

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – June 8, 2009
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Dan Ewert, Vice Chair Jan Milne, Commissioners Ishah Ahumada, Sean Joyce, Chuck Kocher, Misty Slagle and Jared Taylor

ABSENT: None

STAFF: Bryan Brown, Planning Director; Catherine Comer, Economic Development Manager and Jill Thorn, Planning Staff

OTHERS PRESENT: Brooks Cutsforth, Frank Cutsforth and Pat Sisul

I. CITIZEN INPUT None

II. PUBLIC HEARINGS **CUP 09-01/PLP 09-02 – Cutsforth-Wells Fargo** - The applicant is requesting a Conditional Use Permit to construct a parking lot. The proposal is to construct a new 14 stall parking lot that will replace the existing parking lot that Wells Fargo Bank currently owns on Tax Lot 5100 south of the site. The site is zoned C-1 (Downtown Commercial). After this new facility is finished, the applicant and Wells Fargo will swap ownership of Tax Lots 5000 and 5100.

Chair Ewert 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.

Bryan Brown, Planning Director, presented the May 29, 2009 staff report for the record.

Commissioner Milne asked if there were any restrictions on the driveway exit. Mr. Brown responded that the application met code and turning movements in both directions were allowed to his knowledge.

Commissioner Milne said she was not certain the landscaping was an issue.

Commissioner Joyce asked for further clarification on the 80 foot right-of-way. Mr. Brown stated it would be highly difficult to imagine the street would be widened to utilize 80 feet and that was a 20 year projection.

Commissioner Taylor asked if the two arms would be controlled by a key card. Mr. Brown suggested that would best be answered by the applicant.

Commissioner Taylor asked about maintenance and upkeep on the pervious surface. Mr. Brown said the applicant's engineer would be able to respond to the question. Also, a condition could be added to handle any concerns about future maintenance.

Commissioner Kocher said he liked the idea of a gate and it will keep other people from using the parking lot. He had no need to screen the headlights as the bank was across the street. He felt that the narrow street would help with traffic calming.

Commissioner Ewert mentioned that the current hedge was on the other property and would go away when that property develops. He felt that the code needed to be reviewed for future pervious paving maintenance issues. He asked if handicap parking was required. Mr. Brown responded that the handicap parking was appropriately being handled in the other bank parking lot closer to the entrance to the bank making it unnecessary for this auxiliary lot to need a handicap parking space.

Applicant: **Brooks Cutsforth** – Mr. Cutsforth said this was the last piece of the puzzle for The Village project and once the parking lot was completed there would be a property swap to allow the corner of Second and Ivy to be a focal point for the development. Wells Fargo was agreeable if the new lot was as good as or better than the existing. He said he was comfortable with the conditions of approval.

Commissioner Taylor asked if the key pad was for the security of the bank employees. Mr. Cutsforth responded that Wells Fargo wanted to protect their employees.

Commissioner Taylor asked if the Fire Department was okay with the plan. Mr. Cutsforth responded they were.

Commissioner Milne commended the applicant for going green on the project. She had no concern about the right-of-way waiver and felt there would be no problem with headlights and felt Condition 5 could be eliminated.

Commissioner Ewert said he was good with the application but wondered if as a community service the bank would put the gates up in off business hours for the public to have access to the parking lot. He felt the alley should be looked at in regard to potential improvements.

Pat Sisul of Sisul Engineering – Mr. Sisul stated the use of a pervious surface was a way of dealing with the storm water runoff in a green manner. He stated there are three types of pervious surfaces: paving stones; pervious concrete and pervious asphalt. He stated that he was in agreement with the conditions of approval.

Commissioner Taylor asked about maintenance. Mr. Sisul responded that the best was dry sweeping of the parking lot on a regular basis and he had no problem if that became an additional condition of approval.

Commissioner Ahumada felt that an annual inspection should be a condition.

Proponents: **None**

Opponents: **None**

Neutral: **Catherine Comer, Economic Development Manager for the City of Canby** – Ms Comer stated this project fit with the design standard and goals of the area. The project had been identified in 2006. She said the pervious paving was what the City was using in the public parking lot being constructed currently.

Rebuttal: **None**

Chair Ewert closed the public hearing.

Commissioner Milne stated that it was great seeing the project come to completion. She had no problems with the conditions of approval and would suggest deleting Condition 5. She felt annual inspections were too onerous.

Commissioner Ahumada agreed the project was a great idea.

Commissioner Kocher stated he was fine with the application.

Commissioner Taylor agreed that Condition 5 should be deleted, did not agree with annual inspections and felt it was okay to waive the requirement for the right-of-way. He felt there could be a condition that would require the applicant to pay for their share of any improvements in the future to the alley.

Commissioner Joyce agreed the annual inspection should not be required. He was okay with the waiver for the right-of-way and deleting Condition 5 for the landscaping. He had concerns about the future of the alley.

Commissioner Slagle agreed it was a good application and felt that Condition 5 dealing with the landscaping should be deleted and she was not in favor of an annual inspection.

Commissioner Taylor felt Condition 5 should be deleted he was okay with the waiver on the right-of-way. He stated that the other applications in the past that an annual inspection had not been required and should not be required on this application. He proposed a condition that if future improvements on the alley be required the applicant would have to pay their fair share.

Commissioner Joyce agreed that the annual inspection should not be required, had not problem with the right-of-way waiver and Condition 5 should be deleted. He did have concerns about the future of the alley.

Commissioner Ewert stated it was a good application. He did have several suggestions for future code changes: maintenance on pervious surfaces; review of the 80 foot right-of-way on Ivy Street; and review of the policy/codes in regard to all the City's alleys. He did feel there might be a safety issue of people attempting to pull into the parking lot; finding the gate and backing back out into Ivy Street and wondered if signage would be necessary. None of the other Commissioners agreed on the signage requirement.

Commissioner Milne suggested one solution on the future alley improvements could be a condition requiring a non-remonstrance agreement.

Commissioner Milne moved to approve Conditional Use and Parking Lot Paving application CUP 09-01/PLP 09-02 with the following changes from the staff report for Condition 3 to read "approves pervious surfacing" instead of "approves impervious concrete"; and delete Condition 5 in regard to landscaping. It was seconded by Commissioner Taylor. The motion passed 7-0.

III. FINDINGS

CUP 09-01/PLP 09-02 – Cutsforth-Wells Fargo - It was moved by Commissioner Slagle to approve the written findings for CUP 09-01/PLP09-02 – Cutsforth-Wells Fargo with the following changes from the staff report for Condition 3 to read "approves pervious surfacing" instead of

“approves impervious concrete”; and delete Condition 5 in regard to landscaping. It was seconded by Commissioner Joyce. The motion passed 7-0.

IV. MINUTES

April 13 2009 - Commissioner Taylor moved to approve minutes of April 13, 2009 as presented. Motion seconded by Commissioner Kocher and passed 7-0.

V. DIRECTOR’S REPORT

Bryan Brown reported that a work session had been held with the City Council and Planning Commission on traffic calming. It was the consensus of the group to go to the neighborhood associations and seek their input. The final draft will come to the Planning Commission and City Council.

The staff is moving forward on the Beck annexation using the new code for development agreements. Staff has concluded that the development agreement process can run concurrently with the annexation process.

There are approximately six applications in some form of completion by the Planning Department.

VI. ADJOURNMENT