

MINUTES
CANBY PLANNING COMMISSION
Regular Meeting
April 22, 1996
7:30 p.m.

I. ROLL CALL

Present: Chairman Schrader, Commissioners Ewert, Dillon, Stewart, Hartwell, Gerber

Staff: James Wheeler, Planning Director, and Joyce Faltus, Secretary

Others Present: Kevin Howard, Jacqueline A., Michael W. Donnell, Tracy Boyce.

II. MINUTES

The minutes of February 26, 1996 were approved, as amended.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

None

IV. NEW BUSINESS

Mr. Wheeler advised the Commission that Commissioner Jackson has submitted a letter of resignation, effective May 15, 1996. Commissioner Gerber advised the Commission that Ron Yarborough, the Fire Marshal, expressed interest in the position. Mr. Wheeler advised the Commission that Mark O'Shea had also submitted an application.

V. OLD BUSINESS

Canby Apartments - Mr. Wheeler explained that the developer would like to construct a connection between Phase I and Phase 2, to enhance internal traffic flow, since S. Pine will not be improved from Township to S.E. 3rd for quite some time. After a short discussion and review of the site plan, the Commission was assured the connection would not cut into the recreation area and that Pine Street would be barricaded, and agreed to approve the request, but to require speed bumps on the connection to reduce speed to ensure the safety of children.

VI. COMMISSION DISCUSSION OF PLANNING ISSUES

Commissioner Ewert reported that a meeting was scheduled for May 7, 1996 at 9:00 a.m., in the Planning Department office. He, Commissioner Gerber and Commissioner Stewart would be meeting with Mr. Wheeler with regard to various design review issues.

The Commission reviewed the February 26, 1996 minutes, with regard to possible ordinance changes/improvements:

1. It was agreed that, under the overall design review process, the following issues would be included and reviewed by the Jim Wheeler, Commissioners Ewert, Gerber, and Stewart:
 - a. Parking Standards, including the Commission's discretion to reduce the requirements, should be tied to the compatibility issue.
 - b. Protecting downtown Canby from heavy industrial uses, and editing the list of permitted uses under the Conditional Use Permit in a residential zone. Compatibility issues should also be addressed.
 - c. Screening requirements for loading berth areas - more permissive requirements are needed, as the ordinance does not presently permit them to be seen from a public right-of-way.
 - d. Requiring compact parking spaces to be marked accordingly.
 - e. Criteria for adequate transportation with regard to apartment buildings (subdivision criteria brought into Design Review).
 - f. Review effectiveness of Design Review conditions of approval that planting will cover an area in 3 years time. As far as the initial plant spacing, the City is requiring ODOT standards be met, which are relatively dense. Discussion of bonding should be included, with the possibility of a separate bond for landscape maintenance over the three year period.
 - g. Adding public facilities, including transportation, to Section 16.49.040(1) by adding a second (d) which would ensure adequate public facilities [infrastructure] are in place to handle the development.
 - h. Occupancy regulations with regard to apartments - Commissioner Ewert said this ties into "Responsibilities of off-site owners." He explained he would be reviewing the Corvallis criteria and Medford criteria.

