

MINUTES

CANBY PLANNING COMMISSION

7:00 October 10, 2005
City Council Chambers, 155 NW 2nd

I. ROLL CALL

PRESENT: Vice-Chair Geoffrey Manley, Commissioners Dan Ewert, John Molamphy, Tony Helbling, Barry Lucas

STAFF: John Williams, Community Development-Planning Director, Matilda Deas, Project Planner, Kevin Cook, Associate Planner Carla Ahl, Planning Staff

OTHERS PRESENT: Jason Bristol, Jerry Turner, Allen Patterson, Bill Greenleaf, Brenda Greenleaf, Cindy Harker, Marlin Harker, Joan Perincheif, Ken Perincheif, Jim Simpson, Bev Simpson, Betty Ott, Paul Calhorn, John Ellis, Russ Hanson, Charles Burden, Frank Funk

II. CITIZEN INPUT

None

III. PUBLIC HEARINGS

MLP 05-07/ZC 05-01 Chairman Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, Mr. Ewert stated he had visited the site, but had drawn no conclusions. No questions were asked of the Commissioners.

Kevin Cook presented the staff report. He explained that this is an application to change the zoning on this parcel from R1 to R1.5 to create a 3-lot partition. The existing house would remain on parcel #1, facing N. Maple St, parcels 2 & 3 would contain either one duplex with the common wall being the boundary or each lot would contain a duplex. This issue needs to be clarified with the applicant. Kevin explained that individually sellable units would require a conditional use permit. The applicant would like to proceed with the minor land partition if the zone change is approved.

The Comp Plan designates this area as R 1.5, but this would be the first property to rezone to that density. Access would be from a 25-foot easement along the north property line. The existing out building would be removed prior to construction. The lot sizes and dimensions comply with the code under R 1.5.

The City Engineer has recommended sidewalks along the frontage, but no other lots have sidewalks at this time, so staff is recommending a condition to require a waiver of remonstrance.

Testimony in opposition was received after the staff report was written and has been provided to the Planning Commission. Mr. Brown questioned what the existing zone was. Kevin explained the existing is R-1 and the comp plan designation is R 1.5. Mr. Tessman questioned how long the area has been designated as R 1.5 John explained it was zoned R 1.5 since the 80's.

Mr. Manley questioned why a conditional use permit might be needed. Kevin explained it would be needed if the homes were individually sellable units, a duplex is allowed, but if they wanted to sell it to 2 owners it would require a conditional use permit.

APPLICANT:

Frank Funk asked if the Commission had any questions about the application and clarified they were proposing a duplex on each newly created lot.

Mr. Brown explained to the audience that there are 2 separate issues to discuss. The zone change, and if the zone change is approved then the minor land partition. If the zone change was not approved there would be no reason to hear the minor land partition, until after the City Council hearing on the same matter.

PROPONENTS:

Jason Wilson stated this application fits with the City's master plan to control urban sprawl.

OPPONENTS:

Ken Perincheif stated he owns a flag lot that is contiguous to the proposed property. He had read the original application which he believed was for a single duplex and was opposed to that application. The application would not fit in a neighborhood of single ranch style homes. He believes having two-story homes would have an adverse effect on the neighborhood. Allowing this zone change would set a precedent that the City might welcome but the neighborhood would abhor since there are a few large properties that might allow future partitions. He stated that when he and his wife created a minor partition in 1991 they chose not to change the zoning and to retain the R1 designation. The City of Canby endorses as much infill as possible for tax revenues but rezoning properties like this is not an appropriate way of achieving that goal. He specified

that his opposition is only towards the zone change and would not oppose the applicant creating single-family dwellings.

Jim Simpson stated he and his wife were both opposed to this application. He believed the development would not fit in the neighborhood of older home, and they would be fine with a development of single-family dwellings.

