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Public Hearing held at Molalla Adult Center, 315 Kennel Street, Molalla, OR 97038

**I. Call to Order**

Chairman Boreth called to order the regular meeting of the Molalla Planning Commission at 6:00 on April 4, 2011.

**II. Roll Call**

Commissioners: Jerome Beattie, present; Scott Benthin, present; Glen Boreth, present; Roger Gates, present; Bill Hood, absent (excused); Mary Lynn Jacob, present; Melanie Maben, present; Bob Trexler, present. (Danna Jacober-resigned in March 2011).

City Staff: Shane Potter, present.

**III. Flag Salute**

**IV. Public Comment Period**

**V. File No.: CA 2010-1 Public Hearing**

Legal Description: Township 5 South, Range 2 East, Section 8DD, Tax Lots 09300 and 09400

Applicant/Owner: Vest Properties LLC.

Proposal: Comprehensive Plan Map Amendment, Zone Change, Site Design Review, Partition, and Conditional Use to change land currently light industrial to commercial land to develop a 164 multi-family dwelling units and nearly 30,000 square feet of commercial space.

Chairman Boreth explained the Quasi Judicial Land Use Procedure:

1. The hearing will proceed in the following general order: staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, decision maker deliberation and decision.
2. A list of the applicable substantive criteria.
3. All testimony, arguments and evidence must be directed toward the applicable substantive criteria, or other criteria in the Comprehensive Plan or Land Use Regulations, which the person believes to apply to the decision.
4. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria must be listed and discussed on the record.
5. The decision maker may reasonably limit oral presentations in length or content depending upon time constraints.

6. Any party may submit written materials of any length while the public record is open.
7. Failure to raise an issue on the record, with sufficient specificity and accompanied by statements or evidence sufficient to afford the City and all parties to respond to the issue, will preclude appeal on that issue to the Land Use Board of Appeals.
8. Failure by the applicant to raise constitutional or other issues relating to the proposed conditions of approval, with sufficient specificity to allow the City to respond to the issue, precludes an action for damages in Circuit Court.
9. Any party wishing a continuance or to keep open the record must make that request while the record is still open.
10. The Hearings Officer or chair shall call for any ex-parte contacts, conflicts of interest or bias before the beginning of each hearing item.

Commissioner Gates moved to open the public hearing. Commissioner Trexler seconded. Motion carried (7-0)

Chairman Boreth asked the Planning Commission if there has been any Ex Parte Communication\*.

Commissioner/Secretary Maben read the ex-parte communication description aloud for members of the Commission and the public.

Hearing no ex parte communication, nor challenges from the audience, Chairman Boreth opened the hearing to Planning Director Potter.

City Planning Director Potter gave a background on the application, which was listed in the staff report. He also advised that this hearing needs to be rescheduled as a continuance and proposed May 9<sup>th</sup>, 2011 as the continuance date. He further advised that the city provided an option for SDC waivers, the Planning Commission is not the body that waives these fees nor are they applicable to a land use decision. He explained a "quick response" and explained that this was to be part of the procedure. ODOT (Oregon Department of Transportation) has several concerns regarding traffic for this proposal, and this is the reason to again postpone the hearing regarding CA 2010-1 to allow for further findings from the applicant to present to ODOT. Staff stated that they have talked with the applicant who is in favor of this continuance as well.

Planning Director Potter addressed some concerns on the fast food restaurant. The design submitted by the applicant does not meet the requirements for the fast food restaurant and need to be further explored. (see page 22 of the staff report). Also, page 165 addresses some engineering items. He advised of the 102 recommendations as listed below.

Planning Director passed out material to the Commissioners as documents submitted into the record. To be known as Exhibits 1,2 and 3. (Exhibit 1=ODOT letter; Exhibit 2=TGM Quick Response Program; Exhibit 3= Letter from Avison Lumber).

Chairman Boreth asked about park requirements and in lieu of and how the method of fees were figured.

Commissioner Beattie asked about condition #24. He asked where the park would be and if it was for the tenants and where the additional park space would be.

Planning Director Potter advised that there would be a park on the property and that there would be additional dollars for fee in lieu of that would be contributed as well. He further advised that when the meeting is held again he would further clarify these park issues to address concerns raised tonight. There was consensus to provide further park information.

Commissioner Gates asked if the park issue would be appropriate for the park board to address this additional park. His concern was children going to and from the parks and the safety issue involved.

Chairman Boreth advised there is a small park in the complex, which he felt would be used by the smaller children.

Director Potter advised that they have taken this into consideration. He asked if the Commission would like a letter from the Parks Board to be brought to the next hearing.

Commissioner Maben advised she did not feel that was necessary, but felt additional information of the proposed park and the in lieu of money would be nice for review.

Chairman Boreth felt that checking with the Park Board to see if they felt it was appropriate would be good.

Page 91 on the staff report explained the formula for the park space.

Commissioner Benthin expressed concern of adequate water and fire hydrants.

#### **PUBLIC TESTIMONY**

APPLICANT- Mark Grienz from Multi-Tech Engineering Salem, Oregon. He advised he was representing the engineering team for Vest Properties. He advised that the staff report was very accurate. He explained they have been working with the applicant for approximately 18 months. He also advised that it was felt additional multi-family was a need for the community, particularly in these economic times. It was felt that along with that, commercial uses would be a good fit for the area. He explained they contacted the city for procedures to obtain the goal of this application. He advised that a traffic analysis has been done and that ODOT wanted to use the rapid response approach. He stated that ODOT felt it met goals of the state, city and applicant. He explained the process of their application. He advised that they are prepared to make adjustments for the fast food site drive thru. He felt that within the 5-weeks, he hoped to have a better plan for the proposal. He felt that they can comply with ODOT requirements for Main Street (Hwy. 211). They have no objection for the continuance date and felt they would

be able to meet the deadlines. He advised that if given specific information on the fire hydrants, that they should be able to satisfactorily meet the Commission's request. He advised that of the 102 conditions from staff, he felt they were reasonable and would not be a problem.

Commissioner Maben asked if they were aware of the letter from Avison Lumber (exhibit 1). Director Potter advised this was just received and that they will receive a copy and it will be addressed at the continuance.

#### COMMENTS IN FAVOR OF APPLICATION

There were none.

#### COMMENTS IN OPPOSITION OF APPLICATION

Gary Deardorff, 39800 S. Cooper Rd., Molalla, OR.-He expressed concerns of the environmental impact and asked if a study has been done in this area. He advised he has heard about possible traffic signals and that will be detrimental to parking inside the city. He felt it would be devastating to the existing town. He also asked about the parks and that Fox Park is not easily accessible for children. He was really concerned about the core of downtown, most particularly parking. What happens to the businesses in town. He advised he liked the project, but was concerned about the existing town.