2. Chairman Schrader reviewed the Polk County ordinance regarding the Right-To-Farm, and presented a version adapted for the City of Canby. The suggestion was raised of discussing this issue with Clackamas County in the event Clackamas County might be interested in passing a similar County ordinance where the County would retain the jurisdictional authority outside of the Urban Growth Boundary. Section 5, in the proposed City ordinance, was amended to read "Protecting agricultural uses outside the City." The first sentence was also amended to read: **It is in the best interests of the City of Canby to seek Intergovernmental Agreements with Clackamas County** to protect agricultural uses where City and County interests meet.
3. Commissioner Gerber explained that he received input from various land use attorneys which indicated that, in most instances, final orders were prepared by the prevailing attorney.
4. Mr. Wheeler explained that the City of Sandy is investigating delayed annexation, and he would contact them to see what progress they have made and if they have any IGAs set up with the County. Chairman Schrader explained that previously, the County had tried to tie delayed annexations into the issue of the City taking over the roads. Mr. Wheeler further explained that Canby had previously submitted an Intergovernmental Agreement to Clackamas County with regard to this issue, and that the County has now requested that we resubmit the agreement.
5. As Commissioner Jackson had been assigned transportation issues [investigating setting standards for the City, investigating traffic warrants for Canby vs. the State's warrants, looking into hiring a traffic engineer to do traffic studies for any residential projects in excess of 10 units/lots and any commercial/industrial projects in excess of 25,000 square feet and/or 25 employees, which would be paid for by the developer, etc.], Commissioner Ewert offered to take on these issues. He questioned whether Section 16.49.040(2), which discusses public facilities, should include transportation and whether transportation should be added as a criteria, since it is included in almost every decision the Commission makes.
6. Re the minutes of February 26, 1996, page 6, item 'n,' Commissioner Dillon explained that he has been working on investigating the reconfiguration of standards for maximum development of homes off of a private drive which ties in with non-public road standards for development, and has information to submit for review with Mr. Wheeler. At the present time, more houses can be developed off a private drive than off a public road in some cases. Also, there are no standards for private roads in subdivisions, which is not good because the City could eventually have to take the responsibility for the road. Section 16.46, which addresses the number of accesses, number of units permitted on loop drives, width of drives, etc., is complicated and confusing to read and should be revised.

7. Mr. Wheeler and Roy Hester would review setting minimum distance standards between residential driveways and intersections.
8. With regard to solar ordinance maximum density reductions, Chairman Schrader explained that West Linn had very stringent requirements. He stated that he and Commissioner Dillon would be working on this issue.
9. Mr. Wheeler will be working on C-R zone development standards.
10. Minor issues included:
 - a. Mr. Wheeler would work on the issue of time limits for lot line adjustments and partitions, with regard to expiration limits for filing, in order to make tracking less difficult.
 - b. A discussion was held regarding extension of a conditional use permit. At the present time, it must be requested at the time of the original approval. Mr. Wheeler explained that this is more of a housekeeping issue.
 - c. Commissioner Stewart explained that he has gathered information about the 'accessory structures issue and will bring it to the May 13th meeting.
 - d. A copy of the Long Range Facility Plan for the school district was distributed to the Commission. Although he was unable to attend the meeting, Commissioner Gerber reviewed some of the basic points in the plan, especially the committee recommendation for submitting a bond for a new middle school and making renovations to existing schools to bring them up to code, especially to meet the ADA requirements.
 - e. Regarding walls or fences around subdivisions, Chairman Schrader explained that he has checked with various jurisdictions and found that, in general, this issue is addressed in conditions of approval. He added that in West Linn the developer must obtain a permit to put up a wall.
 - f. Regarding maximum lot coverage by buildings, Mr. Dillon explained that he has information from West Linn and Oregon City, and he will get together to share it with Jim Wheeler.
 - g. Mr. Wheeler will address the issue of manufactured home subdivision developers informing tenants of the landscaping requirements.
 - h. The sign ordinance should be updated and would be reviewed by Commissioner Hartwell and Jim Wheeler.

- I. Chairman Schrader suggested addressing "infill" in the ordinance, as the City tries to encourage such development.
11. Chairman Schrader explained that a matrix would be designed which will rate whether a particular application for development is good for the City, and certain criteria would be rated on a sliding scale. This would give a better definition to what Site and Design Review "compatibility" issues - compatibility of layout of the development, signs, parking, colors, etc.

VII. FINDINGS

ANN 96-02 - Callahan

Commissioner Gerber moved to recommend approval of the Final Order for ANN 96-02 to City Council. Commissioner Stewart seconded the motion and it carried unanimously.

MLP 96-01 - Fisher

Commissioner Dillon moved to approve the Final Order for MLP 96-01. Commissioner Ewert seconded the motion and it carried unanimously.

DR 96-02 - Mackey

After a brief discussion regarding possible future review of the parking and loading areas in the event the property changes hands, **Commissioner Gerber moved to approve the Final Order for DR 96-02, as submitted. Commissioner Stewart seconded the motion and it carried 4-2, with Commissioners Schrader and Ewert voting 'nay.'**

ANN 96-01 - Tofte Farms

After discussing the agricultural viability of the property and traffic concerns at the intersection of S. Ivy/13th Avenue, it was agreed that the Priority "A" designation for annexation superseded those concerns. Findings #8 was amended to read:

8. No adverse economic impacts are likely to result from the annexation of the subject property, but concerns with taking agricultural land out of production were voiced, but were superseded, based on the property's Priority "A" designation.

