

# MINUTES

## CANBY PLANNING COMMISSION

Regular Meeting  
February 8, 1999  
7:30 pm

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### I. ROLL CALL

**Present:** Chairman Keith Stewart, Commissioners Jean Tallman, Derek Bliss, Vern Keller, Jim Brown, Teresa Blackwell, and Geoffrey Manley

**Staff:** Jason Kruckeberg, Planning Director; Clint Chiavarini, Project Planner; John Williams, Associate Planner.

**Others Present:** Frank Cutsforth, Bill Seidl, Steve Miller, David Kelly, Mark New, Betty Faist, Dan Foeller, Joan Jones, Terry Prince, Kathy Henderson, Harry LeeKwai, Leslie Ann Hauer, Pat Sisul, Wayne Scott, Beth Saul

### II. MINUTES

November 30, 1998

Commissioner Tallman asked for a correction on page 3, motion to approve ANN 98-01 should read "recommend approval".

Commissioner Keller moved to approve minutes of November 30, 1998, as amended. Seconded by Commissioner Tallman. Motion carried 5-0. Having recently joined the Planning Commission, Commissioners Blackwell and Manley abstained.

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

Terry Prince introduced himself as the liaison between the City Council and the Planning Commission.

### IV. FINDINGS

**ANN 98-05 Dodds.** Chairman Stewart asked for clarification on the amount of available land. Staff responded that the 4 years, 6 months did not include this request and would be recalculate to include this property. Commissioner Brown asked for a modification on page 3 concerning the school capacity statement to read that "there would be serious undesirable affects". Staff was asked to write

the proper wording. Commissioner Keller made a motion to approve the Findings, Conclusions, and Final Order for ANN 98-05, as modified. Commissioner Brown seconded the motion and it passed by a vote of 5-0, with Commissioners Blackwell and Manley abstaining as they were not on the Commission at the time of the hearing..

**SUB 98-02** Walt West – Commissioner Brown moved to approve the Findings, Conclusions and Final Order for SUB 98-01 as written. Seconded by Commissioner Keller. Motion carried 5-0, with Commissioners Blackwell and Manley abstaining for the previously stated reason.

## V. PUBLIC HEARINGS

**DR 98-09**, an application to request site and design review approval to construct a 8,890 square foot addition to the existing Cutsforth's Thriftway supermarket and three retail pads (21,554 square feet) on the site of the existing Thriftway and Canby Builder's Supply.

Chairman Stewart reviewed the hearing process, procedures and format. He referred to applicable criteria posted on the wall and on page 2 of the staff report. When asked if any Commissioner had a conflict of interest or ex-parte contact, Commissioner Manley declared he had been asked a question about the property, but responded he couldn't discuss it and it was a matter of public hearing. Some Commissioners had visited the site or read an article in the Canby Herald, but drew no conclusions. No questions were asked of the commission.

Mr. Chiavarini presented the staff report. He stated landscaping exceeded the 7 ½% minimum, however, the trees need to meet the 2" caliper requirement. Staff explained Public Works and the city and county traffic engineer recommended access on N. Ivy be removed. He further explained the pedestrian connectivity through the site has improved and the architecture was to be the same material and style as the existing Thriftway building. Mr. Chiavarini covered signage, explaining that Thriftway did not intend to use their maximum allowance and would lease their unused sign space.

Forms to public service providers were sent out. Staff indicated most stated services were adequate, Canby Utility Board stated the feeder line went under the new development and would need to be rewired. Staff recommended approval of DR 98-09 with conditions as stated in the Staff report.

### APPLICANT

**Frank Cutsforth**, 225, NE 2<sup>nd</sup>, Canby, stated he believes this is an outstanding plan and will make the city a better place to live. He thanked the Planning

Department for their assistance. Mr. Cutsforth stated he was willing to do what he could to make the conditions work.

**Bill Seidl**, Vice President, Business Development, United Grocers, 25200 NW St. Helens Hwy, Portland, explained the applicant was asking for a variance from the parking code from 5.0 to 4.86/1000, and for the requirement of a second truck bay to be deleted. He also asked for clarification on the bike issue. Chairman Stewart stated they weren't quite sure either, as the requirements were set by the state, but all parties were willing to work closely. Mr. Seidl stated applicant would conform to city standards on curbs and sidewalks. Access on N. Ivy was discussed. Applicant felt this is a key component to the development and could result in a 5-7% decrease in business if this access point was not allowed.

Mr. Seidl stated he believes this project will help beautify and kick start the downtown area.

#### PROPOSERS

**STEVE Miller**, Superintendent, Canby School District, stated no increase in growth demand will occur on the school district. He stated the Cutsforth's have been enhancers of the community, with excellent fiscal impact and strong community ties.

**Wayne Scott**, 1988 NE 19<sup>th</sup>, Canby, noted that this would enhance transportation throughout Canby, and in the downtown area.

**Kathy Henderson**, 1065 S. Elm Ct., Canby, said the downtown core area would benefit from additional traffic, which would lead to the success of locally owned businesses.