Commissioner Maben advised she has not heard of a proposed traffic light going in for this project, but that in order to safely meet the needs of the traffic impact that it was something she felt would need to be addressed. She further advised that we need to see what ODOT and the applicant provides with additional information and that preventative measures should be addressed to keep parking available.

Commissioner Beattie advised that Molalla needs to grow; and stated that there would eventually have to be a light placed in the future.

Gary Deardorff stated that it is putting the cart before the horse and that the city is not ready at this point.

#### NEUTRAL TESTIMONY

Amy Koski, of TEAM, 112 Engle Avenue passed out a letter for record (exhibit 4) and will read aloud. She advised they are not opposed to the project, but have some concerns. Traffic and the truck route, being one of the concerns. Also multifamily being adjacent to commercial and industrial properties. She encouraged litigation of park space for the children that would live in the project. Also to ensure providing economic development stimulus for jobs.

Curt Gibson, advised he was a real estate developer in the Portland area and he noticed the number of this item as being 2010-1, so that there has not been a lot going on. He

explained that when this type of housing developments coming in, it has a big impact on the community. Parking, SDC's, etc., benefits the community in the most part.

#### APPLICANT REBUTTAL

The applicant wished to save his rebuttal for the continuance hearing. He felt that ODOT looked at the downtown traffic situation, but he was not sure of that and that he can provide more information at a later time. He explained that cities either grow or they die. Growth brings good things such as new business, shopping opportunities, etc., but with that comes additional traffic.

Gary Deardorff, advised that he feels the project would be good for Molalla, but wants all things considered. He wanted to be sure that the Planning Commission takes all things into consideration and to be aware of potential problems.

#### CITY STAFF

Planning Director Potter asked the Commission turn to page 155, which explains minimum amount of park space. He advised all park areas need to be considered. He addressed the parking in the downtown area; advising that the growth issue has been a concern for some time. The downtown problem as identified in the Streetscape Plan is an issue and has been operating at either a D and/or F level. ODOT has been addressing this issue with the city as to when and how we are going to do it. He felt that at the continued meeting this area will be addressed. Most traffic areas are going to be impacted. He also advised that it is true that Section Street does have signage stating "truck route", he is not sure how or when this came about and that ODOT and the City will be addressing this. He further advised that SDC's are not the decision of the Planning Commission. He stated that parks and transportation elements will be addressed in detail on these issues. He will do an edited report so that the Commission can clearly see what the changes are.

Chairman Boreth asked if there were further questions by the Commission at this point.

There were none.

He also asked if there was additional testimony.

There was none.

Commissioner Mary Lynn Jacob moved to continue the hearing to Monday, May 9<sup>th</sup> at 6:00 p.m. Commissioner Maben seconded. Motion carried (7-0).

Commissioner Beattie moved to close the public hearing. Commissioner Trexler seconded. Motion carried (7-0).

(print in Garamond, size 11 is quoted from the staff report)

There is a long history to how this application came to be. In order to provide the easiest understanding of the time frame staff will provide a bulleted list of events.

- In 2007 the City of Molalla received a grant to complete a Downtown and Oregon 211 Streetscape Master Plan. This plan shows how property around the downtown could be better utilized. The plan also shows the streetscape design of properties along Highway 211. While this was originally suppose to be a master plan consultation with ODOT and City staff soon determined that the way the plan was written would be difficult for people to use therefore ODOT and staff agreed to use this document as a supporting document.
- On December 9, 2009 the City Council adopted an ordinance (Ordinance Number 2009-08) which established a moratorium on SDC's for development in the Commercial and Industrial zones.
- On February 12, 2010 the City issued a report on the pre-application conference to the applicants.
- On May 4, 2010 the City received a formal application from the applicant's engineers.
- On June 3, 2010 the City issued a letter stating that the applicant had not met the submittal criteria and listed the additional requirements to be met.
- In July of 2010 staff held a discussion with ODOT representative Sonya Kazen expressing some concerns due to the location and intensity and explained the potential for the City to receive grant monies to do a Quick Response.
- In July of 2010 the City and applicant met with representatives of the Quick Response and established a consensus to move forward with this application.
- On September 22, 2010 the City received approval for the Quick Response.
- On December 20, 2010 the City received additional material from the applicant to finalize the application.
- On January 18, 2011 the City deemed the application complete.
- In January of 2011 Staff contacted the Quick Response leader to express the cities frustrations on the time frame it was taking to complete the project.
- On February 21, 2011 the City received a rough draft of the Quick Response materials.
- On March 15 the City received a final draft of the Quick Response materials.
- On March 9, 2011 the City received a phone call from ODOT expressing additional concerns regarding potential problems with traffic onto the Highway. Staff contacted the applicant and explained the concerns at which time the applicant requested an extension of the originally scheduled March 14, 2011 hearing.
- On March 11, 2011 the City received an extension of the 120 day rule by 60 additional days.
- On March 14, 2011 the City held a public hearing and extended the hearing until April 4, 2011 with no additional notice being made at that time.
- On March 24, 2011 the City held a phone meeting with ODOT and the applicant to determine what issues still exist and a process to move forward.

This property lies between two streets Hart Street and Shaver Street. The property is long and narrow. The application shows the owner to be Troy Vest. The property is approximately 1,400 feet long by 240 feet wide. This property currently resides within the City limits of Molalla. The property is bordered to the south by a small piece of property. The uses within the area are mostly residential in nature with some industrial development existing to the southwest of the subject property. Nearby amenities include Molalla City hall which lies to the west (approximately 800 feet), Fox Park which lies to the east (approximately 626 feet), Long Park which lies to the northeast (approximately 1,360 feet), Molalla Middle School which lies to the northwest (approximately 2,340 feet), and downtown Molalla which lies directly adjacent to the subject property.

