

MINUTES

CANBY PLANNING COMMISSION

7:00pm November 13, 2001
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Chairman Keith Stewart, Commissioners: Jean Tallman, Jim Brown, Randy Tessman, Paul Thalhofer, Geoffrey Manley

ABSENT: Commissioner Tom Sanchez

STAFF: Clint Chiavarini, Associate Planner, Carla Ahl

OTHERS PRESENT: Mayor Terry Prince, Leonard and Donna Walker, Sean Ragain, Tim Stuart, JillMarie Wiles

II. CITIZEN IN PUT ON NON AGENDA ITEMS

Mayor Terry Prince discussed increasing communication between citizens and local government by establishing neighborhood associations. He explained that during the residential zoning processes the City had held neighborhood meetings and it was an effective way to get citizen involvement. He stated that Oregon City has active neighborhood associations and gave draft copies of their by-laws to the Commissioners to look at.

Mayor Prince explained that recently developers have held neighborhood meetings to get residents involved and to have a chance to address any issues the community might have prior to the public hearing.

Mayor Prince stressed the only purpose of neighborhood associations would be to increase communication between the local government and the citizens. Mr. Brown stated the neighborhood associations wouldn't be given any taxing authority, wouldn't cost any money to the City, wouldn't require anyone be included against their will. They would be put in place to establish greater input from the community, and will become a part of the planning process so people can become aware of planning issues and have a stronger voice in their community. Mayor Prince added it would also give citizens a chance to express their views on the City budget, and what they would like to see happen in their community.

Mayor Prince stated there are a lot of citizens who do not like to come down to the public

meetings and speak before the cameras, but who have valid concerns that should be heard and brought to the Planning Commission.

Mr. Brown asked if the Mayor would like the Planning Commission to formulate a proposal with recommendations to the City Council. Mayor Prince stated the Planning Commission is made up of citizens who care about the community and who have stepped forward to help the community move forward. He added the Commission is always looking to increase public input and this would be a good vehicle for getting that information.

Mr. Brown clarified that this is not an attempt to create a new revenue stream, or an agenda for the City, it is an opportunity for the citizens to be heard on issues that are important to them and will make their community better for everyone.

Mr. Thalhofer stated the Oregon City by-laws allow 16 year olds to vote for officers of the association and believed this was a good way to get teenagers involved in the decision making.

Mrs. Tallman stated that it was a neighborhood meeting she attended that led to her involvement on the Planning Commission.

Mr. Stewart stated he would like the Planning Commission to come back to the City Council with specific recommendations and proposals about adopting neighborhood associations. He stated the Commission would go through the by-laws from Oregon City and make it unique to Canby.

Mr. Tessman stated many people are afraid of neighborhood associations because they believe they would have the authority to tell them what color to paint their house, and suggested having public meetings to let the residents know that this would just be a two-way line of communication between the City and the people. Mayor Prince said if the name association was contributing to that misconception it could be changed to something that had a better connotation.

Mr. Stewart stated he saw the Commission handling this matter similar to any application, a staff report being done and holding a public hearing, then going forward to the City Council. Mayor Prince stated the City needs to have a mechanism in place so people can have more say in their government, the only way to do that is to open up lines of communication between government and citizens so they can understand what the City is trying to do.

Mayor Prince added that recently the City purchased property located by the Willamette River. Some people commented the money should have been used for street maintenance. He explained the money was from parks SDCs and could not have been used for any other purpose. He stated that as the City goes forward the citizens need to understand what the City's need are and what the community's need are, and believes the neighborhood associations are a way to

accomplish that.

Mr. Stewart stated a letter had been received from Mr. Finden, Canby Business Revitalization, regarding the recent workshop held by the City Council with the Planning Commission and Budget Committee which discussed the City's road infrastructure. He asked the Mayor to give an explanation of what was discussed to help the citizens understand what was discussed and why there is a concern.

Mayor Prince stated there are a lot of different ways to fund street maintenance and the infrastructure of new streets. He explained that money received from state highway funds can only be used for streets and that money amount is shrinking, which translates into less money to maintain streets. He stated there comes a point when the streets have deteriorated to such a degree that the City loses its investment.

Mr. Stewart stated this discussion was generated by the funding shortfall for road maintenance and the realization that the state funding will be \$600,000,000 to \$800,000,000 short for the next biennium. He explained the City will not be able to make up any state or federal funds so it becomes important to find other ways to finance street maintenance, because it affects residential, commercial and industrial growth, how do we build more if we can't maintain what we have.

Mr. Brown stated the City is already \$5.5 million behind in routine street maintenance, even if the streets become fully funded there still is a back log of maintenance at this time. Mayor Prince explained that the City has a very large investment in the street system, and if street sealing can be done to extend the life of those streets for 10 years, it would save the taxpayers millions of dollars. Mr. Stewart explained that the cost of sealing the street runs about \$1.30 - \$1.40 a yard, but it costs \$8 to \$12 a square foot to rebuild a deteriorated street.