Commissioner Gerber moved to recommend approval of the final order for ANN 96-01, amending Finding #8, to City Council. Commissioner Dillon seconded the motion and it carried 5-1, with Commissioner Ewert voting 'nay.' Commissioners Schrader and Ewert asked that the record reflect they reviewed the tapes of the previous meeting.

SUB 96-01 - Tofte Farms I

A discussion was held which centered around the traffic control concerns at the intersection of S. Ivy/13th Avenue [Findings #1-4]. Commissioner Gerber explained that the specific findings [#1-4] document that efforts to improve signalization and safety at that intersection have been considered. Mr. Wheeler explained that he, the applicant, and the City Administrator have contacted Clackamas County with regard to traffic control at that intersection. The County's response amounts to denying a 4-way stop [which the applicant is willing to install, at his expense] without signalization being scheduled for the intersection, as they would permit it only as an interim situation, and that they do not have the money to signalize the intersection. Further, Mr. Wheeler explained that the City is dealing with the potential of requiring, in order for a development to be approved, an off-site improvement that is not directly related, in proportional cost, to the development. Further, he explained that the development is being charged a proportional cost of the growth related traffic improvements, as it is developed. Mr. Wheeler further stated that the intersection in question is an issue with or without the development of this subdivision and to deny further development amounts to a moratorium on development. The signal is included in the City's budget for next year, he added, even though it is not within our jurisdiction. Commissioner Gerber moved to approve the final order for SUB 96-01, as submitted. Commissioner Dillon seconded the motion and it failed 4-2, with Commissioners Hartwell, Stewart, Ewert, and Schrader voting 'nay.'

The 120-day time frame was discussed. Commissioner Gerber moved to reconsider application SUB 96-01 at the May 13th meeting, with additional information. Commissioner Stewart seconded the motion and it carried 5-1, with Commissioner Dillon voting 'nay.'

VIII. COMMUNICATIONS

None

IX. PUBLIC HEARINGS

DR 96-03, an application by Kevin Howard/Cam Warren for design review approval to expand the Highway 99-E Mini Storage facility. The facility is located on the south side of Highway 99-E, east of S. Pine Street [Tax Lot 300 of Tax Map 3-1E-34C].

Chairman Schrader reviewed the hearing process and procedures and referred to the applicable criteria posted on the wall. He asked if any Commissioners had ex-parte contact or conflict of interest. Other than visiting the site but drawing no conclusions, none was indicated.

Mr. Wheeler presented the staff report. He explained that the Highway 99-E Mini Storage facility is requesting approval to add 175 storage units in 5 buildings, a total of 23,200 square feet of building space, to be built in phases. The expansion area is on the southeastern side of the site. Mr. Wheeler explained that a cellular communications tower was approved [DR 96-01] on February 12, 1996, to be located in the southeast corner of the property. During the design review approval for the overall self-storage facility in September, 1994, staff determined that no further parking lot landscaping would be required. The applicant is proposing to upgrade the City-owned property to the east [the slope to the Logging Road] which is a bike path and walking path. Mr. Wheeler then reviewed the history of the access to the site, and explained that further expansion of the facility would require an ODOT permit and approval prior to the issuance of a building permit for the expansion. The exit from the property on S.E. 2nd has, oftentimes, been blocked and/or locked, and not readily accessible to the tenants. This exit was intended for those planning to travel southbound on Highway 99-E, as the Highway 99-E exit is strictly right-hand-turn-only, and both were to be controlled by a keypad lock. Staff proposes adding a condition to sign the exit gate onto S.E. 2nd Avenue to explain the alternate course of travel. Staff recommends approval of the application.

