

**SPECIAL PLANNING COMMISSION
MEETING AGENDA
Monday – June 4, 2012
7:00 PM**

City Council Chambers – 155 NW 2nd Avenue

**Chair Dan Ewert – Vice Chair Randy Tessman
Commissioners Sean Joyce, Charles Kocher, John Proctor, Misty Slagle, Tyler Smith**

1. CALL TO ORDER

2. CITIZEN INPUT ON NON-AGENDA ITEMS

3. PUBLIC HEARINGS -

- a. Consider approval of a Conditional Use application from the North Willamette Valley Habitat for Humanity to locate a ReStore business in a portion of an existing building located at 411 S. Redwood Street. **(CUP-12-02)** Staff: Angie Lehnert

4. NEW BUSINESS - none

5. FINAL DECISIONS (Note: Final written version of previous oral decision).

- a. Conditional Use for Habitat for Humanity ReStore business at 411 S. Redwood Street. **(CUP-12-02)**

6. MINUTES

Approval of May 14, 2012 Regular Planning Commission Minutes

7. ITEMS OF INTEREST/REPORT FROM STAFF

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

9. ADJOURNMENT

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting at 503-266-7001.

*A copy of this agenda can be found on the City's web page at www.ci.canby.or.us
City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5.
For a schedule of the playback times, please call 503-263-6287.*

PUBLIC HEARING FORMAT

The public hearing will be conducted as follows:

- **STAFF REPORT**
- **QUESTIONS** (If any, by the Planning Commission or staff)
- **OPEN PUBLIC HEARING FOR TESTIMONY:**
 - APPLICANT** (Not more than 15 minutes)
 - PROPONENTS** (Persons in favor of application) (Not more than 5 minutes per person)
 - OPPONENTS** (Persons opposed to application) (Not more than 5 minutes per person)
 - NEUTRAL** (Persons with no opinion) (Not more than 5 minutes per person)
 - REBUTTAL** (By applicant, not more than 10 minutes)
- **CLOSE PUBLIC HEARING** (No further public testimony allowed)
- **QUESTIONS** (If any by the Planning Commission)
- **DISCUSSION** (By the Planning Commission)
- **DECISION** (By the Planning Commission)

All interested persons in attendance shall be heard on the matter. If you wish to testify on this matter, please step forward when the Chair calls for Proponents if you favor the application; or Opponents if you are opposed to the application; to the microphone, state your name address, and interest in the matter. You will also need to sign the Testimony sheet at the microphone with your name and address. You may be limited by time for your statement, depending upon how many people wish to testify.

EVERYONE PRESENT IS ENCOURAGED TO TESTIFY, EVEN IF IT IS ONLY TO CONCUR WITH PREVIOUS TESTIMONY. All questions must be directed through the Chair. Any evidence to be considered must be submitted to the hearing body for public access.

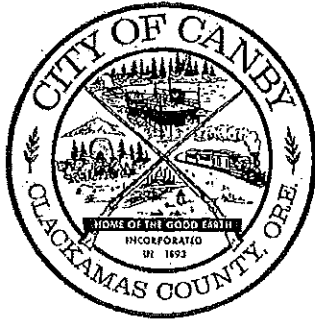
Testimony and evidence must be directed toward the applicable criteria listed on the wall.

Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-maker and interested parties an opportunity to respond to the issue, may preclude appeal to the City Council and the Land Use Board of Appeals based on that issue.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue may preclude an action for damages in circuit court.

Before the conclusion of the initial evidentiary hearing, any participant may ask the hearings body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The Planning Commission shall grant such requests by continuing the public hearing or leaving the record open for additional written evidence or testimony. Any such continuance of extension shall be subject to the limitations of the 120-day rule, unless the continuance or extension is requested or agreed to by the applicant.

If additional documents or evidence are provided by any party, the Planning Commission may, if requested, allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any such continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time period.