Mr. Stewart explained that the City Council, Planning Commission and the Budget Committee hold joint workshops to keep the members of the various groups informed on the issues prior to public hearings. He stated it was an opportunity for the members to educate themselves prior to starting the public input process.

III. PUBLIC HEARINGS

DR 01-06/CUP 01-04 An application to build a "maxi-storage" facility in two phases which at buildout, will include a 20,160 sq ft, 36-bay enclosed building, and a 9,600 sq ft 3-sided building with 1.67 acres of additional outdoor storage. A conditional use permit is needed to allow for gravel in the outdoor storage lot.

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 a conflict of interest, Mr. Thalhoffer stated his firm does business with Mr.

Anderson and plans to abstain from the discussion and vote, no other Commissioner stated a conflict of interest. When asked if any Commissioner had ex-parte contact, Mrs. Tallman, Mr. Tessman and Mr. Stewart had visited the site but had drawn no conclusions. No questions were asked of the Commissioners.

Clint Chiavarini, Associate Planner presented the staff report. Clint explained the first phase of this development would be the 20,160 square foot enclosed building, and the second phase would include the 3-sided storage building and the outdoor storage area.

Clint stated a text amendment allowing aggregate use in certain situations had been passed recently by the City Council, which is why a conditional use permit is required with this application. Clint presented photographs of the site, explaining the proposed locations of the new building and explained where the outdoor storage would be.

Mr. Stewart stated the site was not screened from the Logging Rd. Clint stated the Parks Director had brought out that issue, and the applicant had addressed it with their amended application.

Clint stated the applicant is not proposing new parking spaces due to not increasing the office space. Staff agrees there is ample parking for the proposed use. Clint addressed the proposed landscape, the applicant had included the outdoor storage as a building for the landscaping calculations, so it would be exempt from the parking lot standards, but the applicant would be required to pay system development charges on the building. Staff has proposed the entire site be brought up to the City's current parking code.

Clint explained the applicant has addressed screening the site from the Logging Rd by proposing to plant 17 Big Leaf Maple trees and 4 Douglas Fir trees. Clint explained the Logging Road is raised in that area and it would be several years before the standard sized trees will effectively screen the area.

Mr. Tessman questioned if this was the first time this had been a requirement for a new development along the Logging Road. Clint stated the full screening of property had not been a requirement, but part of the issue with landscaping and site and design review in general is to mitigate the negative ascetic impact to surrounding properties, with the Logging Road being a public trail staff believed the issue should be addressed.

Mr. Tessman stated he used the Logging Trail and a lot of the trail is up against industrial property with no screening at all. Mr. Stewart explained that when Shimadzu came in, they offered to allow people who use the trail to park in their parking lot on weekends and the Planning Commission had made the decision to not require the landscaping so there would be parking available for the trail.

Clint stated that Canby Utility water was concerned regarding the fenced outdoor storage

yard because there are some water lines and a hydrant on that property and they need access to them 24 hours a day, 7 days a week. Clint explained the applicant is proposing a card lock system and would provide cards to emergency services and Canby Utility. Clint stated Canby Utility Electric was concerned that the plans did not show the spacing between their transformer and the building, and will require that the minimum spacing be maintained.

Clint stated that with the 19 proposed conditions on this application staff believes the criteria for approval has been met. Mr. Brown asked for clarification on the Fire Departments requirement that the aggregate surface support a 50,000lb load, what was the exact load requirement. Clint stated he would include that in the written findings.

Mr. Stewart questioned the tree specification and asked if a 2" caliper tree would be 6' tall. Clint stated the applicant had proposed 6' trees, but the City requires a 2" caliper tree to meet the standard.

Mr. Stewart asked if the applicant was proposing private drywells. Clint stated there are some drywells existing on site but for the gravel area it will be just the infiltration system. Mr. Stewart stated he would like the prohibited fluids to be specifically called out.

Mr. Stewart questioned how the applicant will supply 24 hour access to the Fire District. Clint stated the applicant would address that issue.

Mr. Stewart opened the public hearing.

APPLICANT:

Sean Ragain, Western Storage LLC, addressed some of the issues the Commissioners had discussed.

- Information regarding the load rate requirement the Fire Department is requesting is available from DOT, and he will share that information with Clint
- He will provide Clint with a list of prohibited fluids he has received from the Storage Association of America. He explained they will prohibit activities that would increase the likelihood of hydrocarbons being released.
- Drywells are existing on site for the existing paved surfaces, very little new paving will be done, and the outdoor storage will utilize the filtration system.
- There are 2 existing fire hydrants in the outdoor storage area, and the applicant will provide steel bollards to protect them. The Fire Department and Canby Utility will have unrestricted access to the facility. It hasn't been decided if they will use a card lock or code system yet. Mr. Stewart suggested the Fire

Department should have whichever system they prefer.

- The transformer will not need to be moved, the setbacks fit the requirements from Canby Utility.
- The cost of planting 6', 2" caliper trees is not prohibitive, planting 30' tall trees would be.

