

MINUTES

CANBY PLANNING COMMISSION

Regular Meeting
November 2, 1998
7:30 P.M.

I ROLL CALL

Present: Chairman Stewart, Vice-Chairman Keller, Commissioners Brown, Tallman, Prince and Bliss

Staff: Jason Kruckeberg, Planning Director; Clint Chiavarini, Project Planner; John Williams, Associate Planner; Dixie Harms, Secretary

Others Present: David Kelly, Jim Parsons, Matt Grady, Barry Cain, Ivan and Robertha Arneson, Dan Ewert, Terry N. Tolls, Kathryn Lewelling, Evelyn Staehely, Gladys McConnell, Craig Lewelling, Roy Zimmer, Bob Trappe, Walt Daniels, Chris Brehmer, Mark Butorac, Mr. And Mrs. Robert Clark, Ray and Irene Burden, Jerry Stater, Bill McConnell, Bob Zimmer, Warren Tyler

II MINUTES

None

III CITIZEN INPUT ON NON-AGENDA ITEMS

None

IV FINDINGS

None

V PUBLIC HEARINGS

A hearing for **DR 98-08** was continued from October 26, 1998. Chairman Stewart reviewed the Public Hearing format. There were no conflicts of interest or ex-parte contacts.

Jason Kruckeberg summarized the previous portion of the hearing and staff report from October 26th. Mr. Kruckeberg informed those attending that the hearing will be closed at 11:00 p.m., or after all testimony is heard, whichever occurs first.

The applicant requested questions be held until the end of the presentation, this was agreed to by the Commission.

Barry Cain spoke on the history of the selection and purchase of the property. Gramor originally contacted the Arenson's in 1995, at that time they were not ready to sell. The Arneson's contacted them in 1997 informing Gramor they were ready to sell. In March of 1998, the property was annexed into the City with a 2 to 1 approval from the voters. Gramor took this as a sign that the citizens were ready for Fred Meyer as this was the known intent of the property prior to the vote.

Mr. Cain explained the benefits of the project to the City, which included a new intersection at Hwy. 99E and Redwood Street. There would be a new First Avenue connection. The improvements would fix Redwood to the north and fix the railroad crossing. Also, Gramor has agreed to not ask for credit on the traffic impact fees which could be as much as \$600,000. Gramor has dedicated a two acre azalea park to the City. The development will bring goods and services to the Community, keeping Canby dollars in Canby, and create jobs and opportunities for the City. Gramor will be developing the entrance to the City's 400 acre Industrial Park.

In association with the design of the Industrial Park Master Plan, they were asked if they would provide land for the Industrial Park entrance and will be discussing this.

This project will bring a higher assessed value to the City, which will make it easier to pass bonds for the schools. The project will be assessed at close to 50 million dollars, which is approximately 10% of the total assessments in the City of Canby.

When the industrial park is fully developed, it will have an assessed value of approximately 500 million dollars. The Industrial Park and Fred Meyer's will double the City's assessments.

Gramor is known for high quality in building and landscaping. They will attempt to save the scarlet oak tree at the front of the site, but ask that they not be *required* to save it. Gramor requires high quality signs and City staff's recommendation for signage is acceptable to them.

Mr. Cain suggested the access issue might be the "right-in" off of Sequoia Parkway, but they would like to keep this access until the City needs to create double left turn lanes off of Hwy 99E to Sequoia.

Marylin Coffel, Corporate Relations for Fred Meyer, explained the relationship between Kroger and Fred Meyer. The merge is only with their product distribution, it will not

impact Fred Meyer's site in Canby.

Warren Tyler of C & N Architects, Portland Retail Development, has worked with Fred Meyer, and is working with their current prototype. He explained Gramor is a top quality developer. In meetings they reviewed the requirements for the development. The access was reviewed and they feel there is very clear traffic direction. They brought the buildings to the street and created convenient parking for all buildings.

Sidewalks link all the buildings, creating pedestrian safety to all buildings.

Gramor has been carefully planning delivery truck traffic for 40 years and is sure this one is functional. They have chose not to have wheel stops in the parking lot. The sidewalks are extra wide, leaving plenty of room for the vehicles to come up to the curb. The wheel stops are easy for people to trip over. They are offering 166% of the requested landscaping, inclusive of the azalea park and 2 "parkettes".

Michael Lee of C & R Architects, discussed the plan elevations. The buildings will be lined in brick. They chose an arcade and canopy mixture to create a different experience. The design is pedestrian oriented, with a variety of textures to create a nice look. Glass is used where ever possible, and a variety in texture is used in the walkway.

