

# MINUTES

## CANBY PLANNING COMMISSION

7:00 PM, September 9, 2002  
City Council Chambers, 155 NW 2<sup>nd</sup>

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### I. ROLL CALL

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

**STAFF:** John Williams, Planning & Community Development Director, Jodi Buchanan, Planning Technician, Carla Ahl, Planning Staff

### II. CITIZEN INPUT

None

### III. PUBLIC HEARINGS

**MLP 02-04 Pierpont, LLC/JVNW** An application to divide 9.94 acres into 2 parcels. Parcel 1 would be 6.0 acres and sold as a developable lot. Parcel 2 would be 3.94 acres and contain the existing JVNW building.

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, Manley, Tessman and Stewart had visited the site, but had drawn no conclusions.

Jodi Buchanan, Planning Technician presented the staff report. She explained that the applicant is proposing to divide their existing 10 acre parcel into 2 parcels. She explained that the area is zoned M1 (light industrial), borders both the Logging Rd and Redwood St and has adequate sidewalks and bicycle access. She added there are no steep slopes, no historic resources, no expansive soils or wetlands and is not located on a flood plain.

Jodi addressed the criteria and the conditions. She stated this application is in conformance with the text and the maps of the comprehensive plan. There is no conflicts with surrounding zones and it would increase the density of permitted development.

Jodi explained that the only request for comment form that had been returned with comments were from Canby Utility Water Department. They stated it might be necessary to install a "Loop Fire System" and Jodi had added it as a condition of approval, to be done at the time of development. Jodi stated that the application meets

all applicable criteria with the recommended condition and that staff recommends approval.

Mr. Stewart questioned if a "Loop Fire System" will be prevalent in the Industrial Area or if it would be required for just this parcel. Jodi stated that when the comments state that a "Loop Fire System" may be needed that the provider just wants to be able to require it if necessary.

Mr. Brown stated that in most light industrial parks, fire hydrants are installed in one continuous loop, so if at the time of development, if hydrants are required they tie it to the one fire loop.

**APPLICANT:**

**Don Jones**, JVNW/Pierpont stated the purpose of dividing the property is to be able to sell off the unused portion. Mr. Stewart asked if there was a buyer at this time and if JVNW was planning to relocate somewhere else. Mr. Jones stated they have no plans to leave, but they would be selling the 6 acre parcel.

**PROPONENTS:**

None

**OPPONENTS:**

None

Mr. Stewart closed the public hearing and opened Commissioner deliberations. The Commission agreed it was a straight forward application and was in favor of approval.

It was moved by Mr. Brown to approve MLP 02-04 as written. Seconded by Mr. Manley. Motion carried 5-0.

**IV. NEW BUSINESS**

None

**V. FINDINGS**

None

**VI. MINUTES**

**July 22, 2002**

*Planning Commission September 9, 2002*

It was moved by Mr. Brown to approve the minutes of July 22, 2002 as written. Seconded by Mr. Manley. Motion carried 3-0 with Commissioners Stewart and Tessman abstaining.

### **August 12, 2002**

It was moved by Mr. Thalhoffer to approve the minutes of August 12, 2002 as written. Seconded by Mr. Tessman. Motion carried 4-0 with Mr. Brown abstaining.

## **VII. DIRECTOR'S REPORT**

John stated it has been a slow summer with not a lot of land use applications. He explained that building applications have been strong, but not a lot of land use projects coming in.

John explained there are some periodic review items coming up and that the residential design project is about done and public hearings will be held on that issue soon.

John stated that the residential rezoning project (which is funded by a state grant) will be beginning soon with an open house scheduled for September 26<sup>th</sup>. He explained it will be a big project with the rezoning, annexation priorities and the urban growth boundaries coming out of it.

John stated there will also be a joint meeting held in October with the City Council regarding parks.

Mr. Brown asked for clarification regarding ex-parte contact. It was his understanding that it would be ex-parte contact if a Commissioner spoke with a City Councilor regarding a pending land use application they would be hearing, but he was unclear if it would be ex-parte contact if it was an application that the City Council would not normally hear. John explained that applications that go to the City Council would become an issue when it was given a file number. But he was unclear if it would be ex-parte contact if it was an application that the City Council would not normally hear.

John stated he would ask the City Attorney about an application that would not normally go to the City Council, but he believed it would be the same with all applications. Mr. Stewart stated discussions with City Council had never before been considered ex-parte contact.

Mr. Stewart believed this had become an issue because of a recent annexation application that was passed by the Planning Commission, but that he himself had been opposed to. He explained 2 City Councilors and the Mayor had called him regarding his views on the matter and he had given them his reason for opposing the application, and the issues that the Commissioners discussed during the public hearing.

*Planning Commission September 9, 2002*

The Commission discussed a letter Deborah Sommer, Superintendent of the Canby School District had written to the Planning Commission. She explained that the school system is currently at capacity, but the school would actually benefit from increased enrollment which would increase the revenue amount received from the state.

It was discussed that the letter was confusing since it seemed to state that the schools were overcrowded but they needed growth. Mr. Stewart stated that he did not believe that using modular classrooms was a long term solution to the overcrowding situation.

Mr. Brown stated the Planning Commission was neither pro-growth or anti-growth, but they were pro-planning. He explained the letter was requested by the Commission to enable the Planning Commission to decide what type of planning was need to help them prepare for their anticipated growth. He expressed his opinion that the Planning Commission was not anti-growth.

Mr. Brown thanked the Superintendent for the information she had sent, and stated that the information that has been received from the school district for the last year or so has been more specific as to the schools capacity and that information has been very helpful.

Mr. Stewart explained that the school issue had not been the main reason he had opposed the annexation application, he had been more concerned about annexing "C" priority land. Mr. Brown explained that the Planning Commission had approved the annexation 3-2, and that the City Council had denied the application.

Mr. Tessman stated that the Public Works Supervisor had told the Commission a few months ago, that there were no funds available for additional street maintenance. He believed all the agencies involved should look at what their future requirements are and give the Planning Commission an idea of where they are going.

Mr. Brown explained that never before has the state had a half billion dollar budget short fall. This will be an extraordinary period of time but he believes if the City works together we can get through this.

## **VII. ADJOURNMENT**