MINUTES
CANBY PLANNING COMMISSION
7:00 PM – April 11, 2016
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Commissioners John Savory, Larry Boatwright, Shawn Hensley, and John Serlet
ABSENT: Kris Rocha, Derrick Mottern, and Tyler Smith
STAFF: Bryan Brown, Planning Director, and Laney Fouse, Planning Staff
OTHERS: Scott Taylor, Aaron Jones

1. **CALL TO ORDER**
   Chair Savory called the meeting to order at 7:00 pm.

2. **CITIZEN INPUT** – None

3. **MINUTES** – None

4. **PUBLIC HEARING**
   a. Consider a request for a Site & Design Review/Major Variance for the proposed 174-unit Sequoia Grove Apartments (DR/VAR 16-01)

   Chair Savory opened the public hearing and read the public hearing format.

   Bryan Brown, Planning Director, presented the staff report. This was a site and design review for the Sequoia Grove Apartments in the Industrial Park on Sequoia Parkway. He discussed the previous zone change for the property. The traffic study found that the existing left turn bay from 99E onto Sequoia Parkway was deficient in stacking capacity. ODOT requested that the applicant pay a proportionate share of the restriping so the left turn bay could be extended to a minimum of 300 feet. The restriping would be about $10,000 and required the applicant to pay a 7% share of the cost, which was $750. The applicant would also be giving 4% of the estimated costs of the traffic signal at Hazel Dell Way and Sequoia Parkway which was in the zone change application. The estimated cost was roughly $630,000 and the applicant would contribute around $25,000. The Fire Marshall made a recommendation that the project meet the 2014 Oregon Fire Code Appendix C for hydrant spacing. Two additional public comments had been received since the staff report. One was from the Fire Marshall as he just discussed and the other was from Trend Business Center, the adjacent business owner, who was in support of the application and the proposed driveway spacing. Other comments had been received from Dr. Perman who owned a business nearby and he thought it would be good to have an overpass to connect the pedestrians to the Logging Road Trail. That idea had been discussed during the rezoning application, but had not been pursued because of the intervening property owner between the Logging Road and Dr. Perman's property was opposed to the idea and an overpass was not practical as it would have to

meet ADA requirements and there was not enough space to do it. He then explained the location of the apartments, how they wanted to build 26 units per acre to make 174 units total, discussed the site plan, community center, decorative fence around the complex, 25 foot dwelling unit setback around the property line, and 20 foot pedestrian easement for the property adjacent to Fred Meyer. One of the variances they were requesting had to do with the B6 building partially encroaching five feet into the 25 foot setback. The setback was a condition of the rezoning application to reduce the impact of the railroad track's noise and vibration, not a Code requirement. There was another encroachment where the garage units were located, but there was no requirement for garage units to have a setback. The efficient layout had maximized the amount of dwelling units and parking spaces. The City required a landscape island in the parking lot or for every eight spaces. The applicant had far exceeded the parking lot landscape requirements without using the landscape islands and had requested a variance to the requirement. If they had to remove some of the parking spaces to meet the landscape island requirement, the applicant would not be able to meet their desired parking ratio and potentially might not meet the minimum ordinance requirement. The length of two of the buildings slightly exceeded the maximum 120 foot length allowed for multi-family structures. A third building that had the attached garages also exceeded the length due to the garages. There were two connecting sidewalks to Sequoia Parkway and staff wanted to make sure there was a separate gate for pedestrians to use so they would not have to walk through the vehicular gate. Staff also wanted to know how the vehicular gates would work at both entrances. He then discussed the layout of the proposed community center and explained the Conditions of Approval and landscape plan. Staff recommended approval of the application with conditions and the variances requested.

Applicant: Scott Taylor, SGA Engineering, and Aaron Jones, Urban IDM, were representing the applicant. Mr. Jones discussed the design of the fencing which would be a metal open fence all the way around. There would be a number of pedestrian gates around the property. There would be landscaping in front of the foundation, not grass. Mr. Taylor said they would be native plants and the applicant would provide a final landscape plan as well as the gate and fencing style and how emergency services could gain access. A monument type sign would be applied for in the future. The specific lighting structures and their output would be in the final plan as well. The replatting had not taken place yet for the five acre industrial parcel. He clarified the variance for the building setbacks for the B6 and A12 buildings and the garages which also had dwelling units above them. They would maintain the 15 foot landscape buffer. A sound study was done, and there was not a concern regarding the noise from the train tracks. The park entrance would remain the same, but the current exit to the park would be redesigned to exit from the community center and open public parking. There would also be a pedestrian gate providing access to the park and to Fred Meyer.

Proponents: None.

Opponents: David Jones, CEO of JV Northwest, was concerned about the noise. His business ran 24 hours a day, seven days a week and the company would be very close to these apartments. This was a growing company and he was concerned about residential being so close to this manufacturing company. They could write in the lease that residents could not complain, but it seemed like a bad idea.

Commissioner Boatwright said that issue was discussed when the rezoning application came before the Planning Commission. The Planning Commission recommended denial, but the Council approved it. He shared the same concerns.

Neutral Testimony: None.

Rebuttal: Mr. Jones said the noise and vibration impact study found that the overall site was quiet and the noise was within the acceptable criteria. The noise issue was duly noted and they would take the proper steps through construction to reduce noise. Mr. Taylor said Condition #10 talked about deed restrictions and acknowledging the pre-existing conditions and not allowing for complaints. Mr. Jones said there would be a buffer of light industrial next to the apartments as well.

Chair Savory closed the public hearing.

Commissioner Serlet thought the noise would be an issue, but there was no good answer except being up front about it to potential residents. He thought it was a good location for shopping and services for people who did not have a vehicle.

Commissioner Hensley also was concerned about the noise, but he did not think there was anything they could do about it.

Commissioner Boatwright agreed with Commissioner Hensley.

Chair Savory also agreed about the noise created by industrial properties, and thought people should know about it when they moved in, but that would not stop them from complaining about it. He thought JV Northwest's operation was loud. He wanted to make sure JV Northwest and other businesses in the area were protected.

Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Serlet to approve DR/VAR 16-01 with conditions. Motion passed 4/0.

5. **NEW BUSINESS** – None

6. **FINAL DECISIONS**
   a. DR/VAR 16-01 Sequoia Grove Apartments

   Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Boatwright to approve the final decisions for DR/VAR 16-01. Motion passed 4/0.

7. **ITEMS OF INTEREST / REPORT FROM STAFF**
   a. Next regular Planning Commission meeting scheduled for Monday, April 25, 2016

8. **ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION** – None

9. **ADJOURNMENT**

   Motion: Commissioner Hensley moved for adjournment, Commissioner Serlet seconded. Motion passed 6/0. Meeting adjourned at 8:22 pm.

The undersigned certify the April 11, 2016 Planning Commission minutes were presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 23rd day of May, 2016

Bryan Brown, Planning Director

Laney Fouse, Meeting Recorder

Assisted with Preparation of Minutes – Susan Wood