was originally filed, the Site and Design Review Ordinance was not in place. At the present time, Design Review requires three years of maintenance. A condition could be attached to apply such maintenance to the common areas. Although the lands have been dedicated by Mr. Nelson, and the trails have been built, the pagoda that the applicant proposed building, which the City approved, has not yet been built. Since the initial approval, a more detailed geotechnical report has been submitted, with somewhat revised recommendations, and has been accepted by the City. This revised report has reduced the minimum setbacks (required along the embankment) of 30 feet, to 15 feet. To insure privacy for ALF, staff is proposing a condition that the applicant construct a sight-obscuring, good-neighbor buffering fence between the Assisted Living Facility and the lots that abut it. Additionally, the applicant must hard surface the RV parking area. The proposed drywells need to be located in cooperation with the City, to ensure adequate protection of the embankment and watercourse at its base, set back as far from the edge as is reasonable. S.W. 13th Avenue has been built to City standards and a pedestrian connection to the Community Park and Canby Square Shopping Center has been provided. All utilities have been extended to service each unit and easements are provided on-site. Due to the elimination of the senior citizen limitation, most of the remaining lots may be purchased by families with children. Small child recreation facilities are not available in or near this development. Although open space areas are proposed along 13th Avenue, they are not desirable locations for "tot lots" designated as play areas, as 13th Avenue is designated an arterial in the Comprehensive Plan. The walkway which would have connected to ALF, has been eliminated, as it is no longer needed for the elderly to access the ALF facility. Staff is recommending a "tot lot" on Lot 29. Meeting the Solar Access Ordinance is constrained by the current road system, so this development is exempted from compliance. As the lots are not selling, as marketed, staff recommends approval, with reservations, of this application. Mr. Hoffman then reviewed the revised conditions of approval. Among other issues, the conditions include the construction of sidewalks along 13th Avenue at the open space areas.

Applicant

Lowell Morse, President Cypress Ventures, Inc., 7155 SW Varns Street, #100, Portland 97223 said he concurs with the staff report and presentation. As a number of lots have already been sold, each owner has submitted a letter, which have been submitted to the City, supporting this application. The present application reduces the density by 27%. Providing 35% for open space will make Cedar Ridge the "greenest" subdivision in Canby. All lots have already been prepared for water and sewer service, but two lots will need to have trenches dug in order to connect to services. He agreed that all dead and/or dying vegetation will be replanted. Mr. Morse stated that he proposes that the tot lot be relocated to Lot #12, as opposed to being located on the bluff. There is easy pedestrian access provided to commercial areas. Mr. Morse reviewed the trail system, which were built exactly as the plans depicted. The trails are rustic, with borders along some areas Building the pagoda will be constructed as a joint effort with Dave Nelson. He believes that most of the homes will sell in the \$79,000 - \$115,000 range. Without approval for reduced setbacks, Mr. Morse said tall, skinny homes would have to be built. The City will have full review of each site as building permits are issued. Mr. Morse stated that the lots have not been represented as having the Senior Citizen Only restriction lifted.

Proponents

Karen Haring, 2330 N. Country Club Drive stated that, for safety purposes, the tot lot should not be located on the bluff. An addendum was given to all the realtors that the lots could not be represented as having had the restriction for seniors lifted. The tot lot should be relocated, off the bluff. It has been extremely difficult trying to market these lots to senior citizens as they are looking for golf courses and club houses, to enjoy in retirement years.

At this point, Mr. Hoffman read a letter into the record from Marv Dak's attorney, stating that Mr. Dak's interest is a beneficiary of the subordinated Deed of Trust. It is stated clearly that Mr. Dak is not the record owner of the property. The letter stated that Mr. Dak has no objections to the reduction of the number of lots or the removal of the restriction relating to the age of the purchasers of the lots. Mr. Dak does ask that the agreement be modified, between himself and the applicants, to properly preserve Mr. Dak's interest in the property.

Mr. Hoffman then read a letter from Roger Reif, on behalf of Canby Disposal Company. The letter stated that the buffering issue is of concern, as the previous buffering has not been adequate. If the subdivision is no longer limited to senior housing, Canby Disposal is concerned that their use of the property will attract children, unless an adequate buffer is required. The letter also calls to the attention of the Commission, the dead and/or dying plantings, which limits the buffering entirely.

