

CANBY PLANNING COMMISSION
Regular Meeting

October 12, 1992

7:30 p.m.

I. ROLL CALL

Present: Chairman Schrader [arrived during the Findings portion of the agenda], Vice-Chair Mihata, Commissioners Fenske, Wiegand, Gustafson, Zieg and Maher.

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

Others Present: Donna Jean McManamon, George Wilhelm, David Anderson, Mark Keysboe, Dan Larson, M. Schwartz, John Watson, Nancy Salber, Walter West, Shirley Regan, Don Smeback

II. MINUTES

Approval of minutes was delayed to October 26, 1992.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

None

IV. COMMUNICATIONS

None

V. FINDINGS

Commissioner Fenske moved for approval of DR 92-08 Findings, Conclusions and Order [Redwood Terrace]. Commissioner Maher seconded the motion and it carried 5-0, with Commissioner Wiegand abstaining.

Commissioner Zieg moved for approval of MLP 92-09 Findings, Conclusions and Order [Shiolas], as amended. Commissioner Gustafson seconded the motion and it carried 5-0, with Commissioner Wiegand abstaining.

Commissioner Schrader arrived at this point.

Commissioner Maher moved for approval of CUP 92-10 Findings, Conclusions and Order [Watson], as amended. Commissioner Wiegand seconded the motion and it carried 6-0, with Commissioner Zieg abstaining.

Commissioner Fenske moved for approval of ZC 92-02 Findings, Conclusions and Order [Ziebart]. Commissioner Wiegand seconded the motion and it carried 6-1, with Commissioner Maher opposed.

VI. NEW BUSINESS

None

VII. DISCUSSION OF PLANNING ISSUES

Chairman Schrader asked for updates on each committee.

1. Commissioners Gustafson and Zieg reported that their committee on Design Review had not yet met. To date, they have gathered information from other cities to review.
2. Commissioner Mihata reported that her committee was reviewing tree ordinances from other cities and the section of the Design Review Ordinance that dealt with trees. They will meet after they've all had time to review this information. She also requested feedback and direction from the Commission at the November meeting.
3. Commissioners Maher and Wiegand explained that their Comprehensive Plan Update committee had met 4 - 5 times to decide how to solicit input from residents. They intend to spend a week reviewing each section of the Comprehensive Plan. With regard to the Urban Growth Boundary, Mr. Hoffman suggested the committee look at the 1988 Periodic Review as a base to start from. Mr. Hoffman explained that the Urban Growth Boundary is supposed to cover 20 years and the Urban Reserve, 50 years.

4. Commissioner Fenske reported that the Advance Funding Ordinance for public improvements was good, and mostly only had technical problems. There is a philosophical problem that will probably have to be dealt with at the Council level, which is whether or not advance financing should be a legitimate condition for development. In many recent hearings, advance financing conditions might have well been applied to great advantage. Chairman Schrader suggested developing criteria for the size of each development. Another suggestion was for revisiting the benefitted users over time, in case conditions change, and add new benefitted users. Another consideration is the formula for calculating the shares to be paid by intervening or future users and the most appropriate method for assessing such charges, whether by square footage or frontage, etc. He stated that he was still open to receiving comments from anyone who has not submitted them.
5. Chairman Schrader reported that the Parks Committee met with the South Clackamas Recreation division and Dan Zinzer recently. Mr. Zinzer reviewed the process North Clackamas employed to get support. Community input was deemed the most important issue.

VIII. NEW BUSINESS

None

IX. PUBLIC HEARINGS

SUB 92-04, an application by Regan Enterprises for approval of Phase V of Township Village, a 27-lot single family subdivision. The property is located on the south side of S. Township Road, west of S. Redwood Street and north of S.E. 13th Avenue (Tax Lot 1800 [part] of Tax Map 4-1E-3). *Continued from September 28, 1992*

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

Mr. Hoffman presented the staff report. He explained that this phase is part of Township Village's ten-phase development. This phase contains 27 lots and is located on 6.86 acres. The lots vary in size from 7,200 square feet to 9,600 square feet. He referred to the summary of the major criteria for approval of a subdivision, posted on the wall.

