

**MINUTES**  
**CANBY PLANNING COMMISSION**  
**Regular Meeting**  
**Monday, November 9, 1998**  
**7:30 P.M.**

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**I. ROLL CALL**

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

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

Others Present: Chris Brehmer, Marc Butorac, Dan Ewert, Barry Lucas, Steve Able

**II. MINUTES**

September 14, 1998

Commissioner Tallman made a motion to approve the minutes of September 14, 1998 as submitted. Commissioner Prince seconded the motion and it carried 6-0.

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

None.

**IV. FINDINGS**

None.

**V. PUBLIC HEARINGS**

Continuation of DR 98-08 (Gramor, Oregon) Commission Deliberations: Commissioner Stewart reopened the public hearing. None of the Commissioners have any conflicts and they will participate. Commissioners Bliss, Prince, Tallman, and Stewart had visited the site but had drawn no conclusions. Commissioners Keller, and Brown and not visited the site and had drawn no conclusions.

A letter from TriMet was admitted. Mr. Chiavarini explained the letter to the Commission. The letter stated that if service was to become available that TriMet would like to see two spots opened adjacent to the site. One on Hwy 99-E and one on Redwood

Street. No public testimony was given in regard to this letter.

Mark Butorak, Kittleson and Associates, addressed the Commission on this letter. His opinion is that discussing this issue now was a waste of time and should be discussed when TriMet does provide service to the area. He requested that no condition be put on construction at this time or to condition an easement for a bus pad.

Commissioner Tallman asked John Kelly who is responsible for building a bus shelter. Mr. Kelly said that we would ask TriMet to do that. Mr. Chiavarini explained that TriMet would want it attached to a development proposal, and that TriMet has certain standards for when shelters are provided.

Commissioner Prince asked about the 8 x 10 turn out. Mr. Chiavarini explained that TriMet prefers not to have a turn out because it makes it more difficult to get back into traffic. Commissioner Prince felt that a turn out would be better because of the volume and speed of traffic in that area. TriMet did feel according to the letter that bonding was appropriate.

Steve Able, Attorney with Stole-Rives, addressed the Commission. His opinion was that it would be difficult to establish a need because service is not currently available to that area. The applicant does not understand what the bond would be for. The applicant is willing to provide a dedication or easement on Sequoia Parkway because traffic speeds are already lowered.

Commissioner Prince wanted to point out that not everybody drives a car and he didn't want these people excluded. He wanted to provide equal access to everyone. Steve Able again stated that the applicant is willing to provide an area on Sequoia Parkway. Commissioner Prince stated that we have an industrial plan that addresses future development patterns.

Mr. John Kelly, City Attorney, stated that it would be difficult to condition an exaction. We are only to condition what they are creating by their development. Commissioner Prince felt that we should still condition an easement or bond. John Kelly felt that it would be difficult to figure the portion of responsibility.

Commissioner Prince re-directed his question to Mr. David Kelly. Mr. Kelly's opinion was that most traffic studies show a 5% reduction. He said to assume that about 5% of the people will be using transit service.

Commissioner Stewart asked if it is common to ask for an easement but not a bond. Mr. Kelly said all they had required in prior construction was a letter from TriMet saying that the submitted site plan meets their approval.

Commissioner Keller commented that the Gramor development would consume 100% of

this transit stop. He felt there should be some dedication and bonding for this.

Mr. Cain stated that they are willing to make a dedication of property but bonding for this would be difficult because bonding is a yearly process, and this has no time line.

No other public testimony was given on this letter.

Jason Kruckeberg, Planning Director, presented three letters in regard to DR 98-08. The first letter was a memo from Curt McLoed and spoke about Canby Utility Boards procedures for well abandonment. Steve Abel stated that they had no objections to this condition. The second letter was in regard to grading issues on Sequoia Parkway, and Mr. Curt McLoed didn't feel there were any major issues about the grading. The third letter was from Jerry Giger, Chief of Police, about the security measures in the park. The Police Department has gone over the plans and felt it should have a closing time, and any lights should be on timers that would go off at closing of the park. Due to the remote nature of this park they felt it should be used for day time use only.

Commissioner Keller felt that the lights should be installed with timers but not necessarily to go off at dark. Commissioner Bliss agreed with this and asked for additional comments from staff.

Ms. Saul, Director of Recreation Services, stated that they were hoping the park would close at dusk, and that it be for day use only. Commissioner Stewart stated that there had been some public testimony asking for a gravel road around the park and possibly a phone. Ms. Saul had discussed this with Jeff Snyder, Parks Maintenance Supervisor, and they did feel having a gravel road around the park would be helpful. Ms. Saul had no feelings on the phone.

Commissioner Tallman asked about the 8' pathways through the park. This path was only supposed to go around the park and not necessarily through it.

Commissioner Bliss asked Ms. Saul about the park closing at dusk and wanted to know where this input was from. Ms. Saul stated that no input was given other than by the Police Department.

Commissioner Stewart asked about the fence and if this was only for the construction phase. Ms. Saul stated that the fence would be left until development occurred in the surrounding area and then the fence would possibly be removed.

