MINUTES
PLANNING COMMISSION
January 22, 2001
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Chairman Keith Stewart, Commissioners Jim Brown, Jean Tallman, Paul Thalhofer, Geoffrey Manley
ABSENT: Corey Parks
STAFF: John Williams, Planning Director, Clint Chiavarini, Associate Planner, Carla Ahl, Planning Staff
OTHERS PRESENT: Woody Harris, Jon Graves, Rick Hogger, Tony Kubik, Craig Harris, George Lorance, Daniel Larson, Rikki Carter, Herb Carter, Allen Patterson, Mike Kaonij, Dave Eatwell, Steve Amick, Buzz Weygandt, Craig Finden, Linda Finden, Ray Burden, Hank Jarboe, Ted Kunze, T. Blackwell, T Lockwood, Randy Carson

II. CITIZEN INPUT ON NON AGENDA ITEMS

Mr. Stewart addressed concerns that were raised at the January 8, 2001 meeting regarding the installation of bicycle racks at Cutforth's Thriftway. He stated he had reviewed the applicable instructions and believed the bicycle racks were installed correctly.

III. PUBLIC HEARINGS

DR00-10/CUP00-07 Mr. Stewart continued this application, it will be heard February 12, 2001, at 7:00pm.

DR 00-09/CUP 00-06 Eric Berkey, an application to remodel the vacant Canby Care Center into an Alzheimer's Residence.

Mr. 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 a conflict of interest, none was stated. When asked if any Commissioner had ex-parte contact, Commissioners Brown, Tallman, and Stewart had visited the site, but drew no conclusions. No questions were asked of the Commissioners.

Clint Chiavarini, Associate Planner presented the staff report. He explained that typically once a conditional use is granted on a property, the conditional use follows the property in perpetuity, in this case the use as a nursing home actually predates the

conditional use process, so the nursing home use was grandfathered in as a pre-existing use. Clint added that once a use is discontinued for over a year, it loses the conditional use status, and needs to revert to a use that is allowed in the zone. Clint explained the application requires a site and design review because the applicant is remodeling over 60% of the site.

Clint stated the applicant is requesting to demolish an existing vacant house, and create a secured fenced exercise yard for the residence, which is a State requirement. The home itself will be staffed 24 hours a day.

Clint addressed the approval criteria:

- **Parking:** Site is inside the exempted area of the City, but the applicant is providing a parking area off the alley, and 1 van accessible ADA parking space in the alley (not shown on plans). The applicant has asked to be exempted from the requirement of a loading berth, since this use is close to the historic use of the building, and staff is unaware of any problems that arose due to the lack of a loading berth, and the alley is available for deliveries, staff feels comfortable with the Planning Commission waiving the requirement.
- **Traffic and Access:** No traffic study was required, and access is available from the public right of way and from the alley.
- **Signs:** The applicant is proposing a single wall sign, located to the left of the main entrance, 4.5 square feet, which is well under their allowed signage.
- **Lot Landscaping and Tree Retention:** Minimum landscaping for this zone is 7.5%, the exercise yard is approximately half the site and is mostly landscaping and will be over the required 7.5%. The applicant will retain 3 of 4 existing trees, and will be planting new trees, with a condition that the landscaping will be automatically sprinkled.
- **Building Appearance:** Similar to existing, except the applicant will put 8" fiber cement or lap siding over the area of the building that is currently bare masonry block. They will be updating the existing garage and will utilize it for storage. They are proposing a 6' fence with a 2' arbor, due to security issues.
- **Compatibility Matrix:** There were many areas that did not apply to this application. Staff feels they have met all of the criteria on the Matrix.
- **Availability of Adequate Public Facilities and Services:** The Fire District has asked that fire hydrants within a thousand feet of the building be up graded with Stortz fittings (Clint presented the Commissioners with a photograph showing an example of a stortz fitting, which makes the hose easier to get off and on), and stated that the fire suppression systems inside the current facility may need to be upgraded, and that recommendation has been conditioned.
- **Curbs and Sidewalks:** The Public Works Supervisor has stated the curb and sidewalk on NE 2nd is a hazard and recommends it be replaced. He has also required an ADA ramp to be installed at the corner of NW 2nd and N Fir, these items have been added to the conditions.
- **Bicycle and Pedestrian Committee:** Clint explained he had received these

comments late and presented them to the Commissioners at the meeting. He stated the site plan shows bicycle parking located in the back of the building. The comment from the Bike and Ped committee stated the code requires bicycle parking within 50 feet of the main entrance, and the committee recommends the staple style of rack. An additional rack is conditioned to be placed in the front of the building, the location will be worked out later.

