

MINUTES
CANBY PLANNING COMMISSION
7:30 PM – March 12, 2012
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Dan Ewert, Commissioners Sean Joyce, Chuck Kocher, Misty Slagle and Tyler Smith

ABSENT: Commissioner Randy Tessman and John Procter

STAFF: Bryan Planning Director; Angie Lehnert, Associate Planner and Laney Fouse, Planning Staff

OTHERS: Jerold A. Rothi, Ronald S. Berg, David R. Wishman, and Jeff Scott

PRESENT:

- 1. CALL TO ORDER 7:30 pm**
- 2. CITIZEN INPUT - None**
- 3. PUBLIC HEARINGS – Site and Design Review for Zoar Evangelical Lutheran Church located at 190 SW 3rd Avenue (DR 12-01)**

Chair Ewert opened the public hearing and read the public hearing format. He asked the Commissioners if they had any conflicts of interests and there were none. He asked if there was ex parte contact and there were none.

Angie Lehnert, Associate Planner entered her staff report into the record for the Site and Design Review for Zoar Evangelical Lutheran Church located at 190 SW 3rd Ave. The applicant's submittal is for Phase II of a three-phase development for a new church building. Angie stated this property is zoned C2 and is being considered highway commercial and is split into two tax lots. Angie stated this proposed addition includes a multi-purpose room, kitchen, storage and narthex with a bell tower, steeple and cross. Angie stated that once Phase II is completed, the existing church will be torn down and replaced with a new parking lot.

Angie stated the standards of Historical Protection Overlay and Historic Preservation were not applicable review criteria and therefore, not required. Angie said staff was requesting the Commission waive the loading requirements because of the non-commercial nature of the church.

Commissioner Smith asked why there were fewer points rewarded for more lawn grass. Planning Director Bryan Brown stated it was due to the promotion of xeriscaping and water conservation, so grass is actually discouraged. Mr. Brown said when the code was changed it included a push for Low Impact Design/sustainability measures in order to encourage landscaping that moved away from intense maintenance and water consumption to a more natural sustainable plan. Mr. Brown stated this LID standard applied across all zoning districts.

Angie stated the conditions of approval will include requirements for a more detailed site plan demonstrating compliance with parking standards, bicycle parking standards, and lighting standards, including parking lot lighting standards; designated pedestrian walkways; at least 75% drought tolerant plant species; a site plan to show where pervious paving will be installed; a detailed stormwater plan, comply with agency requests, submit a landscape narrative, and meet all other standard procedural conditions.

Angie stated the church property is divided into two tax lots, and part of their building crosses over the tax lot boundary. Angie stated despite efforts by the applicant to clear this up with Clackamas County, a solution had not yet been reported to staff.

Mr. Brown said he has concerns there may be difficulties for the applicant in obtaining a building permit from the County because they may be hesitant to issue a permit because the building would cross a property boundary of two tax lots and two different taxing districts.

There was discussion on what could be done to clear up the complication. The applicant stated they would clear up the tax lot boundary matter during their presentation.

Angie also requested some interpretation from the Planning Commission about the code requiring landscaping islands to break up rows of parking to apply only to large scale commercial development and not to a church.

Mr. Brown stated it was important that the applicant not decrease the usable amount of parking which exists on the site now. Mr. Brown stated that staff has proposed a condition of approval to address the plan for paving the new parking area once the old church building is torn down, but was unsure of any binding legal way to assure this plan is carried out.

Chair Ewert stated, they would have to answer to a higher power.

Commissioners had no questions for staff.

Applicant:

Applicants Ron Berg, Dave Wishman, and Jerry Rothi, members of the Building Task Force at the Zoar Evangelical Lutheran Church presented information about Phase II of their construction project.

Mr. Berg said they contacted the County about resolving the issue about the building crossing over the boundary lines. Mr. Berg said the County said all they would need was to get a deed restriction so one side of the property could not be sold without the other. Mr. Berg stated the deed restriction had been developed and the County wanted an additional statement that they be notified of any change of ownership. Mr. Berg stated the deed restriction should be signed and recorded by the end of the week.