Mr. Lee explained the benches, light sconces, boulevard lighting, and reviewed the pallet of materials.

Marc Butorac of Kittleson & Associates, explained they worked with the Canby Industrial Park Committee, Gramor, OTAK, and the City to create a system that will work 10 to 20 years down the road. They dealt with the constraints of the development, policy issues, geometric issues, access and safety issues.

The plan was collaborated in an effort between the City Departments, the developer, ODOT, ODOT Rail Section, Union Pacific, Clackamas County, and the City of Canby's staff and engineers.

Rail crossing will be upgraded and a new railroad signal and traffic signal installed. The development will improve the traffic situation due to the new signal.

TriMet indicated to Gramor that the location preference for a future bus stop would be in the industrial park where it would be accessible to employees.

Jim Hensley, Gramor's Landscape Architect, advised that the 2 acre park Gramor has dedicated to the City includes azaleas and conifers. He reviewed the locations of the scarlet oak, flowering pears, azaleas, rhododendrons and the pathway system.

David Holstead stated the seedlings and 100-year-old trees, if preserved as outlined, should be alright. He advised that there is not enough root area to save the scarlet oak. It

would require 1200 square feet of area, plus a well and drainage.

Matt Grady, Project Manager for Gramor, explained the proposal is for 2 signs along Hwy. 99E. With the project fronting on two streets, they are asking for the Commission to grant them a 60% increase in signage. Gramor finds conditions 49, 50 and 51 acceptable (related to signage).

Mr. Grady reviewed the sign colors and assured the Planning Commission that all the additional signs for the other businesses will have to go through the City's normal review process. Gramor will be very happy to work with the City to get the trail connection to the property in a location that makes sense.

Gramor would like to design and build an entrance piece into the Industrial Park.

With the presentation of the applicant complete, the Commission asked questions of the representatives.

Commissioner Bliss questioned who would fund the Industrial Park entrance sign. Barry Cain stated that Gramor would do this.

The Commission questioned the applicant's role in the trail connection. Matt Grady clarified that they do not have control over the railroad property, but will work with the City's Planning and Parks departments to determine the location.

They would like a 60% increase in the sign allowance for the tenants' signs. (Referring to condition #51).

Mr. Arneson informed the Commission that the scarlet oak is approximately 40 years old, and 85-90 feet tall.

The Commission asked Mr. Hensley for a time line for the growth of the trees in the parking lot. He explained that the honey locust trees should reach 15 feet in 10 years, 20-25 feet in 25 years, and full maturity (35-40 feet) within 35 years. The flowering pears will reach 18 feet in 10 years, and the scarlet oak will reach 25 feet in 10 years.

Commissioner Prince asked if all the sprinkling systems will run off the existing well. Mr. Hensley stated they would and suggested the City might pay for the electricity to run the well.

Commissioner Stewart questioned what the effect would be once TriMet decided to build a bus stop. The response was that a few of the trees in the parkette would have to be eliminated.

Commissioner Brown questioned the concern of the City being able to remove the right-in, when the 2 left turn lanes are built.

Commissioner Brown questioned the temporary extension of First Street location, Mr. Cain stated the choice was due to existing houses.

Commissioner Tallman questioned the reduction in parking. The reason was to create more landscape buffer between the development and surrounding land.

Commissioner Stewart questioned the temporary access not being easy to close. Mr. Butorac stated they have not had to close one before, that he was aware of. He said it could be enforced by setting a condition, and the developer could post the money for the curb and gutter.

David Kelley, City Traffic Engineer, clarified that he did not suggest closing the temporary access, just that it might be impossible, politically and legally, to close it at a later date.

Commissioner Bliss questioned the prevention of graffiti on the brick. Requiring a protective sealant (from paint) over bricks, could be suggested as a condition during that portion of the hearing.

The Commission questioned the accuracy of the lighting and street furniture shown on the renderings. Mr. Hensley stated they are committed to the lights shown, but unsure of the banner arms, the raised planters will actually be cut out, at a lower level. There will be benches.

Chairman Stewart questioned if they can come up with a happy medium for the trees along the walkway. The drawings show trees that are large, and block the sunlight. The 7' ornamentals being too small. Mr. Hensley said they could find a good compromise and clear it through the planning department.

Commissioner Bliss questioned if the chemical coating to repel graffiti would change the natural look of the brick. Mr. Lee assured them it was a clear coating and would not change the appearance.

