#### AGENDA

#### CANBY PLANNING COMMISSION

# REGULAR MEETING City Council Chambers

Monday, August 23, 1993

7:30 p.m.

T	ROLL	CATT
I.	KULL.	CALL

#### II. MINUTES

July 26, 1993 August 9, 1993

#### III. CITIZEN INPUT ON NON-AGENDA ITEMS

- IV. COMMUNICATIONS
- V. FINDINGS

CPA 93-01/ZC 93-01 - Northwood

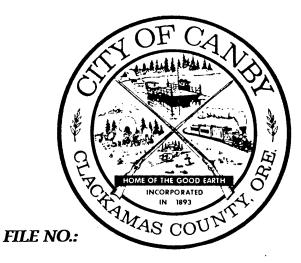
- VI. NEW BUSINESS
- VII. COMMISSION DISCUSSION OF PLANNING ISSUES

#### VIII. PUBLIC HEARINGS

MLP 93-02, an application by Kevin Howard (applicant) and Wilhelm Guttormsen (owner) for approval to partition a 7.41 acre site into two parcels containing 3 acres (Parcel 1) and 4.41 acres (Parcel 2), respectively. The applicant intends to develop Parcel 1 into a 300-unit self-storage facility, which will include an office, restrooms, and an apartment. The facility will be paved, lighted, well-landscaped, and include electronic security. The parcel is located on the south side of Highway 99-E, near the Logging Road Bridge (Tax Lot 300 of Tax Map 3-1E-34C).

- IX. DIRECTOR'S REPORT
- X. ADJOURNMENT





#### **APPLICANT:**

Kevin Howard 12033 NE Marx St. Portland, OR 97220 MLP 93-02

#### **OWNER:**

Wilhelm Guttormsen 1233 S.E. 1st Avenue Canby, OR 97013

#### STAFF:

James S. Wheeler Assistant Planner

#### **LEGAL DESCRIPTION:**

Tax Lot 300 of Tax Map 3-1E-34C

#### DATE OF REPORT:

August 13, 1993

#### LOCATION:

1233 SE 1st Avenue South side of Highway 99-E, immediately east of Mollala Logging Road

#### DATE OF HEARING:

August 23, 1993

# COMP. PLAN DESIGNATION:

ZONING DESIGNATION:

Commercial/Manufacturing

C-M (Heavy Commercial/Manufacturing)

# I. APPLICANT'S REQUEST:

The applicant is requesting approval to partition a 7.41 acre parcel into two parcels, 3.0 acres and 4.41 acres, respectively. The intention is to develop the proposed parcel 1 immediately with self-storage facility, and to leave parcel 2 for future development.

#### II. APPLICABLE CRITERIA:

This is a quasi-judicial land use application. In judging whether a Minor Partition should be approved, the Planning Commission must consider the following standards:

- A. Conformance with the text and the applicable maps of the comprehensive plan;
- B. Conformance with all other requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties;
- D. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to City standards is not necessary to insure safe and efficient access to the parcels;
- E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

#### III. OTHER APPLICABLE CRITERIA

A.	16.30.030	Development Standards in C-M Zones
B.	16.56	General Provisions (for land divisions)
C.	16.60	Major or Minor Partitions
D.	16.62	Subdivisions - Applications
E.	16.64	Subdivisions - Design Standards

#### IV. FINDINGS:

# A. Location and Background

The subject property is identified on the Clackamas County Assessor's Map as Tax Lot 300 of Tax Map 3-1E-34C. It is located on the south side of Highway 99-E, at 1233 S.E. 1st Avenue. The property consists of approximately 7.41 acres. There is approximately 130 feet of frontage along Highway 99-E. The entire parcel is zoned C-M, Heavy Commercial/Manufacturing. The existing single family residence will remain on proposed parcel 2.

# B. Comprehensive Plan Consistency Analysis

#### i. Citizen Involvement

■ GOAL: TO PROVIDE THE OPPORTUNITY FOR CITIZEN INVOLVEMENT THROUGHOUT THE PLANNING PROCESS.