- **Utilities:** Clint stated that the standard conditions are contained in the staff report.

Clint addressed the Conditional Use Criteria.

- **Consistency with the Comp Plan:** This is a historical use and staff believes it is consistent with surrounding areas.
- **Suitability of the Site:** There will be little change in regards to size, shape, topography, so staff believes it meets this criteria.
- **All Required Public Service are Available:** A pre-application meeting was held with providers, and aside from conditions already mentioned, there are no major concerns, staff believes this condition is met.
- **Compatibility with surrounding neighborhood:** This is a historic use of the property and it was compatible with the surrounding neighborhood at that time and staff believes it still will be.

Clint stated staff recommends approval of DR 00-09/CUP 00-06 with conditions as discussed.

Mr. Brown asked how the fence would be dealt with in the Downtown Commercial zone since fences are not addressed specifically in the code. Clint stated there are some fenced areas in the Downtown Commercial zone and did not see any issues with allowing the applicant to install the 8 foot fence.

Mr. Brown questioned if staff would be allowed to park in front of the facility. Clint stated that timed parking is marked but not enforced at this time, though it could start being enforced in the future. He stated there is a parking lot which runs along the railroad tracks, and some parking spots will be available off the alley.

Mr. Brown asked how many care units were in the facility. Clint stated there were 23 units with a maximum of 35 residents.

Mr. Stewart asked if the applicant was planning to asphalt the back for parking. Clint responded code requires all parking areas be paved. Mr. Stewart asked for clarity on the applicants statement that a bus would be provided to take residents to doctor appointments, will they be going out the front or the back. Clint responded his understanding was the bus would be parked in the back, but was unsure how they would actually load the residents.

Mr. Stewart asked if the State would inspect the facility. Clint stated he believed they do, but was not aware of the type of inspections or how often they occur.

Mr. Stewart questioned if the Public Works Supervisor had made any comments regarding the sidewalk on Fir St. Clint stated Public Works had just required improvements on 2nd.

Mr. Stewart asked for clarity on the style of bicycle rack the Bike and Ped Committee had recommended and where it would be placed. Clint stated the staple style was the preferred style, and that the rack could possibly be installed similar to the existing staple racks that are downtown at this time (which is near the corner in the no parking area, close to the curb). Mr. Stewart questioned if it would interfere with the ADA ramp. Clint stated that code requires the rack to be placed as close as possible to (within 50 feet) the main entrance without impeding pedestrian traffic. He stated the applicant will work with Public Works and the Bike and Ped Committee regarding the placement of the rack.

Mrs. Tallman asked for clarity on the amount of residents that could be accommodated at the facility. Clint stated it would be 23 units, that could accommodate up to 35 residents, meaning some rooms would accommodate "roommates" and some would be singles.

APPLICANT:

Eric Berkey addressed the Commission, he stated he researched care facilities for four years before decided to specialize in Alzheimer care. He stated he owns a sixteen resident care facility in Woodburn that has been opened for a year and a half.

Mr. Berkey stated he tries to create a homey atmosphere,with vaulted ceilings, skylights for lots of natural lighting, and hallways that will not have "dead ends" which tend to confuse Alzheimer patients. They will also use pet therapy, aroma therapy, and bio- lights, which statistics have show help the Alzheimer patient. Mr. Berkey explained the facility will be a Residential Care Facility with an Alzheimer Endorsement, which means the facility meets special safety measures and provides additional training for their employees.