Mr. Hoffman explained that the parkland dedication, which was conditioned as part of the Phase IV approval, was received and is expected to be accepted by City Council at its next meeting. Phase IV was also approved with the understanding that the Master Plan be revised to show that the Tofte property subdivision, to the east, be considered with respect to street connections and pedestrian links, to consider the new elementary school off 10th Avenue, and to provide for a fence along the eastern and northern boundary of the Philander Lee Elementary School.

The Master Plan submitted does not provide for the fence along the school boundaries. Pine Street is proposed to be a collector street and it is continued from the north in Phase V, as a 50 foot right-of-way with a 40 foot pavement. The new sewer collector is proposed to be continued to the south in this phase also. Previously, the Commission requested that the developer consider extending Pine to 13th Avenue as part of Phase VII. It is not shown. In the plan presented as the revised Master Plan for Township Village, Pine is shown with a drastic jog at the southern end, about which staff has received much negative feedback, especially from service-providers. The City is concerned with the safety and maintenance issues.

Solar access ordinance standards apply. According to staff's analysis, seventy-six percent of the lots meet the Solar Access Ordinance Standards. Due to City requirements for a collector street, there are serious constraints with the design of the lots adjacent to the collector street on the east side of Pine Street. The ordinance states that if there is a 10% cost increase as a result of redesign, the Commission can adjust for compliance with the ordinance.

Applicant

George Wilhelm, 546 S.E. Township stated that, for the most part, he concurs with the staff report, but enumerated his concerns, as follows:

1. With regard to phasing, Mr. Wilhelm explained that phasing was determined by the harvesting of Christmas trees. The younger trees are situated in the southern portion of the area.
2. With regard to the jog in S. Pine, Mr. Wilhelm explained that the park dedication changed the original planned route of S. Pine. Without the jog, there would be a straight road from Township to 13th, cars would travel faster, and it would seem less residential. A straight collector from Township to 13th would also encourage more truck traffic.

3. Mr. Wilhelm explained that the alignment of streets makes meeting the Solar Access Ordinance very difficult. Since the City wants Pine as a collector, extending from Township through to 13th, the Planning Commission should exempt them from meeting the required percentage.
4. A walkway between Phase VI and Phase VIII would not be desirable. Mr. Wilhelm agreed a walkway on the west side, between Phase VIII and Phase IX would be more desirable.
5. Seventy six percent of the lots meet the requirements of the Solar Access Ordinance. Due to the alignment of streets, all the lots on the east side of Pine Street cannot meet the requirements. Mr. Wilhelm requested that the Commission exempt those lots from the criteria.

Dave Anderson, 641 N. Baker Drive stated that the southern portion must be developed next due to the harvesting of Christmas trees. Too many trees would have to be disturbed if Phase VII was developed before Phase VI, and the Regan Brothers would stop development until they are harvested, if necessary.

Opponents

None

Neither For Nor Against

Donna Jean McManamon, 525 S.E. 7th spoke regarding the Master Plan. Ms. McManamon reviewed a hearing that took place two years ago, and referred to the original 1989 Master Plan which shows a natural jog in 10th Avenue. As 10th Avenue is a connector to the new school, Ms. McManamon explained that if there is no deterrent, such as that jog, there would be little traffic control. On October 12, 1990, the staff report stated that ". . . Both 7th Avenue and 10th Avenue are indicated to ultimately extend to the east. Children's pedestrian needs for safe school access must be provided." By removing the jog in 10th, safe pedestrian access would be eliminated. In that same report, the school district asked ". . . that pedestrian pathways be provided to Philander Lee Elementary School as soon as possible." At the present time, children living in Township Village still walk to school on Township, 13th Avenue [a truck route], or Ivy. Ms. McManamon added that putting a park adjacent to a truck route is asking for potential problems. Returning to the staff report of 1989, she referred to the recommendations, which addressed the fence along the eastern and southern boundaries of the development and, under #4, it said that the

developer shall provide playground space within the interior area of the development. The parkland dedication should, therefore, have been located within the Township Village development. As Philander Lee is a grade school, youngsters who live in Township Village could have used a play area for daytime use near their homes.

