

**APPROVED**  
**MINUTES**  
PLANNING COMMISSION  
August 26, 2013, 7:00 PM  
City Council Chambers – 155 NW 2<sup>nd</sup> Avenue

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**PRESENT:** Commissioners Tyler Smith, Sean Joyce, Charles Kocher, John Savory, and Shawn Hensley  
**ABSENT:** Commissioner John Proctor  
**STAFF:** Bryan Brown, Planning Director, Angie Lehnert, Associate Planner, Laney Fouse, Planning Staff  
**OTHERS:** Melvin Borg, Chris Fischborn, James Coombes, and Lee Leighton

**1. CALL TO ORDER**

Chair Smith called the meeting to order at 7 pm.

**2. CITIZEN INPUT ON NON-AGENDA ITEMS - None**

**3. PUBLIC HEARING**

4. *A request from Melvin Borg for a Minor Land Partition of a 12.52 acre site located at 23397 So. Mulino Road to create three (3) parcels. Parcel 1 will have the existing buildings and access driveway and Parcels 2 and 3 will continue their agricultural use until light industrial development becomes feasible. (MLP 13-01)*

Chair Smith read the public hearing format and opened the public hearing. Commissioner Kocher said he visited the site, Commissioners Smith, Savory, Joyce and Hensley said they had no conflicts; Commissioners Smith, Kocher, Joyce, Hensley, and Savory had no exparte contact

Associate Planner Angie Lehnert entered her staff report into the record.

Ms. Lehnert said the proposal meets all code criteria and that the applicant would like to continue agricultural use and put off any public improvements until light industrial development becomes possible.

Ms. Lehnert said she received comments from the City Engineer, Canby Utility, NW Natural, and Clackamas County. She said the applicant shall meet all conditions of approval to make sure all utility agency requirements and standards are satisfied.

Ms. Lehnert said staff recommends approval of MLP 13-01 with the conditions listed in the staff report.

***Applicant:***

Melvin Borg, property owner said the purpose of the application was to be able to recoup some of the financing he did for the Walnut Street improvements by selling off the parcels. According to the narrative submitted by ZTEC Engineering, the Walnut Street improvements were partially financed by the property owner.

Commissioners discussed the driveway access to Parcel 1 and the utility easement that would be needed to afford Canby Electric service to Parcel 1. The applicant indicated they had no problem providing the utility easement likely along the north boundary of Parcel 2 as long as it did not involve the installation of electric service at this time.

***Proponents:*** None

***Opponents:*** None

***Neutral:*** None

***Rebuttal:*** None

Chair Smith closed the public hearing.

***Commissioner Discussion:***

Commissioners agreed the application was straightforward, and delay of full improvements until industrial development was planned was appropriate, with those improvements being required through the Site & Design Review process.

Commissioner Savory moved to approve Minor Land Partition File #MLP 13-01 pursuant to the Conditions of Approval presented in the Staff Report in Section V, Commissioner Kocher seconded. Motion passed 5/0.

5. **NEW BUSINESS** - None

**6. FINAL DECISIONS**

a. TA 13-01, ZC 13-02, DR 12-03 Fred Meyers – Commissioner Kocher moved to approve the Final Findings of TA 12-01, ZC 12-02, DR 12-03 Fred Meyers as submitted, Commissioner Savory seconded, Motion passed 5/0.

b. MLP 13-01 Melvin Borg – Commissioners voted 5/0 approving the Final Findings for MLP 13-01 Melvin Borg.

**7. MINUTES –**

*June 10, 2013 Minutes* - Commissioner Kocher moved to approve the June 10, 2013 Minutes as written. Commissioner Savory seconded. Motion passed 5/0.

*June 24, 2013 Work Session Summary* - Commissioner Savory moved to approve the June 24, 2013 Work Session Summary as written. Commissioner Hensley seconded. Motion passed 5/0.

*July 8, 2013 Minutes* - Commissioner Joyce moved to approve the July 8, 2013 Minutes as written, Commissioner Kocher seconded. Motion passed 5/0.

*July 22, 2013 Minutes* - Commissioner Kocher moved to approve the July 22, 2013 Minutes as written, Commissioner Hensley seconded. Motion passed 5/0.

**8. ITEMS OF INTEREST/REPORT FROM STAFF**

- a. Mr. Brown said he is still working on food cart recommendations.
- c. A 15-unit townhome project between NE 3<sup>rd</sup> and 4<sup>th</sup> Avenue on the triangle near the fairgrounds is being planned.
- d. Two annexations inquiries have been made. One is a parcel next to the Beck annexation on N. Pine Street.
- e. An informal pre-application consultation has occurred for a subdivision layout for the previous 5 acre Beck annexation property.
- f. A cell phone tower is being considered on NW Baker on industrial zoned property.

**9. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION -**

None

**10. ADJOURNMENT**

Commissioner Savory made a motion to adjourn. Commissioner Kocher seconded. Motion passed 5/0. Meeting adjourned at 7:47 pm.