

APPROVED

MINUTES

CANBY PLANNING COMMISSION

Regular Meeting

April 26, 1993

7:30 p.m.

I. ROLL CALL

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

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

Others Present: Keith Perryea, Doretta Schrock, Paul Winklesky

II. MINUTES

The minutes of **March 22, 1993** were approved unanimously, as amended.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

Doretta Schrock, 985 N. Ivy Street stated that she is representing a group called Canby Neighbors for a Safe Community, which opposes the OCA-sponsored City Charter Amendment on homosexuality. She advised the Commission that a memorandum will be distributed in about a week, which will outline their concerns.

IV. COMMUNICATIONS

None

V. NEW BUSINESS

None

VI. *OLD BUSINESS*

DR 92-05 - McDonald's Restaurant - Review of Proposed Changes

Mr. Hoffman reviewed the letter he received from McDonalds regarding the roof screening at the south side of the building, the dry storage room within the trash corral, signage on the site, and the fence around the play area.

With regard to the south side of the building, Mr. Hoffman explained that there is a lot of mechanical equipment showing, which is very unsightly. Mr. Godon, the Building Official, told staff that even though the roof drains in that direction, it would not be too difficult to design a parapet that drains through a slot and still screen the mechanical equipment.

With regard to the trash corral that the Commission reviewed at the McDonald's hearing, Mr. Hoffman explained that the plans included a structure approximately 6 feet high x 14 feet wide, whereas the applicant constructed a building approximately 10 feet high x 29 feet wide. As it is painted white, it is not too intrusive to the site, but it has not received design review approval, nor approval under the building code. To meet the building codes, the wall closest to the lot line must be reconstructed as a fire wall. After visiting the site, Mr. Hoffman explained that it appears that the signage does not exceed the total permitted square footage. The fence around the playland is stark white, which color the Commission specifically asked **not** to have. Mr. Hoffman explained that with the building painted off-white, it appears less stark. He further stated that he believe that once mature, the landscaping that currently exists, would not block site vision. As it is somewhat new, the groundcover does not presently cover the entire landscaping area but, within the required 3-year period, should mature to do so.

Applicant

Keith Perryea, 5000 S.W. Meadows Road, Lake Oswego stated that his first intention was to put a banner across the back (south) of the building to screen the mechanical equipment. Because the banner is considered additional signage, he asked that the Commission consider either a solid banner with no writing on it, or infilling with a parapet wall. The parapet would match the building in color and type of material and the material banner would be of one solid color. Both would be at the same height, adjacent to the back of the building. The dry storage area was added to the trash corral at the operator's request and, in order to do so, the dimensions of the trash corral were reduced

by approximately the same square footage as the dry storage area contains. Additional landscaping was added to the front of the site due to the addition of the dry storage area. A logo window on the east side of the building was removed to make up for the arched telephone booths on the west side of the building and two wall logos were removed, to assure that the project remained within the requirements of the Code. The white playland fence is hollow PVC and requires less maintenance than metal, and is a much more forgiving material. In his opinion, Mr. Perryea stated that once the building was painted off-white, the fence appeared to blend in well. With regard to landscaping, Mr. Perryea explained that Mindy [Smith] planned to replace the annuals yearly, although she planned to install ornamental plantings in the wintertime. In that way, the landscaping would be colorful all year round.

Commission discussion:

1. The Commission asked whether it was possible to paint the PVC fence, as the Commission specifically requested that it not be stark white, and because PVC pipe does come in various colors. Mr. Perryea explained that, if painted, it would peel. He added that he would try to have it sanded down, which would make it less stark, and that it would cost about \$3,500 to replace. The Commission agreed that he should try to sand a small area to see how well it works and then ask the planner to review the situation.
2. The Commission considered the parapet versus the canvas banner, to cover the mechanical equipment on the south side of the building. The Commission agreed the parapet would appear more permanent.
3. The Commission discussed the dry storage area near the corral: the fact that it was increased by approximately 100 feet and that the wall is 4 feet higher than originally planned, to screen the dry storage area. The Commission agreed that the applicant should add enough additional material to the southern wall to bring it up to the 1-hour fire wall regulations.
4. The Commission discussed landscaping as it refers to barkdust and groundcover. The Commission reiterated that the intentions of the approval was for full green groundcover, which would take approximately 2-3 years to totally fill in. The possibility might exist that more plants are needed.
5. The Commission discussed what would be stored in the dry-storage area. Mr. Perryea explained that no food would be kept there whatsoever, only dry goods.

