

PLANNING COMMISSION

Meeting Agenda

Monday – March 14, 2014

7:00 PM

City Council Chambers – 155 NW 2nd Avenue

Commissioner John Savory (Chair)

Commissioner Shawn Hensley (Vice Chair)

Commissioner John Serlet

Commissioner Larry Boatright

Commissioner Kristene Rocha

Commissioner Derrick Mottern

Commissioner Tyler Smith

-
1. **CALL TO ORDER**
 - *Invocation and Pledge of Allegiance*
 -
 2. **CITIZEN INPUT ON NON-AGENDA ITEMS**
 3. **MINUTES**
 - *Planning Commission Minutes, January 11, 2016*
 4. **PUBLIC HEARING**
 - *Consider a request to subdivide 8.86 acres, located east of 1866 SE 13th Avenue, into 36 lots, over 3 phases. (SUB 16-01 Ralph Netter, Faist 7, 8, 9 Subdivision)*
 5. **NEW BUSINESS**
 - *None*
 6. **FINAL DECISIONS (Note: These are final, written findings of previous oral decisions. No public testimony.)**
 - *SUB 16-01 Ralph Netter, Faist 7, 8, 9 Subdivision*
 7. **ITEMS OF INTEREST/REPORT FROM STAFF**
 - *Next Regular Planning Commission meeting scheduled for Monday, March 28, 2016 – No applications have been received in time for the next regularly scheduled meeting.*
 - *Staff is preparing the Budget for next fiscal year which is due on Friday, March 25, 2016.*
 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 and while at the microphone, please say your name and address prior to testifying. 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 review criteria contained in the staff report, the Comprehensive Plan, or other land use regulations which the person believes to apply to the decision.

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 or 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.

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

PRESENT: Commissioners John Savory, Larry Boatwright, Shawn Hensley, John Serlet, Kris Rocha, and Derrick Mottern

ABSENT: Tyler Smith

STAFF: Bryan Brown, Planning Director, and Renate Mengelberg, Economic Development Director

OTHERS: Russell Cole, Mike Wells, Dale Poppe, Mark Person, Brent Ahrend, Kathy Polley, and Clint Coleman, Council liaison

1. CALL TO ORDER

Chair Savory called the meeting to order at 7:00 pm.

2. CITIZEN INPUT – None

3. MINUTES

- a. December 14, 2015 Planning Commission Minutes
- b. December 28, 2015 Planning Commission Minutes

Motion: A motion was made by Commissioner Serlet and seconded by Commissioner Boatwright to approve the December 14, 2015, Planning Commission minutes. Motion passed 6/0.

Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Mottern to approve the December 28, 2015, Planning Commission minutes. Motion passed 6/0.

4. PUBLIC HEARING

- a. Consider a request from Premier Gear for a Site and Design Review and Conditional Use Permit for new industrial development located at 387 S Sequoia Parkway (DR 15-07/CUP 15-04).

Chair Savory opened the public hearing and read the public hearing format. He asked if any Commissioner had a conflict of interest or ex parte contact to declare. There was none. Commissioner Hensley stated he drove by the site.

Bryan Brown, Planning Director, entered his staff report into the record. This was a site and design review as well as a conditional use application. It was conditional use as the applicant would not be meeting the encouraged requirement to have 12 employees per acre. The City Council gave direction to continue to use the requirement as a goal to try to reach, but when appropriate it could be less. The property was located 387 S Sequoia Parkway, which was City owned and was the original planned site for the new police building. The City found a tenant for

the property. Premier Gear proposed to build a manufacturing facility and corporate offices totaling 60,000 square feet. They also showed an option for a 20,250 square foot addition that could be added in the future. Two public comments had been received, one from Scott McCormack, Trend Business Center, who was in support of the application and one from Don Steiner with the wastewater pretreatment program who said Premier was a non-permitted industry because all oils were recycled. This would be confirmed by an inspection. The proposal had two driveways, one at each corner of the site. A traffic study was done and staff accepted the findings in the study. There would be no significant impacts to the surrounding transportation system. Staff supported the applicant's findings regarding the conditional use. Even though there were less than 12 employees per acre, these were solid, good paying manufacturing jobs and this industry fit well with the marketing efforts of the City to expand machine-type uses within the Industrial Park. The site and design review met all of the development standards in the Code. Staff recommended approval subject to the conditions of approval.