### <u>ANALYSIS</u>

The notification process and public hearing are a part of the compliance with adopted policies and process regarding citizen involvement.

#### ii. Urban Growth

■ GOAL: 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, WITH IN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.

## **ANALYSIS**

The project is entirely within the City limits and within the Urban Growth Boundary. The project meets the intent of Canby goals and

policies regarding the Comprehensive Plan Urban Growth Chapter.

#### iii. 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.
- Policy #1 Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.
- Policy #2 Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.
- Policy #3 Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.
- Policy #5 Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.

#### <u>ANALYSIS</u>

The property is zoned C-M, which is consistent with the land use map of the Comprehensive Plan. The property is currently used for a single family residence. The proposed parcel 1 of the partition (3.0 acres) is intended to be developed with a self-storage facility. The proposed use is consistent with uses permitted outright in the zone. The size of parcel 1 proposed in the partition is intended to be large enough to accommodate the self-storage facility (approximately 38,000 square feet of buildings) and to permit the proper setback distances for the existing single family residence, which will be located on proposed parcel 2.

There are industrial uses adjacent to the subject parcel on the west side. The highway is located to the north and the Mollala Logging Road (City-owned) and the Mollala Rail Spur (privately owned) are located immediately to the east. To the south is vacant land that is zoned and expected to be developed with industrial uses.

## iv. Environmental Concerns

■ GOAL: 1) TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

2) TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION. TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

Policy #2-R	Canby shall maintain and protect surface water and groundwater resources.
Policy #3-R	Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.
Policy #4-R	Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.
Policy #7-R	Canby shall seek to improve the overall scenic and aesthetic qualities of the City.
Policy #8-R	Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.

### **ANALYSIS**

On-site disposal of storm water will be required of any development. The predominant soil is Latourell loam, which is suitable for building sites. State and Local Code requirements regarding air, water, and noise pollution will be required of the development and construction. State laws and local regulations will require development to meet standards to prevent air, water, land and noise pollution.

Development of the parcels will require Site and Design Review, which will cover architectural appearance, access, parking, and landscaping for the proposed development.

# v. Transportation

■ GOAL: TO DEVELOP AND MAINTAIN A TRANSPORTATION SYSTEM WHICH IS SAFE, CONVENIENT AND ECONOMICAL.

Policy #1: Canby shall provide the necessary improvement to City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.

Policy #2: Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the city's growth needs.

Policy #4: Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.

Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.

## <u>ANALYSIS</u>

Access for proposed parcel 1 will be from Highway 99-E. An access permit from the State Department of Transportation will be required. Access for proposed parcel 2 will be from S.E. 2nd Avenue and eventually from S.E. 3rd Avenue. The City controls access to S.E. 2nd Avenue from the subject parcel. S.E. 3rd Avenue will be an industrial access road, and will be constructed as a part of the Logging Road Industrial Park development project.

A sidewalk will be needed across the full frontage of the subject parcel. Because of the anticipated development of proposed parcel 1, the sidewalk can be constructed as a part of the development of parcel 1. By allowing this requirement to be fulfilled through an approved Site and Design Review plan, the actual construction of the sidewalk can occur after the major development construction, as is the normal process.

## vi. Public Facilities and Services

■ GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

Policy #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

#### <u>ANALYSIS</u>

All public facilities are available for the proposal with adequate capacity. Utility easements will need to be provided around the partitioned lots to allow for utility services to be provided to surrounding lots. The water main and fire hydrants will need to be extended to the subject parcel as a part of the development of proposed parcel 1. A water line will need to be extended south through both parcels 1 and 2.

#### vii. Economic

■ GOAL: TO DIVERSITY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.

Policy #2: Canby shall encourage further commercial development and redevelopment at appropriate locations.

Policy #3: Canby shall encourage economic programs and projects which will lead to an increase in local employment opportunities.