6. The Commission agreed the issue of signage has been resolved.
7. Mr. Hoffman suggested an extension of the temporary permit. Mr. Perryea explained that completion of the parapet wall could be accomplished within 30 days, as could the firewall. Sanding the playground fence might take somewhat longer. He suggested that a portion of the fence be sanded next week, and that staff evaluate whether or not the entire fence should undergo sanding. Additionally, the groundcover would take a 2 to 3 year period to completely fill in.

VII. PUBLIC HEARINGS

DR 93-02 - The applicant, Paul Winklesky, is requesting approval to construct a 3,150 square foot office building. The parcel is located on the northeast corner of N.E. 3rd Avenue and N. Ivy Street (Tax Lot 4200 of Tax Map 3-1E-33CA). Continued from April 12, 1993.

Chairman Schrader reviewed the hearing process and procedures. He asked if any Commissioner had ex-parte contact or a conflict of interest since the last hearing. Other than having visited the site, but coming to no conclusions, none was indicated. The hearing was then reopened.

Jim Wheeler explained that one of the major unresolved issues from the April 12th meeting was the signage, which is now taken care of in proposed Condition #12, which states that the signs will be wood on a brick base with exterior lighting, and that the individual signs will not exceed 50 square feet each, with the total sign area not exceeding 160 square feet. Further, Mr. Wheeler explained that the other major issue was the roof line and firewall along the property line. The applicant is now showing a hip roof on the east side, almost identical to the one on the west side, with the firewall being approximately 8 feet lower than in the original proposal. This is covered in proposed Condition #13. The wall is now proposed to be painted the same color as the siding, on both sides.

Applicant

Paul Winklesky, 115 Randall Court, Oregon City stated that he concurs with Mr. Wheeler and is much happier with this design.

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

1. The landscaping was discussed. Mr. Wheeler explained that the landscaping area in the southeast corner of the parking lot was reduced by 3 feet to extend the handicapped parking space access, which was three feet less than required. Two trees in the parking lot would meet the requirements; the applicant has proposed four. One additional vine maple is proposed for the northwest corner of the parking lot, to provide additional shading.
2. The property line as it relates to the residence to the east. The Commission was concerned if the adjacent owner was notified. Staff explained that the neighbor visited the office and is aware that, originally, a 22 foot wall was proposed. The neighbor has not offered any opposition.
3. The Commission discussed whether or not a concrete wall was aesthetically pleasing. The wall was compared to the wall at the dentist's office near the Knight and Eccles Schools, which is covered with the same siding as the building, but is higher than the roof line.

Don Rasmussen, Modern Building Systems, explained that a concrete block wall requires minimum maintenance, especially one that is on the property line where it could abut landscaping. He added that patterned blocks would call more attention to the wall and are less cost-effective. Mr. Rasmussen added that the two-tone color scheme would make it less austere. The Commission took a straw poll with regard to the block wall/wooden wall issue, which resulted in a tie vote.

The Commission agreed that the effect of a 742 square foot (14 feet high by 53 feet long) cement block wall in an area that has not been intensively developed with commercial uses will be obtrusive and that there are a number of suitable, less "massive" one-hour firewall barriers available. An alternative that permits the use of wood with similar siding and color as that of the main building is more appropriate for the development at this location.