The staff report recommended approval of the consolidated application with the following conditions:

1. PLANS SHALL BE ADJUSTED TO ENSURE THAT THE PARKING AREA IS NOT PLACED BETWEEN THE BUILDINGS ALONG W. MAIN STREET (HIGHWAY 211). THIS WOULD MEAN THAT THE TWO BUILDINGS ALONG THE FRONT IDENTIFIED AS THE RESTAURANT AND THE FAST FOOD WOULD NEED TO BE ADJUSTED TO ENSURE PARKING IS NOT SET BETWEEN THE TWO USES.
2. BOTH LOTS WHICH LIE ON THE W. MAIN STREET FRONTAGE SHALL PROVIDE AN ACCESS TO THE BUILDING WITHIN 20 FEET OF THE CORNER IN ORDER TO MEET THE REQUIREMENTS OF CORNER BUILDING ACCESS.
3. THE BUILDING IDENTIFIED AS "FAST FOOD" IS NOT PROVIDING WINDOWS ALONG THE WALL LENGTH ON THE NORTH SIDE WHICH IS IN VIOLATION OF THIS CODE. THE APPLICANT SHALL ADJUST THE SITE PLANS TO PROVIDE FOR A MINIMUM OF 40 PERCENT IN WINDOWS (16.4 FEET).
4. OUTDOOR STORAGE IS SHOWN TO BE CHAIN LINK WITH SLATS. CODE REQUIRES ALL OUTDOOR STORAGE AREAS TO BE BUILT WITH LIKE MATERIAL OF THE PRIMARY STRUCTURE. THE APPLICANT SHALL PROVIDE DETAIL SHEETS WHICH COMPLY WITH THIS STANDARD.
5. APPLICANT SHALL PROVIDE A NEW LIGHTING PLAN WHICH SHOWS A FOOT-CANDLE OF 2 ALONG ALL PEDESTRIAN WAYS.
6. THE APPLICANT SHALL USE CUT-OFF LENSES OR HOODS TO PREVENT GLARE AND LIGHT SPILL-OFF FROM A PROJECT SITE ONTO ADJACENT PROPERTIES FOR ALL LIGHTING INSTALLED.
7. LIGHTING SHALL COMPLY WITH THE DARK SKIES CRITERIA OF THE MOLALLA MUNICIPAL CODE UPON INSTALLATION.
8. THE APPLICANT MUST RE-CONFIGURE OR REMOVE THE DRIVE THROUGH IN ORDER TO COMPLY WITH THE CRITERIA ESTABLISHED IN 17.3.190.
9. THE APPLICANT SHALL ESTABLISH A HOME OWNERS ASSOCIATION TO TAKE CARE OF THE COMMON AREAS FOR THE TOWNHOMES IF SAID TOWNHOMES ARE GOING TO BE SOLD INDIVIDUALLY. PROOF OF THE HOME OWNERS ASSOCIATION SHALL BE FILED WITH THIS CITY AND PLACED IN THIS FILE.

10. THE APPLICANT SHALL ADJUST THE PLANS FOR THE TOWNHOMES AND PLACE BAY WINDOWS OR BALCONIES AS REQUIRED IN 17.2.200 (A.3) OF THE MDC.

11. THE APPLICANT SHALL PROVIDE PORCHES ON THE TOWNHOMES AS REQUIRED BY 17.2.200 (A.4) OF THE MDC. SUCH PLANS SHALL BE REVISED AND RESUBMITTED TO THE CITY TO ENSURE COMPLIANCE.

12. THE PROPOSED TRASH RECEPTACLES SHOW A CHAIN LINK FENCE WITH SLATS. THE APPLICANT SHALL PROVIDE THE CITY WITH SCREENING WHICH RESEMBLES THE DEVELOPMENT OF THE SITE.

13. VISION CLEARANCE STANDARDS SHALL BE MET AT ALL TIMES.

14. TREE SIZES SHALL BE INCREASED TO A MINIMUM OF 2" AT TIME OF PLANTING.

15. SHRUBS SHALL BE INCREASED TO 5 GALLON IN SIZE. IF THE APPLICANT'S LANDSCAPE ARCHITECT/ENGINEER CAN SHOW THAT THERE IS NO REASON TO PROVIDE THIS SIZE SHRUB THE CITY WOULD TAKE SUCH EVIDENCE AS COMPLIANCE WITH THIS CRITERIA.

16. ALL LANDSCAPE ISLANDS SHALL BE A MINIMUM OF 15 FOOT IN WIDTH.

17. LANDSCAPE PLANS SHALL BE MODIFIED TO INCLUDE SHRUBS IN THE LANDSCAPE ISLANDS.

18. THE DEVELOPER SHALL BE RESPONSIBLE FOR ENSURING THAT THE PLANTING OF TREES INCLUDING SOIL PREPARATION, GROUND COVER MATERIAL, STAKING, AND IRRIGATION EXIST FOR TWO YEARS AFTER PLANTING. THE PROPERTY OWNER SHALL CONTINUE TO BE RESPONSIBLE FOR TREE CARE AFTER THE TWO YEARS AS REQUIRED BY THE MOLALLA DEVELOPMENT CODE AND OTHER PERTINENT CITY ORDINANCES AND REGULATIONS.

19. THE DEVELOPER SHALL ENTER INTO AN AGREEMENT AS DIRECTED BY THE PUBLIC WORKS DIRECTOR WHICH SHALL INCLUDE A FEE AS DETERMINED BY THE PUBLIC WORKS DIRECTOR FOR THE CARE OF ALL STREET TREES. THIS CONDITION SHALL BE COMPLETED PRIOR TO BUILDING PERMIT ISSUANCE.

20. THE APPLICANT SHALL PROVIDE DETAILS OF THE BICYCLE RACK DESIGN TO ENSURE COMPLIANCE WITH CODE. DETAILS SHALL SHOW HOW THE BICYCLE RACK IS DESIGNED TO SECURE THE FRAME AND AT LEAST ONE WHEEL, AND ACCOMMODATE A LOCKING DEVICE.

21. THE APPLICANT SHALL CHANGE THE DIMENSIONS OF 5TH STREET TO COMPLY WITH THE TRANSPORTATION PLAN WHICH (FIGURE 19) WHICH SHOWS THE FOLLOWING RIGHT OF WAY:

- 60 FOOT RIGHT-OF-WAY
- 6 FOOT BICYCLE LANES
- 8 FOOT SIDEWALK
- NO ON-STREET PARKING
- NO LANDSCAPE STRIP

SUCH RIGHT-OF-WAY SHALL BE APPROVED BY THE PUBLIC WORKS DIRECTOR AND PLANNING DIRECTOR PRIOR TO ANY CONSTRUCTION OR DEVELOPMENT BEGINS.



22. CURRENTLY ODOT AND THE APPLICANT ARE WORKING ON LANGUAGE TO ADDRESS POSSIBLE TRAFFIC CONCERNS ALONG HIGHWAY 211. STAFF DISCUSSED WITH BOTH ODOT AND THE APPLICANT LANGUAGE TO PLACE INTO THE RECORD WHICH WILL ADDRESS THE CONCERNS OF ODOT AND ENSURE ADEQUATE ENHANCEMENTS ARE DEVELOPED BASED ON TRIP COUNTS. IN ORDER TO COMPLY WITH THIS REQUIREMENT THE APPLICANT SHALL SUBMIT A LETTER TO ODOT FOR APPROVAL DEFINING THE TRIP CAPS AND IMPROVEMENTS. THEREFORE THE APPLICANT AND ODOT SHALL REACH AN AGREEMENT BASED ON TRIP CAPS FOR CERTAIN LEVELS OF DEVELOPMENT FOR THE HIGHWAY. THIS AGREEMENT IS MANDATORY TO COMPLY WITH THIS CONDITION OF APPROVAL. NO DEVELOPMENT OF THE SITE WILL OCCUR UNTIL BOTH ODOT AND THE CITY HAVE SIGNED OFF ON EACH BENCHMARK REACHED TO ENSURE NEW TRIPS GENERATED CAN BE HANDLED BY THE PROPOSED DEVELOPMENT. THIS CONDITION OF APPROVAL MAY NOT BE ALTERED OR CHANGED BY ANY OTHER AGREEMENT EXCEPT WITH THE JOINT AGREEMENT OF THE CITY, ODOT AND THE APPLICANT.