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

1. Eighth and 9th Avenues, in Phase V, coming off Pine Street, are rather dead-ended streets with no provisions for turnarounds. Mr. Hoffman explained that the fire department has not requested such turnarounds. The Commission decided that temporary turnarounds should be provided, as required by the Fire Marshal.
2. Whether or not the size of Lot #28 is considered large enough so that it would be possible to align the 10th Avenue connection to the Tofte property, slightly south, by reducing this lot somewhat. The Commission agreed that Lot #28 should be redesigned.
3. Whether or not another walkway should be included between Phase VI and Phase VIII, on the western side to allow access to the school site from the north. The Commission agreed this should be added to the conditions.
4. Road and pedestrian lengths and connections to property to the east are adequate, provided 10th Avenue angles slightly to the south.
5. Posts in the middle of entrances to the walkways should be set in concrete to discourage bike traffic. The Commission agreed to forward a request to the Department of Public Works so that this can be accomplished.
6. The lack of a walkway between Phase VI and VIII. The Commission agreed to delete the original staff-proposed condition 14(b).
7. That the circulation plan in the current subdivision Master Plan is better conceived than the original Master Plan.
8. Since revising the order of phase development could not be accomplished due to the plan for harvesting Christmas trees, the Commission agreed to the applicant's phasing schedule.

9. The location of the proposed park was considered. At the time Phase I was submitted, there was no Park Plan in place for the City. The Commission accepted the location of the proposed park dedication on the new subdivision Master Plan. The location of the new elementary school site to the east of Redwood was also considered in this discussion.
10. The jog in Pine Street was discussed and it was agreed the Safety Committee should review the proposal and come up with alternate recommendations (i.e. STOP signs, speed bumps, etc.) for reducing speed in the residential area. The Commission agreed to add a new condition, #14 which would direct elimination of the two right angles turns from S. Pine near 13th Avenue and request that the Traffic Safety Committee recommend additional safety features to control traffic on Pine, to the satisfaction of the Public Works Director. The Commission agreed the recommendations of the Safety Committee might be helpful when reviewing other applications. The Commission agreed the jog would cause safety and maintenance problems and be more costly.
11. The Commission agreed a fence should be provided around the northern and eastern property lines of Philander Lee, as requested by the school district. Mr. Wilhelm explained that not indicating this proposal on the proposed Master Plan was an oversight on the part of the developer.

Based on the findings and conclusions contained in the staff report dated September 18, 1992, testimony at the hearing, and Commission deliberations, **Commissioner Mihata moved for approval of SUB 92-04, with conditions, as amended during deliberations, as follows:**

1. **Full-width barricades shall be placed, at the developer's expense, at the end of the new streets which are planned to be extended later (8th, 9th, 10th, and S. Pine).**
2. **Any necessary utilities shall be constructed to the specifications of the service-provider.**
3. **Utility easements shall be provided and are to be twelve (12) feet along all streets and exterior parcel lines. Exterior lines of the subdivision adjacent to other platted subdivisions with easements, and easements along all interior lot lines, are to be six (6) feet wide off of each lot, for a total of twelve (12) feet.**

4. **"As-built" drawings shall be submitted to the City within sixty (60) days of completion.**
5. **Street name and traffic control signs shall be provided at the developer's expense. This shall include "dead end" signs for the end of the streets and "Stop" street signs, where required by the Director of Public Works.**
6. **A one foot "plug" and reserve strip shall be provided at the end of the dead ended streets to prevent access to the west, east, and south until platted or developed.**
7. **The final plat shall reference this land use application - City of Canby, File No. SUB 92-01, 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.**
8. **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.**
9. **Curbs and sidewalks shall be provided along all street frontages. While building setbacks are normally required to be measured from the property line, in situations where the sidewalks are built on private property, the driveways and parking areas shall be designed to provide a minimum of 19 feet of parking area between the sidewalk and the face of the garage (or some equal outdoor parking provided on-site).**
10. **No more than four lots in each block shall have the same house designs.**
11. **The developer shall revise the alignment of 10th Avenue extension and angle slightly to the south to better align with the Tofte/Herman proposed development.**
12. **Erosion-control during construction shall be provided by following the recommendations of the "Erosion Control Plans Technical Guidance Handbook," by Lori Faku and Rick Raety, dated November 1989, as revised (currently January, 1991).**