Applicant: Mark Person, land use planner with Mackenzie in Portland, was representing the applicant. He introduced the members of the development team.

Proponents: Russ Cole, president of Premier Gear, said this was a third generation family business. They currently manufactured all types of metal and plastic goods for different industries, most of which were gears. They had 26 employees and would like to relocate from Portland to Canby.

Dale Poppe, Mackenzie, gave an overview of the site plan. The proposal was for a 54,000 square foot manufacturing building with 6,000 square feet of office in the front. Parking would be in the front and there would be a water quality pond. The circulation of the site would make it easy to bring product in and out of the site. They made efforts to retain most of the trees on the site. The landscaping exceeded the minimums and it would fit with the neighborhood. The building would be a concrete tilt up building similar in character with other buildings in the neighborhood. The manufacturing building height would be 36 feet, which was under the 45 foot maximum, and the office building would be a single story structure.

Mike Wells, founder of Stratus Real Estate Developers, was the developer for the project. This was the fourth building he had developed in Canby. Premier Gear was in the process of selling the previous property in Portland and timing was important. They were in agreement with the nine conditions of approval, although putting all the landscaping in prior to occupancy might be a challenge as it would be winter time.

Renate Mengelberg, Economic Development Director, thought this was a great company who made the traded sector products that the City was trying to attract. They added to the metals

industry cluster and provided technically skilled jobs which paid well and were stable. There was an existing well on the site that they were negotiating to transfer over to Canby Utility.

Opponents: None.

Neutral: Kathy Polley, Oregon City resident, said she owned land directly across from the southeast exit of the proposed site. She was happy to have Premier Gear come to the Industrial Park as they would raise land values and create other interest in the park. She was concerned that her two lots were only allowed one entrance and exit which was located where the two lots joined which happened to be directly across the street from the proposed exit of Premier Gear. The concern was that her entrance/exit would have to be moved which would make one of the lots unsellable. She would like something in writing that the access she currently had would not be changed without her approval.

Mr. Brown thought the driveway was not likely to be moved unless a development proposed to move it.

Rebuttal: Brent Ahrend, traffic engineer with Mackenzie, discussed the City's standards for locations for access to the property including site distance and spacing. The distance between the driveway on the other side of the street that Ms. Polley was referring to was 154 feet from the center of the proposed driveway for Premier Gear which met the standards. He thought if the lots across the street were developed, they would meet the standards to be able to keep the driveway where it was.

Chair Savory closed the public hearing.

Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Boatwright to approve DR 15-07/CUP 15-04 with the conditions in the staff report. Motion passed 6/0.

5. NEW BUSINESS

- a. Northwood Investment Partnership request for 1-year extension of Northwood Estates Development Agreement and Conceptual Plan to Expire February 24, 2017

Mr. Brown said this was an annual extension that had been going on for a few years. The platting and build out of the entire master plan project consisted of four plat phases. All four were taking longer than anticipated. The applicant would like to keep the approved master plan in effect so they would not be subject to possible redesign or change to the agreement for the park dedication. No regulations had been changed that would cause the project to be redesigned in a different manner. It was still a good layout.

Motion: A motion was made by Commissioner Serlet and seconded by Commissioner Rocha to approve the one year extension of Northwood Estates Development Agreement and Conceptual Plan to expire February 24, 2017. Motion passed 6/0.