### **ANALYSIS**

The partition of the land will facilitate the further commercial and industrial development in this area of Canby. Proposed parcel 1 will be the only parcel with visibility from Highway 99-E. Thus,

commercial development is more appropriate than industrial development. Mini-storage is a hybrid of commercial (consumer rental) and industrial (warehousing) uses and not the most intensive commercial use possible for the limited highway visibility. However, the City is not in the position of dictating specific uses for specific parcels of land other than whether or not they conform to the zoning regulations, and the application before the City is for a partition. The partition will allow more flexibility in how the land is utilized according to the zoning classification.

### viii. Housing

■ GOAL: TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.

#### **ANALYSIS**

The partition of the subject property will not directly affect housing negatively or positively. Additional commercial development will help support the services provided to residential development.

# ix. Energy Conservation

- GOAL: TO CONSERVE ENERGY AND ENCOURAGE THE USE OF RENEWABLE RESOURCES IN PLACE OF NON-RENEWABLE RESOURCES.
- Policy #1: Canby shall encourage energy conservation and efficiency measures in construction practices.
- Policy #2: Canby shall encourage development projects which take advantage of wind and solar orientation and utilization.
- Policy #3: Canby shall strive to increase consumer protection in the area of solar design and construction.
- Policy #5: Canby shall continue to promote energy efficiency and the use of renewable resources.

# **ANALYSIS**

The Solar Access Ordinance does not apply to commercial buildings in commercial zones. The State has rules which encourage energy conservation through design and construction methods.

# Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan:

Based upon the above described analysis, the proposal is consistent with or can, with conditions, be made consistent with the policies of the Comprehensive Plan.

# C. Overall Design of Parcels

The configuration of the partition will allow for proper setback distances for residential construction on parcel two, and will provide sufficient setback distances for the existing building on parcel one.

#### V. CONCLUSION

- 1. Staff finds that the partition request, with appropriate conditions, is in conformance with the Comprehensive Plan and the Municipal Code.
- 2. Staff concludes that the overall design of the proposed partition will be compatible with the area and will provide adequate building area for the provision of public facilities and services for the lots.
- 3. Staff concludes that, with appropriate conditions, the overall design and arrangement of the proposed parcels are functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
- 4. Staff concludes that all necessary public services will become available through the development of the property, to adequately meet the needs of the proposed land division.

## VI. RECOMMENDATION

Based upon the findings and conclusions in this report, and without benefit of public hearing, staff recommends approval of MLP 93-02, subject to the following conditions:

### For the Final Plat:

- 1. A final partition plat modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application -- City of Canby, Planning Department, File No. MLP 93-02.
- 2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. Said partition map shall be recorded with the Clackamas County Surveyor and Clackamas County Clerk, and a copy of the recorded map shall be provided to the Canby Planning Department.
- 3. All monumentation and recording fees shall be borne by the applicant.
- 4. Permanent utility construction and maintenance easements including, but not limited to, electric and water cables, pipeline conduits and poles shall be provided as follows:

6 feet in width along interior lot lines; and,

12 feet in width along exterior lot lines.

# Prior to the signing of the Final Plat:

5. The access for parcel one onto Highway 99-E shall be approved by the State Department of Transportation prior to the signing of the partition plat.

# Prior to the issuance of a building permit for parcel 1 or 2:

- 6. A new deed and legal description for the new parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
- 7. All utilities, including water and fire hydrants, must meet the standards and criteria of the providing utility authority.

# Prior to the issuance of a certificate of occupancy for parcel 1:

- 8. A sidewalk shall be constructed for the full frontage along Highway 99-E. The sidewalk shall be constructed prior to the occupancy of any development on parcel one.
- 9. A 10" water main shall be constructed from the existing 6" steel water main approximately 195 feet west of the western property line along Highway 99-E.
- 10. An 8" water main shall be constructed from the 10" water main in Highway 99-E south to the southern property line of parcel 2.
- 11. The approval of this minor land partition does not constitute an approval of the development of the land for a mini-storage facility. Any development of the subject parcel must be accompanied by a Site and Design Review approval.