Jim Hensley, designer of the park, said that the park had been designed for day time use. The fence is being put in as a permanent structure to control vandalism but could be looked at later for removal. The pathways would be compacted gravel and the main pathway would be a 8' path. The connecting pathways would be 4' to 6' and would be sawdust or something of a similar nature.

Mr. Cain stated that the park was a good idea and once finished it is the City's. Once the park is finished the City could install lights and phones if that is what they wished.

With no other testimony to come before the Planning Commission on this issue Commissioner Stewart closed the public hearing.

Commissioner Deliberations: Commissioner Brown asked if each item would be voted on as they went. Commissioner Stewart asked the Commission how they wanted to proceed. The Commission will go through each condition and vote on them as they go. One motion will be made at end. Conditions are on page 34 of version 3 of the staff report.

Conditions 1-3 were all approved with a vote of 6-0.

Condition 4: Commissioner Tallman asked that ADA parking spots be placed near the entrances. John Kelly explained that ADA regulations govern the distance from entrances. Commissioner Brown stated that according to the plans all ADA spaces were near entrances. Condition 4 was approved with a vote of 6-0.

Conditions 5-15 were approved with a vote of 6-0.

Condition 16: Will be re-written to include the 1-8' path, the 6' fence, no lights, and hours of operation. Condition 16 was approved with a vote of 6-0.

Condition 17- 21 were approved with a vote of 6-0.

Condition 22: is to be removed.

Condition 23: Will be re-written to include the wording "The Scarlet Oak may be removed".

Conditions 24-29 were all approved with a vote of 6-0.

Condition 30: Mr. Kruckeberg changed some wording to provide clarification. On the 3<sup>rd</sup> line where it begins right turn land from 99E should also say at right in, right out access. It should also say Sequoia instead of Redwood. Condition 30 was approved with a vote of 6-0.

Conditions 30-32 approved with a vote of 6-0.

Condition 33: Change in wording for clarification. South bound right turn lane is required from Sequoia into the sites main access. Remove to the parkway to accommodate south bound traffic into the site on to Sequoia Parkway... Condition 33 approved with a vote of 6-0.

Conditions 34-37 approved with a vote of 6-0.

Condition 38: approved with a vote of 4-2.

Conditions 39-44 approved with a vote of 6-0.

Condition 45: Verbiage added, 6' chain link fence along entire western and southern property lines. Condition 45 approved with a vote of 6-0.

Conditions 46-47 approved with a vote of 6-0.

Condition 48: Verbiage added, the word Sequoia will be added to Parkway for clarification and no parking signs will be added. Condition 48 approved with a vote of 6-0.

Conditions 49-54 approved with a vote of 6-0.

Condition 55 (to be written): Mr. Kruckeberg will write a condition about "Goodwill" type trailers/ drop boxes and recycling centers being prohibited.

Condition 56 (to be written): Mr. Kruckeberg will write a condition about Trailers for storage only being allowed in the back of the buildings.

Condition 57 (to be written): Mr. Kruckeberg will write a condition in regard to the hours of delivery. City staff and Fred Meyers will work together on this to come up with an acceptable delivery schedule.

Condition 58 (to be written): Mr. Kruckeberg will write a condition to provide an easement near pad F for a bus turnout.

Condition 59 (to be written): Mr. Kruckeberg will write a condition about the applicant meeting with Canby Utility Board regarding dedication of the well.

Commissioner Stewart went over a staff memo and discussed issues raised in the memo. Pad D will go to Site and Design Review. Graffiti proof paint will not be required due to the graffiti ordinance that the City has.

Commissioner Bliss asked about the standards for vacant areas, specifically pads A and D until they go to Site and Design Review. Mr. Cain said they will be asphalted or grassed while they are waiting to be used.

Commissioner Bliss asked about satellite dishes. If any were put in they would be screened from view.

Commissioner Bliss asked where the trash compactor would be located. A representative of Fred Meyer answered the question. Commissioner Bliss was satisfied with the answer.

Commissioner Bliss asked about a hand rail that extended past the building. Commissioner Bliss is concerned that trucks would be hitting this. It was explained that this has been studied , the area is safe and the turning radius is sufficient.

Commissioner Bliss asked if A boards would be allowed. Fred Meyers policy is to not allow these. It is also against the City sign ordinance.

Commissioner Bliss asked about soda can recycling areas in front of the Fred Meyer store. Yes they are allowed and will be maintained on a regular basis so as not to be an eye sore. The units will be large wall units.

Commissioner Brown asked that no community fairs, or festivals be allowed due to the reduced parking areas. This will be added to condition #55.

Commissioner Brown made a motion to approve DR 98-08 for Gramor Development with the conditions indicated and approved by the commission. The motion was seconded by Commissioner Keller and was approved with a vote of 6-0. Staff will return with the proposed findings, conclusions, and final order at the next regularly scheduled meeting on November 23, 1998.

## **VI. COMMUNICATIONS**

Jason Kruckeberg, Planning Director, reported 6 new land use applications, 5 annexations, a conditional use, and a minor land partition application have been received.

Periodic review evaluation report is out for review by state agencies. It will be sent out to all of the Planning Commissioners for review, and will go to the City Council on December 2, 1998. The process is going well.

## **VII. NEW BUSINESS**

## **VIII. DIRECTOR'S REPORT**

## **IX. ADJOURNMENT**