**Harry Lee Kwai**, 794 N. Holly, Canby, stated that what sets the Cutsforth's apart from other people is their passion for the city. He said the project is a tremendous commitment to what can be done downtown.

Frank Cutsforth clarified that larger trucks would be using 2<sup>nd</sup> Street, while utility trucks used the parking lot.

#### OPPOSERS

None

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

- Concerns with access because of shortcomings in the design of the pads and

of the site

- Pedestrian traffic not properly accommodated
- Breaking up of the southern elevation, possibly with landscaping
- Truck access

Commissioner Brown moved to continue consideration of this application until March 8, 1999, 7:30pm for applicant to work on the design of the pads and access. Seconded by Commissioner Tallman. Motion carried 7-0. Applicant was agreeable to a 30 day extension of the 120 day requirement.

**SUB 98-03**, applicant is requesting approval of the first phase of the proposed Faist Addition subdivision, which contains 28 single family homes. In all, the first five phases of the subdivision will contain 132 lots on 29.6 acres.

Chairman Stewart asked if there were any new audience members present that had not heard the public hearing format. No new audience members were present.

When asked if any Commissioner had a conflict of interest or ex-parte contact, Commissioner Keller declared as a licensed real estate agent, he could possibly benefit by the sale of property. Some Commissioners had visited the site but drew no conclusions. No questions were asked of the commission.

John Williams presented the staff report. He stated this is the first phase of a potential five phase subdivision, each on a separate application, and only 28 single family homes were being considered with this application. Staff said access, with two shown, was limited to this site. He explained there was an unresolved issue of the SE 10<sup>th</sup> street parcel as a half street had been dedicated for future connection before the Valley Farms subdivision was put in. John stated the street design was a new design of a broader planter strip, wider sidewalks, and more trees. Public service providers indicated minor issues. The Director of Recreation Services commented a park was needed, as it was not served by a mini or neighborhood park. Although a school is nearby, use during the day was not an option because of liability issues by the school district. Staff stated 13<sup>th</sup> Street would be developed to full improved width along with the first phase of development. Staff recommended approval as designed.

#### **APPLICANT**

**Leslie Ann Hauer**, Planning Consultant, 6100 Collins Rd., W. Richland, WA 99353, explained since the city code didn't allow for phasing of subdivisions, they were presenting an overall picture of the development, however, they were focusing on just the 28 lots. In regards to the issue of 10<sup>th</sup> street, she asked if no street connection was built, could a trail be considered. Ms. Hauer stated that since 13<sup>th</sup> street would have virtually no traffic impact from the first phase, they

were requesting that condition #16 be removed. She stated she was also concerned about the fairness of a parks requirement since other properties, that she was aware of, were not required to develop a park.

#### PROPONENT

**Joan Jones**, 2554 NE Overton, Portland 97204, stated she was not against the application, but explained she was told there would be a road built on the south side of Trost School to give her access to the back of her property. Chairman Stewart asked for any documentation she might have to confirm any arrangements.

Ms. Hauer stated that Teakwood would provide future access to her property and that putting in the development in phases was not intended to avoid a park.

#### OPPONENT

None

Mrs. Faist mentioned that they wanted the property to be developed in phases so they would still farm.

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

- Not requiring Teakwood to extend down to 13<sup>th</sup> at this time
- Removing condition #16 – 13<sup>th</sup> Street improvement
- Need for Master Planning if the area
- Tabling 10<sup>th</sup> Avenue and park issues until applications for future phases

Commissioner Bliss moved to approve with recommended changes. No second was made. Motion failed. Further discussion took place.

Commissioner Brown moved to approve **SUB 98-03** as modified with the exclusion of condition #16. Seconded by Commissioner Tallman. Motion passed 5-1.

#### VI. NEW BUSINESS

Clint Chiavarini presented a modification request of condition #14 on site fencing for DR-94-04 Canby Transfer Station. The request was for fencing the entire property except for the main parking area and office building. The letter stated this would leave the office area open and more aesthetically appealing, yet functional for security. Staff recommended approval.

Staff reviewed the modification procedure for notifying neighbors.

Commissioner Keller moved to accept the modification with one change: the fence will be extended at the West Side to the southwest side of the office building. Second by Commissioner Brown. Motion carried 7-0.

## **VII. COMMUNICATIONS**

None

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

Jason Kruckeberg mentioned the League of Oregon Cities planning commission training for Derek, Vern and Jean.

Upcoming meetings:

- February 18, buildable lands meeting at 7:00pm at the Adult Center
- February 22 on code amendments, the continuation of the Cutsforth request, and a representative from CBRG was invited to give update
- March 22 meeting will look at the periodic review work plan

Jason asked members to submit biographies for the city web page.

Jason mentioned staff is still behind on preparing minutes and asked for direction. A consensus was made to have staff do what is necessary to get them done.

## **IX. ADJOURNMENT**

The meeting was adjourned.