Chairman Stewart questioned the lack of wheel stops. The walkways were designed to be extra wide to allow vehicles to overhang with plenty of extra room. The landscaping will be located in a position as to not be damaged by the vehicles. The lack of wheel stops will eliminate the danger of customers tripping on them.

Commissioner Brown noted there were no drive-through pads or gas stations planned in the development. Mr. Cain explained these were not planned for as they already exist in Canby, and they wish to have businesses which would be new to the Community. In response to the concern of the deliveries to the "pads", these businesses will be small enough that deliveries will be in small vans, not large delivery trucks.

Marilyn Coffel stated that Fred Meyers averages 18 delivery trucks per week and that

these can be scheduled to avoid deliveries during times of significant pedestrian traffic.

Commissioner Bliss questioned the security plan for the development. Ms. Coffel stated Fred Meyer has in-store security as well as security in the parking lot.

Fred Meyer will advertise locally for employment.

Commissioner Bliss questioned the enforcement of a code of conduct, such as skateboarding on the sidewalks. Fred Meyer will post signs if necessary. They maintain in-house property management. They have a full time maintenance staff which tours each store approximately every other day.

PROPOSERS

Dan Ewert spoke in favor of the development. Originally he had concerns with the City not having an Industrial Park Plan and a Transportation Plan, but now feels the City has these in order and feels this is a good opportunity for development. Mr. Ewert feels the park is a great idea, but has concerns of possible problems for the police. Mr. Ewert encourages an early curfew for the park, a gravel road around the perimeter for utilization of the police, if necessary, restrooms and phones. Mr. Ewert discourages giving up parking and reducing signage, and agrees with the staff's recommendations. He would like to see more of the porch appearance along the front of the buildings, and requests the back of the building to be well lit. When excess products are stored in trailers, he asks that they be stored behind the building, rather than in the parking lot. He also discourages salvage trailers for salvage rendering from being placed in the development.

Irene Burden stated that she is in favor of the development.

Craig Lewelling was present for his mother, Katherine Lewelling, asking that the issues of grade levels, assessments be addressed, and is in support of the development. The Commission informed Mr. Lewelling that the assessments are to be addressed by the City Council.

Bob Zimmer spoke in support of the development but also had concerns regarding the assessments, the "parallel process" of determining pay allocations and funding. Mr. Zimmer would like to see topographies of the development and adjacent properties to see how it all fits together. He would also like to see a rendering of the views from the Parkway and the Industrial Park, and questioned why one access seems to be drawn at a lower elevation.

Jason Kruckeberg explained that in the Industrial Park Master Plan process brought of the issue of assessments, and clarified that part of what was being questioned was how this development applies to the Master Plan in regards to the Industrial Park infrastructure.

John Kelley, Attorney for City of Canby, explained the law requires the City to complete

the application process within 120 days. If the City fails to do so, the applicant can take their application to the Oregon courts and request an automatic approval, based on no action by the City. The cost assessments and allocations need to be dealt with by the City Council, not the Planning Commission.

OPPONENTS

None.

REBUTTAL

Barry Cain responded to the concerns of the park. The paths around the park are designed to service maintenance vehicles, and police could use them as well. There will be public restrooms in all the businesses and plenty of phones in the area. He stated the intent was to have the park open only during daylight hours. Gramor will meet with the Zimmers to work with them on their concerns regarding grading and infrastructure.

Chairman Stewart closed the Public Hearing and the Commission agreed to set rules for deliberation for the next meeting.

Chairman Stewart asked the Commissioners if they saw any one obvious reason this application should be denied. None were noted.

Commissioner Prince expressed his concern for the location of a trash bin for Building D. Commissioners Prince and Bliss both have concerns regarding the truck access.

Jason Kruckeberg confirmed the Commission would be getting revised conditions.

Commissioner Brown suggested they plan on going through the recommendations one by one, make any changes, deal with tabled issues, include any additional conditions, then look for a motion. The rest of the Commission agreed on this outline for the next meeting.

Mr. Kruckeberg asked the Commission to let him know if there is any expert support they would like attending the next meeting. They did not request any additional persons than those present. Commissioner Prince requested someone from Kittleson and Associates to answer traffic study questions.

Clint Chiavarini, Project Planner, informed the Commission he has not received a response from TriMet yet, but expected to have one by the next meeting on November 9th.

The public hearing for DR 98-08 was continued until November 9, 1998, at 7:30 pm, to be located at the City Council Chambers.

The meeting was adjourned at 10:50 p.m.