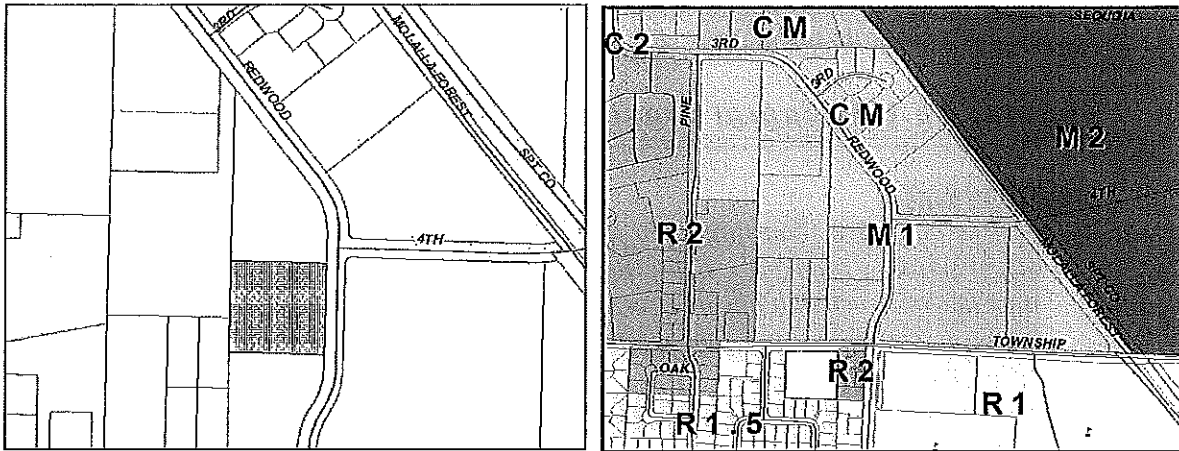


City of Canby

CONDITIONAL USE STAFF REPORT
FILE #: CUP 12-02

LOCATION: 411 S Redwood (Shaded area in below left map)

LOT SIZE AND ZONING: The site is approximately 2 acres and zoned M-1 Light Industrial (Below right map)



TAXLOT(s): 31E34C01809

OWNER: Bruce Broetje

APPLICANT: North Willamette Valley Habitat for Humanity

APPLICATION TYPE: Conditional Use (Type III)

CITY FILE NUMBER: CUP 12-02

I. PROJECT OVERVIEW & EXISTING CONDITIONS

The applicant wishes to locate their Habitat for Humanity ReStore business, which involves the storage of construction supplies and equipment used to build Habitat homes and involves the re-sale of construction equipment to benefit Habitat for Humanity, in an existing building in the M-1 Light Industrial Zone. The applicant wishes to locate at the above location because of the building's area and height, which is lacking in commercial buildings elsewhere in Canby. The proposed use will take place at building #6 on the above property; this building is 5,200sf. The applicant does not propose any site changes to the exterior building or the parking lot.

II. ATTACHMENTS

- A. Citizen and Agency Comments
- B. Submitted Conditional Use application containing:
 - a. Site map
 - b. Application form
 - c. Application narrative

III. **APPLICABLE CRITERIA & FINDINGS**

Major approval criteria used in evaluating this application were the following Chapters from the *City of Canby's Land Development and Planning Ordinance (Zoning Code)*:

- 16.08 General Provisions
- 16.10 Off Street Parking and Loading
- 16.32 M-1 Zone
- 16.50 Conditional Uses
- 16.89 Application and Review Procedures

Excerpts from the code are highlighted below in **gray**, with findings and discussion after the citations. If not discussed below, other standards from the Code are either met fully, not applicable, and/or do not warrant discussion.

Chapter 16.08 General Provisions

16.08.110 Fences

- A. *Fences not more than three and one-half feet in height may be constructed within the street setbacks of any R-1, R-1.5, R-2 or C-1 zone. Fences not more than six feet in height may be constructed in any interior yard, rear yard, or street yard along an alley; provided, however, that in no case shall a fence be constructed in violation of the requirements of a vision clearance area.*
- E. *The Planning Commission may require sight-blocking or noise mitigating fences for any development it reviews.*
- F. *The Planning Commission may require fences of up to eight feet in height for any development in C-2, C-M, M-1 or M-2, or Planned Unit Development zones.*

Findings: There is no new fencing proposed in conjunction with this conditional use application. The use is proposed in an industrial zone and the applicant is not proposing any exterior alterations to the building in which the use will be conducted. Therefore, staff finds that no additional fencing should be required as a condition of approval.

16.08.150 Traffic Impact Study (TIS)

- A. *Determination. Based on information provided by the applicant about the proposed development, the city will determine when a TIS is required and will consider the following when making that determination.*
 1. *Changes in land use designation, zoning designation, or development standard.*
 2. *Changes in use or intensity of use.*
 3. *Projected increase in trip generation.*
 4. *Potential impacts to residential areas and local streets.*
 5. *Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes and multimodal street improvements identified in the TSP.*
 6. *Potential impacts to intersection level of service (LOS).*

Findings: The Planning Director determined that a TIS is not required because:

- The use is proposed at an existing site where no new site improvements are proposed.
- A traffic study would likely determine that the proposed heavy retail use would generate slightly more traffic than a warehouse/light industrial use, and
- According to the Canby Transportation System Plan, the adjacent streets are not nearing capacity, and therefore the proposed use will generate minimal increases in traffic.

Chapter 16.10 Off Street Parking & Loading

16.10.010 Off-street parking required – exceptions.

A. At the time of establishment of a new structure or use, change in use, or change in use of an existing structure, within any planning district of the city, off-street parking spaces and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the site and design review process, based upon clear and objective findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare. A lesser number of spaces may be permitted by the Planning Commission based on clear and objective findings that a lesser number of parking spaces will be sufficient to carry out the objective of this section.