Mr. Brown stated people are fearful of new things and questioned if there was any concerns of people wandering off the premises, getting lost or hurt, or causing any problems for the surrounding area. Mr. Berkey stated that the Woodburn facility takes their residents on supervised outing approximately once a week, but they are not allowed to wander by themselves because they forget where they are and become confused. He explained even when residents were out in the secured exercise yard, there will always be a staff member with them. He stated that in a year and a half he has never had a patient wander away from his facility.

Mr. Brown stated that there is not a hospital or an urgent care facility in Canby and questioned if it would be a problem. Mr. Berkey replied that Alzheimer patients tend to pass away from heart attacks or strokes, it's important that ambulances are available but emergency services are not used very often.

Mr. Stewart asked how often the State inspects facilities like this. Mr. Berkey explained the State can inspect as often as they want, especially if there are complaints. He explained that his facility in Woodburn was just inspected and was found to be deficiency free, (no violations).

PROPONENTS:

Daniel Larson, current property owner, stated he wanted to go on the record that he agreed with the staff report and that he has looked at the master plan for the facility and believes it will provide quality care for the residents of Canby.

OPPONENTS:

None

Mr. Stewart closed the public hearing and opened Commissioner deliberations.

Mrs. Tallman questioned the handicapped parking being located in the back of the facility, and thought there was a need for one in the front. Mr. Brown agreed there should be an additional space in the front for visitors. Clint explained the parking in front of the facility is public parking, and he suggested talking to the Public Works Supervisor regarding designating a space in the front.

John Williams, Planning Director, stated there is currently work on the downtown parking plan, and will be sure the handicapped space will be added. Mr. Manley questioned since the applicant will have to replace the sidewalk, would it be appropriate to add an additional ADA ramp. Mr. Brown suggested the ADA space be conditioned, and let the applicant design it.

Mr. Thalhofer stated he believed the application met all the requirements for approval, was a well designed project and will be a good addition for the City.

Mr. Manley stated it was a good project, and agreed it met the criteria.

Mr. Brown agreed with Mr. Thalhofer that the application meets the criteria for a conditional use, and for site and design review. He suggested adding a condition staff be required to park in remote lots, due to concerns of business owners in the Downtown area. It was discussed by the Commissioners, and there was consensus to condition employees who work normal business hours must park in remote sites, or on site parking if provided by the facility.

condition is met.

- **Maximum lot coverage does not apply to the M1, M2 zone.**
- **Street access curb cuts shall be a minimum of 200 feet on designated Parkway and collector streets.** This is one of the primary issues on this permit. there are 5 entrances, and there is 200 feet between their accesses, but Shimadzu located to the west of this property was built prior to this overlay zone and has an access just 5 feet from the property line.

Mr. Brown asked if the intent of this condition was to apply to the Sequoia Parkway. Clint explained that the wording states Parkway and designated collectors, and 4th is a designated collector.

Clint explained one issue staff has had to deal with is whether future developments will be able to meet the 200 foot required separation, staff has proposed moving the southeast access 40 feet to the west to accommodate the property to the east.

Clint stated there is a bigger issue with the access to the north, the concern is making sure the abutting properties will be able to maintain the 200 foot separation since Sequoia is to have a median planter strip, and the intention is to keep from cutting into it too often for turning lanes.

Clint stated Mr. Burden, the owner of the adjacent properties, has written a letter stating that he does not believe the 200' access requirement will create a problem for him to marketing his remaining properties.

Mr. Brown suggested conditioning turning movements rather than having this applicant meet everyone else's criteria. Clint explained that the center access on the north is conditioned to be a right in right out only, but the applicant is requesting full access at the other locations.

Mr. Stewart asked if the City Attorney had seen the letter from Mr. Burden. Clint explained that Mr. Kelley had been on vacation and has not had an opportunity to look at the letter.

Clint stated there was an issue with the sidewalks on SE 4th, the existing sidewalks in front of Shimadzu does not meet the industrial area standards for the street scape, both the City Engineer and the Public Works Supervisor have suggested continuing the existing sidewalk to the intersection, then at that point starting the standard sidewalk.