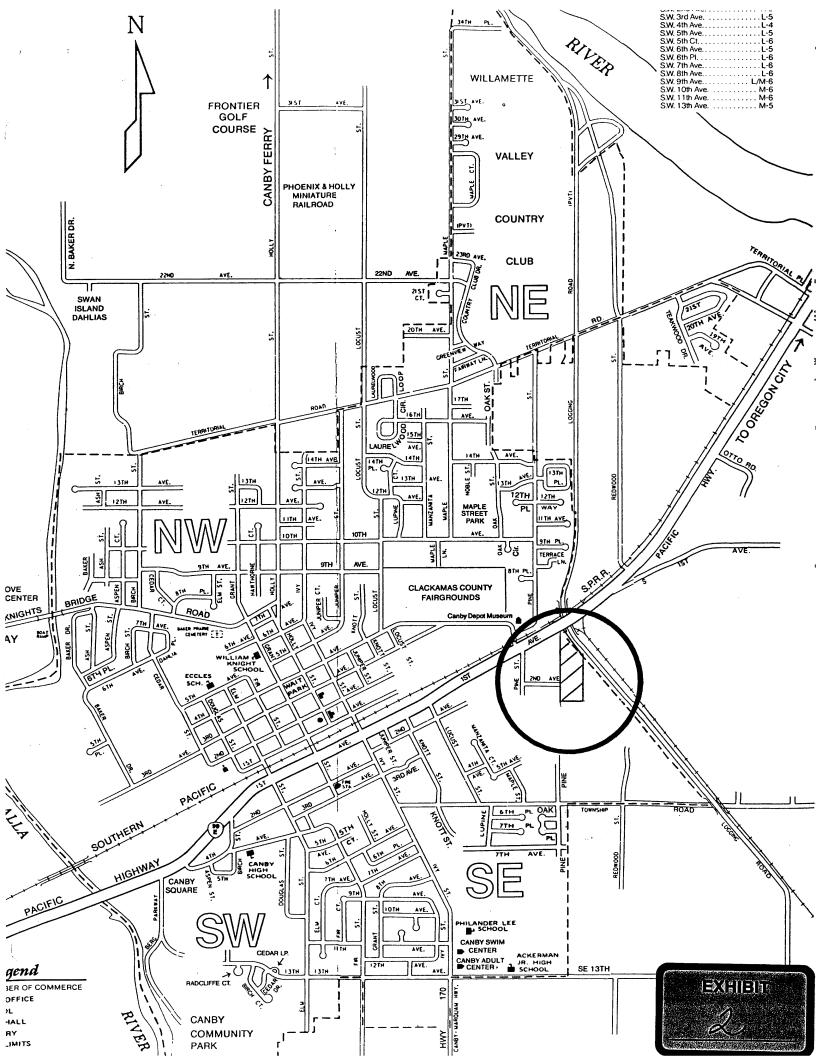
#### Exhibits:

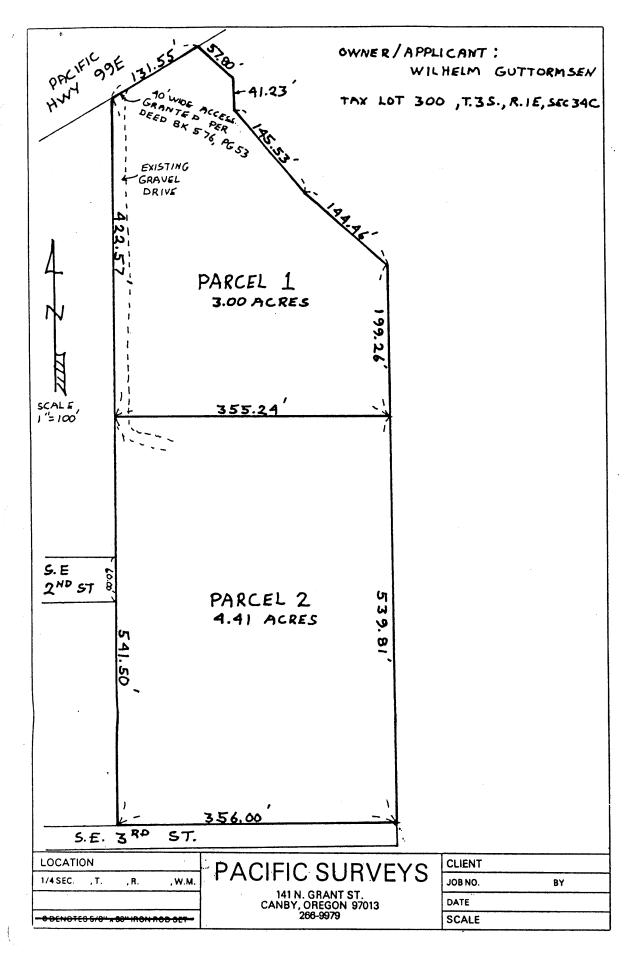
- 1. Application
- 2. Vicinity Map
- 3. Partition Plat
- 4. Request for Comments

