

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – February 8, 2010
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Vice Chair Jan Milne, Commissioners Sean Joyce, Chuck Kocher, and John Proctor,

ABSENT: Chair Dan Ewert, Commissioners Misty Slagle and Randy Tessman

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

OTHERS PRESENT: David Karr, Charles Burden, David Hyman, Steve Shapiro, Chris Sturgin, Curt McLeod and Amy Nguyen

1. CALL TO ORDER

2. WELCOME OF NEW COMMISSIONER Vice Chair Milne welcomed John Proctor to the Planning Commission and asked him to tell the public about himself.

3. CITIZEN INPUT None

4. PUBLIC HEARINGS

a. Site and Design Review to build a 14,458 square foot commercial building and an accessory parking lot on a 2-acre site in the 300 Block of S. Walnut Street (a 2-acre portion of Clackamas County Assessor Map & Tax Lot Nos. 31E34-01805 and 01710). The application includes a requested parking space exception, requested variance from CMC 16.35.050.M and 16.49.120.9 to waive the requirement for automatic irrigation or water spigots for the lawn-portion of the landscaping area, and requested variance from CMC 16.35.050.G to allow different street improvements on S. Walnut Street than required by code. – Dragonberry – DR 09-02.

Vice Chair Milne 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. When asked about site visits; Commissioner Kocher stated he had visited the site and had reached no conclusion and Commissioner Milne stated she had visited the site, but reach no conclusions. Commissioners Joyce and Proctor stated they had not visited the site. No questions were asked of the Commissioners.

Melissa Hardy, Associate Planner, presented a PowerPoint presentation and February 1, 2010, staff report for the record.

Commissioner Joyce asked for clarification on the shifting of the right-of-way. Ms Hardy explained the effect that shifting the right-of-way would have on reducing required street setbacks, and recommended condition #5 so that setbacks for all structures and buildings, other than the building currently proposed, be measured from the edge of the sidewalk where the right-of-way line would normally be located.

Commissioner Milne asked if the new setback would apply to all sites. Ms Hardy stated this Design Review decision only applies to this site, and any future requests to vary the required right-of-way would be on a case by case basis.

Commissioner Joyce said that he would like for the Commission to review this issue each time.

Commissioner Joyce asked about the landscaping plan and the three trees located in the transportation engineer's line of sight. Ms Hardy stated that Condition 14 would require an alternative plant material less than 42-inches-high be planted there instead of the three trees.

Commissioner Kocher asked for clarification on the number of parking spaces as he counted only 25 and not 26. Ms Hardy pointed out the spaces which did total 26.

Applicant: **Steve Shapiro**, a landscape architect, spoke for the applicant. He said that the proposed landscaping is intended to be sustainable and to reflect the sustainability of the proposed building, and that not irrigating the drought-tolerant lawn area will save 240 gallons of water per week.

Commissioner Milne offered her appreciation for the ethic of sustainable landscaping.

David Hyman, an architect from DECA, spoke for the applicant. He said that they are targeting LEED silver or gold certification.

Commissioner Kocher asked where the proposed restaurant area was located. Mr. Hyman stated it would be in the southwest corner of the building.

Amy Nguyen, property owner, spoke for the applicant. She said her company is a specialty wholesale produce distributor.

Commissioner Milne asked how many employees would be working at the site. Ms Nguyen stated there would be between 10 to 15.

Commissioner Joyce asked how the storm drain would work on the site.

David Karr, an engineer from DK & Associates, spoke for the applicant, and talked about how they plan to handle storm drainage on site with swales.

Proponents: **Catherine Comer**, Canby Economic Development Manager, said she felt this building is good for the industrial park and fits well with Canby's new "The Garden Spot" theme.

Opponents: **None**

Neutral: **None**

Rebuttal: **None**

Vice Chair Milne closed the public hearing.

Commissioner Kocher liked the sustainable concept and felt the street variance should follow all along Walnut Street.

Commissioner Joyce felt the City Engineer's Walnut Street design should be maintained but would like to have the Planning Commission see all applications. He expressed some concern about the lack of a buffer between the project site and the single family home on the neighboring property. He stated he was impressed with the landscape plan.

Commissioner Milne stated there was a row of trees between the house and where the Dragonberry building would be and she felt that was adequate buffering. She stated she agreed with Commissioner Joyce about the landscape plan and was excited to see the applicant seeking a LEED gold or silver classification.

Commissioner Kocher moved to approve Site and Design Review application no. DR-09-02 with the 28 conditions of approval detailed in the staff report, including approval of the parking space exception and two variance requests, based on the findings in the February 1st staff report and the findings from tonight's public hearing. It was seconded by Commissioner Joyce. The motion passed 4-0.

5. NEW BUSINESS

a. Adoption of Planning Commission Policies and Procedures -

Commissioner Joyce moved to approve the Planning Commission Policies and Procedures. Motion seconded by Commissioner Kocher and passed 4-0.

6. FINAL DECISIONS

a. DR 09-02 – Dragonberry - It was moved by Commissioner Joyce to approve the written findings for DR 09-02 – Dragonberry – as presented - correcting Condition 6 stating the sidewalk would be 6 feet instead of 16 feet wide. It was seconded by Commissioner Kocher. The motion passed 4-0.

It was subsequently determined by Planning staff that Condition #6 was intended to direct the property owner to dedicate a 16-foot-wide 'sidewalk, storm drainage and public utility easement ', and was not intended to describe the width of the sidewalk. Therefore Condition #6 was not changed, and the width of the easement dedication remains 16 feet.

7. MINUTES

a. January 11, 2010 - Commissioner Kocher moved to approve minutes of January 11, 2010 as presented. Motion seconded by Commissioner Joyce and passed 3-0 with Commissioners Proctor abstaining.

8. ITEMS OF INTEREST FROM STAFF Bryan Brown, Planning Director, gave an update on the Reserves designation process how changes were impacting Canby. He announced that the Beck Annexation would be on the February 17th City Council Agenda should Commissioners want to see how this item is handled.

9. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION - None

10. ADJOURNMENT