Mr. Berg responded to the conditions of approval stating that parking will be at a 45-degree angle because there is not enough room for straight in parking and they already had two 40- lineal feet of rail in place for bike parking.

There was discussion regarding the applicant being able to meet the lighting standards by using the lights already on their property. Mr. Rothi stated their existing lights are the same as the ones called for in the code according to the information he had received from Planning.

Mr. Berg stated the pedestrian walkway will be striped, adjacent to the landscape strip, and the roadway crossing to the entrance will be marked as a crosswalk.

Mr. Berg said the drought tolerant plants will be provided by Clint Smith from Four Mile Nursery. Mr. Wishman stated they were advised by Mr. Smith that the plants will need to be watered for two years and then will be able to turn their watering system off.

Mr. Berg stated pervious paving will cover the area of the parking lot as well as the area where the building is being torn down.

Mr. Berg stated their old building has four downspouts which drain into street and when this building is taken down so the downspouts will be disconnected. Mr. Berg stated they have a letter from DEQ confirming they have met all stormwater requirements and allowing the use of their two existing drywells. Mr. Berg stated they will provide a copy of the DEQ letter to the City. Chair Ewert asked for clarification from the applicant about being allowed to use their drywells. He stated that the City is trying to get away from using drywells and going to a different type of stormwater collection. Mr. Berg stated the DEQ letter allows them to use their two drywells for all three phases.

There was more discussion on the applicant's current lighting meeting the lighting standards and if the lights did not conform then the applicant would need to make them conform.

Mr. Berg stated he had met with the City's Environmental Services Manager Darwin Tramel who was completely satisfied with their stormwater plan; the only question was about using the proper grease trap.

Mr. Berg stated the telephone had already been moved into the communications room during Phase I; the landscaping narrative will be available in next couple of days and that the property will no longer have grass.

Chair Ewert called for questions from the Commissioners and there were none.

Opponents – None

Proponents –

Jeff Scott, stated he was in full support of this new church building and was excited to see Phase II happening and that it would be great for Canby.

Chair Ewert closed the public hearing.

Commissioner deliberation:

Commissioner Smith moved to amend staff recommendations of the parking lot lighting must be in conformance with the lighting code prior to issuance of the occupancy permit. Commissioners discussed the applicant's existing lighting and whether the lights would conform to the lighting standards. Commissioner Smith decided to strike his motion.

Commissioners also discussed bike parking and agreed that the applicant would be required to maintain sufficient bike parking. This requirement would be exempted during construction.

Chair Ewert said the applicant would provide the Planning staff with the letter from DEQ regarding their two drywells.

Commissioners discussed the deed restriction and decided to change the language of staff's recommended condition to read, "The applicant and the City shall receive approval from Clackamas County."

Commissioners discussed the interior landscaping island in the parking lot to break up rows of parking of more than 8 spaces. The applicant requested they not be held to this requirement because they would lose parking. Chair Ewert explained that the interior landscaping island in a parking lot was originally intended for large scale commercial and industrial developments.

Commissioners agreed that the church would be exempted from requiring a loading berth.

Commissioner Smith moved to approve DR 12-01 with staff recommendations and Planning Commission amendments, the motion was seconded by Commissioner Slagle. Motion passed 5/0.

4. NEW BUSINESS - None

5. FINAL DECISIONS - None

6. MINUTES –

Commissioner Slagle moved to approve the January 23, 2012 minutes as submitted; the motion was seconded by Commissioner Kocher . Motion passed 3/0 with 2 abstentions.

7. ITEMS OF INTEREST FROM STAFF -

Mr. Brown stated a pre-application meeting was held for a proposed Fred Meyer Fuel Station located at the southwest corner on Hwy 99E and S. Locust Street, across from the 76 Station on Oliver's vacant lot.

Mr. Brown stated Planning had received the second Hope Village Annexation request and it will be processed for possible placement on the November, 2012 ballot.

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

9. ADJOURNMENT at 8:48 PM.

(MINUTES APPROVED BY THE PLANNING COMMISSION 3/26/12)