# R LAND PAIRTITION APPILIT

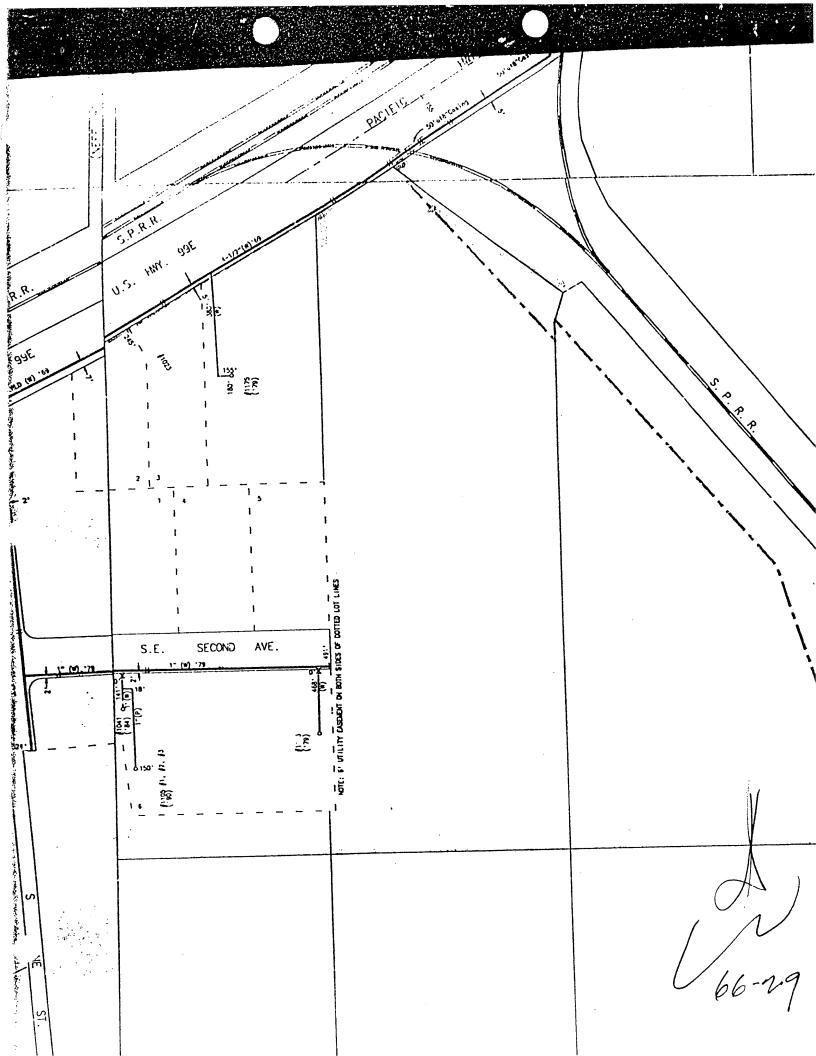
OWNER	APPLICANT
	Name Kevin Howard
Name Wilhelm Guttormsen	Address 12033 NE Marx St.
Address 1233 SE 1st Ave	City Portland State OR Zip 97220
City Canby State OR Zip 9/013	Phone: 255-5621
City <u>Canby</u> State <u>OR</u> Zip <u>97013</u> Signature: WA Huttornian	1 none.
DESCRIPTION OF PROPERTY:	
Tax Map R31E34C Tax Lot(s) 0306	Lot Size /.0 dcres
or	(Acreson, Fil)
Water and Pounds (Attach Conv.)	
Legal Description, Metes and Bounds (Attach Copy) Plat Name	Lot Block
	<u> </u>
PROPERTY OWNERSHIP LIST	·
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Attach a list of the names and addresses of the own	ers of properties located within 200 feet of the subject ferent from the situs, a label for the situs must also be
prepared and addressed to "Occupant"). Lists of pro-	operty owners may be obtained from any title insurance
company or from the County Assessor. If the prope	erty ownership list is incomplete, this may be cause for
postponing the hearing. The names and addresses a	are to be typed onto two (2) 8-1/2 x 11 sheets of
labels, just as you would address an envelope.	
USE	
Existing Single family resid Propo	sedFirst Class Self Storage Facility
Existing Structures	
PROJECT DESCRIPTION	tends to develop the property into a
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water sewer schools. A modern	self-storage facility is much needed in
area.	
ZONING C-M COMPREHENSIVE PL	AN DESIGNATION <u>(- M)</u>
PREVIOUS ACTION (if any)	<u> </u>
File No	
Receipt No. 2388	
Received by $9^{5}\omega$	
Date Received 7 120143	3
Completeness Date	
Pre-Ap MeetingHearing Date < 12.14.3	
Hearing Date & Exterior	