23. ALL UTILITIES SHALL BE PLACED UNDERGROUND.

24. THE APPLICANT SHALL BE REQUIRED TO PAY A FEE IN LIEU OF PARK IN THE AMOUNT OF \$318,199.00 TO COMPLY WITH THE PARK REQUIREMENTS OF THE PLAN. THE APPLICANT MAY REQUEST TO PLACE A PARK IN AN ALTERNATE AREA IN AN AMOUNT OF 4.68 ACRES IN ORDER TO SATISFY THE REQUIREMENTS OF THE PARK DEMANDS. SUCH A PARK SHALL BE SUBJECT TO CITY COUNCIL APPROVAL.

25. THE APPLICANT SHALL PROVIDE THE CITY WITH DETAILS ON THE TYPE AND HEIGHT OF THE OUTDOOR LIGHTING.

26. WINDOWS MAY NOT BE TINTED OR MIRRORED.

27. NO OUTDOOR MECHANICAL EQUIPMENT IS SHOWN BUT IF SUCH EQUIPMENT IS USED IT SHALL COMPLY WITH THE MOLALLA DEVELOPMENT CODE FOR SCREENING.

28. THE APPLICANT IS REQUIRED TO PROVIDE LANDSCAPING IN ADVANCE OF AN OCCUPANCY PERMIT OR SUBMIT A SURETY BOND EQUAL TO THE COST OF THE LANDSCAPING. THE PLANNING DIRECTOR WOULD REQUIRE THE APPLICANT TO SUBMIT A MINIMUM OF 3 BIDS TO THE CITY FOR SUCH LANDSCAPING EXPENSE. LANDSCAPING IS REQUIRED NO LONGER THAN 6 MONTHS FOLLOWING THE CERTIFICATE OF OCCUPANCY, IF A SURETY BOND IS FILED. IF INSTALLATION OF THE LANDSCAPING IS NOT COMPLETED WITHIN THE 6 MONTH PERIOD, THE SECURITY MAY BE USED BY THE CITY TO COMPLETE THE INSTALLATION.

29. PER THE AGREEMENT FOR SDC WAIVERS TO BE ELIGIBLE FOR THE WAIVERS THE APPLICANT IS REQUIRED TO HAVE BUILDING PERMITS ISSUED WITHIN 180 DAYS FROM THE DATE THE APPLICATION IS APPROVED.

30. THE APPLICANT SHALL BE REQUIRED TO SUBMIT FOR FINAL PLAT APPROVAL PRIOR TO ANY DEVELOPMENT ON THE SITE.

31. A PLAT NAME SHALL BE PROVIDED FOR REVIEW AT TIME OF FINAL PLAT SUBMITTAL. NO FINAL PLAT APPROVAL MAY TAKE PLACE UNTIL A PLAT NAME HAS BEEN APPROVED BY THE CITY.

32. ANY ALTERATION MADE FROM THIS APPLICATION MUST BE REVIEWED AND APPROVED BY PLANNING THROUGH PROCEDURES ESTABLISHED IN THE MOLALLA DEVELOPMENT CODE.

33. THE PARTITION PLAT SHALL BE VALID FOR A PERIOD OF TWO YEARS. FAILURE TO SUBMIT A FINAL PLAT WITHIN TWO YEARS SHALL RESULT IN A LAPSE OF THE PARTITION AND THE PARTITION APPROVAL, IF APPROVED, VOID.

34. THE SITE DESIGN REVIEW SHALL BE VALID FOR A PERIOD OF ONE YEAR. FAILURE TO SUBMIT BUILDING PERMITS WITHIN ONE YEAR SHALL RESULT IN A LAPSE OF THE SITE DESIGN REVIEW AND THE SITE DESIGN REVIEW APPROVAL, IF APPROVED, VOID.

35. SETBACKS FOR THE MULTI-FAMILY DEVELOPMENT SHALL BE INCREASED TO MEET THE MINIMUM STANDARDS OF 17.2.114. THE CURRENT STANDARDS ARE MOSTLY MET BUT THERE ARE 4 DIFFERENT BUILDINGS WHICH ENCROACH UPON THE REQUIRED SETBACKS.

36. PRIOR TO FINAL APPROVAL ON THE FINAL PLAT, ALL REQUIRED PUBLIC IMPROVEMENTS SHALL BE INSTALLED, INSPECTED, AND APPROVED. ALTERNATIVELY, THE APPLICANT SHALL PROVIDE A PERFORMANCE GUARANTEE, IN ACCORDANCE WITH CHAPTER 19.1.840 OF THE MOLALLA DEVELOPMENT CODE.

THE CONDITIONS OF APPROVAL BELOW SHALL BE COMPLETED AND REVIEWED AT THE TIME OF ENGINEERING REVIEW BEFORE THE PUBLIC WORKS DIRECTOR:

37. CONSTRUCTION OF DRIVEWAYS SHALL MEET THE REQUIREMENTS OF 18.1.200(K).

38. MARKED CROSSINGS SHALL HAVE CONTINUOUS, DETECTABLE MARKINGS, NOT LESS THAN 36 INCHES WIDE USING TEXTURAL MATERIAL THAT IS FIRM, STABLE, SLIP-RESISTANT, AND CONSISTENT WITH ADA (AMERICANS WITH DISABILITIES) ACT AND CHAPTER 11 OF THE STATE OF OREGON STRUCTURAL SPECIALTY CODE 1996 EDITION

39. WALKWAY AND ACCESSWAY SURFACES SHALL BE CONCRETE, ASPHALT, BRICK/MASONRY PAVERS, OR OTHER DURABLE SURFACE, AS APPROVED BY THE PUBLIC WORKS DIRECTOR/CITY ENGINEER, AT LEAST 5 FEET WIDE. MULTI-USE PATHS (I.E., FOR BICYCLES AND PEDESTRIANS) SHALL BE CONCRETE OR ASPHALT, AT LEAST 10 FEET WIDE. ADDITIONAL REQUIREMENTS BASED ON SPECIFIC TRAIL PLANS MAY EXIST IN SEPARATE PARKS AND/OR TRAIL PLANS. (SEE ALSO, SECTION 18.4.100 - TRANSPORTATION STANDARDS FOR PUBLIC, MULTI-USE PATHWAY STANDARD).