Bill Greenleaf stated he is opposed to this application. He lives in an older home and believes the neighborhood needs to be built up, this application would have the opposite affect, by having non-owner residents and he believes non-owner residents encourages gang activity. He stated that he is a teacher and the schools are crowded, there is a new middle school being built, but it will not make the problem go away. He stated the street infrastructure will not support additional traffic, Maple Ct is cracking severely, the base has failed under the street. This neighborhood is single family and crowding in 2 duplexes would not be a wise choice.

Marlin Harker stated his property adjoins this development. They purchased a quarter acre lot and built their home there because they liked the neighborhood of single-family homes. If this application were approved there would be a huge duplex sitting in his front yard.

Joan Perincheif questioned how this development would benefit the neighbors and the neighborhoods. If it is not beneficial then it is detrimental to the neighborhood.

John Ellis did not believe it was possible to put any more traffic on Maple Street when there is only parking on one side of the street at this time, there would be no way they could accommodate the on street parking. He stated that building duplexes would guarantee rentals. He did not see anyway this could be a benefit to the neighborhood.

Paul Calhoun stated he has lived there 28 years and is opposed to this zone change. Most of the homes are single story ranch style houses and 2 story duplexes would not fit the neighborhood. His mother's property also borders this development, and she is concerned that the shade from a 2-story home would ruin her garden. He stated he is concerned regarding the increase in traffic and that there is not adequate on street parking and opposes this application.

Brenda Greenleaf stated she is opposed to this application due to the increase of traffic, especially during the fair. NE 10th is a very busy street and she has safety concerns about children and pets. She stated that there is already gang activity in the area. She expressed her concern that non-owner residents do not promote stability and the kind of neighborhood they want.

Mr. Brown asked how often the livestock gate is used throughout the year. She stated she was unsure but there is considerable traffic that goes in and out of it throughout the year. She did not believe the street could handle the traffic from 4 more households, and this could set a precedent that would allow more partitions and create a real problem.

John Ellis stated he had spoken to the Planning Department 2 years ago regarding the livestock gate being used for other events than for livestock at the fair and the gate was shut up and only used during the fair. This year they have started opening it again and he went to the Planning Department again and was told there was nothing found regarding the gate only being allowed for livestock use. He added rentals would lower his property value.

Jim Simpson commented that the City Plan states that this area is designated for R 1.5. He stated most of the people who are at the meeting are citizens of Canby and none of them want this change.

REBUTTAL:

Mr. Funk stated that this area is designated for R 1.5 in the master plan for the City. Mr. Funk stated he was unaware he would need to come back to the Planning Commission for a conditional use on this application. His plan is to make affordable housing for the City of Canby, similar to the development on Redwood and then sell it. He clarified that they have accounted for the required parking spaces per dwelling unit, so parking shouldn't be an issue.

Mr. Brown asked the question Ms Perincheif's had asked, how is this a benefit to the neighborhood? Mr. Funk responded that the City of Canby is growing and to avoid pushing farther out into the rural areas, this area has been planned for the past 20 years to develop to a higher density.

John stated this is a difficult decision and will come up again as this type of development increases, due to the low supply of land inside the city limits. The problem is that once an application gets to the Planning Commission then it is subject to the planning code and the law and the Commission has to make their decision according to the criteria. John explained the height limitations and the set backs would be the same whether it was zoned R1.5 or a R1. The only difference is the type of uses allowed.

Mr. Brown stated there is an interesting situation in Canby, the voters for the last several years have voted down most annexations. The City Council has determined that an adequate supply of buildable land is 3 years worth; the city has about a 2 year supply at this time, so there is a land shortage. He explained purchasing a lot to build a single family home on is difficult since there are probably only 3 or 4 left in the City. Mr. Brown stated that if the voters wanted no growth, one of the unanticipated factors is the increase in the cost of land. The

small pieces of property have gone up in value and it is now worth it to maneuver additional lots on property that is already in the city limits.

Mr. Brown addressed the comments that the city is allowing this type of growth to generate tax revenue, he stated that it is not true, the city is required by State rules to have a certain level of density, and to meet with that requirement the Commission has tried not to balloon the Urban Growth Area, by bringing density to the inside core.

