

**MINUTES**  
**CANBY PLANNING COMMISSION**

Regular Meeting

June 22 1998

7:30 P.M.

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**I. ROLL CALL**

**Present:** Chairman Ewert, Commissioners Stewart, Brown, Tallman, Prince and Keller.

**Staff:** Jason Kruckeberg, Planning Director; Clint Chiavarini, Project Planner; Dixie Harms, Secretary

**Others Present:** Beata Brummett, Dennis & Susanne Blanchard, Rick Beko, Rosa Ibarra, Dawn Thompson, Lance Lyon, Ray Lovell, Paul & Carolyn Roth, Scott Brotherton, Steve Abel, Beth Saul, Allen Holt, Randy Carson

**II. MINUTES**

Commissioner Keller moved to approve the minutes of April 27, 1998, as amended. Commissioner Ewert seconded the motion and it carried 6-0.

Commissioner Ewert moved to approve the minutes of May 11, 1998, as submitted. Commissioner Tallman seconded the motion and it carried 6-0.

**III. FINDINGS**

**DR 98-05 Hot off the Press**

Commissioner Tallman moved to approve the Findings and Conclusions for DR 98-05 as submitted. Commissioner Prince seconded the motion and it carried by a vote of 6-0.

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

None

**V. PUBLIC HEARINGS**

**DR 98-04** an application by Rick Beko requesting Site and Design Review approval to

construct a 9,000 square foot metal fabrication building with an office and caretaker's apartment.

Chairman Stewart reviewed the hearing process, procedures and format. He referred to the applicable criteria posted on the wall and on page 2 of the staff report dated May 1, 1998. Commissioner Stewart asked if any Commissioner had a conflict of interest or ex-parte contact. Other than visiting the site but drawing no conclusions, none was indicated. Chairman Stewart noted at this time that this Public Hearing was being reopened as it was on a continuance.

Mr. Kruckeberg presented the staff report. The property is zoned light industrial and is located on the east side of Southwest Berg Parkway, Tax Lot 902 of Tax Map 4 1E 4B. Mr. Kruckeberg noted an addendum to the original staff report that outlines the changes in the proposed conditions listed. He explained the proposed condition changes. Public facilities and services are, or will become, available to the site. Staff determined the applicant meets or exceeds criteria as rated on the Design Review matrix if changes in a sidewalk or pedestrian access were conditioned.

Commissioner Tallman had questions about the numbering of the conditions. Mr. Kruckeberg explained that the numbering on the addendum conditions was the correct numbering. Commissioner Keller asked about the fencing on the back portion of the property and the understanding in #14. Mr. Kruckeberg explained that at the time the City develops SW Berg Parkway to full arterial width to connect with SW 13<sup>th</sup> Avenue, the City will work with the owner of the subject property and adjacent property to the south to provide alternative access. The understanding was for the staff, present and future, as this is something that the City feels strongly about, but is unable to condition. Commissioner Brown had questions about access to the subject property. Mr. Kruckeberg explained several options that have been discussed.

### **Applicant**

**Rick Beko, 315 SW 5<sup>th</sup> Court, Canby** stated that the business started in 1977 and they have outgrown their present facility. He described the type of manufacturing that they do. He stated that there is not much traffic associated with their business and they have a small number of employees, and very little drive in business. Mr. Beko asked if they could raise the height of the building by 2 feet to facilitate a bridge crane inside the building.

### **Proponents**

Steve Able, attorney for Carl Soles, owner of the property. He discussed meetings between Mr. Kruckeberg, John Kelley, Mr. Soles, and Mr. Able in which they discussed some of the legal and access issues. Mr. Able said he felt they had discussed a number of reasonable solutions.

## Opponents

None

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

1. The Commission discussed existing access to the property and the potential of developing an alternative access at a later date. Staff explained that it was not possible to condition on a contiguous property owner to provide access.
2. The Commission discussed the public access requirements to the building such as a sidewalk to the building directly from the public right of way or from the access drive. It was felt that this could be conditioned at the time of development of Berg Parkway.
3. The Commission discussed the aesthetic of the building such as color and landscaping and decided to leave those decisions to staff.
4. The Commission discussed the fencing of the property with an 8' fence especially where it abuts residential and school property. The Commission felt that both a fence and hedge would be appropriate.
5. The Commission discussed parking lot lighting and exterior lights to be "hooded". The Commission would like the lights to be down to door height to better light the parking lot area.

Based on the findings and conclusions contained in the staff report dated May 1, 1998, on testimony at the June 22, 1998 hearing, and on Commission deliberations, Commissioner Ewert moved to approve DR 98-04 with the following conditions. Those conditions being the lower exterior lights, 8' exterior fence, sidewalk to go from Berg Parkway, and color will be determined by staff. Commissioner Keller seconded the motion and it carried 6-0.

**Note:** Commissioner Ewert asked that the Berg Parkway to 13<sup>th</sup> be made a priority.

**MLP 98-02** an application to partition an existing .48 acre lot into two parcels.

Chairman Stewart reviewed the hearing process, procedure and format. He referred to the applicable criteria posted on the wall and on page 2 of the staff report. When asked if any Commissioner had ex-parte contact or conflict of interest, except for visiting the site, but coming to no conclusions, none was expressed.

Jason Kruckeberg presented the staff report. The property is located on the west side of South Fir Street between SW 12<sup>th</sup> and SW 13<sup>th</sup> Avenue. The subject property and surrounding property is zoned R-1 and property to the west is the City water tower. All setbacks will be met. Request for comment forms indicated no negative comments on this application. Public Works supervisor said a sewer lateral will need to be extended to the site. There are 7 conditions listed in the staff report. They are all standard conditions for a Minor Land Partition.