40. WALKWAYS SHALL COMPLY WITH APPLICABLE AMERICANS WITH DISABILITIES ACT (ADA) REQUIREMENTS. THE ENDS OF ALL RAISED WALKWAYS, WHERE THE WALKWAY INTERSECTS A DRIVEWAY OR STREET SHALL PROVIDE RAMPS THAT ARE ADA ACCESSIBLE, AND WALKWAYS SHALL PROVIDE DIRECT ROUTES TO PRIMARY BUILDING ENTRANCES.

41. WALKWAYS WITHOUT STAIRS SHALL HAVE A MAXIMUM SLOPE OF 5 PERCENT AND A MAXIMUM CROSS SLOPE OF 2 PERCENT. WALKWAYS SHALL BE PROTECTED BY BOLLARDS WHEN BORDERING PARKING SPACES. BOLLARDS SHALL CONTRAST VISUALLY WITH ADJOINING SURFACES.

42. ALL SIGNIFICANT VEGETATION ON A SITE THAT IS NOT OTHERWISE DESIGNATED AND APPROVED BY THE CITY FOR REMOVAL SHALL BE PROTECTED PRIOR TO, DURING, AND AFTER CONSTRUCTION IN ACCORDANCE WITH A LIMIT-OF-CLEARING AND GRADING PLAN APPROVED BY THE CITY. THE CITY MAY LIMIT GRADING ACTIVITIES AND OPERATION OF

VEHICLES AND HEAVY EQUIPMENT IN AND AROUND SIGNIFICANT VEGETATION AREAS TO PREVENT EROSION, POLLUTION, OR LANDSLIDE HAZARDS.

43. THE FOLLOWING DEVELOPMENT AND MAINTENANCE STANDARDS SHALL APPLY TO ALL DRIVEWAYS AND PRIVATE STREETS:

- DRIVEWAYS, PARKING AREAS, AISLES, AND TURNAROUNDS MAY BE PAVED WITH ASPHALT, CONCRETE, OR COMPARABLE SURFACING, OR A DURABLE NON-PAVING OR POROUS PAVING MATERIAL MAY BE USED TO REDUCE SURFACE WATER RUNOFF AND PROTECT WATER QUALITY. DRIVEWAY AND STREET MATERIALS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE PUBLIC WORKS DIRECTOR/CITY ENGINEER.

- WHEN NON-POROUS PAVING IS USED, ALL DRIVEWAYS, PARKING AREAS, AISLES, AND TURNAROUNDS SHALL HAVE ON-SITE COLLECTION OF SURFACE WATERS TO ELIMINATE SHEET FLOW OF SUCH WATERS IN CONFORMANCE WITH CHAPTER 18.5 AND APPLICABLE ENGINEERING STANDARDS.

- WHEN DRIVEWAY APPROACHES OR "APRONS" ARE REQUIRED TO CONNECT DRIVEWAYS TO THE PUBLIC RIGHT-OF-WAY, THEY SHALL BE PAVED WITH CONCRETE SURFACING AND CONFORM TO THE CITY'S ENGINEERING DESIGN CRITERIA AND STANDARDS SPECIFICATIONS.

44. REQUIRED ACCESSIBLE PARKING SPACES SHALL BE IDENTIFIED WITH SIGNS AND PAVEMENT MARKINGS IDENTIFYING THEM AS RESERVED FOR PERSONS WITH DISABILITIES; SIGNS SHALL BE POSTED DIRECTLY IN FRONT OF THE PARKING SPACE AT A HEIGHT OF NOT LESS THAN 42 INCHES AND NO MORE THAN 72 INCHES ABOVE PAVEMENT LEVEL. VAN SPACES SHALL BE SPECIFICALLY IDENTIFIED AS SUCH.

45. CORNER CURB RADII SHALL BE AT LEAST 20 FEET, EXCEPT WHERE SMALLER RADII ARE APPROVED BY THE PUBLIC WORKS DIRECTOR/CITY ENGINEER.

46. CONCRETE CURBS, CURB CUTS, WHEELCHAIR RAMPS, BICYCLE RAMPS, AND DRIVEWAY APPROACHES SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS SPECIFIED IN CHAPTER 18.1, ACCESS CIRCULATION.

47. ACCESSWAY SURFACES SHALL BE PAVED WITH ALL WEATHER HARD-SURFACED MATERIALS AND DESIGNED TO DRAIN STORM WATER RUNOFF TO THE SIDE OR SIDES OF THE ACCESSWAY. PAVING, STORM DRAINAGE, SHOULDER TREATMENT, AND LANDSCAPING FOR ACCESSWAYS SHALL BE AS APPROVED BY THE PUBLIC WORKS DIRECTOR.

48. THE APPLICANT SHALL ENSURE SIDEWALKS ARE INSTALLED AS ILLUSTRATED IN THE SUBMITTED PLANS TO THE STANDARDS DESCRIBED IN THIS CODE AND FURTHER REQUIRED BY THE PUBLIC WORKS DIRECTOR.

49. NEW STREETS AND DRIVES SHALL BE PAVED WITH AN ALL WEATHER SURFACE AS APPROVED BY THE PUBLIC WORKS DIRECTOR.

50. ALL STREET IMPROVEMENTS INCLUDING SUB BASE, PAVEMENT, CURBS, SIDEWALKS, AND SURFACE DRAINAGE SHALL CONFORM TO THE PROVISIONS OF THIS CODE AND THE SPECIFICATIONS AND STANDARDS ON FILE IN THE OFFICE OF THE PUBLIC WORKS DIRECTOR.

51. THE APPLICANT SHALL DEDICATE BOTH THE EXTENSIONS OF 3RD STREET AND 5TH STREET TO THE CITY OF MOLALLA.

52. THE APPLICANT SHALL APPLY AND RECEIVE APPROVAL FOR A GRADING AND EROSION CONTROL PERMIT PRIOR TO ANY DEVELOPMENT OF THE SITE.

53. ALL STREET IMPROVEMENTS, INCLUDING SUB-BASE, BASE, PAVEMENT, CURBS, SIDEWALKS, AND SURFACE DRAINAGE SHALL CONFORM TO THE PROVISIONS OF THIS CODE AND THE SPECIFICATIONS AND STANDARDS ON FILE IN THE OFFICE OF THE PUBLIC WORKS DIRECTOR.