Clint stated there is one monument sign proposed, the design that was submitted by the applicant is slightly too large, and Clint will add a condition to the staff report stating the sign will have to conform to the standard. Clint stated over all the proposed signage is well below the amount the applicant is allowed, and suggested if they change

their proposed sign by 10% or less the applicant would not have to come before the Commission again, if it is over 10% they would be required to resubmit it to the Commission.

- **Development in the M1 & M2 zone shall provide at least one public entrance facing the street, and direct pedestrian connections shall be provided from the primary building and the public sidewalk.** The applicant does provide an entrance with a painted walkway so this criteria is met.

Mr. Stewart questioned since the build out of Sequoia Parkway is uncertain, how can this condition be met. Clint stated the applicant is well aware of the status of Sequoia Parkway and is willing to go ahead on the assumption that Sequoia will be built, and staff went on the assumption that the facility could survive if Sequoia does not go through.

Mr. Brown stated there was no support anticipated for utilities on Sequoia, all the utilities work out of 4th. Clint stated his understanding was that utilities will be extended down Sequoia when the street is constructed, and the applicant would prefer service from Sequoia, but all utilities are currently available off of 4th.

Mr. Stewart asked if any of these "leaps of faith" bothered Clint. Clint stated the applicant has an investment of time and money on this project, but may scrap the project if certain things don't happen. John Williams stated that "leap of faith" is maybe too strong a phrase, staff is not basing the approval recommendation on air, services are available, utilities exist on 4th Ave., traffic can serve out of 4th Ave., so the plan may have to be altered if Sequoia is not built, but it can be served off of 4th.

- **No shrubs are permitted in the right-of-way.** No shrubs are proposed so this criteria is met.
- **Lighting shall be required for all streets, sidewalks, and pedestrian ways.** Clint stated the lighting plan will need to be reviewed, to demonstrate it will sufficiently light all areas of the parking lot.
- **Shared access.** The applicant prefers not to share any accesses due to their anticipated truck traffic.
- **All landscaping will be irrigated.** This has been noted in the conditions.
- **Vision clearance**. This has been met.
- **Sidewalk width.** This has been met.
- **No outside storage has been proposed.**

Clint addressed the design review matrix.

- **Parking.** Parking along the side/rear of building, awarded 1 point.
- **Interior Landscaping over 15%.** Applicant proposes 21%, awarded 1 point.
- **Trees planted in buffer**. Minimum 86 trees, proposing 113, awarded 2 points.

- **Parking spaces.** 110% of parking due to swing shift, no points awarded.

Clint explained the applicant met the 4 required points for this section.

Clint addressed the transportation and circulation requirements stating the matrix requires 3 out of 5 points scored, but there is one criteria worth 2 points that does not apply to this application, removing that criteria leaves a maximum of 3 points, going with 60 % means the application would have to have 1.8 points rounded up to 2 points.

Clint explained the criteria.

- **Number of pedestrian connections between street and sidewalk.** The applicant has proposed one along 4th Street and one along Sequoia. So there is 1 point awarded.

Clint explained that the second criteria awards no points for the standard 6' wide raised concrete, painted crosswalks for pedestrian ways, but brick or similar pavers for crosswalks receives 1 point. Clint explained the applicant has requested an interpretation from the Commissioners, regarding "similar pavers" since there are other concrete treatments that might meet the intent of this criteria without being cost prohibitive, and whether all sidewalks will have to be included in this condition.

Mr. Brown stated he did not see a problem with not removing the criteria from the matrix, and if the condition is left in the matrix the applicant meets the minimum points without having to use brick or "similar pavers" on interior sidewalks. He stated the intent was to keep applicants from designing 500 little streets inside the industrial park, to maximum the amount of acreage for industrial development. He added that because the streets are designated collector and arterial, does not mean they are excluded from the plan.

- **Tree retention, open space conservation.** No points
- **Landscaping, 3" caliper trees.** No points.
- **Useable outdoor amenity provided.** Employee seating provided in plaza, does not have public access. 1 point awarded.
- **The amount of grass planted.** All non paved areas will be planted, 1 point.
- **Building appearance & orientation.** Parking separates building from street no points.
- **Building entrance visible from the street.** Assuming Sequoia orientation, 1 point.
- **Building materials used.** Concrete tilt up building, 1 point.
- **Articulation to break up large buildings surfaces.** 2 points awarded.