13. The stormwater disposal system shall be reviewed and approved by the Public Works Director, including appropriate drywells.
14. The Traffic Safety Committee shall be requested to recommend any additional safety features to control traffic on Pine, to the satisfaction of the Public Works Director.
15. The proposed Master Plan should be reconsidered by the developer for revision prior to submittal of Phase VI, as follows:
 - a. indicate a proposed fence along the northern and eastern school/park property.
 - b. provide a walkway between Phases VI and VIII, at the western end.
 - c. eliminate the two right angle turns from S. Pine near 13th Avenue, and provide for direct utility connection to 13th Avenue and the Traffic Safety Committee shall be requested to recommend any additional features to control traffic on Pine.
 - d. provide a walkway connection between S. Pine and the new park, approximately one-half the distance between the current proposed walkway on the west side of S. Pine Street and S.E. 13th Avenue.
16. Temporary turnarounds shall be provided at the end of 8th and 9th Avenues, the design of which meets the requirements of the Fire Marshal.

Commissioner Zieg seconded the motion and it carried 7-0.

MLP 92-10, an application by Walter West Construction for approval to divide a 10.39 acre parcel into 2 parcels, approximately 3.64 and 6.75 acres each. The property is located on the southeast corner of N. Redwood Street and Territorial Road (Tax Lot 702 of Tax Map 3-1E-27C). *Continued from September 28, 1992.*

Chairman Schrader asked if any Commissioner had ex-parte contact or conflict of interest. Other than Commissioner Fenske advising of his visit to the site and coming to no conclusions, none was indicated. The chairman then reviewed the hearing process and procedures for the benefit of the audience. He also noted the criteria for Minor Land Partitions which was on display.

Jim Wheeler presented the staff report. He explained that the parcel is located on the southeast corner of the intersection of N.E. Territorial and N. Redwood Street. A Design Review application was submitted and a hearing held, for a 56-unit apartment complex on Parcel 1. The partition application requests approval to separate Parcel 1 from Parcel 2 because they are zoned differently. Parcel 1 is zoned for Medium Density Residential development and Parcel 2 is zoned for Low Density Residential. The applicant has stated his intention to subdivide Parcel 2 into single family residential lots.

On the site plan, Mr. Wheeler indicated the wetlands and the existing 16 foot access easement to properties to the southeast of the subject parcel. Staff recommends approval of the partition, especially as it is to be partitioned along the zoning line for separate developments according to the zoning classifications of the property.

Dedication of land for street widening purposes has already occurred with the Design Review application, which was approved recently, for the full length of the parcel. Proposed condition #6 addresses the concerns of an adjacent landowner, specifically delineating the 16 foot easement on the southern boundary line of Parcel #1. Mr. Wheeler stated that he is proposing two additional conditions, based on the Design Review approval, as follows:

7. **Half-street improvements, with sidewalk, curbs and water line shall be provided for N. Redwood Street along the frontage of Parcel #2 at the time that Parcel #2 is developed.** A condition of the Design Review approval stated that, based on the possibility of a Minor Land Partition application being submitted and approved, the applicant would only have to provide improvements to the southern half of the development, Parcel 1. The addition of this condition would provide improvements for the remainder of the parcel at the time of subdivision development of Parcel #2.
8. **A portion of Parcel #2 shall be dedicated and developed as park land at the time Parcel #2 is developed. The location of the park land shall be determined at the time Parcel #2 is developed.** This is based on discussion at Design Review approval and allows flexibility for the location of the parkland within the subdivision.

Mr. Wheeler stated that staff recommends approval with eight conditions.

Applicant

Mark Keysboe, Project Manager for Walter West Construction, 22489 S. Penman Road, Oregon City stated that the Larsons have offered to sell only Parcel #1, in order for the applicant to develop the multi-family site. The applicant prefers to purchase and develop both parcels, but they must be able to stand alone and make economic sense on their own, in the event financial assistance becomes necessary. Furthermore, it makes more sense to divide the property along the zoning line. The applicant is working with an engineer regarding the development of the subdivision site, which will have approximately 20-22 lots. A walkway is proposed - a bridge - across the wetland area and a pathway from the park site.