Findings: This standard and other paving, driveway width, access standards, parking space dimensions, parking lot design, etc. standards of this chapter are not applicable because the proposed use is not altering the existing parking lot and building. If existing paving, driveway widths, parking space dimensions, etc. are non-conforming, then they are allowed to exist as legal nonconformance.

A review of the basic required parking and loading space numbers is done below.

16.10.050 Parking Table

Required spaces for a Retail shop: 2.0 spaces/1,000sf of gross floor area

Required spaces for warehousing use: 2.0 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office warehousing space. Minimum of 5 parking spaces overall.

16.10.060 Off-street loading facilities

A. The minimum number of off-street loading berths for commercial and industrial uses is as follows:

SQUARE FEET OF FLOOR AREA	NUMBER OF BERTHS
Less than 5,000	0
5000 – 25,000	1
25,000 – 60,000	2
60,000 and over	3

B. Loading berths shall conform to the following minimum size specifications:

1. Commercial uses – 13' x 35'

2. Industrial uses – 12' x 60'

3. Berths shall have an unobstructed minimum height of 14'.

16.10.060.G

G. The Planning Commission may exempt a building from the loading berth requirement, or delay the requirement, based on findings that loading berths are not needed for a particular building or business.

Findings: According to the applicant, the site has 15 on-site parking spaces, thereby meeting parking requirements. In addition, the applicant has studied other ReStore facilities of similar size and has determined that 15 spaces is adequate for staff, customers, and volunteers.

The building in which the use will be conducted has a loading door. If this existing loading area/door is non-conforming with the loading space dimensional standards above, then they are allowed to exist as legal nonconformance.

16.10.100 Bicycle Parking

Bicycle parking shall be provided for all multi-family residential, institutional, commercial, and industrial uses.

A. *Dimensions and characteristics:* Bicycle parking spaces shall be a minimum of six (6) feet long and two (2) feet wide, and overhead clearance in covered spaces shall be a minimum of seven (7) feet. A minimum five (5) foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking. Bicycle racks located on a sidewalk shall provide a minimum of two (2) feet between the rack and a wall or other obstacle, and between the rack and curb face. Bicycle racks or lockers shall be securely anchored to the surface or a structure. Bicycle racks located in the Downtown Commercial Zone shall be of the inverted U style (a.k.a. staple racks). See Figure 20 of the Canby Downtown Plan for correct rack placement.

B. *Location:* Bicycle parking shall be located in well-lit, secure locations within fifty (50) feet of the main entrance to a building, but not further from the entrance than the closest automobile parking space, and in no case further than 50 feet from an entrance when several entrances are involved.

C. *Number of spaces for Retail Sales:* 0.33 space/1000sf

Findings: The proposed Conditional Use application does not contain information regarding bicycle parking. Staff received a comment from the Canby Bicycle and Pedestrian Committee requesting bicycle parking. Staff encourages that the applicant provide bicycle parking in accordance with the above standards. However, staff is not recommending that this be a condition of approval because the applicant is not making site improvements and therefore the existing site conditions are allowed to be nonconforming until site improvements are made.

Chapter 16.32 M-1 Light Industrial Zone

16.32.010 Uses Permitted outright

Permitted uses similar to the proposed use: Lumber yard, warehouse, machinery/farm equipment or implement sales service or rent

16.32.020 Conditional uses

Conditional uses in the M-1 zone shall be as follows:

C. Other heavy commercial or light industrial uses as determined by the Planning Commission

Findings: The applicant is required to apply for a Conditional Use permit because the proposed use is retail/heavy commercial in nature and less of an industrial lumber yard/warehouse use that does not generate retail activities.

The dimensional standards (setbacks, height, etc.) of this chapter are not applicable because proposed use is not altering the existing parking lot and building. If the existing dimensional layout of the site is non-conforming, then is allowed to exist as a legal nonconformance.

16.50 Conditional Uses

16.50.010 Authorization to grant or deny conditional uses.

A conditional use listed in this title shall be permitted, altered, or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of the ordinance codified in this title as a conditional use, a change in the use, or reduction in lot area, or an alteration of the structure, shall require the prior issuance of a conditional use permit. In judging whether or not a conditional use permit shall be approved or denied, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the location proposed and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable.

A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the city;

Applicable Comprehensive plan Elements and goals:

Urban Growth Element

Goals:

- 1) To preserve and maintain designated agricultural and forest lands by protecting them from urbanization.*
- 2) To provide adequate urbanizable area for the growth of the city, within the framework of an efficient system for the transition from rural to urban land use.*

Land use element

Goal: to guide the development and uses of land so that they are orderly, efficient, aesthetically pleasing, and suitably related to one another.