54. FILL SLOPE SHALL BEGIN NO CLOSER THAN 2 FEET TO THE EDGE OF THE CURB. CUT AND FILL SLOPES SHALL NOT EXCEED A RATIO OF 2 HORIZONTAL TO ONE VERTICAL. THE PUBLIC WORKS DIRECTOR SHALL REVIEW THE SLOPES DURING ENGINEERING REVIEW. THE PUBLIC WORKS DIRECTOR MAY APPROVE SLOPES NOT TO EXCEED A ONE TO ONE RATIO UPON CERTIFICATION BY A QUALIFIED ENGINEER OR GEOLOGIST STATING THAT THE SLOPE WILL REMAIN STABLE UNDER ALL FORESEEABLE CONDITIONS.

55. THE APPLICANT SHALL PROVIDE SLOPE EASEMENTS ON THE ENGINEERING REVIEW PLANS WHICH SHALL BE REVIEWED AND APPROVED BY THE PUBLIC WORKS DIRECTOR. AT THAT TIME THE PUBLIC WORKS DIRECTOR MAY REQUEST SUCH SLOPE EASEMENTS BE DEDICATED TO THE CITY.

56. AREAS SET ASIDE FOR BICYCLE PARKING SHALL BE CLEARLY MARKED AND RESERVED FOR BICYCLE PARKING ONLY.

57. SANITARY SEWERS AND WATER MAINS SHALL BE INSTALLED TO SERVE EACH NEW DEVELOPMENT AND TO CONNECT DEVELOPMENTS TO EXISTING MAINS IN ACCORDANCE WITH THE CITY'S SANITARY SEWER MASTER PLAN, WATER SYSTEM MASTER PLAN, AND THE APPLICABLE CONSTRUCTION SPECIFICATIONS.

58. DEVELOPMENT PERMITS FOR SEWER AND WATER IMPROVEMENTS SHALL NOT BE ISSUED UNTIL THE PUBLIC WORKS DIRECTOR HAS APPROVED ALL SANITARY SEWER AND WATER PLANS IN CONFORMANCE WITH CITY STANDARDS.

59. THE PUBLIC WORKS DIRECTOR SHALL ENSURE ALL PARCELS ARE SERVED BY THE PUBLIC WATER SYSTEM OF THE CITY OF MOLALLA DURING ENGINEERING REVIEW.

60. THE PUBLIC WORKS DIRECTOR SHALL ENSURE ALL PARCELS ARE SERVED BY THE PUBLIC SEWER SYSTEM OF THE CITY OF MOLALLA DURING ENGINEERING REVIEW.

61. ADEQUATE WATER AND SEWER EXIST TO THE SITE FOR THIS DEVELOPMENT. STORM WATER DRAINAGE SHALL BE REVIEWED THROUGH THE ENGINEERING REVIEW PROCESS FOR ADEQUACY.

62. ALL UTILITY EASEMENTS SHALL BE RECORDED AND PROVIDED TO THE CITY. WHERE EASEMENTS ARE REQUIRED THE APPLICANT SHALL PROVIDE A 10 FOOT EASEMENT TO ENSURE ACCESS TO THE AREA IS AVAILABLE.

63. STREET LIGHT STANDARDS, WIRING, AND LAMPS SHALL BE INSTALLED ACCORDING TO THE SPECIFICATIONS AND STANDARDS OF THE PUBLIC WORKS DIRECTOR.

64. THE DEVELOPER'S REGISTERED PROFESSIONAL LAND SURVEYOR SHALL BE RESPONSIBLE FOR PROVIDING CERTIFICATION TO THE CITY THAT ALL BOUNDARY AND INTERIOR MONUMENTS SHALL BE REESTABLISHED AND PROTECTED.

65. THE APPROVED PLANS BY THE PUBLIC WORKS DIRECTOR SHALL BE REVIEWED BY THE UNITED STATES POSTAL SERVICE AND A LETTER PROVIDED TO THE CITY STATING THAT THE LOCATION OF THE MAILBOXES MEETS THE INTENTIONS OF THE POSTAL SERVICE.

66. ALL IMPROVEMENTS INSTALLED BY THE DEVELOPER SHALL BE GUARANTEED AS TO WORKMANSHIP AND MATERIAL FOR A PERIOD OF 2 YEARS FOLLOWING ACCEPTANCE BY THE CITY. THE DEVELOPER IS REQUIRED TO PROVIDE THE CITY WITH A BOND FOR 10 PERCENT OF THE TOTAL COSTS OF IMPROVEMENTS IN THE DEVELOPMENT.

67. THE DEVELOPER SHALL MAKE ARRANGEMENTS WITH THE CITY, THE APPLICABLE DISTRICT, AND EACH UTILITY FRANCHISE FOR THE PROVISION AND DEDICATION OF UTILITY EASEMENTS NECESSARY TO PROVIDE FULL SERVICES TO THE DEVELOPMENT. THE CITY'S STANDARD WIDTH FOR PUBLIC MAIN LINE UTILITY EASEMENTS SHALL BE DETERMINED BY THE PUBLIC WORKS DIRECTOR AT TIME OF ENGINEERING REVIEW.

68. DURING THE ENGINEERING REVIEW THE PUBLIC WORKS DIRECTOR SHALL ENSURE THAT DRAINAGE IS LARGE ENOUGH TO ACCOMMODATE EXISTING AND POTENTIAL FUTURE RUNOFF FROM THE ENTIRE UPSIDEAM DRAINAGE AREA, WHETHER INSIDE OR OUTSIDE THE DEVELOPMENT.

69. WHERE IT IS ANTICIPATED BY THE PUBLIC WORKS DIRECTOR THAT THE ADDITIONAL RUNOFF RESULTING FROM THE DEVELOPMENT WILL OVERLOAD AN EXISTING DRAINAGE FACILITY, THE CITY SHALL WITHHOLD APPROVAL OF THE DEVELOPMENT UNTIL PROVISION HAVE BEEN MADE FOR IMPROVEMENT OF THE POTENTIAL CONDITION OR UNTIL PROVISIONS HAVE BEEN MADE FOR STORAGE OF ADDITIONAL RUNOFF CAUSED BY THE DEVELOPMENT IN ACCORDANCE WITH CITY STANDARDS.

70. THE PUBLIC WORKS DIRECTOR MAY REQUIRE OVER-SIZING OF THE WATER, SEWER, AND/OR STORM SYSTEMS TO ACCOMMODATE FUTURE DEVELOPMENT WITHIN THE AREA AS PROJECTED BY THE APPLICABLE WATER, SEWER, AND/OR STORM DRAINAGE MASTER PLAN PROVIDED THAT THE CITY MAY GRANT THE DEVELOPER CREDIT OR ESTABLISH A "PAYBACK" AGREEMENT TOWARD ANY REQUIRED SYSTEM DEVELOPMENT CHARGE FOR THE SAME. THIS WILL BE DETERMINED AT THE TIME OF ENGINEERING REVIEW.