Proponent

Dan Larson, 390 N.W. 2nd explained a little of the history of the property, which was originally purchased from Earl Oliver. He urged approval of the Minor Land Partition, in order to separate the different zoning densities into separate tax lots.

With no further testimony, the public portion of the hearing was closed for Commission deliberation. The deliberations included the following items:

1. Surveying and platting the existing sixteen (16) foot easement is appropriate in that the easement provides the only access to N. Redwood Street for four properties.
2. Half-street improvements in N. Redwood Street, including paving, sidewalk, curb, and water main extension, are necessary at the time that Parcel 2 of the partition is developed. Extension of improvements were part of the development of the portion of the subject property that is now Parcel 1, and extension of the improvements will be necessary for development to occur on Parcel 2.
3. A portion of Parcel 2 will be needed for park land. As part of the approval for Site and Design Review for the apartments on what is now Parcel 1, it was stated that some park area was needed for the children that would be living in the apartments. The park land will need to be designated at the time that Parcel 2 is developed.
4. Whether the wetlands can be considered parkland and if any government agencies would object. Mr. Wheeler explained it could be accessed, meeting State regulations and requirements regarding the crossing of wetlands.

5. Regarding the 16 foot easement on the southern boundary of this parcel, Mr. Wheeler explained that this is a private access for approximately four parcels to the southeast of the subject parcel, and is their only means of access to Redwood Street. There would be no obstacles involved should these parcels annex to the City, but if the property owners wished to develop the parcels this could be a limiting factor to developing those sites.

Based on the findings and conclusions contained in the staff report dated September 18, 1992, on testimony at the hearing, and on Commission deliberations, Commissioner Zieg moved for approval of MLP 92-10, with conditions as follows:

1. A final partition plat modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application -- City of Canby, Planning Department, File No. MLP 92-10.
2. The final partition plat 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.
3. 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.
4. All monumentation and recording fees shall be borne by the applicant.
5. 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.
6. The existing sixteen (16) foot access easement located along the southern property boundary shall be surveyed and placed on the final plat.
7. Half-street improvements, with sidewalk, curbs and water line shall be provided for N. Redwood Street along the frontage of Parcel #2 at the time that Parcel #2 is developed.

8. **A portion of Parcel #2 shall be dedicated and developed as park land at the time Parcel #2 is developed. The location of the park land shall be determined at the time Parcel #2 is developed.**

Commissioner Fenske seconded the motion and it carried unanimously.

DR 92-09, an application by John and Pat Watson for approval of a Site and Design Review application for a 68-unit mobile home park. Special attention will be paid to design and maintenance of landscape and irrigation areas. The site is located on the east and west sides of S. Pine Street, south of S.E. 2nd Avenue (Tax Lots 700 and 790 of Tax Map 3-1E-34C and Tax Lot 2200 of Tax Map 3-1E-33DD). *Continued from September 28, 1992.*

Chairman Schrader asked if any Commissioner had ex-parte contact or conflict of interest. Other than visits to the site, there was none. He then reviewed the hearing process and procedures and approval criteria.

Jim Wheeler presented the staff report. He explained that based on the conditions of approval for the Conditional Use application for this mobile home park, the Design Review application involves two alternatives. One is for a 60 unit mobile home park with one entrance, and the other is for 67 units and two entrances. He explained that the two options were included in the Commission's agenda packet, along with a description of landscaping for each individual home site and the common area in front of each site. Also included in this review, is a sign and a fence design proposal.

Under the Conditional Use application, a 60 unit manufactured home park with one entrance was approved, with the option remaining of going to 67 units with a second entrance. Mr. Wheeler reviewed the zoning of nearby properties. The property to the north and east is zoned for industrial use and a 6 foot sight-obscuring wood fence is proposed along the eastern boundary, to act as a buffer between the two zones. A wooden fence/brick wall buffer is also proposed along the northern boundary. The applicant proposes a row of street trees along S. Pine and S.E. Third Avenue. As industries are located in the now-vacant industrial area, additional buffering will be provided. One of the conditions of approval for the Conditional Use application, was that people leasing home sites #1 - #11 and #37 - #39 would be notified, in writing, by Pine Crossing Management, prior to leasing, that S.E. 3rd Avenue and S. Pine

Street will be used by industrial traffic. The same homeowners would be notified, also in writing, by Pine Crossing Management, that industrial activities will occur on property immediately to the east and northeast of the park. Further, any applicant for a mobile home site permit on those sites shall be required to present the City Planner with such notice, signed by the homeowner.

