

**MINUTES**  
**CANBY PLANNING COMMISSION**  
7:00 PM – June 28, 2010  
City Council Chambers – 155 NW 2<sup>nd</sup> Avenue

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**PRESENT:** Chair Dan Ewert, Vice Chair Jan Milne, Commissioners Sean Joyce, Chuck Kocher, John Proctor, Misty Slagle and Randy Tessman

**ABSENT:** None

**STAFF:** Bryan Brown, Planning Director and Jill Thorn, Planning Staff

**OTHERS PRESENT:** Brian Hodson, City Councilor and Planning Commission Liaison; Scott Caufield, Steven Morgan, Cindy Caufield, Peter Hostetler and Chris Morgan

**1. CALL TO ORDER**

**2. CITIZEN INPUT**

**3. PUBLIC HEARINGS**

**a. DR 10-01 – DCS-Morgan** – The applicant is seeking approval of a Site and Design Review application to build a 1,993 square foot commercial building and associated parking lot on a 11,138 sq ft site at 1535 SE 3<sup>rd</sup> Court (Clackamas County Assessor Map & Tax Lot No. 31E34C-03400).

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. Commissioners Tessman, Kocher, Milne, Proctor and Ewert stated they had visited the site, but had not drawn any conclusions. No questions were asked of the Commissioners.

Bryan Brown, Planning Director, entered the June 17, 2010, staff report into the record.

Commissioner Tessman said that when the original subdivision had been approved, he thought it was for only medical businesses. Mr. Brown responded that the subdivision had been approved for professional and business offices including, but not limited to medical businesses.

Commission Slagle asked about parking by construction workers as that had been a concern with the Warren building application. Mr. Brown responded that it was not an issue as this lot was not on a public street and there was adequate parking on the private street and sight distance issues at the intersection with Redwood Street were not applicable with this lot.

Commissioner Kocher asked if there were adequate restrooms based on the drawings received. Mr. Brown said that would be a question to ask the applicant's representative.

Commissioner Milne said she found the matrix table confusing in the area of the number of parking spaces. She understood the matrix rewarded applicants for less parking; but the other areas of the matrix rewarded for having more. Mr. Brown said that was correct as there is a desire to reward for less parking spaces.

**Applicant:** Scott Caufield, representing the applicants, Steve and Chris Morgan said that he was able to meet all of the City's code requirements and supported the staff's recommendation for approval. He went through various aspects of what was being provided on the project site plan, emphasizing that 1) shrubbery would be planted around the mechanical heat pump units at the rear of the building to shield the view of them from the neighboring property, 2) in response to a question by the Commission that adequate restroom facilities were being provided and had been reviewed by the City building official, 3) that the soakage pond design had changed since the original submittal to include retaining walls to increase its capacity as a result of the geotechnical study infiltration results, and, 4) that the streets trees proposed are a continuation of those started on the lot next door.

Commissioner Ewert said he had concerns about the retention pond and the fact it was close to the sidewalk. He asked if it would be fenced. Mr. Caufield stated that was a valid concern and had not thought about it, but would be willing to address the issue.

Mr. Brown said one idea would be to put a split rail type of fence which would look better than a chain link fence.

Commissioner Tessman felt something was needed as the site was close to the Logging Trail Road which attracted a lot of people.

Commissioner Joyce noted that Public Works had raised issues with planting cattails as they tend to contribute to plugging the draining of the pond. Mr. Caufield said he had no problem with changing the types of plants to be used in the pond.

Commissioner Ewert said he would like to see the pond have a barrier to block a child on a bike. Mr. Caufield said he would be happy to address that in the final plans to be submitted to the City.

**Proponents:           None**

**Opponents:           None**

**Neutral:               None**

**Rebuttal:             None**

Chair Ewert closed the public hearing.

Commissioner Milne said it was a very good staff report and an excellent application and she had no issues.

Commissioner Proctor wondered if the tree at the parking space that was hard to see should be removed. Commissioner Ewert felt that was not necessary.

Commissioner Ewert felt there should be a barrier around the pond. Commissioner Joyce agreed something was needed. Commissioner Ewert suggested Oregon Grape might be a good solution.

Commissioner Milne moved that the Planning Commission approve application DR 10-01 – DCS-Morgan as presented in the staff report and a condition to require a barrier of the applicant's choosing, possibly with landscaping be included with the construction plans, between the sidewalk and pond to help discourage or prevent purposeful or accidental access to or into the pond. It was seconded by Commissioner Slagle. The motion passed 7-0.

**4. NEW BUSINESS** **None**

**5. FINAL DECISIONS**

**a. DR 10-01 – DCS-Morgan** - It was moved by Commissioner Milne to approve the written findings for DR 10-01 – DCS-Morgan – as presented with the addition on one condition requiring a barrier between the sidewalk and pond to help discourage or prevent purposeful or accidental access to or into the pond. It was seconded by Commissioner Tessman. The motion passed 7-0.

**6. MINUTES**

**a. April 26, 2010** - Commissioner Slagle moved to approve minutes of April 26, 2010 as presented. Motion seconded by Commissioner Kocher and passed 7-0.

**7. ITEMS OF INTEREST FROM STAFF** Bryan Brown reported he had approved a minor modification for Pioneer Pump for paving and removal of a pile of dirt on their property. He also reported that two Temporary Vendor applications had been approved for fireworks stands. He said that 61 applications had been received for the Associate Planner position and he would be interviewing six individuals on Wednesday, June 30.

**8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION** **None**

**9. ADJOURNMENT**