Clint explained the application received 4 points which is the minimum

acceptable score. He stated staff believes the design matrix for the industrial overlay zone has been met.

Clint continued the staff report by explaining the conditions.

- **Adequate public services and facilities are available and abut the site.** He added the applicant will be required to continue the utilities along 4th St. Mr. Stewart questioned whether half street improvements on Sequoia will be required. Clint responded that any new developments are required to provide full half street improvements, but because there is an issue with the funding of Sequoia Parkway, there is the potential those costs will be paid by some other funding source.

Clint explained condition #17 which states the applicant is responsible for full half street improvements along all street frontages, and extending utilities along SE 4th, exemptions to this condition due to development involving Urban Renewal District funds, or other funds must first be approved by the City Council. Mr. Stewart questioned whether the applicant understood this condition. Clint explained the applicant was aware of the condition and was also aware that the Urban Renewal District is up for deliberation by the City Council, and it may or may not proceed as planned. Mr. Brown questioned why the applicant was not required to extend utilities along Sequoia. Clint agreed it should be added.

Clint stated the applicant will be required to provide a disclosure statement to the Waste Water Treatment Supervisor to determine if they are discharging anything other than domestic waste.

- All vehicle maneuvering areas need to provide a turning radii of 30' internal and 50' external.
- Condition # 18 (involving an 800 megahertz repeater) has been removed due to the Fire Chief stating it had been a suggestion not a requirement.
- Traffic impact analysis states all intersections will operate at level C or better.

Clint stated that with the conditions this application can be made to meet the City standards for development, and staff recommends approval.

Mr. Stewart asked why the Fire Chief had removed his request for the repeater. Clint stated the Fire Marshal had discussed it as part of the pre-application process, and it had been added as a condition, upon further discussion with the Fire Marshal it was determined it was a recommendation, not a condition of approval.

Mr. Brown asked since Mr. Burden owned the adjacent property why a shared access wasn't suggested for the east portion of the site. Clint stated it had been talked about, but the applicant did not want shared access with neighbors due to their truck

traffic and the level of service they require.

Mr. Stewart opened the Public Hearing.

APPLICANT: Woody Harris, Milgard Employee addressed the Commission. He stated Clint had presented an accurate staff report, and complimented the City on the design review matrix and standards. He explained knowing the matrix makes it easier to design the project, because you know what your end goal is.

Mr. Harris addressed conditions that the applicant had concerns about, he stated during the pre-application meeting the Fire Marshal had stated a repeater was something they would like to have, somehow it was misconstrued as a condition. He explained that subsequent conversations with the Fire Marshal had cleared up the situation and the Fire Marshal had written the letter stating that the repeater was a suggestion, it was not a condition of approval.

Mr. Harris stated there was no problem with changing the monument sign to fit within the required size.

Mr. Harris stated the development was presented to the Commissioners with the utilities coming off 4th St. because that was were the utilities are currently available, if or when Sequoia gets built utilities of the size and nature that could support the facility will be available from there.

Mr. Harris addressed Mr. Brown's comments regarding cross over easements. He explained that Milgard's number one concern is for their employees safety, and when you have a facility of this size, with trucks going in and out, cars going in and out and different shifts, having cross over easements is not a safe situation.

John Graves, John Graves Architects and Planners, stated he has worked with Milgard on other facilities. He explained that Milgard has 11 facilities in 7 states, and 6 years ago decided to bring consistency to their program in regards to building design and layout. Mr. Graves explained that Milgard Mfg. chooses sites that are adjacent to Metropolitan areas and are connected directly to truck lines to facilitate the receipt of raw materials and delivery of finished product.

Mr. Graves stated the accesses were set up on the 4 corners of the site to accommodate truck drop off, loading, and exiting. He explained the delivery of raw materials will be done on the west side of the building, and finished product loaded out of the east side. It was explained how the facility was designed to give trucks maneuverability with little interaction with automobiles.