Mr. Ewert stated that the Commission does not have to approve this application; they have the ability to separate incompatible uses while grouping compatible uses. Just because this “fits” the picture doesn’t mean the Commission has to do it.

Mr. Helbling explained that due to citizens not voting to approve annexations, the value of land already inside the city has become so high that it is now economically feasible to divide property, and the Planning Commission will see more applications like this. He stated that this property has not been rezoned yet. His major concern was the condition of the streets and this development would add significant traffic to a street that is significantly deteriorated. He stated that usually when there is a development like this there would be street improvements required. He questioned John Williams if this issue could be addressed in the conditions. John asked if there was discussion regarding street improvements at the pre-application meeting. Kevin explained that he was not at the meeting, but the City Engineer did recommend sidewalks, but did not talk about street improvements. John explained that typically improvements would be triggered if there were inadequate capacity rather than pavement conditions.

Mr. Brown expressed his concern that the County Fairgrounds livestock gate brings some of the heaviest vehicles onto N. Maple St. and adding additional lots onto this street could begin to impair the function of that facility. The comprehensive zoning designation could lead to more lots being created.

Mr. Molamphy stated that the comprehensive zoning designation was determined 20 to 25 years ago, now the area is developed as R1 residential and the people who live there want that type of neighborhood. Putting 2 duplexes would impact the streets. He believes there has to be some type of infill due to the price of land, but this has an impact on the neighborhood that will not be beneficial. He suggested the zoning may not be appropriate at this time, and questioned if the Commission had to follow the law exactly or if the first criteria regarding preserving function and aspects of land conservation and development to adequately meet the needs of the new development that would be permitted by the new zoning designation. Mr. Brown believed these criteria addressed infrastructure, and all the infrastructure is in place. Mr. Molamphy stated that livability was also a factor.

Mr. Tessman stated he believed the development met Criteria "B", and did not believe the Commission should hold neighborhoods hostage for annexation votes. He believes that the neighborhood has not been developed to the R 1.5 standard. He believed that the area was zoned R 1.5 to bring more density downtown, but he does not believe piece meal development is the way to do it.

Mr. Brown believed the only way you could create high density in the downtown area is by tearing it out in blocks, the reality of this neighborhood actually developing as shown on the comprehensive map is not reasonable, unless the price of land becomes so high it becomes financially feasible.

Mr. Tessman believes that the price of land would increase if people decided to sell as a block of land. But one piece of land at a time will not fit the criteria.

Mr. Manley believed the application did meet both criteria A and B, and the land was originally chosen because of it's location close to the Fairgrounds and that being a site that would typically be up zoned and then step down to lower densities further away. At the time of the comprehensive zoning this area was built out close to what it is now and that it is part of the original plan for this area to become denser.

It was moved by Mr. Tessman to recommend denial to the City Council of ZC 05-01 based on that it does not conform to implementation measures of Criteria "A" the plans and policies of the County, State and Local Districts in being that this will be a piece meal type application. Seconded by Mr. Molamphy. Mr. Helbling went on record stating that denial of this application doesn't mean that the Commission agrees or disagrees with a growth philosophy either way. This application is a change of zoning before things change. Mr. Brown believes that the application meets the goals of the County; his concern is if the application preserves the function and he believes it falls short on that issue. Mr. Tessman agreed with Mr. Brown and modified his motion. Mr. Tessman clarified that the Commission was recommending denial of the application due to it not preserving the function of local aspects of that particular area, and it is a piece meal application. Mr. Ewert stated it did not meet Policy #1 which states that Canby is to guide the development of uses to be orderly efficient and suitably related to one another and to separate compatible and incompatible uses. Mr. Ewert did not believe this was grouping compatible uses. Mr. Helbling believed the Planners at the time envisioned bulldozing and rebuilding the area, this is sticking density in. Motion carried 5-1-1 with Mr. Manley voting nay and Mr. Lucas absent.