Mr. Wheeler referred to the landscape plan, pointing out the Common Areas constitute 11.5 percent of the overall development. If the individual landscaping on each lot is included, 34 percent of the development would be in landscaping. Mr. Wheeler reviewed the street trees proposed for Pine and 3rd, which staff finds acceptable and which meet the requirements of the Tree Ordinance. Staff recommends the street trees be planted between the sidewalk and curb, providing an approximate 5 foot planting strip, that they be fast growing and solar friendly. Mr. Wheeler then reviewed the proposed brick-wood-fencing on both sides of the S.E. 3rd Avenue entrance along the perimeter of the property. Staff recommends that the fence along S. Pine be moved back approximately 5 feet. He explained that there is only 5 feet between the paved portion of S. Pine and the property line, so the sidewalk would actually be located on the property, and not in the right-of-way. The street trees would be in the right-of-way. Staff intends to require this street layout and tree layout throughout the entire industrial area. Two open areas are included in the landscape plan. One surrounds the existing home on the parcel. The play area was referred to, which equipment was included in the Conditional Use application. This area was buffered from the home sites by shrubs and bushes. The trees planned along interior streets are Maple and Linden trees, approximately 1 per lot. Five landscape plans were submitted for lots, depending on the lot orientation.

Mr. Wheeler then referred to the lot adjustments, should two entrances be included, and the lots that would not be included as sites if only one entrance was built. Lots 3-10 would not be approved for use as manufactured home sites at this time if one access point is provided; and seven lots would be considered approved, as shown on the alternative Site Plan submitted to the City on September 25, 1992, if a second access point is provided. Mr. Wheeler reviewed the specifics of the proposed entrance sign, from the top view and side view. It is proposed to have a teal green background with gold lettering. The sign will be set in the planting area island at the entrance on S.E. 3rd Avenue and will be lit from below. The description of the manufactured homes, as submitted with the application, shall become part of this approval, as conditioned in the Conditional Use application approval. They include wood siding, composite shingles, a roof pitch of at least 3/12, and size. Skirting, color and exterior materials are to be reviewed by the management of the park, prior to siting of the home. Color of additional structures should match the home.

Staff recommends approval, with conditions. With regard to the proposed conditions of approval, Mr. Wheeler stated that #1 could be eliminated, since the Conditional Use application has been approved since the staff report was issued. In its stead, he suggested a condition adding the following condition:

1. The landscape plan submitted to the City on September 25, 1992 is the landscape plan for the approval of this application.

Proposed Condition #4 was revised to read:

4. The sidewalks along S.E. Third Avenue and S. Pine Street, south of S.E. Third Avenue, will be set back five (5) feet from the curb. The trees and grass will be planted between the sidewalks and the curbs. The Norway Maple trees will be of a variety that is fast-growing, green in the summer, and complies with the Solar Ordinance.

Proposed Condition #7 was revised to read:

7. Approval for the landscaping and fencing a recreational vehicle storage area is NOT granted with the approval of this Site and Design application.

Proposed Condition #8 is revised to read:

8. Lots 3-10 are not approved for use as manufactured home sites at this time. Seven (7) lots will also be considered approved, as shown on the alternative landscaping plan submitted to the City on September 25, 1992, if a second access point is provided.

Proposed Condition #10 is revised to read:

10. The suggested plant material list and landscape development guidelines for individual home sites submitted to the City on September 25, 1992 is hereby incorporated into the conditions of approval. Any landscape plan for an individual home site that incorporates either of the coniferous trees, Dawn Redwood or Shore Pine, shall be reviewed by the City for compliance with the Solar Access Ordinance, prior to issuance of a site occupancy permit.

Proposed Condition #11 is revised to read:

11. All landscaping, with the exception of the individual lots and shrubs for the front setback of the individual lots, shall be installed prior to occupancy of any home within the park.