Mr. Graves stated there will be approximately 275 employees, 190 to 200 will be day shift employees, 75 to 80 will be swing shift employees. He explained there will be a

brief interface each day between the shifts, and there is a need for the number of parking spaces the applicant has proposed

Mr. Brown questioned if the applicant was willing to run utilities from 4th Street, if they could not obtain utilities from Sequoia Parkway. Mr. Graves stated they worked with known quantities, and met the City's criteria to work with in a realistic frame work. Mr. Graves stated if Sequoia was developed to provide utilities to the facility it would be the preferred option.

Mr. Brown asked if the applicant was aware of the condition that explains that the applicant will be responsible for improvement of Sequoia Parkway if an other source of funding is not found. Mr. Graves stated the applicant was aware of the condition. Clint explained if the build out requires oversizing of utilities, there is a process for the applicant to go before the City Council and ask them to create an advanced financing district to help pay for the oversizing.

Mr. Stewart asked for clarity regarding the applicant wanting to hook into utilities on 4th St. Mr. Graves stated that was the plan. Mr. Stewart asked if utilities became available on Sequoia, would the applicant want to switch over to Sequoia for utilities. Mr. Graves stated that would be the intention, but the applicant will have to look at what the most cost effective way to do it would be before making a decision.

Mr. Manley questioned the amount of parking that was proposed, more than what seems necessary to accommodate both shifts. Mr. Graves stated during the crossover period between shifts the parking lots become full, he explained there is also the potential for growth, so they want 5% to 10% over their requirement amount.

Mr. Harris addressed Mr. Stewart's question regarding whether Milgard would hook into Sequoia if and when the utilities were available, and what would happen to the utilities on 4th, who would pay for the charges. He stated the applicants intention would not be to do a partial on 4th and then switch over to Sequoia, if they were given the option to hook up to Sequoia prior to committing to 4th they would. Mr. Graves added that specifics need to be known before a decision could be made.

Mr. Stewart if this application was approved how long before they broke ground on the project. Mr. Harris stated they would like to break ground in June.

Mr. Stewart asked if the applicant generated any hazardous waste. Mr. Harris responded that it was a very clean operation. Mr. Stewart asked if they would have to get a waste water disposal permit, Mr. Harris stated he did not believe so, they never have had to before.

Mr. Stewart asked if the manufacturing plant used a lot of flammable liquids. Mr. Harris stated they had only a small amount of cleaning fluids in their plants. Mr. Graves

stated that Milgards manufacturing operation is clean and simple, and they don't face some of the environmental issues other industries face.

PROPONENTS:

Mr. Ray Burden, Property owner, addressed the Commissioners and explained the plans that are in place for the rest of his property in that area, with part going to Shimadzu, a transfer of property between Mr. Zimmer and himself, and a deal with Mr. Fitzpatrick regarding property to the west, he saw no problems with accesses the way they were proposed on the original application.

Herb Carter, Canby resident, stated he thought Canby was fortunate to have a company like Milgard locating here. He added his wife is employed by Milgard and they are an excellent company to work for. He stated he is an application engineer, and calls on companies like Milgard, his impression is they are a real clean operation, and as for hazardous waste they probably have less than JVNW has.

Tony Lockwood, Plant Manager Milgard Windows, Wilsonville.

Tony Lockwood: "My name is Tony Lockwood, I live at 654 SE 5th in Canby, I am also the Plant Manager at Milgard Windows, and I want to shorten my commute, greatly, so this is very convenient for me. Besides that, just a real quick list of things, a walk in customers was a point that was brought up earlier, we afford our dealers and our contractors a show room at our facility to bring people into it isn't really retail showroom per se so its not, not a lot of people coming in there, but we do have some staff and parking to accommodate that. Reverse commute, right now people seem to be going out of Canby in the morning, this traffic coming in will be a good thing. The other items are local businesses, Redwood Bento, Canby Builders, Cutsforth's, a couple of Hanks businesses in town, bringing a hundred and some people into town and getting them fed, and having them stop on the way home for groceries and things can only be good for our local businesses. Community involvement was mentioned before, adopt a road, adopt a park, the City of Wilsonville is very familiar with our involvement in their community, and we would certainly bring that with us to Canby".