Environmental concerns element

Goals:

*To protect identified natural and historical resources.
To prevent air, water, land, and noise pollution.
To protect lives and property from natural hazards.*

Transportation element

Goal: To develop and maintain a transportation system which is safe, convenient and economical.

Public facilities and services element

Like other cities, Canby must be able to provide adequate public facilities and services to support the community's growth and quality of life

Economic element

Goal: to diversify and improve the economy of the city of Canby

Housing element

Goal: to provide for the housing needs of the citizens of Canby

Energy conservation element

Goal: to conserve energy and encourage the use of renewable resources in place of non-renewable resources.

16.50.010, continued

- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features;*
- C. All required public facilities and services exist to adequately meet the needs of the proposed development;*
- D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone.*

Findings: Staff finds that the proposal meets all the above criteria. The proposed use is suitable for the site because the existing building in which the use will be conducted will accommodate the use and will in which the will result in minimal impacts on the surrounding community than presently exists. The proposed use will not alter the character of the surrounding areas because the area contains other retail and service type uses, including fitness center, medical and office facilities. The fitness center was approved with a Conditional Use permit.

The Code is an implementation tool of the Comprehensive Plan, and therefore by default any development that is in conformance with the Code is concurrently in conformance with the Comprehensive Plan. Additionally, the Comprehensive Plan characterized light industrial zones, such as this one, as a zone containing heavy manufacturing, storage, wholesales, or heavy retail sales operations. The proposed ReStore can be classified as heavy retail sales.

Therefore, staff has found that the proposal is consistent with the policies of the Comprehensive Plan, including the elements and goals listed above. The proposal does not affect agricultural lands, is orderly and efficient, does not produce abnormal amounts of

environmental impacts, does not affect the existing transportation system, does not affect public facilities and services, the proposal contributes to Canby's economy, and the proposal does not prevent the use of renewable energy sources.

The intention of applying for the Conditional Use is to add another layer of scrutiny to the application, to provide neighboring property owners and the public an opportunity to comment and/or raise concerns for the proposal, and provide the opportunity to place conditions on the proposed use.

16.50.040 Placing conditions on a permit.

In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose conditions which it finds necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the community as a whole. These conditions may include the following:

- A. Limiting the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor;*
- B. Establishing a special yard, other open space or lot area or dimensions;*
- C. Limiting the height, size or location of a building or other structure;*
- D. Designating the size, number, location, and nature of vehicle access points;*
- E. Improving the street and/or expanding the rights-of-way;*
- F. Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or truck loading area;*
- G. Limiting or otherwise designating the number, size, location, height and lighting signs;*
- H. Limiting the location and intensity of outdoor lighting and requiring its shielding;*
- I. Requiring diking, screening, landscaping or other facility to protect adjacent or nearby property and designating standards for its installation and maintenance;*
- J. Designating the size, height, location and materials for a fence;*
- K. Protecting and preserving existing trees, vegetation, water, resources, wildlife habitat or other significant natural or open space areas;*
- L. Limiting the number, location, and design of street accesses and requiring shared access when appropriate;*
- M. Other conditions to assure that the development complies with standards and criteria listed in section 16.50.010.*

Findings: Staff finds that no additional conditions need to be placed on this proposal.

16.89 Application and Review Procedures

Findings: This application is being processed as a Type III Conditional Use. Proper notice of this application and this hearing was mailed to owners of lots within 500 feet of the subject development, posted at the Development Services Building, and published in the *Canby Herald*. A neighborhood meeting is not required per Table 16.89.020. All public hearing, application requirements, and Type III application procedures are being met.

IV. PUBLIC TESTIMONY

Notice of this application and opportunity to provide comment was mailed to owners of lots within 500 feet of the subject properties and to all applicable public agencies. As of the date of this Staff Report, the following comments were received from the following persons/agencies:

- Liz Belz-Templeman, City of Canby Bike and Pedestrian Advisory Committee, requesting bicycle parking.
- Darwin Tramel, City of Canby Environmental Services Manager/Industrial Pretreatment Coordinator, requesting that a narrative be submitted regarding how stormwater handled on the site.

Findings: See findings on page 4 regarding bicycle parking. Staff finds that the applicant does not need to submit stormwater plans because the site is existing, the applicant is not proposing site improvements, and the proposed use will not generated any increased runoff.

