



## PLANNING COMMISSION

### Minutes

Monday – May 28, 2014

7:00 PM

City Council Chambers – 155 NW 2<sup>nd</sup> Avenue

Commissioners: Tyler Smith, John Savory, Shawn Hensley, John Serlet, and Larry Boatright

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

Others: Craig Lewelling and Deone Mateson

#### 1. CALL TO ORDER

Chair Smith called the meeting to order at 7 pm.

#### 2. MINUTES

a. *Planning Commission Minutes of April 28, 2014*

**Motion:** Commissioner Savory moved to approve the April 28, 2014 Planning Commission Minutes, Commissioner Serlet seconded. Motion passed 5/0.

#### 3. CITIZEN INPUT ON NON-AGENDA ITEMS - None

#### 4. PUBLIC HEARING

*TA 14-01 Code Streamlining Industrial Development (continued from May 12, 2014)*

Chair Smith re-opened the public hearing.

Angie Lehnert, Associate Planner, entered her staff report into the record. She reviewed the text amendments one by one. She said there was one comment from Scott McCormack, owner of Trend Business Center in the Canby Industrial Park about screening in the loading areas. She said it was preferable for some businesses to have loading areas in the front of industrial buildings, however it was difficult to screen such loading areas completely. In a previous version, the parking was to be on the side or the rear, but that had been changed. The point of these revisions was to streamline the process, not put more restrictions, and it was up to the Commission to decide on this provision. In the existing Code it says loading areas should be screened from public view with landscaping, walls, or other means as approved. Staff's intent was to address concerns about existing outdoor storage that wasn't screened and bus parking areas that weren't currently required to be screened.

Chair Smith said there were three options for the screening, landscaping, fence, or a berm. He questioned if the landscaping would need to screen it completely or if the applicant needed only to have landscaping in the front.

Bryan Brown, Planning Director, said the proposed wording made the McCormacks nervous as they had a building planned that would front 4<sup>th</sup> Avenue that had loading areas in the front of the building. They were nervous to see choices they were trying to market now that might not be allowed by what

the Code said. There was a question regarding how strict the screening would be. The trend was now for loading docks to be in the front and some type of landscaping might be possible, but they were against the idea of needing to screen a loading area from a public road.

Commissioner Serlet said it made a lot of sense what the McCormacks said and he had the same views especially for industrial parks. He thought a storage area should be screened to some degree, but not a loading dock.

Commissioner Hensley agreed with that direction as this was an industrial area abutting a public road.

Commissioner Savory also agreed as it would restrict the type of activity on the site. There should be more flexibility in the type of business that went in.

Commissioner Boatright would rather see a loading dock than an old beat up fence 10 years from now.

Ms. Lehnert said there was clarification on page 12 that this was a conditional use as it is not an outright permitted use and explained the changes she made in the review matrix for evaluating conditional uses in the M2 zone. Added in the matrix was a low impact design and sustainability features category.

Chair Smith asked about the industry standard for use of these matrixes as the City used a lot of matrixes to determine whether or not to approve an application.

Mr. Brown said matrixes were supposed to provide more flexibility to developers and to produce better quality development by accumulating more points in the matrix instead of prescribing what each project absolutely had to have. Planning consultants developed these Codes after hours of debate on what should be included. He had mixed feelings about them and thought they were difficult for staff and developers to evaluate, however the flexibility was a good thing.

Ms. Lehnert reviewed the language clean up on page 14 clarifying the boundary of the Industrial Park and comments from this morning had been made about page 16.

The goal of the existing #1 and addition of #8 was to discourage warehouses that didn't create a lot of jobs. However, warehouses were a permitted use. Since the aim was more employees, she recommended just using #1.

Commissioner Serlet questioned how the six employees per developed acre would be enforced.

Mr. Brown said in the past staff had ignored that provision which was why the number was being lowered from 12 to 6. The Council wanted employee intensive businesses, which was why this provision was put in there. The McCormacks supported keeping the provision with the lower number and supported what was trying to be achieved in the Industrial Park. They did not think #8 was needed.