Rebuttal

Lowell Morse stated that the dead and/or dying plantings will be replaced. He stated that it is very difficult to screen out the fire and smoke, etc., from the Canby Disposal site. A 6 foot slatted cyclone fence already exists between the sites.

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

1. The marketability issue, which is the reason the applicant gave for asking that the senior restriction be removed. **Russell Newcomer**, a local broker, stated that most interested parties consider the seniors-only provision as a restriction for resale purposes.
2. The reasons for considering this application under PUD criteria. This application is considered under PUD criteria partially because the applicant applied for it and partly because the existing streets have been constructed as private roadways and are slightly narrower than streets built to City standards. Additionally, the utilities will be privately owned under separate associations. Lot sizes, in some cases, are smaller than what the subdivision ordinance requires.
3. Sidewalks along 13th Avenue. The Commission discussed the need for sidewalks along the open space on 13th Avenue, which have not been constructed yet. Proposed Condition #21 includes this.
4. New geotechnical report, which has been accepted by the City. The new report was reviewed the writers of the original report, who concurred with the findings. Proposed Condition #4 covers this.
5. The development of the trail. The Commission agreed that weather conditions could wash away the gravel, and that adding 4x4 pressure treated borders along the trail would make the trails more resistant to erosion and danger. Proposed Condition #22 includes this.

6. The relocation of the tot lot to Lot #12 is preferable. The Commission expressed concern that the tot lot, as proposed, was too small. It was suggested that since RV parking is not usually a permitted use in residential zones, to use the area reserved for RVs as a tot lot. Mr. Morse said the area reserved for RV parking was on the wrong side of the street and could not be accessed easily. The Commission discussed permitting the developer to build one or two homes in the RV area and approving the reduced setbacks if the tot lot was larger. Mr. Morse was concerned about extending the sewer to the RV parking area. He explained he was willing to expand the tot lot to include the abutting lot. Proposed Conditions #15 and 20 address these issues.
7. The Commission requested that a condition be attached to ensure that the shrubbery is maintained and that building permits be reviewed, such that none were issued if the plantings are not maintained for a two year period after initial installation. After that, a landscape contract would be renewed annually until full occupancy occurs. Mr. Hoffman explained that there is a subdivision association already set up and registered with the County, which covers maintenance for common open space and other non-public areas, and that City-owned land will be maintained by the City. Proposed Condition #8 was revised to address this.
8. The Commission discussed the request for better buffering from Canby Disposal. Proposed Condition #9 was revised to include replanting of dead and/or dying trees.
9. The Commission requested that a condition be attached that prior to the final building permit being issued, the pagoda be built. Proposed Condition #18 includes this.
10. The Commission expressed concern about the reduced setbacks, wanting to ensure adequate yards for families with children.
11. The existing trails were discussed. Mr. Hoffman pointed out an area of steep slopes, where the applicant requested that he not be required to build a trail. The City was not aware of this until after the plat was recorded. The geotechnical report requests that no more trails be built on the slope. The way the plat is filed, there is no way to build the trail without tearing up the hillside. The difference between what was actually platted and what the

Commission approved, appeared when the engineering survey was done and a lesser dimension was found to exist, after the plat was recorded. In the future, steep slope areas will be more carefully scrutinized. The Commission requested that a condition be attached regarding the 10 foot access strip behind proposed Lots 38 and 39, to access Tract "A". Proposed Condition #17 incorporates this.

12. The hard-surfacing of whatever remains of the RV area. Proposed condition #16 addresses this.
13. A buffer between this development and ALF. Proposed condition #14 addresses this issue.
14. A 10 foot access strip dedication at the very end of 13th Avenue for park and open space use. This is addressed in proposed Condition #13.
15. The condition addressing the tot lot should include provisions for landscape maintenance and irrigation.