Mr. Stewart: "A quick question, since you're the Plant Manager at Wilsonville"

Mr. Lockwood: "Yes sir".

Mr. Stewart: "How many people are you bringing with you from Wilsonville"?

Mr. Lockwood: "Employees? From Wilsonville there, we hope to bring everyone, realistically, we have some people, we have a gentleman that drives from Vernonia, to get to Canby, or to get to Wilsonville now, and I would be willing to bet he will come to Canby, we have some other people realistically that probably the addition of 20 minutes

to their commute will force them to make other career choices. We have other folks though the majority, a large portion of our work force comes from Woodburn, in the Hubbard area and that's really kind of a push as far as their commute so. One of the reasons that we really want to come to Canby is we believe we will preserve a majority of our work force and the available work force here in Canby would certainly help to replace any of those that we do lose".

Mr. Stewart: "But your not going to bring a lot of jobs is what your saying".

Mr. Lockwood: "Well I believe the growth alone in our company will afford a lot of jobs. If you look at our employee roster three years ago, it was in the low one hundreds, 90 people in the day, in the last 3 years we have added 60 some jobs, easily, we have a number of employees who live in Canby now, so obviously those people would stay here".

Mr. Stewart: "Ok thank you, any other questions? Thanks, hope your commute gets shortened".

OPPONENTS:

None

Mr. Stewart closed the public hearing, and opened Commissioner deliberations.

Mr. Brown stated that since this is the first application that fell under the industrial overlay zone he went through the matrix carefully and explained his reasoning for scoring the application. Such as the transportation segment was to prevent a lot of small streets, which didn't apply to this application. He believed the brick for the pedestrian ways was meant to be an accent only. He stated the applicant was in compliance with preserving trees, how can an applicant be punished for not preserving trees when there are no trees to preserve. He believed the intent of the pedestrian amenities was to have amenities for people who walk Sequoia Parkway, not for benches outside the door of the building.

Mr. Brown believed they met the required score of the matrix. He addressed the condition of approval. He stated he agreed with most of the conditions but questioned condition# 10, he agreed the sidewalk should continue along 4th St. to match the existing improvements, but questioned what will be required across the street will it match. Clint stated the cemetery is across the street, and is City property. John Williams stated the Planning Commission is the recommending body and could recommend it to the City Council.

Mr. Brown proposed removing condition #11, since with his interpretation of the matrix it is not required. It was agreed by the Commissioners to remove condition #11.

He suggested condition # 17 needs to include the verbiage that requires utilities and half street improvements are required on both 4th Street and on Sequoia.

Mr. Brown stated that the Fire Chief has asked that condition #18 be removed. Mr. Brown suggested replacing the term "hooded fixtures" with cut-off fixtures. Mr. Stewart stated that condition #21 be changed to read "street lights are required along S Sequoia Parkway, and SE 4th Ave.

Mr. Brown addressed condition # 24 regarding 200' between accesses, he stated he did not have a problem with the application the way it was originally submitted especially after Mr. Burden explained that some of the properties will be consolidated, he believed moving the southeastern access 40' to the west was unnecessary and created a potential hazard for truck traffic. Clint explained it was condition # 25 that addressed the southeast access #24 addressed the Shimadzu access. It was agreed by the Commissioners to remove condition #25.

Mr. Brown proposed condition #29, that the 5th access (the access on the north, in the middle) be right in right out only. It was agreed by the Commission to add condition #29.

Mr. Brown stated that this application is the type of industry that the City of Canby wants to attract to the industrial park.

Mr. Manley questioned condition #1 and condition #9 stating they were very similar, Clint agreed they had similar verbiage and could possibly be combined. Mr. Stewart stated that one of the conditions dealt with pre-review and the other deals with building permits, it was agreed to keep both conditions as is.

