

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – July 9, 2007
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Jim Brown, Vice Chair Dan Ewert, Commissioners Bruce Holte, John Molamphy, Janet Milne, and Jared Taylor

ABSENT: None

STAFF: John Williams, Community Development and Planning Director; Carl Ahl, Planning Technician; and Jill Thorn, Planning Staff

OTHERS PRESENT: Terry Tolls, Allen Patterson, Sammy Lackner, Martin Lackner, Gary Randles, Lisa Weygandt, Todd Boyer, Buzz Weygandt, Diana Boyer, Jessica Rittel, Tony Boyer, Steve Mickels, Tom Kraus, Paul Worden, Dick Samuels, Lynn Weygandt, Lorie Dodds, and Greg Blefgen

I. CITIZEN INPUT None

II. NEW BUSINESS

Request of Planning Commission to approve light industrial use in a Heavy Commercial/Manufacturing Zone

Carla Ahl presented the staff report. The owners of a business called EELCO Manufacturing are looking to locate their business in a portion of the existing Modcom/3M building located at 555 SW 2nd Avenue. EELCO manufactures engine parts for vintage automobiles. They use a small van to transport the cleaned castings to their premise to do the finish machining. They stated they have very little face to face customers as most of their business is done through distributors or by phone, and shipping is normally done with UPS, so traffic to the site would be minimal.

As noted in their proposal, the use is very similar to that which occupied the building for almost 30 years, has minimal traffic, is contained indoors, and produces very limited noise.

The Planning Commission approved a similar use in 2005 for Bowco Industries, with the condition that the business had minor truck traffic, minimal or no odors and noise, and limited outdoor storage.

Sammy Lackner, owner of Eelco, stated that she felt this type of business was the right fit for the neighborhood as it is not a noisy business and currently there are 5 employees.

Chair Brown asked if the business was adjacent to the high school. Ms Lackner said they were across from Pacific Pride and Whitman Towing was their neighbor.

Commissioner Molamphy asked if she expected the business to grow.

Ms Lackner stated that the application was a specialty for hot rod autos and she felt they had all they could handle at the present time.

Commissioner Ewert asked about raw castings and waste.

Ms Lackner stated that there was none.

A poll of the Commission found that all the Commissioners were in favor of the request to allow the manufacturing use of Eelco Manufacturing at 555 SW 2nd Avenue.

III. PUBLIC HEARINGS

DR 07-04 – American Steel Site and Design Review for approval of a building to accommodate the operations of American Steel.

Chair 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 stated. No questions were asked of the Commissioners.

John Williams presented the staff report. The applicant proposes to develop a 190,585 square foot concrete tilt-up building on a 10.34 acre site in the Canby Pioneer Industrial Park. The site is located on Township Road, just east of BBC Steel and across Township Road from the Zion Memorial Park. The southwest side of the property faces the rail line and the City's Logging Road Trail. The subject property was annexed to the City of Canby in 2003 as part of a 151-acre industrial park annexation. The Weygandt property to the east was annexed in November 2006. BBC Steel and the City cemetery remain unannexed.

American Steel is currently located in Portland on NW Yeon Avenue, and all functions will be relocated to Canby. Their operations include distribution and processing of general carbon steel products.

The proposed use is permitted outright in the M-1 and I/O zone per CMC 16.32.010 and CMC 16.35. Section 16.35.030(A)(1) requires a Conditional Use Permit if the use will result in less than 12 employees per developed acre. The use is expected to employ 100 people at startup with an expansion to 120, or over 12 per acre, within several years. The Municipal Code does not specify at what point the employment requirement must be met and for this reason, a Conditional Use Permit is not required.

The Urban Renewal District will be constructing an extension of S. Sequoia Parkway to serve the site. The roadway extension will replace the existing section of S. Walnut Street from 4th Avenue to Township Road, and will construct new roadway south from Township Road approximately 680'. This project includes all needed utilities. Roadway construction is planned for early spring 2008 and will be timed to match American Steel's construction schedule. Sequoia Parkway will only be extended just south of American Steel's southern driveway at this time. Future roadway development will extend the road, via a bridge, over the railroad tracks to 13th Avenue. Those improvements are not expected for a number of years.

The site includes rail access from the west. The railroad will be constructing a 500' "drill track" (used for switching) and a spur line to the property. The spur line will run into the building, allowing indoor loading and unloading. Construction and design of rail facilities is not part of the City's review of this application (per Federal Law), except insofar as it affects other items such as drive aisles and building design.

The proposed project would be the largest construction to date in the Canby Pioneer Industrial Park and would be exceeded only by Johnson Controls as the largest building in Canby. The

property is outside of the Urban Renewal District boundaries and therefore tax revenues from the facility will go to the standard tax entities rather than the URD.

Some of the submitted sheets indicate a future building expansion area but the applicant indicates that this was an early concept that is not likely to be implemented.