The Commission decided to vote on the Minor Land Partition after the application for the zone change was heard by the City Council. The application for MLP 05-07 was continued until September 26, 2005.

It was explained to the audience that the application has to be heard by the City Council at their September 21, 2005 hearing. They will make the final decision on the application. Mr. Brown stated it is a public hearing and encouraged the audience to attend. He explained that if the City Council approves the zone change then the Planning Commission would hear the Minor Land Partition.

MLP 05-08 (Thomsen) Chairman Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was expressed. No questions were asked of the Commissioners.

John Williams, Planning Director presented the history of this application, last year the Planning Commission was presented with a high density application and there were many people who testified at the hearing that the designation was not appropriate at that location. The City initiated changing the south side of Township from Knott St. to Pine St. to the medium density designation of R 1.5. The applicant came back to the Commission with a revised plan at R1.5 and the Commission approved that application.

John added that one of the conditions placed on that application was to create the access to city street standards to accommodate future development of the properties to the east and to consolidate driveways and reduce the number of accesses on Township. John explained this application is not for the neighboring property, but for the second property to the east. When the application came to the office there was a discussion regarding creating the connecting street. The applicants contacted the owner of the middle property and were told they had no intention of developing the property at this time.

Kevin Cook, Associate Planner presented the staff report. He explained the applicant is applying to divide the property into two lots with the northern lot maintaining the existing single family residence, and the southern parcel to contain a tri-plex building. The applicant is proposing accessing utilities from Township, which providers have stated would be available, but would require a street cut.

The spacing of the accesses is a concern since Township is a collector street and has a 140' spacing requirement. This application does not comply to that standard, staff has recommended the applicant provide a shared access with the existing house. Mr. Ewert asked if the newly created lot would be accessed from the west side of the property. Kevin explained staff has proposed closing the existing access to the west, and have the existing house share the new access drive on the east side. Mr. Ewert questioned how that would solve the

problem. Kevin explained it would not solve the problem but it would not increase the number of accesses at that location.

Mr. Molamphy stated that the PC went to great lengths trying to control the traffic flow in this area with the previous application. He asked if there was any mitigations being done to allow for a connection in the future. Kevin stated it would not preclude a future connection.

Mr. Manley asked if it would be possible for the applicant to divide the northern lot again. Kevin stated it would be difficult to meet the setback and parking requirements.

APPLICANT:

Jon Thomsen, explained that the goal is to build a triplex on the newly created lot to the south. He said he has spoken with the neighbor to the west, and she has no intention of developing her parcel, and to make the connection with Locust St. They asked if they could get across her property to make the connection with Locust St. and it is not feasible since there is a large accessory structure in the way.

Mr. Thomsen explained that they are not able to connect to Mr. Netter's sewer line because it is too shallow and they will have to access the water from Township so it makes sense to make all connections to Township.

Mr. Thomsen stated that there was a curb cut for the back parcel when they purchased the property. He does not agree with closing the existing driveway for the home since it would make the garage useless. He stated this will be a nice development with single story modern craftman single story homes with nice backyards and ample front yards. Mr. Brown questioned if the applicant wanted to remove the existing access. Mr. Thomsen stated they did not agree with staff's recommendation and would like to retain the access.

Darren Monen stated they had purchased the property over 5 years ago, prior to the zone change and the discussion of continuing Locust St. They had two options when they purchased the property, apply for a zone change and put in the tri-plex or put a single family home on the property. He believed that if the driveway was removed from the home, it would take value away from the property.

Mr. Monen presented information regarding the depth of the sewer on Township and explained that the development to the east was not deep enough for them to connect to without putting a lift station in. He explained that they will need to cut into Township to access the waterline and the sewer will be available there.