Applicant

Kevin Howard, 9644 S.E. Westview Court, Portland 97266 stated that, for the record, no additional signage is requested or planned. Although the signage will be changed, it will be constructed of exactly the same materials and color scheme as the existing sign. The buildings will be constructed of the same materials with the same color scheme as those already existing. Additionally, Mr. Howard reemphasized that although a mini storage facility is, historically, one of the lowest traffic commercial businesses, visibility is extremely important. Security and convenience are the two main concerns for the tenants, which is why most similar facilities are located on main highways, which affords a lot of security, in addition to the electronic security gates. Each facility includes a husband/wife resident manager apartment/office and restroom, Mr. Howard added. Whereas it usually takes 18-24 months to reach capacity, Mr. Howard explained that Canby is already 98-100% occupied, which is why the applicant is proposing to phase in 175 units in 5 buildings, expanding the facility to house 475 units. The applicant is proposing the build Buildings "E" and "F" in Phase 1. Building "F" will be climate-controlled and heated in the hallways. Addressing the aesthetic concerns of the view from the Logging Road, Mr. Howard explained that the applicant hired a landscape architect who has designed a plan to add natural, native vegetation and trees which would enhance the view and would site-obscure the facility from bikers and pedestrian traffic. The scotch broom would be thinned out and trees would be added. As part of the embankment is very wet, the applicant is also proposing to add plants, such as dogwoods, which thrive in such dampness and enhance the area. Regarding the entrance and exit from the site, Mr. Howard explained that tenants are given a code which opens the security gate. When the code is punched

in, the computer registers the user, along with the user's arrival and departure times. To facilitate the use of the southern exit, the applicant will install another computer terminal which will then register when the user entered and exited the site at either exit location. Mr. Howard reviewed the results of his meetings with O.D.O.T., emphasizing that the applicant would have preferred a joint common access with Millar's Tire Store, who has 4 accesses from Highway 99-E, which O.D.O.T. refused to allow. Had Millar's agreed, O.D.O.T. stated it would reduce the Millar access to a right-in, right-out access system. The results of the traffic impact study stated that the traffic count from this facility would be one of the lowest of any business along Highway 99-E, and recommended full access, which O.D.O.T. refused to allow. In addition, Mr. Howard explained that the computer does not permit 24-hour access. The computer only allows access from 7:00 a.m. to 9:00 p.m.

Jacqueline A [last name illegible on sign-in sheet], 4633 S.E. Taylor, Portland 97215 explained that she is the landscape architect hired by the applicant. Her landscape plan, she explained, would be using native materials and provide screening from the Logging Road. Rather than recreate a native habitat, she will create a habitat that would look natural along a disturbed site, and has chosen plants that will thrive under the existing conditions, with low- to no-maintenance required, except for watering at time of planting. Referring to the concept plan, she pointed out that the dogwoods and red alders that will be planted in the wet areas will serve as a good transition into the more native landscaping. The balsam poplars in the plan will be removed, and replaced with red alders, due to the problem with falling branches with the poplars. Oregon Oaks will also be planted. The shrubbery will be of a spreading nature, which will stabilize the hillside as it becomes more dense. A hedge will be created between this property and the residence to the southeast. Various other plant materials were discussed.

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

1. The Commission discussed the changes made to the monopole building structures. Mr. Wheeler explained that the equipment cabinets were originally oriented east-west, but will be changed to a north-south orientation so as not to block the monopole.
2. The Commission asked if O.D.O.T. would review the access to the site further, based on this proposed expansion. Mr. Wheeler explained that O.D.O.T. received a 'Request for Comments' for the expansion application, and has requested a new traffic study be made. Before a building permit can be issued, Mr. Wheeler explained that O.D.O.T. approval of the driveway access to Highway 99-E must be obtained.