6. FINAL DECISIONS

- a. DR 15-07/CUP 15-04 Premier Gear

Motion: A motion was made by Commissioner Hensley and seconded by Commissioner Boatwright to approve the final decisions for DR 15-07/CUP 15-04 as written. Motion passed 6/0.

7. ITEMS OF INTEREST / REPORT FROM STAFF

- a. Next regular Planning Commission meeting scheduled for Monday, January 25, 2016

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

9. ADJOURNMENT

Motion: Commissioner Mottern moved for adjournment, Commissioner Rocha seconded. Motion passed 6/0. Meeting adjourned at 7:37 pm.

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

DATED this 14 day of March, 2016

Bryan Brown, Planning Director

Laney Fouse, Meeting Recorder

Assisted with Preparation of Minutes – Susan Wood



City of Canby

FAIST ADDITION PHASE 7, 8, 9 SUBDIVISION STAFF REPORT

FILE #: SUB 16-01

Prepared for the March 14, 2016 Planning Commission Meeting

LOCATION: In the 1900 Block of SE 13th Avenue
ZONING: R-1 Low Density Residential
TAX LOTS: 41E03 00700 (Highlighted Below)



LOT SIZE: 8.88 acres

OWNER: Ralph Netter

APPLICANT: Pat Sisul – Sisul Engineering

APPLICATION TYPE: Subdivision (Type III)

CITY FILE NUMBER: SUB 16-01 – Faist Addition Subdivision Phase 7, 8, 9

I. PROJECT OVERVIEW & EXISTING CONDITIONS

The applicant proposes to divide an existing 8.88 acre parcel into a 36 lot subdivision for single-family residential development. The parcel is currently vacant land in agricultural use. The subdivision will include three phases that extends the Faist Subdivision Phase 6 into Phases 7, 8, and 9. The proposed phases consist initially of a six lot development along SE 11th Avenue that will extend from the Faist 6 Subdivision and will be followed by an additional 24 lots in phase 8 and the final six lots in phase 9. The property was annexed in 2014 under a 32.10 acre annexation approved by voters and the Canby City Council and is also part of the SE 13th Avenue Concept Plan also approved by the City Council in 2014. The property is bordered by vacant land to the north and east. Property to the east is part of the 13th Avenue Concept Plan and could be subdivided in the future. Land to the south across 13th Avenue is within Clackamas County. On the west boundary of the subject parcel, land is developed with Phase 6 of the Faist Subdivision. The adjacent subdivision development has stubbed SE 10th Place and SE 11th Avenue at the western property line of the subject parcel, and these streets will be extended into the proposed subdivision. A portion of land in the southwest corner of the proposal is identified as Tract "A" on the plat map is a remainder portion proposal and could be combined with tax lot 800 at the time of future subdivision of that parcel to facilitate similar lot sizes planned for this subdivision.

II. ATTACHMENTS

- A. Application form
- B. Application narrative
- C. SE 13th Avenue Annexation Traffic Study (by DKS – March 5, 2014)
- D. Pre-application meeting minutes
- E. Neighborhood meeting notice, notes, and attendance sheet
- F. Warranty Deed
- G. Vicinity Map
- H. Assessor Map
- I. Record of Survey
- J. Sheet 1 – Site Plan (Tentative Plat)
- K. Sheet 2 – Existing Conditions
- L. Sheet 3 – Street Plan
- M. Sheet 4 – Street Profiles
- N. Sheet 5 – Street Profiles
- O. Sheet 6 – Sanitary Option 1
- P. Sheet 7 – Sanitary Option 2
- Q. Sheet 8 – Waterline and Storm Drain Plan
- R. Sheet 9 – Grading
- S. Sheet 10 – Shadow Plat
- T. Agency Comments
- U. Citizen Comments
- V. 13th Avenue Development Concept Plan

III. APPLICABLE CRITERIA & FINDINGS

Applicable criteria used in evaluating this application are listed in the following sections of the *City of Canby's Land Development and Planning Ordinance*:

- 16.08 General Provisions
- 16.10 Off-street Parking and Loading
- 16.16 R-1 Low Density Residential Zone
- 16.43 Outdoor Lighting Standards
- 16.46 Access Limitations on Project Density
- 16.56 Land Division General Provisions
- 16.62 Subdivisions-Applications
- 16.64 Subdivisions-Design Standards
- 16.86 Street Alignments
- 16.88 General Standards & Procedures
- 16.89 Application and Review Procedures
- 16.120 Parks, Open Space, and Recreation Land General Provisions

Findings:

The subject parcel was included with six parcels that totaled a 32 acre annexation in 2014. A Development Concept Plan was also approved by the City Council in 2014 and a Traffic Impact Study (TIS) for development resulting from the annexation was performed by DKS at that time. The development area extended south from Baker Middle School to SE 13th Avenue and east from S. Teakwood Street to Logging Road Trail and Sequoia Parkway. A traffic study was also performed for the adjacent Faist Phase 6 Subdivision that was approved in 2015. The applicant stated that because of recent traffic studies, an additional study is not necessary for this proposal. Based on information included in the file, staff concurs that an additional Traffic Impact Study is not necessary for the subdivision.

The applicant chose to subdivide the property in phases because of development issues that must be resolved before future development in certain areas of the property can occur. It should be noted that the proposed second phase (Phase 8) will not likely occur until sanitary sewer is available to the east from a new pump station near Mulino Road and the SE 13th Avenue intersection which is in the planning stage at this time by the City. The applicant provided sanitary sewer options on Sheet 6 and 7 in the submitted application material. Any sanitary sewer proposals must be approved by the City of Canby Public Works. The third phase (Phase 9) can develop when additional right-of-way is obtained for SE 10th Place that will extend across the northern property line of the subject parcel.

Sidewalk easements are required along the frontage of the newly created private lots.

The applicant shall construct DEQ approved drywells at the end of each street within the subdivision.

A condition of approval shall be placed stating minimum floor elevations must be shown for certain designated lots to assure the sanitary sewer connection and flow meets minimum standards.

As a condition of approval, a Street Tree Plan shall be submitted with the final plat, and street tree fees must be paid prior to release of the final plat.

The City prefers a fee in lieu of Park SDC payments rather than designation of open park space.

The applicant's shall pay 0.4% of the contract cost of all public improvements at the time of construction plan approval when each house in the subdivision is proposed for development.

Staff has reviewed the applicant's narrative and submitted material and finds that this subdivision application conforms to the applicable review criteria and standards, subject to the conditions of approval noted in *Section V* of the staff report.

IV.

PUBLIC TESTIMONY/AGENCY COMMENTS

Notice of this application and opportunity to provide comment was mailed to owners and residents of lots within 500 feet of the subject properties and to all applicable public agencies. All citizen and agency comments/written testimony that was received to date are attached and will be presented to the Planning Commission.

V.

CONCLUSION AND CONDITIONS OF APPROVAL

Staff concludes that the application conforms to the applicable standards and criteria subject to the following conditions of approval:

General Public Improvement Conditions:

1. Prior to the start of any public improvement work, the applicant must schedule a pre-construction conference with the city and obtain construction plan sign-off from applicable agencies.
2. The development shall comply with all applicable City of Canby Public Works Design Standards.
3. Minimum floor elevations must be shown for any designated lots indicated for Sanitary Sewer, and reflected on the building permit plot plan.
4. The final construction design plans shall conform to the comments provided by the City Engineer in his memorandum dated February 29, 2016.
5. Public improvements such as sidewalk and street improvements on SE 13th Avenue are required during Phase 8 development.
6. Turnarounds may be required at the end of all interior streets as directed by the Canby Fire Department.