Based on the findings and conclusions in the staff report dated March 30, 1993, the site plan dated April 22, 1993, the public hearings held April 12 and 26, 1993, and on Commission deliberations, **Commissioner Maher moved for approval of DR 93-02 with the conditions as proposed by staff, amending Condition #13 to read that the firewall complies with the Uniform Building Code and that the firewall be constructed of wood siding to match the building. Commissioner Wiegand seconded the motion and it carried 4-3, with Commissioners Fenske, Mihata and Gustafson opposed. The conditions would then read as follows:**

1. Curb, sidewalk, and storm drainage design and construction shall meet the requirements of the Director of Public Works.
2. A sidewalk ramp meeting the American Disabilities Act standards shall be constructed at the corner of N. Ivy Street and N.E. 3rd Avenue.
3. The alley located at the northern property line shall be paved for its full width (20 feet) from N. Ivy Street to the eastern property line of the subject parcel (90 feet). Curbs shall be constructed bordering the alley and the landscaped areas of the parking lot.
4. The portion of the N. Ivy Street right-of-way between the curb and the street shall be improved. The improvement shall meet the requirements of the Director of Public Works.
5. The applicant shall provide a waiver of remonstrance for any traffic improvements needed for N. Ivy Street.
6. The handicapped parking space aisle shall be enlarged to a width of eight (8) feet.
7. The landscape plan is accepted for this project with the following revisions. A vine maple tree shall be planted in place of two rhododendron shrubs in the landscaped area located in the northwestern corner of the parking lot. The landscaping located at the southeastern corner of the parking lot shall be reduced three (3) feet in width.
8. The ground cover shall be planted so as to completely cover the landscaped areas within three (3) years. The calipers of the maples shall be at least 2", as measured 6' above the ground. All landscaping shall be planted prior to the issuance of a certificate of occupancy for the building.
9. All landscape areas shall be irrigated utilizing a fully automatic underground irrigation system, or there shall be a readily available water supply within one hundred and fifty (150) feet of any landscaped area.
10. A landscape construction plan shall be submitted with the building permit application. The plan shall include irrigation system, planting schedule, plant sizes, and the plant spacing.

11. During construction, erosion control shall follow the Erosion/Sedimentation Control Plans Technical Guidance Handbook for Clackamas County, August 1991 (as amended).
12. The signs shall be wood on a brick base with exterior lighting. The individual signs shall not exceed 50 square feet, with the total sign area not exceeding 160 square feet.
13. The firewall shall be constructed of wood material, with similar siding and color as the main building, and shall comply with the building code.

VIII. FINDINGS

Commissioner Fenske moved for approval of SUB 93-01 [Valley Farms Phase 2] Findings, Conclusions and Order. Commissioner Elliot seconded the motion and it carried 7-0.

Commissioner Mihata moved for approval of DR 93-03 [City of Canby, Wastewater Treatment Plant Expansion] Findings, Conclusions and Order. Commissioner Maher seconded the motion and it carried 7-0.

IX. DIRECTOR'S REPORT

Mr. Hoffman explained that the City Council approved the dedication of parkland and wetlands for Redwood Meadows and Redwood Terrace. The final plan should be ready at any time. The applicant is arranging a set-aside line of credit for the bond which has been approved by the City Attorney.

Willow Creek Subdivision has worked out a method of assigning a bond to the City, which was modified and then approved by the City Attorney.

Mr. Hoffman explained that the City's enforcement policy appears more rigorous than in other small cities. It was agreed that we just might have very good follow-up procedures.

Mr. Hoffman reviewed a request [LLA 92-06] by Ron Tatone, where he had requested approval to break up a triangular lot into 3 separate lots which would be added to the 3 adjacent lots. This request was approved. Now, due to the fact that Mr. Tatone cannot come to agreement with one of the purchasers, he is requesting for approval of two alternate ways to divide the

parcel. Mr. Hoffman then outlined Mr. Tatone's current request. After a short discussion, the Commission agreed that the previous approval would be null and void if not divided as originally agreed.

The Commission requested that, under Commission Discussion of Planning Issues, Accessory Structures should be one topic of discussion, especially those which have been built on, or closer than 3 feet to the lot line in residential areas. The discussion will include what steps to take about pre-existing structures which predated the Ordinance, and currently built structures. Additionally, the discussion will include the merits of paving versus graveled parking lots, and the Tree Ordinance.

Mr. Wheeler explained that the City Council is considering whether or not 6 foot utility easements, which are standard in subdivisions, are necessary. A utility-provider meeting will be held to discuss this issue. The Commission agreed it would go along concur with the utility providers' decision.

X. ADJOURNMENT

The meeting was adjourned at 10:55 p.m.

Respectfully submitted,



Joyce A. Faltus