V. CONDITIONS OF APPROVAL

Approval of this application is based on the submitted application materials and public testimony. Approval is strictly limited to the submitted proposal and is not extended to any other development of the property. Any modification of development plans not in conformance with the approval of application file # CUP 12-02, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code. Staff concludes that, with conditions, the application will meet the requirements for site and design review approval. Staff has concluded the following conditions of approval:

1. If new outdoor lights are to be installed, they must comply with the standards of Chapter 16.43.
2. If a new sign is to be installed, the applicant must obtain sign permit from the City
3. The applicant must obtain a City Business License prior to operation
4. If interior remodeling is to be done, the applicant will be required to obtain structural, mechanical, fire and life safety, plumbing, and electrical permits from Clackamas County prior to construction. Fire and life safety approval must also be obtained from the Canby Fire District.

VI. DECISION

Based on the application submitted and the facts, findings, and conclusions of this report, Staff recommends that the Planning Commission approve Conditional Use file CUP 12-02 pursuant to the Conditions of Approval presented in this Staff Report in Section V.

Angeline Lehnert

From: Paul Belz-Templeman <belz_templeman@yahoo.com>
Sent: Tuesday, May 08, 2012 4:48 PM
To: Laney Fouse; Angeline Lehnert
Subject: Re: Agency Request for Comments

Follow Up Flag: Follow up
Flag Status: Completed

Comments for the Habitat for Humanity Restore.

It's a great addition to the resale options in this community.
I recommend bicycle parking with area for loading if someone brings a bike trailer to haul or donate items.

Sincerely,
Liz Belz-Templeman
City of Canby Bike and Pedestrian Advisory Committee

From: Laney Fouse <Fousel@ci.canby.or.us>
To: Laney Fouse <Fousel@ci.canby.or.us>
Sent: Tuesday, May 8, 2012 2:26 PM
Subject: Agency Request for Comments

Hello all,
Please find attached the Agency Request for Comments for CUP 12-02 Habitat for Humanity – Restore.
Please return the Comment Form by May 23, 2012.
Thanks, Laney

Laney Fouse
Office Specialist II
City of Canby
Planning & Economic Development
503-266-7001
Fax 503-266-1574
fousel@ci.canby.or.us

PUBLIC RECORDS LAW DISCLOSURE

This email is a public record of the City of Canby and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

PUBLIC RECORDS LAW DISCLOSURE

This email is a public record of the City of Canby and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

COMMENTS: If you would like written comments to be incorporated into the City's Staff Report and to be included in an Information packet for the Planning Commission, please review the enclosed application and return the Comment Form on back by May 23, 2012. You may also attend the Public Hearing on June 4, 7:00 pm at 155 NW 2nd Avenue and/or the City will accept all written comments received prior to the hearing on June 4, 5:00 pm.

Please give a brief description of how you propose to handle stormwater from the building and any impervious areas.

NAME: DARVIN TRAMEL (ENVIRONMENTAL SERVICES MANAGER)

ORGANIZATION OR BUSINESS (If Any): CITY OF CANBY

ADDRESS:

PHONE # (Optional): 503-266-4021 ext. 136

DATE: 5/8/2012

PLEASE RETURN BY ONE OF THE FOLLOWING WAYS:

MAIL: Planning Department, PO Box 930, Canby, OR 97013

IN PERSON: Planning Department at 111 NW 2nd Street

E-MAIL: lehnerta@ci.canby.or.us

THANK YOU!



City of Canby
 Planning Department
 170 N 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
 Ph: 503-266-7001
 Fax: 503-266-1574

LAND USE APPLICATION:
CONDITIONAL USE PERMIT
Process Type III

APPLICANT INFORMATION:

(Check ONE box below for designated contact person regarding this application)

Applicant Name: North Willamette Valley Habitat for Humanity Daytime Phone: 503.845.2434
 Mailing Address: PO Box 852 Fax Number: 503.845.9408
 City/State: Mt Angel OR Zip: 97362 Email: jambria@nwvwhfh.org

Representative Name: Connie Farrier Daytime Phone: 503.845.2434
 Mailing Address: PO Box 852 Fax Number: 503.845.9408
 City/State: Mt. Angel OR Zip: 97362 Email: cfarrier@nwvwhfh.org

Property Owner Name: Bruce Broetje Properties LLC Daytime Phone: 503.266.5076
 Signature: Bruce E Broetje
 Mailing Address: PO Box 547 Fax Number: 503.266.8823
 City/State: Canby OR Zip: 97013 Email: bbroetje@canby.com

Property Owner Name: NA Daytime Phone: _____
 Signature: _____
 Mailing Address: _____ Fax Number: _____
 City/State: _____ Zip: _____ Email: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- All property owners represent that they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 18.50 Conditional Use standards.
- All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY INFORMATION:

411 S Redwood St. Canby, OR 97013 2 Acres 31E34C 001806
 (Street Address or Location of Subject Property) (Total Size of Property) (Assessor Tax Lot Numbers)
Warehouse and Commerical M1 L3
 (Existing Use, Structures, Other Improvements on Site) (Zoning) (Comp Plan Designation)