Fees/Assurances:

7. All public improvements are normally installed prior to the recordation of the final plat. If the applicant wishes to forgo construction of any portion of the public improvements until after the recordation of the final plat, then the applicant shall provide the City with appropriate performance security (subdivision performance bond or cash escrow) in the amount of 110% of the cost of the remaining public improvements to be installed.
8. If the applicant chooses to provide a subdivision performance bond for some or all of the required public improvements, the applicant shall obtain a certificate from the city engineer that states:

- a. The applicant has complied with the requirements for bonding or otherwise assured completion of required public improvements.
 - b. The total cost or estimate of the total cost for the development of the subdivision. This is to be accompanied by a final bid estimate of the subdivider's contractor, if there is a contractor engaged to perform the work, and the certificate of the total cost estimate must be approved by the city engineer.
9. The applicant must guarantee or warranty all public improvement work with a 1 year subdivision maintenance bond in accordance with 16.64.070(P).
 10. The applicant must pay the city Master Fee authorized engineering plan review fee equal to 0.4% of public improvement costs prior to the construction of public improvements (approval of construction plans) as each phase of development occurs.

Streets, Signage & Striping:

11. The street improvement plans for SE 13th Avenue frontage and the interior streets shall conform to the TSP and Public Works standards as indicated by the city engineer.
12. A roadway striping plan shall be submitted by the applicant and shall be approved by city engineer and by the Public Works street department prior to the construction of public improvements.
13. A roadway signage plan shall be submitted by the applicant and shall be approved by the city engineer and by the Public Works street department prior to the construction of public improvements.
14. The applicant shall be responsible for installing all required street signage and striping at the time of construction of public improvements, unless other arrangements are agreed to by the City.

Sewer:

15. The applicant shall submit documentation of DEQ approval of the sewer plans to the City Engineer prior to the construction of this public improvement with each phase of development.

Stormwater:

16. Stormwater systems shall be designed in compliance with the Canby Public Works Design Standards as determined by the City Engineer.
17. The applicant shall construct DEQ approved drywells at the end of each street within the subdivision.

Grading/Erosion Control:

18. The applicant shall submit grading and erosion control plans for approval by Canby Public Works in conjunction with construction plan approval prior to the installation of public improvements and start of grading with each phase of development.
19. The applicant shall grade all areas of the site, including the proposed lots, to minimize the amount of soil to be removed or brought in for home construction.

Final plat conditions:

General Final Plat Conditions:

20. The applicant shall apply for final plat approval at the city and pay any applicable city fees to gain approval of the final subdivision plat. Prior to the recordation of the final

plat at Clackamas County, it must be approved by the city and all other applicable agencies. The city will distribute the final plat to applicable agencies for comment prior to signing off on the final plat if deemed necessary.

21. All public improvements or submittal of necessary performance security assurance shall be made prior to the signing and release of the final plat for filing of record.
22. The final plat shall conform to the necessary information requirements of CMC 16.68.030, 16.68.040(B), and 16.68.050. The city engineer or county surveyor shall verify that these standards are met prior to the recordation of the subdivision plat.
23. All “as-builts” of City public improvements installed shall be filed with Canby Public Works within sixty days of the completion of improvements.
24. Clackamas County Surveying reviews pending subdivision plat documents for Oregon Statutes and county requirements. A subdivision final plat for Phase 1 prepared in substantial conformance with the approved tentative plat must be submitted to the City for approval within one year of approval of the tentative plat or formally request an extension of up to 6-months with a finding of good cause.
25. The applicant shall record the final plat at Clackamas County within 6 months of the date of the signature of the Planning Director.
26. The applicant shall assure that the city is provided with a copy of the final plat in a timely manner after it is recorded at Clackamas County, including any CC&Rs recorded in conjunction with the final plat.
27. The City shall assign addresses for each newly created subdivision lot and distribute that to the developer, and other agencies that have an interest.

Dedications

28. The applicant shall dedicate by separate instrument 20’ of ROW width for the full length of the subject property along SE 13th Avenue with the Phase 1 Final Plat.