71. THE PUBLIC WORKS DIRECTOR SHALL REQUIRE ALL EASEMENTS FOR SEWERS, STORM DRAINAGE AND WATER QUALITY FACILITIES, WATER MAINS, ELECTRIC LINES, OR OTHER PUBLIC UTILITIES AT TIME OF ENGINEERING REVIEW. SUCH EASEMENTS SHALL BE RECORDED WITH THE FINAL PLAT.

72. THE PUBLIC WORKS DIRECTOR SHALL ENSURE ADEQUATE STORM DRAINAGE IS PROVIDED TO EACH LOT OR PARCEL OF LAND AND CONNECTED TO THE CITY'S STORM DRAINAGE SYSTEM WHERE SUCH FACILITIES EXIST. WHERE A PUBLIC STREET IS TO BE DEDICATED OR IMPROVED BY THE APPLICANT, THE APPLICANT SHALL ALSO INSTALL AND DEDICATE TO THE CITY A STORM DRAINAGE SYSTEM IN SAID STREET UNLESS THE PUBLIC WORKS DIRECTOR FINDS A MORE REASONABLE ALTERNATIVE EXISTS FOR THE AREA.

73. NO PUBLIC IMPROVEMENTS, INCLUDING SANITARY SEWERS, STORM SEWERS, STREETS, SIDEWALKS, CURBS, LIGHTING, PARKS, OR OTHER REQUIREMENTS SHALL BE UNDERTAKEN EXCEPT AFTER THE PLANS HAVE BEEN APPROVED BY THE CITY, PERMIT FEE PAID, AND PERMIT ISSUED. THE PERMIT FEE IS REQUIRED TO DEFRAY THE COST AND EXPENSES INCURRED BY THE CITY FOR CONSTRUCTION AND OTHER SERVICES IN CONNECTION WITH THE IMPROVEMENT.

74. ALL RESPONSIBLE SHALL KEEP OPEN DRAINAGE WAYS ON PROPERTY WHICH THEY POSSESS OR CONTROL CLEARED OF DEBRIS AND VEGETATION AS REQUIRED BY THE MOLALLA DEVELOPMENT CODE.

75. PERSONS RESPONSIBLE SHALL MAINTAIN NON-PUBLIC STORM DRAINAGE FACILITIES ON PROPERTY WHICH THEY POSSESS OR CONTROL SO AS TO PREVENT FLOODING OR DAMAGE TO OTHER PROPERTY NOT POSSESSED OR CONTROLLED BY THE PERSON RESPONSIBLE AND TO PREVENT INJURY TO ANY PERSON OR PROPERTY NOT OWNED OR CONTROLLED BY THE PERSON RESPONSIBLE AND TO PREVENT INJURY TO ANY PERSON OR PROPERTY NOT OWNED OR CONTROLLED BY THE PERSON RESPONSIBLE.

76. THE PUBLIC WORKS DIRECTOR MAY REQUIRE A MAINTENANCE AGREEMENT TO BE ESTABLISHED FOR ANY NEW AND/OR EXISTING STORM DRAINAGE FACILITIES AT TIME OF ENGINEERING REVIEW.

77. THE APPLICANT WILL BE REQUIRED TO OBTAIN STORM WATER APPROVAL THROUGH BOTH ODOT AND THE PUBLIC WORKS DIRECTOR.

78. THE PUBLIC WORKS DESIGN STANDARDS WHICH FOLLOW THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, OREGON CHAPTER A.P.W.A., SHALL BE A PART OF THE CITY'S ADOPTED INSTALLATION STANDARD(S); OTHER STANDARDS MAY ALSO BE REQUIRED UPON REVIEW OF THE ENGINEER PLANS BY THE PUBLIC WORKS DIRECTOR.

79. WORK SHALL NOT BEGIN IN ANY PUBLIC RIGHT-OF-WAY UNTIL THE CITY HAS BEEN PROVIDED NOTICE A MINIMUM OF 2 WEEKS IN ADVANCE OF THE WORK.

80. IF WORK IN THE PUBLIC RIGHT-OF-WAY IS DISCONTINUED FOR MORE THAN ONE MONTH, NO RESUMING OF WORK SHALL OCCUR UNTIL THE CITY IS NOTIFIED IN WRITING.

81. IMPROVEMENTS SHALL BE CONSTRUCTED UNDER THE INSPECTION AND TO THE SATISFACTION OF THE CITY. THE CITY MAY REQUIRE MINOR CHANGES IN TYPICAL SECTIONS AND DETAILS IF UNUSUAL CONDITIONS ARISING DURING CONSTRUCTION WARRANT SUCH CHANGES IN THE PUBLIC INTEREST. MODIFICATIONS TO THE APPROVED DESIGN REQUESTED BY THE DEVELOPER MAY BE SUBJECT TO REVIEW UNDER CHAPTER 19.6.

82. A REGISTERED ENGINEER SHALL PROVIDE WRITTEN CERTIFICATION IN A FORM REQUIRED BY THE CITY THAT ALL IMPROVEMENTS, WORKMANSHIP, AND MATERIALS ARE IN ACCORD WITH CURRENT AND STANDARD ENGINEERING AND CONSTRUCTION PRACTICES, CONFORM TO APPROVED PLANS AND CONDITIONS OF APPROVAL, AND ARE OF HIGH GRADE, PRIOR TO CITY ACCEPTANCE FOR THE PUBLIC IMPROVEMENTS, OR ANY PORTION THEREOF, FOR OPERATION AND MAINTENANCE.

83. THE DEVELOPER'S ENGINEER SHALL PROVIDE 2 SETS OF AS-BUILT PLANS, IN CONFORMANCE WITH THE PUBLIC WORKS DIRECTOR SPECIFICATIONS, FOR PERMANENT FILING WITH THE CITY.

84. THE IMPROVEMENT OF BOTH PUBLIC AND PRIVATE STORM DRAINAGE FACILITIES THROUGH OR ADJACENT TO A NEW DEVELOPMENT SHALL BE PROVIDED BY THE PERSON RESPONSIBLE FOR THE DEVELOPMENT. SAID IMPROVEMENTS SHALL COMPLY WITH ALL APPLICABLE CITY ORDINANCES, POLICIES AND STANDARDS.

85. NO PORTION OR STATEMENT HEREIN OR SUBSEQUENT INTERPRETATIONS OR POLICIES SHALL RELIEVE ANY PROPERTY OWNER OF ASSESSMENTS LEVIED AGAINST REAL PROPERTY FOR A LOCAL IMPROVEMENT PROJECT OR FOR ABATING CONDITIONS ON THE PROPERTY THAT VIOLATE ANY PROVISION OF THIS CODE.