After Mr. Williams went through the staff report, he gave the Commission a letter endorsing the project from Canby Business Development and written comments from Tom Vanatta.

Chair Brown asked if the rail was privately owned and would there be any problem connecting.

Mr. Williams said no and the applicant had been working with the railroad.

Commissioner Ewert asked if the drive through was covered.

Mr. Williams said they were covered and had roll-up doors.

Commissioner Milne asked what the speed limits on Township were.

Mr. Williams said they were 35 mph to the school zone and then dropped to 20 mph.

Commissioner Ewert asked why Sequoia would not be straight.

Mr. Williams said they were trying to minimize the amount of property taken from both the private owners and the City cemetery.

Commissioner Ewert asked if the intersection of Township and Sequoia will be signaled.

Mr. Williams responded that it was not in the Transportation System Plan.

Applicant: Greg Blefgen, PE of VLMK Consulting Engineers and representing American Steel stated finding a site with a rail connection was huge. The building will be 287 feet wide by 600 feet long. Mr. Blefgen briefly described the project and building design

Chair Brown asked how tall were the light fixtures.

Mr. Blefgen said they were 35 feet tall.

Chair Brown asked if there would be any extra storage tanks. Mr. Blefgen said yes.

Chair Brown asked if there would be any acids stored. Mr. Blefgen said no.

Commissioner Molamphy asked if the gates for the rail would be electronically controlled.

Mr. Blefgen said they would lock manually.

Commissioner Molamphy asked what type of protection is being provided for the tanks.

Mr. Blefgen said they would be behind concrete walls with steel bollards and there would be no parking in the fire lane.

Commissioner Ewert asked about ventilation.

Mr. Bleggen stated there would be large exhaust fans of 30,000 cfm and the doors would be open most of the time. There would be no air emissions that would require DEQ permitting.

Commissioner Ewert asked about the depth of the retention pond.

Mr. Bleggen said the forbay was 3 feet and the larger pond was 5 feet deep.

Chair Brown asked what materials the fence would have.

Mr. Bleggen stated it be galvanized with black slats.

Proponents: Dick Samuels, owner of the Molalla Western Railway, said there would not be an increase in rail traffic because they have a set schedule now three times a week. He stated his company was excited to have the American Steel coming to Canby.

Opponents: None

Rebuttal: Mr. Bleggen stated that the building had been designed to handle heavy loads. He stated their current timeline is that they are selecting a contractor now; would submit for building permits by the end of July; do rough grading in September; foundation slab in October; start putting walls up in February 08 followed by the roof; be in the building by June of 08 and operational in July of 08,

Chair Brown closed the public hearing.

Chair Brown stated he did not feel the applicant had met the criteria for landscape matrix in the work/play opportunity area and felt that one fourth of the trees should be of a 3 inch diameter in order to meet the matrix.

Commissioner Taylor disagreed with that and felt the applicant had met the letter of the code for the standard and additional conditions should not be imposed.

Commissioner Molamphy and Holte agreed with Commissioner Taylor.

Commissioner Milne agreed and felt the area for employees was inadequate but met the standard.

Commissioner Ewert agreed that the additional requirement for 3 inch trees was reasonable.

A straw poll of the Commission indicated the majority felt additional conditions were not required on this issue.

Commissioner Ewert felt that additional signage directing trucks to Sequoia Parkway and off of Township Road was needed.

Commission Milne stated that the staff and applicant had done an excellent job on the application.

Commissioner Holte felt American Steel coming to Canby was great and thanked them for choosing Canby.

Commissioner Molamphy did not have a problem with the application.

Commissioner Taylor said he had had concerns about the parking and stormwater issues, but felt the applicant had met the standards and it was a good project for Canby.

Commissioner Ewert commented about the written testimony received from Mr. Vanatta about traffic and the use of the railroad. He explained this had always been the plan for the industrial park but appreciated the concerns raised by Mr. Vanatta.

It was moved by Commissioner Ewert to approve DR 07-04 as presented with an additional condition requiring signage to keep trucks on Sequoia and off of Township. It was seconded by Commissioner Molamphy. Motion carried 6-0.

Chair Brown stated this was the conclusion of a dream that was put in place 25 years ago. He thanked the people who had had vision for the industrial park and their work to bring it to reality with projects such as American Steel.

IV. FINDINGS None

V. MINUTES

June 25, 2007 - Commissioner Molamphy moved to approve minutes of June 25, 2007 as amended. Motion seconded by Commissioner Taylor and passed 5-0 and Commissioner Holte abstaining.

VI. DIRECTOR'S REPORT

Mr. Williams said there were no hearings scheduled for the August 13th Commission meeting and asked if the Commission would like to have the findings prepared for the hearings scheduled for the July 23rd meeting prepared to be adopted at the same meeting; and then cancel the August 13th meeting. The Commission agreed with the suggestion.

Mr. Williams announced that the railroad crossing at Territorial Road would be closed to complete the work and it is expected to reopen by August 15.

VII. ADJOURNMENT