Mr. Helbling explained that this is the opportunity to plan a neighborhood and questioned if the access road would be built so it could be connected across in the future to Mr. Netter's property. Mr. Monen stated potentially it could be, but he is unsure of how the homes will set and where the parking will be, so he could not say it is possible. He added there would be loss of property for the difference between a private drive and a public street. Mr. Monen expressed his belief that the if the property to the west developed it would be easy for them to connect with Mr. Netter's development.

Mr. Helbling explained this is the opportunity to see the development relative to what is around it. He asked if there could be consideration for the placement of the housing so there could be a connection made in the future. Mr. Thomsen stated they had not considered it as part of this application. John Williams explained that the applicant would have to come back to the Planning Commission with a design review on a tri-plex.

Proponents: None

Opponents: None

Kevin read a letter from Josh and Linda Calvert who had concerns that the proposed tri-plex would be unsuitable for this location due to the negative impact it would have on neighboring property. They cited increased traffic, traffic noise, neighborhood and would affect the live-ability of the neighborhood. They questioned if the area could handle to storm water run off for a tri-plex development. The stated the access would not meet the standard for spacing and did not believe an exception should be made.

Kevin summarized a letter from Cynthia May who believes the dense development would have a negative impact to the neighborhood.

Kevin presented a letter from Betty and John Cox who asked to be counted as a no vote on the application.

REBUTTAL:

Mr. Monen stated that they were not changed the zone, when they purchased the property they paid more for it because it was able to be divided. He stated that if the Commission decided to combine the access points and require that the existing house come in from the west, it would devalue the house and make the garage useless.

Mr. Monen did not believe they would devalue the surrounding properties by developing a vacant field, it would add to the value of the neighborhood. He stated that they have to mow the field down due to the fire hazard in the summertime and believes it would be an improvement to have the property developed. He questioned how there could have been a discussion regarding

the creation of a road when they have owned their property for 5 years and the properties to the west have new owners, there have been no meetings with the City, only one discussion with Mr. Netter on the phone.

Mr. Tessman questioned if there was any consideration given to abandon the house. Mr. Monen stated it is a nice house and it was never their intention to demolish the house.

Mr. Brown asked why a tri-plex, the neighbors are concerned because they will be rental houses. Mr. Monen explained that is what they do, they have 13 rentals in town and they intend to keep them long term. Mr. Thomsen stated that their rentals are very well maintained, and they have a vigorous screening of tenants.

Mr. Brown closed the public hearing and opened Commissioner deliberations. He stated it was frustrating that the Commission intended on looping this road, and that the sewer was installed at a depth that made it impossible to extend. John stated that the City should have reviewed the plans so he was unsure how it happened that the sewer was approved without the proper slope.

Mr. Helbling questioned if this would be a public driveway. John explained that the access on the Netter property is public street, an extension of Locust. This will be a private drive. Mr. Helbling questioned if it would ever become a public street. John explained that if the middle property develops in the future, it should access Locust St. through the Netter property.

Mr. Brown stated there was no way the Commission could hold this applicant hostage by what his neighbor will or will not do.

Mr. Molamphy addressed the applicant's comment that they were not contacted and clarified that the Commission did not try to burden their property, they were trying to set the area up for future development.

Mr. Helbling agreed with the owners request that they be allowed to keep the access for the existing home. The Commissioners discussed the access and decided to allow the owners to maintain the existing driveway.

Mr. Tessman believed that approving this application would abandon any idea of connecting the properties, the owner of the middle property probably has plans to use that shed for many years to come.

It was moved by Mr. Manley to approve MLP 05-08 with the modification of removing the requirement of closing the existing driveway. Seconded by Mr. Molamphy.

Mr. Ewert stated the Commission had spent a great deal of time discussing how this area will function. He doesn't agree that they should give up and create a traffic hazard to keep a garage. The proposed application does not conform with the traffic standard, and it would be making a bad situation worse to approve it. Mr. Brown stated it does not conform either way. Mr. Ewert added that they can't keep the applicant from developing, but they can make the situation a little better by combining the accesses in that location.