Commissioner Keller asked if the 20 foot drive would be paved upon development and Mr. Kruckeberg said that it would. Commissioner Stewart ask that we note the sewer lateral is required.

### **Applicant**

**Beatta Brummett, 6611 SW Pine, Portland, OR 97223** stated that she was partitioning this property in order to put a single family dwelling on the back.

### **Proponents**

**Allen Holt, 1225 S. Fir St., Canby, OR 97013** stated that he owns the property next door and is in favor of this application.

### **Opponents**

None

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

Commissioner Prince stated he felt this was a straight forward application. Based on the findings and conclusions contained in the staff report dated June 12, 1998, Commissioner Prince moved to approve MLP 98-02 with the 5 conditions listed in the staff report and a note regarding the sewer lateral. Commissioner Keller seconded the motion and it carried by a vote of 6-0.

### **CPA 98-02 Parks Master Plan**

As everyone in the audience had been present when Chairman Stewart reviewed the hearing process, procedures, and format, it was not reiterated.

Clint Chiavarini discussed the work session that was held June 8, 1998 at the Planning Commission meeting. He addressed some questions raised at that meeting about funding. He has drafted a letter to the City Council for the Planning Commission's approval.

Beth Saul, Director of Parks and Recreation, was available to answer questions, and with her were several members of her advisory board.

Discussion included access to the Molalla River, the priority of items in the Park Plan. Commissioner Ewert asked why a Regional Park in the Honda pits when the area around it is zoned Heavy Industrial? He feels that the property's value has gone up considerably. It could be used for industrial things when we have other parks. Why would we put a regional park in an industrial area? Mr. Kruckeberg answered that it was in the Comprehensive Plan and Beth Saul mentioned that it had been a very popular idea..

### **Proponents**

Lance Lyon, Chairman of the Parks Advisory Board, feels that overall the Parks plan has come together very well.

Randy Carson of the Parks Advisory Board, mentioned the possibility of several ball fields being added in that location. That would be the least intrusive in that area. It is also the closest access to the wetland area.

Ray Lovell asked about the City Park and the fact that it needs to be maintained.

### **Opponents**

None

With no additional testimony, the public portion of the hearing was closed for Commission deliberations. Discussion included funding, the passing of bond issues, capital funding with separate account for land other than SDC funds. All members of the Planning Commission felt the Park Plan was a good plan and thanked all those involved for their efforts.

Based of the findings and conclusions contained in the staff report dated June 12, 1998, on testimony at the June 22 hearing, and on Commission deliberations, Commissioner Keller moved to approve CPA 98-02 with a statement of Commission concerns for stable and adequate funding. Commissioner Prince seconded the motion and it carried by a vote of 6-0

An announcement was made that there would be a Regional Park Meeting on Tuesday at the Adult Center at 7:00 p.m.

## **VI. COMMUNICATIONS**

None

## **VII. OLD BUSINESS**

Mr. Kruckeberg explained that there have been several inquiries about mobile food vending permits. Mrs Rosa Ibarra is in the audience this evening, she is interested in having a mobile food unit in the city. The City of Salem has an ordinance that deals with this issue. Salem issues these permits for a maximum of 6 months. Mr. Kruckeberg said that we have nothing in our code that deals with this issue. Staff is asking for guidance.

Commission discussion followed. Planning Commission took a straw poll. A unanimous decision was made to send this issue to the City Council.

## **VIII. NEW BUSINESS**

Mr. Kruckeberg has an issue that deals with Site and Design Review criteria. Mr. Lovell is paving a portion of his property to park trucks on. The ordinance reads that 2,500 feet of impervious surface requires Site and Design Review. Mr. Ray Lovell and Mr. Grant Sharp are in attendance tonight. Mr. Lovell explained that he had no intention of violating any rules or regulation. There has been no change of use on this property, and he was only paving to enhance his property. Mr. Sharp ask to clarify requirements.

Commission agreed this should be handled at the staff level with several requirements to be considered. The following items were their recommendation: 1. Lien search, 2. No use change, 3. Upgrade, 4. Surface water disposition. Staff makes the decision if those items are met and the amount of square footage is less than 5,000 sq. feet. Commission agreed to let Mr. Lovell finish his paving. Commission asked staff to make note of this for the Comp Plan Review wording with regard to this issue.

## **IX. DIRECTOR'S REPORT**

Mr. Kruckeberg said Vine Meadows Subdivision is coming in for plat review. There is an

issue with street naming. There is an explicit condition that the north-south street be the numbered street and the street that is stubbed out be named Vine Court. He asked if anyone knows why. He says it makes no sense to him. Commission agreed that it should be changed.

Mr. Kruckeberg talked about the fact that there are no public zones in the city listed which would exempt some uses from going through Design Review/Conditional Use. Some jurisdictions have processes for public zones. Commission feels they would like to review all these applications.

Mr. Kruckeberg told the Commission that the sidewalk situation along N.E. Territorial for the condominium conversion project has been resolved. The owner agreed to have the city do the project. Roy Hester gave him a bid plus 10%.

There was discussion about a temporary moratorium on billboards. Commission ask Mr. Kruckeberg to ask John Kelley about temporary moratoriums.

Commissioner Tallman said she would not be at the July 27, 1998.

## **XI. ADJOURNMENT**