Applicant

Mike Schwartz, 812 N.W. 17th, Portland 97204 explained more about the proposed street trees and reviewed the proposed landscape plan. A continuous 11 foot wide landscape easement is proposed for the front of the property, the object being visual continuity. The play area is so located to minimize the number of streets children who would have to cross to get to it and is centrally located on the walkway system. The existing home will remain on the site and much of the existing landscaping will be retained as a buffer. Additionally, privacy will be insured with additional buffering. The entry treatment will be more intense as one progresses toward the center of the parcel. The sign surface is sandblasted to push the grain back so the letters and design will appear to stand forward of the background. It will be located away from the intersection so as not to interfere with sight distance. Mr. Schwartz explained the transitions planned for the brick/wood perimeter fencing.

John Watson, 6 Othello, Lake Oswego explained that if the alternate driveway comes into play, the fence would wrap around, but the brick wouldn't necessarily repeat itself because it would be a secondary entrance. The sidewalk against the street or the five foot planting strip set back, were issues discussed with Mr. Klem, who said this would be settled when the whole plan for the area was in place. The wood skirting is a pressure treated plywood in a green color, which is easily painted. This skirting is preferable to the usual metal skirting. Mr. Watson explained that the play area base will be cushioned with curly chips and barkdust mix, not pure barkdust. Wood composition siding is painted and looks similar to T-111 plywood, he explained. Each homeowner will have ninety days to complete their landscape plan, he added.

With no additional testimony, the public portion of the hearing was closed for Commission deliberation, as follows:

1. The compatibility of the existing home was discussed, with reference to the Design Review criteria. The existing home will be rented, and therefore will not be, in use or function, substantially different from the use of the surrounding land, manufactured homes on leased lots. Visually, the existing home, with landscaping, will not be incongruous with the surrounding homes. All homes in the park will be single family homes. Some concern was expressed by Chairman Schrader as to whether the two types of homes were compatible, as designed.
2. In order to facilitate an "eye-pleasing" streetscape for the main entrance to an industrial area not yet developed, setting back the sidewalks five feet along

S.E. 3rd Avenue and S. Pine Street, along the subject parcel's property frontage, for a landscaping strip, is appropriate. The trees proposed by the applicant, Norway Maples are suitable street trees. The variant of Norway Maple to be used should be fast growing, green in the summer, and comply with the Solar Ordinance.

3. The sidewalk along the property's frontage of S. Pine Street, south of S.E. 3rd Avenue, will not be in the street right-of-way. This is necessary to allow for the street tree landscaping. Sidewalks outside of the street right-of-way do occur in some of the subdivisions within the city. The perimeter fence for the park will also be set back five feet from the position proposed in the site plan.
4. The type of landscaping will be consistent for both sides of S.E. 3rd Avenue. No landscaping will be required for the northern portion of S.E. 3rd Avenue, at the time of development of the subject property to the south of S.E. 3rd Avenue. The configuration of the portion of the property to the north of S.E. 3rd Avenue may be altered in the near future, and then developed. To allow for maximum flexibility for the land owners in determining a parcel configuration that most suitably enables development, landscaping should be withheld until development occurs. Development in this situation includes a "land swap" that would enlarge the lot with the existing house. Landscaping along S.E. 3rd would be required as a part of the "land swap".
5. In the Conditional Use Permit review of the application (CUP 92-10), 60 lots were approved with seven more lots possible if a second access point is provided. The alternative landscaping of the additional seven lots is appropriate if the second access point is provided. The Commission feels that it is important to reiterate that only 60 lots are approved for use by manufactured homes, because space is provided for the additional seven units, if and when a second access point is provided.
6. Review of the individual lot landscaping is not necessary unless Shore Pine trees are to be used. Shore Pines are considered "solar unfriendly" and therefore the placement of the trees on the lot will not be reviewed for compliance with the Solar Access Ordinance. The remaining list of "suggested plant material" is adequate and will not need to be reviewed by the City.
7. Landscaping of the common areas within the park prior to occupancy of the lots is appropriate to assure that landscaping improvements are completed. However, the shrubs that will be placed in front of the manufactured homes should not be planted until each specific home is placed, as the placement of the homes would destroy the landscaping.