Based on the findings and conclusions contained in the August 14, 1992 staff report, and on testimony and deliberations at the September 14, 1992 public hearing, **Commissioner Maher moved for approval of SUB 92-03/PUD 92-01, Cedar Ridge Replat, with the following conditions:**

1. **Revised utility easements shall be provided, to the satisfaction of the Canby Utility Board (CUB), North Willamette Telecom, and the Canby Telephone Association for all replatted lots.**
2. **The following shall apply with regard to the revised covenants, conditions and restrictions:**
 - a. **Such covenants, conditions and restrictions and homeowner association by-laws shall be filed with the County Register of Deeds**

7. **For any site revisions, the applicant shall attend a pre-construction conference with City staff, CUB, the Fire District, etc., to resolve all service needs.**

8. **A revised landscape plan, especially for the new common areas, prepared by a registered landscape architect, shall be submitted for final approval by the Planning Director. Replanting of all dead or dying vegetation placed as part of the previous plan shall be accomplished. Maintenance shall be provided by a landscape contract for at least a two year period after initial installation, to be renewed annually until full occupancy occurs.**

9. **The lots abutting the Recycling Plant shall be buffered with heavy landscape treatment, to the satisfaction of the Planning Director, and replanted since previously planted trees have died.**

10. **Due to the limited access to river frontage and potential for drainage problems below the subject property, the City of Canby requires that the applicant provide drywells for disposal of collected storm water runoff on the site.**

11. **Prior to undergoing a plan check for construction, all proposed residential development shall undergo a site plan review to be conducted by staff. The Planning Director shall approve such plans for consistency with the approval under the PUD application. The driveways of new Lots 41, 42 and 43 shall be configured such that no backing maneuvers are required to access S.W. 13th Avenue.**

12. **Guest parking shall be designated and shown on the final plat in the amount of 1 space/5 units. If on-street, they shall not be on 13th Avenue, and shall be clearly signed for guests/visitors. If separate lots, they shall be clearly signed for guests/visitors.**

13. **At the time of final plat approvals, the applicant shall dedicate a 10 foot access strip at the very end of 13th Avenue, adjacent to Lot 43, to the City of Canby for park and open space use.**

14. **Prior to plat approval, a fence shall be provided to separate the Assisted Living Facility from proposed Lots 6-15, since these lots will be occupied by families, many of which will have children.**
15. **A "Tot Lot" shall be constructed on proposed Lots 12 and 13 to provide a place for a small childrens' play area. No home shall be constructed on these lots, and it shall be maintained as part of the "Common Area" and landscaped and irrigated and maintained. A small portion of proposed Lot 13 shall be distributed to Lots 14 through 18.**
16. **Prior to use, the reduced size proposed recreational vehicle storage area shall be hard surfaced and paved asphalt or concrete surface.**
17. **A 10 foot wide access strip and walkway shall be provided along the top of the embankment at the rear of proposed Lot 38, and southeast corner of proposed Lot 39, to provide access to the upper portion of Tract "A". Such walkway to continue out the 10 foot access easement to 13th Avenue.**
18. **Prior to the issuance of the last building permit or bonding, the pagoda, previously approved, shall be built in conjunction with development of the trail and park system, at the bottom of the embankment area, or a bond established or financial contribution made to the Park SDC fund.**
19. **The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recordation.**
20. **One or two new lots may be provided at the north end of Aspen if the sewer service can be provided for these lots. If so, the RV lot may be reduced in size.**
21. **Sidewalks shall be provided for the new common areas located at S. Birch and 13th Avenue prior to occupancy of any new homes with building permits approved after September 21, 1992.**

22. All trails shall be appropriately surfaced to minimize maintenance costs and shall include permanent edging and drainage at least equal to 4x4 pressure-treated wood edges, designed in accordance with U.S. Park Service trail standards.

Commissioner Fenske seconded the motion and it carried 5-0.

DR 92-08, Redwood Terrace Apartments, was carried over to the September 21, 1992 agenda.

VI. DIRECTOR'S REPORT

Mr. Hoffman reviewed a request to build a fence along Knott Street from Dan Anderson, who is building a 5-plex on S. Knott and S.E. 3rd. After reviewing the request, the Commission decided the request was minor enough in nature that staff could make the decision administratively, with notification to adjacent neighbors who, if opposed to the decision, could appeal and have it brought back before the Commission.

Mr. Hoffman also advised the Commission that the State approved a "right-turn only exit" from MacDonalds on to 99-E, but no access from 99-E. Therefore, MacDonalds is proposing access from Birch. The Commission agreed this request should come back before the Commission for review if MacDonalds pursues it.

VII. ADJOURNMENT

The meeting was adjourned at 11:35 p.m.

Respectfully submitted,



Joyce A. Faltus