Mr. Stewart stated that he wished he could give the applicant a certain answer on what was going to happen with Sequoia Parkway, but that is an issue the City Council will decide. He stated he believed the applicant will be an asset to the City and recommended the Commissioner approve the application.

Mr. Manley stated that it seemed the applicant is proposing a lot of parking and suggested reducing it a little. Mr. Stewart stated the public hearing was closed, but there was a comment heard from the audience stating that the anticipated employment in 5 years at Milgard was 300 to 325 employees, and that all of the proposed parking was needed. Mr. Brown stated that if on site parking isn't provided, the employees will park somewhere. Mr. Manley stated he wanted to encourage using mass transit, or car pooling.

Mrs. Tallman moved to accept DR 00-08 as amended. Seconded by Mr. Brown, Motion carried 4-0 with Mr. Thalhofer abstaining.

IV. FINDINGS

ANN 00-05 Mountain West Investment Corp. An application to annex 1 lot totaling 4.7 acres bordered by the Molalla Forest Road and North Pine Street.

Mr. Brown moved to approve the Findings for ANN 00-05 as submitted. Seconded by Mrs. Tallman. Motion carried 4-01 with Mr. Thalhofer abstaining.

CUP 00-05 Bob Wolf, Jerry C. Robinson Architect. An application to approval an extension of commercial uses onto light industrial land and extend light industrial uses onto commercial land as a part of a land swap deal.

It was moved by Mr. Manley to approve the Findings for CUP 00-05 as written. Seconded by Mrs. Tallman. Motion carried 4-0 with Mr. Thalhofer abstaining.

V. NEW BUSINESS

None

VI. DIRECTOR'S REPORT

John gave an update on the Transportation Task Force, there are 2 meetings scheduled, January 25th, 7:00pm at the Adult Center, and February 1st 7:00pm. He explained the group has chosen an accelerated time frame schedule to get the application to withdraw into Tri-Met. He stated Tri-Met requires the signature of 15% of voters to withdraw from Tri-Met, so a petition will be going through Canby soon.

John stated there will be a Residential Zoning meeting on January 29th in Council Chambers. He stated they will be planning out the neighbor involvement level for this project, he added they had not been out in the neighborhoods for some time, and thought this would be a good process. He invited all the Commissioners to come to the meetings.

Mr. Brown asked if there had been any neighborhoods established yet. John responded that it was not official but they had tentatively divided it into 6 neighborhoods, an industrial, a commercial, and 4 residential quadrants. Mr. Stewart stressed to the audience that this will be the best opportunity they will have to address the Planning Commission, and to let them know how they are thinking.

John explained the purpose of the meetings is to look at residential zoning. He stated meetings will be held in all of the neighborhoods and that every owner or resident will get notice of the meetings. This could be the beginning of more formalized neighborhood associations. Mr. Stewart stressed the importance of following through with the meetings to keep the credibility of the Planning Commission.

John explained that the City Council has decided to postpone filling the vacancy on the Planning Commission until the vacancy on the City Council is resolved. He stated there will be an advertisement placed in the paper, and encouraged people to apply.

John appreciated the work on the industrial area overlay zone. Mr. Brown asked if the Commission could get some information on how the applicant thought the process worked. John explained that as part of the performance measures, staff will be sending out comment cards after the process to get some formal feedback from applicants.

Mr. Stewart stated that one of the first issues the new City Council should deal with is Sequoia Parkway, who pays for it, and how will the finances be broken up. John stated there have been at least 5 public hearings regarding property in the Sequoia Parkway area, and agreed it was important to get it settled.

Clint asked for some feedback regarding the solar ordinance, did the Commissioners want a workshop to discuss it, or do they want to be invited to a meeting and then form a recommendation. Mr. Brown stated he would like to have input from the focus group then to have a workshop. Clint stated there are 3 proposed public hearings for next week, Randy's Rod and Custom that was continued from this week, West Coast bank that wants to go into the Fred Meyer site, and Faist IV.

John asked since there were 3 public meetings he asked the Planning Commission if they wanted to have a workshop. It was agreed not to have a workshop scheduled for next meeting.

VII. ADJOURNMENT