PROPOSED PROJECT INFORMATION:

Commercial Reuse/Building Supply/Warehouse when related to the primary mission of a non-profit

(Describe the Proposed Development or Use of Subject Property)

STAFF USE ONLY - DO NOT WRITE BELOW - STAFF USE ONLY

CUP 12-02 4-17-12 BB 9293

File # Date Rcvd Rcvd By Receipt # Date App Completed

CANBY INDUSTRIAL PARK BUILDING 6

S. Redwood Street
Canby, Oregon 97013
OWNER

BRUCE BROETJE
P.O. BOX 924
CANBY, OREGON 97013

TABLE OF CONTENTS

C1	SITE PLAN
C2	SITE WORK DETAILS
A1	EXTERIOR ELEVATIONS
A2	FLOOR PLANS
S1	STRUCTURAL PLANS
S2	STRUCTURAL DETAILS

BUILDING CODE INFORMATION

BUILDING 6		ACTUAL AREA (SF)	ALLOWABLE AREA (SF)	ACTUAL ALLOWABLE
OCCUPANCY	B OFFICE	1920 SF.	9200 SF.	0.21
	B2 MAINTENANCE SHOP/STORAGE	1680 SF.	13500 SF.	0.12
CONSTRUCTION TYPE	TYPE VA NON-SPRINKLERED	2600 SF.		0.11

PARKING CALCULATION - LIGHT INDUSTRIAL ZONE - BUILDINGS 4, 5 & 6

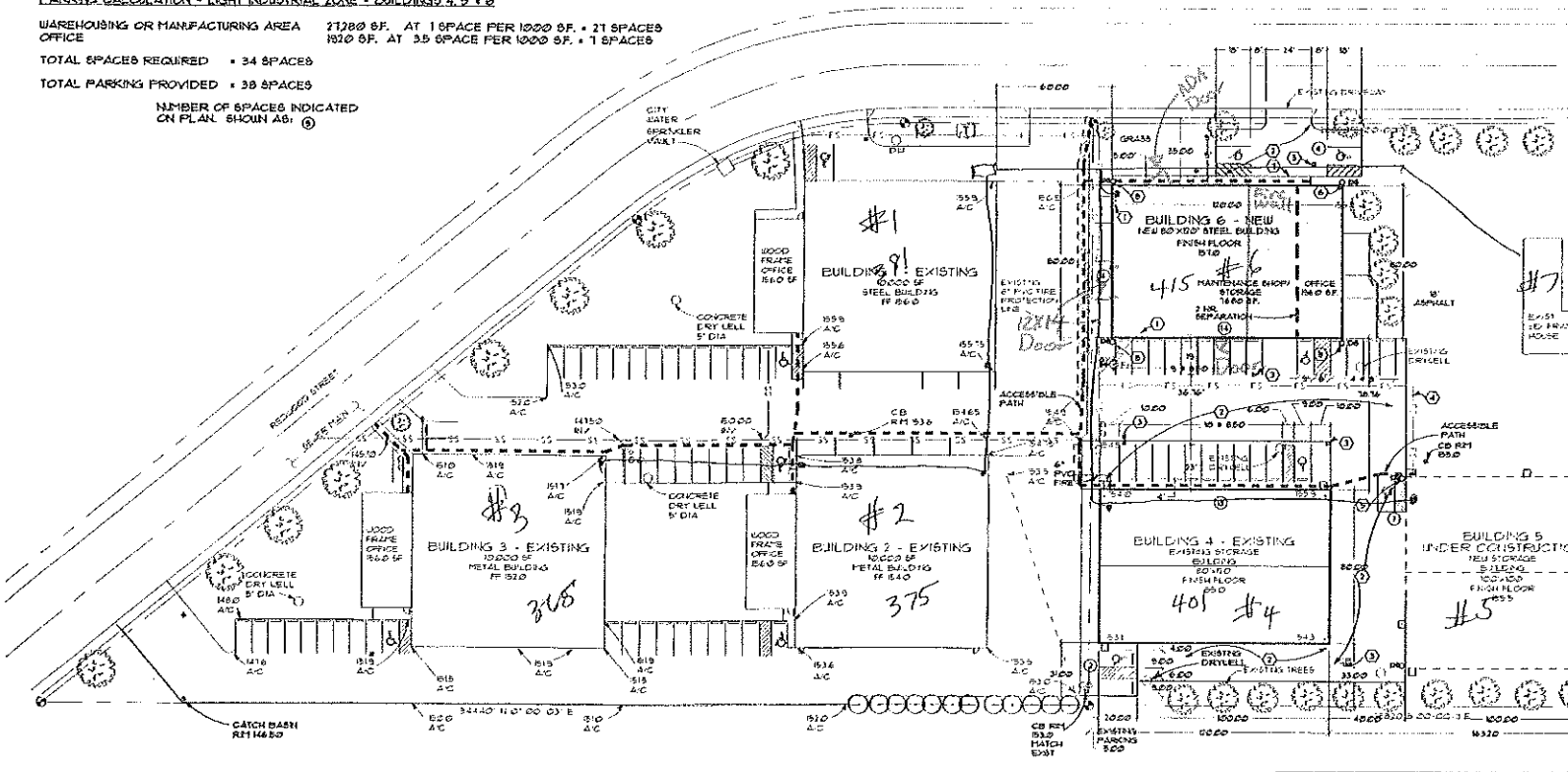
WAREHOUSING OR MANUFACTURING AREA 21280 SF. AT 10 SPACE PER 1000 SF. = 21 SPACES
OFFICE 1810 SF. AT 35 SPACE PER 1000 SF. = 7 SPACES