If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application.









xw 5/4/43

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

**DATE: July 23, 1993** 

TO: CUB, PUBLIC WORKS, FIRE, POLICE, SEWER, TOM PIERSON (TELEPHONE CO.)
TODD SCHMIT (NW TELECOM), GARY HYATT (NW NAT. GAS), OREGON DEPT. OF
TRANSPORTATION, MIKE JORDAN, JOHN KELLY

The City has received MLP 93-02, an application by Kevin Howard (applicant) and Wilhelm Guttormsen (owner) for approval to partition a 7.41 acre site into two parcels containing 3 acres (Parcel 1) and 4.41 acres (Parcel 2), respectively. The applicant intends to develop Parcel 1 into a 300-unit self-storage facility, which will include an office, restrooms, and an apartment. The facility will be paved, lighted, well-landscaped, and include electronic security. The parcel is located on the south side of Highway 99-E, near the Logging Road Bridge (Tax Lot 300 of Tax Map 3-1E-34C).

We would appreciate your reviewing the enclosed application and returning your comments by August 6, 1993 PLEASE. The Planning Commission plans to consider this application on August 23, 1993. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:
;
Adequate Public Services (of your agency) are available
Adequate Public Services will become available through the development
Conditions are needed, as indicated
Adequate public services are not available and will not become available
Signature: Hayfort NW Matural Las Date: 8/5/95

9121 3

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**DATE:** July 23, 1993

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# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

RECEIVED

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CITY OF CANBY

DATE: July 23, 1993

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Comments or Proposed Conditions:

. . . /

Water main will weed to be extended into subject
Darcel and fire hydrants will be needed for fire
protection for proposed development.
Size of main and location of hydrants shall be
decided after drawings have been submitted to this
office,
Access to project for emergency vehicles will also
be addressed once drawings are received.
Adequate Public Services (of your agency) are available
Adequate Public Services will become available through the development
Conditions are needed, as indicated
Adequate public services are not available and will not become available
Signature: Jack Stark Carby Fix Marshal Date: 7-28-93

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**DATE: July 23, 1993** 

TO: (CUB.) PUBLIC WORKS, FIRE, POLICE, SEWER, TOM PIERSON (TELEPHONE CO.)
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and a B" water maso from the proposed New 10" main South along the
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Syw of these water Main must be appared by CUR Staff. ( See book of Pago
Adequate Public Services (of your agency) are available
Adequate Public Services will become available through the development
Conditions are needed, as indicated
Adequate public services are not available and will not become available
Signature: Date: 8-9-93

- (2 Continued) curs will Reinburge the Leveloper for any oversizing of water mains as spelled out in Cub's "Water System Master Planning System Development Charge Methodology"
- 3. At present, CUB has No electric system facilities on or through the subject property. Electric System design will provided by CUB and all trenching for said design and back All For same. Must be provided by the developer.
- 4. There are many cost for development of municipal water and electric systems to canby that will be born by the developer. A pre-design meeting should be held by the developer with all public service providers so that costs and regularized.