Ms. Lehnert suggested for #7 crossing out the "or more than 30,000 square feet" which made it a little more permissive to encourage industrial and not retail in the M1 and M2 zones but still allowed a mix of uses. Page 18 was just a clean-up of the language including how to determine street right of ways by the TSP, revisions to the proposed Type II process, accommodations for those who wanted to use drought tolerant plants, and grammatical corrections. The matrix was revised to clarify the requirement for the trees. There were no more streets to build in the overlay zone so the street alignments were not applicable. The revisions to the second pedestrian walkway element clarified the categories and point possibilities and lowered the points needed to pass. The tree retention section was not applicable anymore because there were not any areas left with large groves of trees. The outdoor amenities section was changed to more precise language. There was rewording about points

for landscaping. Staff discussed building materials, which was somewhat controversial, as metal buildings were not allowed. The McCormacks liked that there were higher quality buildings in the Industrial Park. She proposed not including a low impact design matrix at this time. She said on page 24 and 25 the Type II process language was added along with grammatical corrections and renumbering.

Commissioner Hensley asked what the purpose of this change was because it seemed to create more work for staff instead of less.

Mr. Brown clarified that there was the potential of cutting off 30 days in the process by going through a Type II process. It was more important to businesses in the Industrial Park than it would be to commercial businesses downtown to be able to have that reduction of time when they were shopping around for a location. He used Shimadzu as an example. The idea came out of the Visioning process to expedite and facilitate development in the Industrial Park.

Chair Smith asked for a provision for appeal of the Type II decision. He thought it should come to the Planning Commission.

Ms. Lehnert confirmed an appeal of a Planning Director decision would come before the Planning Commission.

Mr. Brown said appeal of a Type II process would make it a longer process than if they had come before the Planning Commission to start with. The assumption was appeals were rare.

Chair Smith thought the Type II process would streamline the process and make it more cost effective for the applicant.

Commissioner Savory thought there should be more discussion regarding page 16, the number of employees per developed acre. Commissioner Serlet supported the intent but didn't think it was doable.

**Motion:** Commissioner Savory moved to strike subsection 1, the requirement for 6 employees per developed acre, Commissioner Serlet seconded. Motion passed 5/0.

**Motion:** Chair Smith moved to strike subsection 8 as recommended by staff, Commissioner Savory seconded. Motion passed 5/0.

Chair Smith said regarding page 6, subsection 4, he wanted to keep the screening next to residential zones, but not next to a public road. The new wording would be "outside storage areas abutting a residential zone shall be screened from view by a site blocking fence, landscaping, or berm."

**Motion:** Chair Smith moved to amend 16.30.030(F).4, 16.32.030(D).4, 16.34.030(F).2 as proposed, Commissioner Savory seconded. Motion passed 5/0.

Commissioner Savory asked if the McCormack's concerns had been adequately addressed. Chair Smith explained how they had been addressed by the language that had been taken out.

**Motion:** Commissioner Savory moved to adopt TA 14-01, Code streamlining industrial development as amended, Commissioner Serlet seconded. Motion passed 4/1 with Commissioner Hensley opposed.

## 5. FINAL FINDINGS

- a. McDonald's Rebuild (DR 14-03/LLA 14-02)

Commissioner Serlet asked about getting answers from ODOT regarding the provision for truck access on the driveway between the two businesses. Mr. Brown said that wording was included in the findings. It had not been done yet, but was in the construction approval process.

There was consensus to approve the final findings, conclusion, and final order for the McDonald's Rebuild (DR 14-03/LLA 14-02).

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

- a. June 9, 2014 two annexations
- b. Open Counter unveiling
- c. Sequoia Parkway Extension Grand Opening

Mr. Brown reviewed the agenda for June 9. The Open Counter unveiling would be held on June 4 and Sequoia Parkway Extension Grand Opening would be held on June 9.

**7. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION**

**None**

**9. ADJOURNMENT**

Chair Smith adjourned the meeting at 8:05 pm.

The undersigned certify the May 28, 2014 Planning Commission minutes were presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 9<sup>th</sup> day of June, 2014

  
Bryan Brown, Planning Director

  
Laney Fouse, Minutes Taker

Assisted with Preparation of Minutes – Susan Wood