Mr. Helbling believed the driveway should stay but suggested the applicant coordinate the placement of structures and the private road so it is in alignment with the Locust St. extension from the Netter development. He believes that it would create continuity and a flow for traffic, and if it is not done at this time, it would never be able to be done. John questioned if the road should be a public street. Mr. Helbling believes it should be a private street built in a manner to allow the roads to connect in the future.

The Commission discussed if the applicant should be required to build to street standards and to create a public road. John explained that the Netter development has a public street down to the knuckle, with a private street off of that to the houses. Mr. Molamphy stated that the middle property, when it develops would be required to obtain access from the Netter development which would be two thirds of what the Commission had asked for. Mr. Ewert stated that they could have what they asked for if they do it right tonight.

Mr. Tessman believes the egress of that property should be a right turn only, being so close to Lupine. Mr. Brown did not believe that would be enforceable and that people would turn left. There had been discussion of making that connection a one way street, to get the traffic off of Locust and now the trips have accumulated and have put them on Locust, there is no egress point. John explained that one of the things that came out of the Netter development was that the Locust intersection now lines up.

Motion carried 4-2-1 with Mr. Ewert and Mr. Brown voting nay, and Mr. Lucas absent.

DR 05-04 Pioneer Pump, Chairman Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, Mr. Helbling stated that he, as president of CBRD has had meetings with VADA, one of the possible tenants, but he planned on participating. No questions were asked of the Commissioners.

John presented the staff report. He explained that the applicant requests approval to construct two industrial buildings in the Pioneer Industrial Park. The buildings would be accessed by a single driveway off of Sequoia Parkway.

Pioneer Pump is an existing business located on 3rd Avenue in Canby. They have chosen a site in Canby to expand and will be the second business in the new Industrial Park. They are also proposing to build a smaller building using the single shared access point and parking lot that which could possibly be leased by VADA, a manufacturer of medical training equipment.

The code section is the industrial overlay, the main goal of the industrial matrix is to increase landscaping and create good looking buildings from the street and address site design on the driveways.

The applicant is proposing 55 parking spaces to be located in a central area and accessed by a single driveway. The access will be off of Sequoia and will meet spacing requirements. The light at Sequoia and Hwy 99E is under capacity at this time so there are no traffic capacity problems. The applicant put together a traffic study of their existing facility to document their existing traffic problem, and it was found to be acceptable to staff.

There are no parking areas between the building and the street. The applicant has proposed 2 loading docks at the larger building but has asked for a waiver of the condition on the smaller building, John explained that the Commission has dealt with that issue in the past by writing a condition of approval that states if the use is changed a loading dock will be required at the smaller building. John stated that staff has recommended allowing the waiver for the small building.

The access drive will be 30 feet wide, and they are purposing two nine foot wide, concrete sidewalks off of Sequoia, one to each building. John explained that the tree retention aspect of the matrix did not apply since the trees that are located on the property are non-native nursery stock.

Staff is purposing for the applicant to maintain the planter strips, if any of the trees purchased by Urban Renewal need to be replaced it will be the owners responsibility to replace them. The applicant will be required to plant some over sized trees to meet the landscaping matrix standard.

The applicant is purposing concrete tilt-up buildings, with a grey and steel coloration. The buildings are 40' from the right-of-way with landscaping in between. The entrances will be on the side and the street facing facade will have larger windows, and a trim design. The outdoor trash areas are purposed to be screened. There will be exterior lighting, but it is unclear if there will be any lighting above the doors, the applicant will have to address that issue.

The application meets the minimum design matrix required for approval. All utilities are available at the site. Staff recommends approval of this application. John stated this is the kind of development the park is aimed at bringing in.

Mr. Brown questioned if fencing was typically required. John stated he would look it up. Mr. Brown questioned if there would be parking lot lighting. John stated the applicant would need to address that issue.

Mr. Ewert questioned when the street islands would be put in. John explained that the Master Plan calls for the islands to go in after the accesses are located.