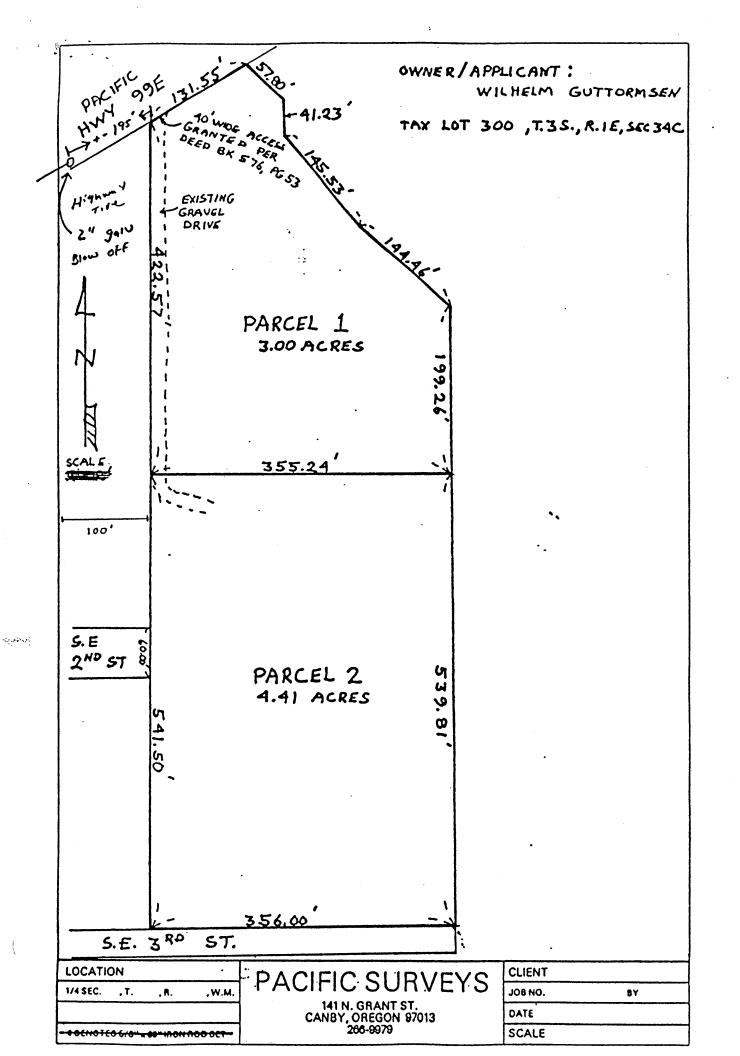
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FAX (503) 688-8994 FAX	(503) 287-2533 FAX (	503) 779-5305 FAX (503) 639	-1271 FAX (503) 588-2918	FAX (503) 388-5450
Clackamas	Tacoma	Wenatchee	Lynnwood	Spokane

Clackamas (503) 788-8813 FAX (503) 788-9747

(206) 272-8445 FAX (206) 838-9592 Wenatchee (509) 662-7128 FAX (509) 663-0172 (206) 745-5700 FAX (206) 743-9244

Spokane • (509) 483-4552 FAX (509) 483-9128



# **PLANNING COMMISSION**

# **SIGN-IN SHEET**

Date:	<u>August</u>	<i>23</i> ,	<i>1993</i>
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NAME (Please Print)	ADDRESS (Please Print)
MICHAEL C. ROBINSON	900 SW FIFTH, PORTLAND 97204
·	