86. UPON REVIEW OF THE ENGINEERING REQUIREMENTS THE PUBLIC WORKS DIRECTOR MAY REQUIRE A PERFORMANCE BOND WHICH COMPLIES WITH THE STANDARDS OF MDC 19.3.520.

87. THE PUBLIC WORKS DIRECTOR SHALL ISSUE AN ACCESS PERMIT AS PART OF THE ENGINEERING REVIEW SINCE ALL ACCESSES ABUT A CITY OWNED STREET.

88. PLANS FOR MAILBOXES SHALL BE APPROVED BY THE PUBLIC WORKS DIRECTOR DURING ENGINEER REVIEW.

89. THE PUBLIC WORKS DIRECTOR MAY DETERMINE THAT THE DEVELOPER PROVIDE BONDING OR OTHER PERFORMANCE GUARANTEES TO ENSURE COMPLETION OF REQUIRED PUBLIC IMPROVEMENTS.

FIRE DEPARTMENT CONDITIONS OF APPROVAL.

90. BUILDING PERMITS SHALL BE REVIEWED BY THE MOLALLA FIRE DEPARTMENT. THE FIRE DEPARTMENT MAY ADDRESS THESE AND ADDITIONAL ISSUES THAT ARISE FROM THAT REVIEW. FIRE REQUIREMENTS SHALL BE MET BY THE APPLICANT.

91. NEED TO SEE STRIPING DETAIL FOR THE "NO PARKING" AREAS IN THE COMPLEXES ALONG HART, SHAVER, 3<sup>RD</sup> AND 5<sup>TH</sup> STREETS. SEE OREGON FIRE CODE D103.6, 503.3 AND 503.2.

92. NEED TO SEE PREMISE IDENTIFICATION DETAIL.

93. NEED TO SEE DETAIL ON TURNING RADII. SEE OREGON FIRE CODE 503.2.4, D103.3 AND D103.3.1. MINIMUM TURNING RADII SHALL BE 28'/48' RESPECTIVELY.

94. NEED TO SEE DETAILS ON CONSTRUCTION CLASSIFICATIONS OF THE NON-SPEC RETAIL STORES AND RESTAURANTS. ADDITIONAL FIRE HYDRANTS OR FIRE SUPPRESSIONS SYSTEMS MAY BE REQUIRED DEPENDING ON WHAT TYPE OF HAZARD WILL OCCUPY THE BUILDINGS.

95. AN ADDITIONAL 5 FIRE HYDRANTS NEED TO BE ADDED TO SATISFY THE REQUIREMENTS OF SECTION C105 OF THE 2007 OREGON FIRE CODE AS REQUIRED UPON MY REVIEW.

96. ALL HYDRANTS NEW AND EXISTING SHALL HAVE A 4" STORY QUICK CONNECT INSTALLED PRIOR TO ANY OCCUPANCY OF ANY BUILDING.

97. VAULT DETAIL AND SPRINKLER SYSTEM PLANS, CUT SHEETS AND FLOW CALCULATIONS NEED TO BE PROVIDED TO THE MOLALLA FIRE DEPARTMENT AFTER 3<sup>RD</sup> PARTY REVIEW.

98. THERE WAS NO FACP PLANS PROVIDED TO MOLALLA FIRE. THE ALARM PANEL SHALL BE FULLY ADDRESSABLE. PLANS, CUT SHEETS AND VOLTAGE CALCULATIONS WILL NEED TO BE

PROVIDED TO MOLALLA FIRE AFTER REVIEW BY A 3<sup>RD</sup> PARTY. SEE OREGON FIRE CODE 907.1.1. THE SYSTEM SHALL BE MONITORED BY AN INDEPENDENT 3<sup>RD</sup> PARTY CONTRACTOR. SEE OREGON FIRE CODE 903.4.

99. ALL FDC'S SHALL BE REMOTE AND BE LOCATED WITHIN 50' OF A FIRE HYDRANT. THAT VERBIAGE NEEDS TO BE PUT ON THE PLANS IN THE FDC DETAIL SECTION. SEE OREGON FIRE CODE 903.3.7 AND SECTION 912.

100. ALL FIRE HYDRANTS SHALL HAVE A MINIMUM CLEAR SPACE AROUND THE HYDRANTS OF NOT LESS THAN 3' FROM ANY OBSTRUCTION. IF THE OBSTRUCTION IS ELECTRICAL IN NATURE THE CLEAR SPACE SHALL BE INCREASED TO 4'. SEE OREGON FIRE CODE 508.5.4, 508.4.5 ORS 860-024-0010. THIS NEEDS TO BE ON THE HYDRANT DETAIL SECTION.

101. 10' EACH DIRECTION OF THE CENTER NUT OF EACH HYDRANT SHALL BE CLEARLY IDENTIFIED AS "NO PARKING". SEE ORS 811.550(116). THIS NEEDS TO BE ON THE PLANS IN THE HYDRANT DETAIL SECTION.

102. ALL THRUST BLOCKING WILL NEED TO BE VISUALLY INSPECTED. THIS VERBIAGE WILL NEED TO BE ON THE PLANS IN THE PLUMBING DETAIL.

Per the applicant's request, the hearing will be continued to May 9, 2011 at 6pm at the Molalla Adult Center for additional information pending from ODOT (Oregon Department of Transportation).

## **VI. Old Business**

Planning Director Potter advised of the city email and that it was having problems last week. He apologized for the delay for a report by the email not working properly. He advised the Commission should have all documents at least a week in advance. He recommended putting items in a binder for hearings so that the Commission has all material in one place for hearings.

Goal setting papers need to be submitted to the Planning Director.

### **COMP PLAN RESULTS**

The Planning Commission of Clackamas County denied the proposed comp plan last week. He felt that the City of Molalla attorney did a spectacular job on presentation; however, the County did not approve Molalla's proposal. April 27<sup>th</sup> will be the Board of Commissioners hearing, further information will be sent.

Commissioner Gates expressed his thoughts on the meeting with County. He was disappointed in the decision of the County.

Chairman Boreth was surprised that according to the scripts used in land use procedures, he didn't hear anything listed about state code and that they referenced not planning for 50 + years.



**VII. Approvals/Recommendations**

None.

**VIII. Training**

None.

**IX. Events**

None.

**X. Directors Report**

None.

**XI. Round Table**

None.

**XII. Adjourn and Set Next Meeting Date**

Commissioner Maben moved to adjourn the meeting. Commissioner Trexler seconded.  
Motion carried (7-0).

Minutes submitted by: Secretary Melanie Maben \_\_\_\_\_

Minutes approved by: Chairman Glen Boreth \_\_\_\_\_