Mr. Brown questioned since this applicant is in first, will the applicant across the way need to match the access point. John stated he was unsure how the access points line up with the development across the street. Mr. Brown expressed his concern that if the access points weren't coordinated, there would be no street islands.

APPLICANT:

Jerry Turner, explained he was one of the owners of Pioneer Pump. He started the business in 1998 and purchased the land in Canby about a year later. He explained their pump manufacturing business has grown steadily since then and has started a sister company in England that purchase the pumps to resell to Europe and African markets.

Mr. Turner state they now employ 35 people in their Canby facility. He stated there would not be retail traffic just an occasional training seminar for customers. He explained that there will be approximately 4,800 square feet of office space and 2,950 of mezzanine area. Originally there will be a production area in the back and the production area will move forward where the warehouse is shown now and eventually they will build another 25,000 to 30,000 square foot building. He stated that they will do approximately 14-15 million dollars in sales in Canby this year, and they plan to have 70-80 employees at the end of a 5 year period.

Mr. Tessman asked if there would be multiple shifts. Mr. Turner explained they will run 4 ten hours days, with a fifth day if they need overtime.

Mr. Brown questioned if they were purposing a fence. Mr. Turner explained they are purposing a fence around the gravel area, and will store some product there. Mr. Brown questioned the parking lot lighting. Mr. Turner explained that they will provide adequate lighting throughout the parking lot.

Mr. Turner stated there is no signed agreement with VADA yet, but if it doesn't work out they still plan on developing the land as proposed and put it on the market. They have an agreement with VADA to share the loading dock facility since he will only need a dock about once a week.

Mr. Ewert questioned where the bio-swale would go when they develop the lot. The applicant stated that the bio swale would stay there. Mr. Brown questioned where the parking lot would grow when they expanded. Russell Hanson, engineer answered the questions regarding the bio-swale. He explained that the bio-swale would remain where it is, and that there is adequate parking designated for future expansion.

Mr. Ewert asked if Mr. Hanson was aware of where the access point was for the building across the street. Mr. Hanson stated he did not know. John stated he would be able to find out where the access is. Mr. Brown suggested that on future design reviews the access point would be shown.

PROponents:

Charles Burden stated his approval of this application. And encouraged the Commission to vote in favor of this application.

OPponents:

None

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

Mr. Molamphy believed that this project fits the type of business the City is looking for and he supports the application.

Mr. Brown questioned the color of the building. The applicant responded that it will be gray with a dark green accent stripe.

Mr. Tessman agreed it was a straight forward application and something the Planning Commission has been looking forward to, the actual development of the Industrial Park. He believes that once building begins in the park, it will fuel development there. He intends to vote in favor of this application.

Mr. Brown stated there had been hours in public hearings, taking testimony and editing text, and the City is trying to make this a painless process to help move development forward.

It was moved by Mr. Ewert to approve DR 05-04 with the condition that parking lot lights be included. Seconded by Mr. Helbling. Motion carried 6-0.

V. FINDINGS

SUB 05-10 It was moved by Mr. Helbling to approve the findings for SUB 05-10 as written. Seconded by Mr. Tessman. Motion carried 5-0-1 with Mr. Manley abstaining.

SUB 05-03 It was moved by Mr. Helbling to approve the findings for SUB 05-03 as written. Seconded by Mr. Molamphy. Motion carried with Mr. Manley abstaining.

VI. MINUTES

April 25, 2005 It was moved by Mr. Molamphy to approve the minutes with the punctuation correction noted by Mr. Tessman. Seconded by Mr. Ewert. Motion carried 6-0.

VII. DIRECTOR'S REPORT

John stated there would be a workshop to follow up on the public facilities and services discussion and that the consultant would be there to discuss some of the changes.

John stated that on the 31st of August there will be a meeting between URD and CBRD to talk about downtown redevelopment project, and how Urban renewal money has been used in other communities to do projects.

VIII. ADJOURNMENT