3. The Commission discussed the landscaping on the embankment to the Logging Road, with respect to costs of maintenance. Mr. Wheeler explained that the City owns the property and would end up maintaining it, although the planned landscaping would not require much maintenance at all. The landscaping would actually just improve the aesthetic appearance, although it would not **totally** obscure the site from the Logging Road due to its elevation. Furthermore, Mr. Wheeler explained that in the original development, 15% landscaping was not required due to the layout configuration. At the time of the original hearing, staff had suggested interior landscaping and parking lot landscaping. It had been decided that such landscaping would not be practical as a requirement. For that reason, staff has not pursued additional landscaping with this application.
4. The Commission asked about vehicle parking outside the buildings. Mr. Wheeler explained that such a condition was originally added when the area had not been paved.
5. The Commission asked if the applicant had statistics regarding the type of vehicles that usually entered and exited the site - trucks with trailers vs. automobiles. Mr. Howard explained that he has statistics on the amount of traffic, and intends to pull information from the computer regarding the length of the stay of the vehicles, the number of vehicles, etc., which will be submitted to O.D.O.T. Statistics accumulated by the traffic engineer, he added, show that there are less than 4 vehicles an hour that enter such a facility of this size [500 units].
6. The Rugosa Rosa hedge between the subject site and the private property to the southeast was discussed. The landscape architect explained it would grow to 6 feet in about 3 years, and will be within the subject site's boundary.

Based on the findings and conclusions contained in the staff report dated April 12, 1996, on testimony at the hearing, and on Commission deliberations, **Commissioner Ewert** moved to approve **DR 96-03** with the following conditions:

Prior to the issuance of a Building Permit:

1. Approval of the driveway access to State Highway 99-E shall be obtained from the Oregon Department of Transportation, prior to the issuance of the building permit.

For the Building Permit Application:

2. A detailed landscape construction plan shall be submitted with the building permit. The detailed landscape plan shall show: the number of plants, plant spacing/location of planting, the type of plants, the size of plants, the schedule of planting, and irrigation plans.

3. The landscaping shall be planted at such a density so as to provide a minimum of 95% coverage of the landscape areas with vegetation, within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after the 3-year period. The plant spacing and starting plant sizes shall meet the ODOT plant spacing/starting size standards.

During Construction:

4. Erosion-control during construction shall be provided by following Clackamas County's Erosion Control measures.

Prior to Occupancy:

5. Prior to the occupancy of any further buildings, the gate to the S.E. 2nd Avenue exist shall be operational in the same manner as the entrance gate.

Notes:

6. The exit gate shall remain accessible for all tenants during the hours that the storage units are available to the tenants.

Commissioner Hartwell seconded the motion and it carried unanimously.

DR 96-04, an application by Tracey and Melody Boyce [on behalf of OBC Northwest, Inc.] for approval to add 7,500 square feet to an existing 7,500 square foot metal warehouse. The site is located of the east side of S. Berg Parkway, north of Highway 99-E [Tax Lots 200 and 201 of Tax Map 4-1E-5A].

Chairman Schrader reviewed the hearing process and procedures. He asked if any Commissioners had ex-parte contact or conflict of interest. Commissioner Dillon explained that his son has dealings with the applicant, but that he did not consider it a conflict of interest. No one in the audience questioned this. Other than visiting the site, but drawing no conclusions, no other possible conflicts of interest or ex-parte contacts were revealed.

Mr. Wheeler presented the staff report. He explained that the Oregon Bag Company, which is located on the east side of S. Berg Parkway, just south of the Canby Square Shopping Center. O.B.C. is requesting approval to double the size of a 7,500 square foot warehouse building, to 15,000 square feet. Thirty-seven parking spaces are provided, and 43 are required by the ordinance. Mr. Wheeler explained that there would be no additional employees as a result of the warehouse expansion and, therefore, the applicant was requesting a waiver of the parking requirements as there would be no increase in the demand for parking. The main vehicle traffic area in the northwestern portion of the

property is currently graveled and has been since 1963/1964. Since O.B.C. started operating from the site, there have been a number of building permits issued for the site, but none of the buildings on the site have undergone design review as they were all issued prior to the adoption of the Site and Design Review Ordinance. Under the current ordinance, the vehicle travel and parking areas would be required to be paved and, therefore, staff is so recommending. Due to the size of the area and history of the site, staff further recommends that the paving be accomplished within 3 dry seasons, no later than October 31, 1998. As S. W. Berg Parkway will eventually connect to S.W. 13th Avenue, as part of the transportation system plan, Mr. Wheeler stated that some additional right-of-way will be needed from this property, along the southwestern corner of the property. He recommended that the applicant offer the right-of-way for dedication as part of this site and design review warehouse addition approval, although it would be City Council's decision whether or not to accept such dedication. No additional road improvements would be required at this time, as they would be tied in to the full construction of the road when S. Berg Parkway connects to S.W. 13th Avenue.