TOTAL SPACES REQUIRED = 34 SPACES

TOTAL PARKING PROVIDED = 38 SPACES

NUMBER OF SPACES INDICATED ON PLAN SHOWN AS: (P)

LEGEND		
W	WATER - GENERAL	HY
F5	WATER - FIRE SERVICE	AC
DJ	WATER - DOMESTIC	TC
IRK	WATER - IRRIGATION	RT
ES	SANITARY SEWER	4.15
ED	STORM DRAIN	NS
RD	ROOF DRAIN	(P)
CO	CLEAN OUT - SEE DETAIL 2-C2	(C)
CB	CATCH BASIN - SEE DETAIL 4-C2	ALL
DS	DOWNSPOUT - DISCHARGE TO A.C.	TYP
FH	FIRE HYDRANT	



BUILDING 6
SITE PLAN

SCALE 1" = 30'-0"



- SHEET CI NOTES - BUILDING 6
- UNDERGROUND SERVICES FOR BUILDING 6 HAS BEEN PRIOR TO THESE PLANS. SERVICES INCLUDE POWER, TELEPHONE AND NATURAL GAS.
 - NEW ASPHALT PAVING: 3" ASPHALT OVER 12" CRUSH AGGREGATE BASE.
 - EXISTING CATCH BASIN CONNECTED TO EXISTING DRYWELL.
 - EXISTING WATER LINE FOR FIRE SPRINKLERS.
 - DOWNSPOUT DISCHARGE TO PAVEMENT.
 - PROVIDE 4" LIE FROM DOWNSPOUT THROUGH CURB.
 - NEW 8" WIDE SIDEWALK.

MINUTES
CANBY PLANNING COMMISSION
May 14, 2012
City Council Chambers – 155 NW 2nd Avenue

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

ABSENT: Commissioners Randy Tessman

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

OTHERS: Brian Hodson, Janet Milne, Ron Yarborough, Ron Johnston, Patsy Johnston, Valerie Blair, Ron Blair, Lee Turner, Gary Schuknecht, Debora Gustin, Dan Hestand, Ron Yarbrough, Dale Hauser, Joanne Hauser, Del Goff, Debbie Goff and Betty Faist

1. CALL TO ORDER:

Chair Ewert opened the meeting at 7:00 p.m.

2. CITIZEN INPUT ON NON-AGENDA ITEMS

Janet Milne was recognized for her over 4 years of service on the Planning Commission. She thanked the Commissioners. She talked about some of the meetings and the memories she will take away with her.

3. PUBLIC HEARINGS -

- a. Consider approval of a Site and Design Review/Conditional Use application from the Canby Evangelical Church to build a new church building located at 339 SE Township Rd. **(DR-12-02/CUP-12-01)** Staff: Angie Lehnert

Chair Ewert read the public hearing format. Commissioners stated they had no conflict of interest and no ex parte contact. Chair Ewert said he visited the site but drew no conclusions.

Angie Lehnert, Associate Planner entered her staff report into the record. Ms. Lehnert said although the Canby Evangelical Church is listed on the Oregon Historic Preservation list it is not listed as a City Historic Landmark and therefore is not part of Canby's Historical Protection Overlay Zone.

Ms. Lehnert stated there will be no need for additional fencing with the development and that the residential neighbor to the east does not wish to have a fence along the property boundary.

Ms. Lehnert stated that the current 37 parking spaces are enough for the proposed development and the new addition will not impact it. Ms. Lehnert stated the existing parking lot to the rear is graveled but requiring them to pave the entire lot is not a reasonable request. Therefore it should be allowed as legal nonconformance.

Ms. Lehnert asked that the Commissioners waive any loading requirements due to the noncommercial nature of the church.

Ms. Lehnert stated the parking lot design standards are not applicable because the development is not altering the existing parking lot and not deemed as criteria for reviewing this application.

Ms Lehnert stated although the Commissioners could require more parking lot screening, although additional landscaping along the street would be a nice addition to the community she does not see it as a reasonable request either.