Mr. Ragain stated he had delayed the public hearing twice, so he could work on the landscaping and have it right before coming to the Commission. He stated he is willing to comply with all of the recommendations in the staff report.

Mr. Brown questioned if the parking spaces currently located in front of the existing building, were to be removed or were they inadvertently left off the plan. Mr. Ragain explained the existing parking will remain.

Mr. Brown questioned the height of the proposed exterior lights in the yard. Mr. Ragain explained the design is not completed yet and there has been some discussion with the electrical contractor to decide if the yard lights will be necessary. He stated for the time being they will be installing the wall lights and determine if the yard lights will be necessary for security reasons. If the lights are put in he estimates they would be around 20-25 feet tall and as downward lit as possible.

Mr. Brown explained the farther the light fixtures are apart the taller they have to be, and was concerned there would be 40-50 foot lights installed. Mr. Ragain stated the proposed use would not require the level of lighting a store like Fred Meyer uses, because they would not have to deal with safely moving a large amount of traffic around the yard.

Mr. Brown asked for clarity on the proposed fence. Mr. Ragain explained it would be a 6' cyclone fence, with cantilevered barbed wire extension at the top (probably angled outward). Mr. Brown questioned the S shaped travel lane caused by the placement of the 3 sided building and the trash enclosure. Mr. Ragain stated considered many options when laying out the facility and believes this will be the most effective.

Mr. Stewart questioned if the police should have access to the site. Mr. Ragain stated he had no reservations in allowing the police to have access.

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

Mrs. Tallman stated the visual screening the applicant had proposed was a good solution, and the trees he had chosen were fast growing, and it will be an improvement in the future. Mr. Manley agreed it was a reasonable solution.

Mr. Tessman stated most of his concerns had been alleviated. He explained having the variety of scenery was one of the unique features of the logging trail.

Mr. Brown believed the application met the approval criteria with the proposed conditions. He believed maneuvering around the site will be awkward, but it was the applicants decision. He stated his concern regarding the sterile chain link fence the applicant was proposing. He asked for clarification regarding the 50,000lb load be added to condition #10. He added that condition # 19 be amended to indicate the applicant shall meet with all public service providers and provide access to the site per their requirements.

Mr. Brown stated that with the addition of the above mentioned amendments the Planning Commission should vote to approve the application.

Mr. Manley questioned if there was a maximum height for fencing in the Industrial area, Clint stated he would check the code and amend the if there was a restriction he would add it to the conditions.

Mr. Stewart stated his concern regarding the lighting in the back space. Mr. Brown stated the code stipulates cut-off fixtures but it does not specify how it should cut-off, he explained that other municipalities set limits on how much light can cross a property line. Mr. Brown suggested placing a maximum height on the lights for this application. Mr. Ragain suggested a 30' height restriction be placed on the pole height for this application. Mr. Brown stated the pole height could be brought back as a new business item if changes needed to be made. Clint will modify condition #15 to include the height restriction on pole lighting.

Mr. Brown moved to approve DR 01-06 / CUP 01-04 as amended. Seconded by Mrs. Tallman. Motion carried 5-0 with Mr. Thalsofer abstaining.

IV. FINDINGS

DR 01-07 An application by Emmert International for site and design review to permanently place the old School Administration Building on the property directly to the west of the Post Office parking lot, at the dead-end of NW 1st Ave. The building will be used as a professional office building.

Mrs. Tallman stated there was a typographical error on page 6 that needed to be corrected. Mr. Stewart stated he had not been present for the public hearing and questioned the need for a hammerhead turnaround for emergency vehicle. Mr. Brown stated it had been discussed and it that the driveway itself could be used as a turnaround.

Mr. Stewart asked for clarification on what the plans were for Cedar St. Clint stated it would depend upon how the property to the west would develop. Mr. Brown explained that the City had traded 2 half streets for a full street build out.

Mr. Stewart stated the Findings have him as voting for approval of the application, and he had been absent, Clint stated he would make the change.

It was moved by Mrs. Tallman to approve the findings for DR 01-07 as amended. Seconded by Mr. Tessman and Mr. Manley. Motion carried 4-0 with Mr. Thalsofer and Mr. Stewart abstaining.

V. MINUTES

October 8, 2001

It was moved by Mr. Manley to approve the minutes of October 8, 2001 as written. Seconded by Mr. Brown. Motion carried 5-0 with Mr. Thalsofer abstaining.

October 22, 2001

It was moved by Mr. Thalsofer to approve the minutes of October 22, 2001 as written. Seconded by Mrs. Tallman. Motion carried 5-0 with Mr. Stewart abstaining.

VI. DIRECTOR'S REPORT

Clint Chiavarini gave the Director's Report. Items discussed were:

- Budget Committee meeting will be held on Monday November 19th, at 7:00pm, in City Council Chambers, regarding the street utility fee.
- A workshop on neighborhood associations will be scheduled for the next Planning Commission meeting November 26th at 6:00pm.