Mr. Wheeler reminded the Commission that when the minor land partition immediately to the south was reviewed, the Commission required right-of-way dedication for one of the parcels. As the application does meet the criteria, staff recommends approval, with conditions.

Applicant

Tracy Boyce, 3027 Turner Road, West Linn 97068 explained that the warehouse will be expanded only to store raw goods that are presently stored outside and in rented storage units. No new employees will be hired to accommodate the new addition. The company is growing and is trying to use the land to the best of its ability. Mr. Boyce requested that the Commission waive the requirement for the 6 additional parking spaces, as the current parking is very workable. Further, he explained that OBC is a seasonal company, with its peak season lasting only 6 months of the year. The possibility exists, Mr. Boyce stated, that with the expansion of S. Berg Parkway, some existing trees will die. Initially, he thought it would be best to move some of them closer to the new addition in the northwest corner; trees that would not require a lot of water.

Mr. Boyce explained that the largest part of the business is the manufacture of burlap bags and the treatment of burlap for nursery squares. Those two items represent 30% of the business. The burlap is imported from Bangladesh and India, which is a very unstable part of the world. Over the years, OBC has changed its buying pattern, purchasing excess burlap and doubling the inventory because of this instability, thereby increasing the demand for additional storage area. Additionally, growth has increased inventory on hand.

Mr. Boyce pointed out that when the entrance to the site was relocated due to the improvements on S. Berg Parkway, a wide gate would be necessary due to the turning radius of large trucks. The current gate is 20 feet wide now and trucks can pull straight in.

Once the road is realigned, the trucks will have to make a right angle turn to enter the site, probably requiring a 40 foot access.

With no additional testimony, the public portion of the hearing was closed for Commission deliberations. Issues discussed included:

1. The Commission discussed the bonding of the paving improvements and the time limit imposed on it. Mr. Wheeler explained that the time frame was based on the financial hardship the paving would impose. Various mechanisms for the bonding were discussed, including a set-aside account which bears interest, a line of credit, etc.
2. The Commission discussed the right-of-way dedication and when it would take effect. Mr. Wheeler explained that the offer would be made and issuance of the building permit could be contingent upon the offer. Mr. Wheeler suggested amending proposed condition #5 to include the fact that the offer of dedication would be needed for the improvements to S. Berg Parkway prior to the issuance of a building permit.
3. The 37 designated parking spaces were discussed. Mr. Wheeler explained that the existing development only requires 35 spaces and with the addition, 8 more parking spaces would be required. Since two additional spaces already exist, only 6 additional would be necessary, under the parking standards in effect.
4. The Commission asked if S. Berg Parkway was included in the SDC funding. Mr. Wheeler explained that the connection between S. Berg Parkway and S.W. 13th Avenue is a part of the Transportation Plan. Further, he explained that the portion of S. Berg Parkway adjacent to this property is paved. At this time, the elevations necessary to construct the sidewalks and curbs are not available. The City Engineer and staff have discussed the alignment issues with property owners along S. Berg Parkway. The City has taken the position of not requiring improvements for the existing portion of S. Berg Parkway until full road improvements are planned to S.W. 13th Avenue. The actual funding, including SDC money, would be worked out at the time the improvements would be planned.

The Commission asked why Sprague Controls and Potters had to do improvements on Baker at time of development, and why OBC was excepted from doing so. Mr. Wheeler explained that in this case, the City is dealing with alignment that has a future road extension which the City is proposing, for which the City is not yet prepared with the elevations. At the present time, staff is taking the position that, for S. Berg Parkway, the City will not pursue improvements on an intermediate basis.