8. The applicant stated that a soft surface will be used beneath the play equipment in the common area.

Based on the findings and conclusions contained in the September 18, 1992 staff report, on the memo dated October 2, 1992, on testimony at the hearing, and on Commission deliberations, **Commissioner Fenske moved for approval of DR 92-09, incorporating the proposed conditions contained in the memorandum of October 2, 1992, as amended:**

1. **The landscape plan submitted to the City September 25, 1992, is the landscape plan for the approval of this application.**
2. **During construction, erosion control shall follow the Erosion/Sedimentation Control Plans Technical Guidance Handbook for Clackamas County, August 1991 (as amended).**
3. **The applicant shall participate in a preconstruction meeting with City staff, CUB, the fire district, etc., prior to construction.**
4. **The sidewalks along S.E. Third Avenue and S. Pine Street, south of S.E. Third Avenue, will be set back five (5) feet from the curb. The trees and grass will be planted between the sidewalks and the curbs. The Norway Maple trees will be of a variety that is fast-growing, green in the summer, and complies with the Solar Ordinance.**
5. **The property's perimeter fence along S. Pine Street will be set back five (5) feet from the property line to accommodate the sidewalk.**
6. **No landscaping is required for the north side of S.E. Third Avenue at this time. Upon any further land use action of the portion of property north of S.E. Third Avenue, landscaping may be required.**
7. **Approval for the landscaping and fencing of a recreational vehicle storage area is not granted with the approval of this Site and Design application.**
8. **Lots 3-10 are not approved for use as manufactured home sites at this time. Seven (7) lots will also be considered approved, as shown on the alternative Landscaping Plan submitted to the City on September 25, 1992, if a second access point is provided.**

9. **The statements and conditions provided by the applicant in the project narrative (Exhibit 2) are hereby incorporated in the conditions of approval.**
10. **The "Suggested plant material list and landscape development guidelines" for individual home sites submitted to the City September 25, 1992 is hereby incorporated in the conditions of approval. Any landscape plan for an individual home site that incorporates either of the coniferous trees, Dawn Redwood or Shore Pine, shall be reviewed by the City for compliance with the Solar Access Ordinance prior to issuance of a site occupancy permit.**
11. **All landscaping, with the exception of the individual lots and shrubs for the front setback of the individual lots, shall be installed prior to occupancy of any home within the park.**

Commissioner Mihata seconded the motion and it carried 6-1, with Commissioner Schrader voting no.

VI. DIRECTOR'S REPORT

Mr. Hoffman explained that the City received a letter from Carole Jean Berggren with regard to the Redwood Terrace Apartments Design Review application. This communication was received after the close of the public hearing. It asked that the Commission review traffic at the intersection of Territorial Road and Redwood Street. Ms. Berggren wanted the Commission to be aware of her major concern, that of the direct impact on traffic volume and the potential for accidents that will be caused by the addition of the apartment complex. The proposed development is within City limits, but would cause significant impact to the County roads and adjacent unincorporated neighborhood residents. She pointed out that the Comprehensive Plan states that the City shall consult and work with the County on these potential impacts, and to her knowledge, no contact has been had with the County regarding these issues. Ms. Berggren requested that the City follow this procedure and submit an impact statement, with recommendations for mitigation. Mr. Hoffman explained that staff has contacted the County after receiving this letter. Clackamas County was sent a Request for Comments, with the application and all pertinent information, and did not reply.

Mr. Hoffman advised the Commission that the Budget Committee was meeting for the first time. Mr. Wheeler explained he submitted a budget outlining the acquisition of a

G.I.S. System, explaining what it is and how the City could utilize such a system.

Chairman Schrader asked, since manufactured homes are to be treated like stick-built homes, if manufactured home parks should have required setbacks and be reviewed as permitted uses in R-2 zones and reviewed under subdivision criteria, rather than as a Conditional Use in an R-1 zone. Mr. Hoffman stated he believes it is reviewed this way due to external requirements, and offered to contact the State to see if this was possible.

The Commission requested that Mr. Hoffman follow through regarding the pylons in the walkways at Township Village, in order to restrict motorized traffic.

VII. ADJOURNMENT

The meeting was adjourned at 11:23 p.m.

Respectfully submitted,

Joyce A. Faltus