Ms. Lehnert explained how she assigned point values in the design matrix and also listed the items that were removed because they were not applicable

Ms. Lehnert explained how the 30% landscaping requirements were met.

Ms. Lehnert stated that the church addition has no impacts on the surrounding community and meets the conditional use criteria because the proposed development is merely replacing space not expanding the congregation size or amount of traffic.

M. Lehnert stated the conditions of approval which include meeting bicycle parking requirements; any installed outdoor lights must meet Chapter 16.43 outdoor lighting standards; provide pedestrian walkways from parking lot and sidewalks to entrance; submit a landscape plan that demonstrates less than 25% of grass in the newly landscaped area, shrubs located in the background, tree in the foreground, street planted from the City's tree list; 75% of species are drought tolerant; pervious paving, a dedicated park space with benches or table; comply with agency requests for storm water treatment and grease removal device if a kitchen is installed.

Commissioner Questions:

Commissioner Slagle asked where the access for the rear parking lot was located. Ms. Lehnert explained it was the roadway located to the west of the existing building.

Commissioner Slagle asked if the park space had to be dedicated public park space on private property. Ms. Lehnert explained it would not be a dedicated public park space on private property but that her intentions were to help the applicant gain points on the design table by providing a park like amenity for public use, which is a voluntary provision.

Chair Ewert asked what was located behind the lot, where the new development was being built on the lot, if the shed would be staying, if the tree was coming out, what about sidewalk requirements and ADA requirements, parking lot lighting, and if the driveway is wide enough for the Fire Department. Ms. Lehnert responded the area behind the development was residential; the shed would be staying; one tree would be removed; there would be new paved sidewalks in front of the new building; and ADA requirements would be reviewed in the building permit process.

There was some discussion about the driveway access on the west side of the existing building and whether there was enough room for access by the Fire Department. Commissioner Slagle pointed out that the drawing shows the proposed new building is right next to the existing parking lot and that the Fire Department would be able to reach it from the front parking lot. Planning Director Bryan Brown stated we would need to get clarification from the applicant if it was physically possible for the Fire Department to be able to access the new building.

Applicant:

Gary Schuknecht, pastor of the Canby Evangelical Church stated they have a couple of issues with what is being required. He said they don't have a problem with putting in five trees but the location of them would result in the loss of two parking spots and visibility would be hindered on Township. He said they would be opening themselves up to a liability issue if they had an unsupervised designated park space open to the public on their property.

Pastor Schuknecht explained that the main access to the back lot is through the front parking lot across the paved area between the two buildings. He said there is enough space for the fire trucks to get through. He also explained that the one big tree on the back lot would be removed.

Chair Ewert explained the need for street trees but also recognized the church was in a unique location because of the jog in the road. Chair Ewert also asked if there was any parking lot lighting. Pastor Schuknecht explained there were lights on the building which shine over the parking lot area.

Pastor Schuknecht said they are ok with pervious paving, sidewalks and had no problem putting in the pedestrian walkways. He said stormwater will be managed on site with splash pads and an underground rain drain.

Public comment

In favor: None

Neutral: Ron Johnston, said he and the surrounding neighbors want to be sure the lighting in the parking lot does not shine in their windows. He said they also do not want a bench because of the trash that gets left by people passing through.

No Opposition: None

Rebuttal: None

(Commissioner Joyce left the meeting at 7:40 pm.)

Commissioners discussed the private open space required for additional points in the design matrix.

Commissioner Tyler moved to approve the site and design review and conditional use with staff's recommendations with the following exceptions: 1) allowing the applicant the discretion of placing the five new trees at a convenient location that meets with their design; 2) there be a private, park-like open space seating area established; and 3) there be an appropriate official review their stormwater plan. Commissioner Kocher seconded. Motion passed 4-0.

4. **NEW BUSINESS - None**

5. **FINAL DECISIONS** (Note: Final written version of previous oral decision).

a. Site and Design Review/Conditional Use for Canby Evangelical Church located at 339 SE Township Rd. **(DR-12-02/CUP-12-01)**

Commissioner Slagle moved to approve Site and Design Review/Conditional Use for Canby Evangelical Church located at 339 SE Township Rd. **(DR-12-02/CUP-12-01)** as amended. Commissioner Kocher seconded the motion. Motion passed 4-0.

6. MINUTES

Approval of March 26, 2012 Regular Planning Commission Minutes

Commissioner Slagle moved approve to March 26, 2012 Planning Commission Minutes as submitted. Commissioner Smith seconded. Motion passed 4-0.

7. ITEMS OF INTEREST/REPORT FROM STAFF

Mr. Brown reported on the current activities taking place in the planning and building area.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

9. ADJOURNMENT @ 8:15 pm