5. The Commission pointed out that the right-of-way dedication comes very close to

the building on this site. Mr. Wheeler explained that if the right-of-way was to follow the alignment needed, a full 60 foot right-of-way, it would actually take away a portion of the corner of the building. But, he added, doing so is unnecessary for the design of the road because it could be designed where the sidewalk would just about abut the building at the corner. The distance between the building and the edge of the bluff, which is very limited, presents the same problem on the Industrial Seating site, Mr. Wheeler explained. Potential engineering has been developed for the construction of the road to try to account for these problems. Mr. Wheeler reviewed the 60 foot right-of-way road alignment plans for S. Berg Parkway with the Commission, pointing out that the corner of the O.B.C. building was actually excluded from the planned improvements when it was surveyed, showing that the road alignment could still be made acceptably.

6. A waiver of remonstrance was discussed. The Commission agreed a waiver of remonstrance is needed for future S. Berg Parkway improvements in order to facilitate the future improvements that will be in close proximity to an existing building on the subject property.
7. The Commission felt it would be appropriate to include in the findings, that the Commission finds that this is a good existing business, that it promotes the economy of Canby, and that the Commission is imposing minimal conditions so as not to impact O.B.C. more than necessary, or interfere with its viability.
8. The Commission discussed the need for improvements to S. Berg Parkway as part of the proposed development. Mr. Wheeler presented staff's recommendation that no improvements be required due to discussions between City staff and the property owners along S. Berg Parkway, which took place prior to this hearing. The Commission agreed to defer to staff's recommendation that no improvements to S. Berg Parkway be required.
9. The Commission discussed the logic in extending S. Berg Parkway to S.W. 13th Avenue. Mr. Wheeler explained that the arterial bypass would relieve some of the traffic overload on S. Ivy. The purpose of this bypass was included in the Transportation Plan that was adopted by the City of Canby. Furthermore, the City has considered this bypass for the last 20+ years, Mr. Wheeler added.
10. The Commission discussed landscaping improvements and questioned why none was proposed with the new addition. Mr. Wheeler explained that the new addition is close to the property line and will be surrounded by asphalt. The Commission suggested moving three trees near the new building due to the relocation of the entrance with the improvements to S. Berg Parkway. A straw poll determined, in a 5-1 vote, that 5 approved northernmost street trees should be retained along S. Berg Parkway, and the southernmost 3 should be moved behind the new building.

11. The Commission questioned the wording on the sign at the entrance to the OBC property, directing customers to check in at the office. Mr. Boyce explained that the sign was posted to prevent customers from going to the warehouse and loading products before arranging the paperwork. He indicated the parking reserved for customers on the site plan, adding that most of the material is delivered to customers directly and that will-call business is minimal.

Based on the findings and conclusions contained in the staff report dated April 12, 1996, on testimony at the hearing, and on Commission deliberations, **Commissioner Stewart moved to approve DR 96-04 with the following conditions:**

Prior to the issuance of the Building Permit:

1. The Data Disclosure Form shall be completed and submitted to the City's Sewer Department prior to the issuance of a building permit.
2. The parking lot shall be paved, in its entirety, by October 31, 1998. A bond, or set-aside letter from a bank, or a similar form of assurance that is acceptable to the City Attorney, shall be filed with the City for the completion of the paving.
3. Right-of-way dedication for the improvement of S. Berg Parkway will be needed in the near future. The City will make an effort to minimize the impact on this property. The improvement will require a realignment of the entrance to the parking lot.

For the Building Permit Application:

4. The landscape plan, with a planting schedule (when the planting of the landscaping is to occur) shall accompany the building permit application. The landscaping shall be completed or bonded prior to occupancy of the new building.

During Construction:

5. Erosion-control during construction shall be provided by following Clackamas County's Erosion Control measures. The five trees on the north end of S. Berg Parkway will remain as appropriate street trees. On southern end, 3 trees go to rear of new addition.

Additionally, the motion included adding findings that would relate to the rationale for the development of S. Berg Parkway at a later date and a condition/finding about a waiver of remonstrance for S. Berg Parkway improvements.

Commissioner Hartwell seconded the motion and it carried unanimously.

IX. DIRECTOR'S REPORT

Mr. Wheeler advised the Commission that the new Assistant Planner would be joining the planning staff on May 6. His name is Larry Vasquez. He has a Masters from the University of Oregon in Urban Planning and has had transportation planning experience in California.

X. ADJOURNMENT

The meeting was adjourned at 10:45 p.m.

Respectfully submitted,

Joyce A. Faltus