Easements

29. A 12 foot utility easement along all of the lot’s street frontages shall be noted on the final plat. This easement may be combined with other easements and shall be measured from the property boundary.
30. Sidewalk easements are required along the frontage of the newly created private lots for any portion of the 6’ public sidewalk that will lie on private property.

Street Trees

31. A Street Tree Plan shall be submitted with the final plat, and street tree fees must be paid prior to release of the final plat. The plan will allow the city to establish street trees per the Tree Regulation standards in Chapter 12.32 of the Canby Municipal Code. The total per tree fee amount is calculated at one tree per 30 linear feet of total street frontage on both sides of all internal streets and the adjacent side of external streets or as determined by an approved Street Tree Plan on a per tree basis.

Monumentation/Survey Accuracy Conditions

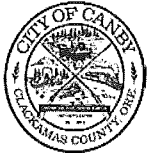
32. The county surveyor and/or city engineer shall verify that the lot, street, and perimeter monumentation shall meet the requirements set forth in Oregon Revised Statutes and conform with the additional survey and monumentation standards of 16.64.070(M)(1-3) prior to recordation of the final plat.

Residential Building Permits Conditions:

- 33.** Construction of all required public improvements and recordation of the final subdivision plat must be completed prior to the construction of any homes.
- 34.** The homebuilder shall apply for a City of Canby Site Plan Permit and County Building Permit for each home.
- 35.** The homebuilder shall apply for a City of Canby Erosion Control Permit.
- 36.** All residential construction shall be in accordance with applicable Public Works Design Standards.
- 37.** On-site stormwater management shall be designed in compliance with the Canby Public Works Design Standards.
- 38.** Clackamas County Building Codes Division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for home construction per contract with the City. The applicable county building permits are required prior to construction of each home.
- 39.** Per the Canby Public Works Design Standards, minimum residential driveway widths at the inside edge of the sidewalk shall be 12 feet and the maximum residential driveways widths shall be 24 feet with an allowed exception for 28 feet for a home with 3 or more garages.
- 40.** Sidewalks and planter strips shall be constructed by the homebuilder as shown on the approved tentative plat.
- 41.** All usual system development fees shall be collected with each home within this development.

III. Decision

Based on the application submitted and the facts, findings, and conclusions of this report, staff recommends that the Planning Commission **approve** Subdivision SUB 16-01 pursuant to the Conditions of Approval presented in Section V.



City of Canby
 Planning Department
 111 NW 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

LAND USE APPLICATION

SUBDIVISION Process Type III

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

Applicant Name: RALPH NETTER Phone: (503) 789-4926
 Address: 356 NW 14TH AVENUE Email: trnetter@yahoo.com
 City/State: CANBY, OR Zip: 97013

Representative Name: PAT SISUL, SISUL ENGINEERING Phone: (503) 657-0188
 Address: 375 PORTLAND AVE. Email: pat@sisul.com
 City/State: GLADSTONE, OR Zip: 97027

Property Owner Name: RALPH A. NETTER REVOCABLE TRUST Phone: (503) 789-4926
 Signature: Ralph A. Netter RALPH A. NETTER, TRUSTEE
 Address: 356 NW 14TH AVENUE Email: trnetter@yahoo.com
 City/State: CANBY, OR Zip: 97013

Property Owner Name: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

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

- 1 All property owners represent 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.
- 2 All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.49 Site and Design Review standards.
- 3 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 & PROJECT INFORMATION:

EAST OF 1866 SE 13TH AVE., EAST & NORTH OF 1966 SE 13TH AVE. 8.86 AC Tax LOT 700, 4 IE 03
 Street Address or Location of Subject Property Total Size of Property Assessor Tax Lot Numbers

NONE, SITE IS VACANT R-1 LDR
 Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation

3 PHASE SUBDIVISION TALLING 36 LOTS
 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

SUBDIVISION APPLICATION – TYPE III
Instructions to Applicants

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email. Required application submittals include the following:

Applicant City
 Check Check

- One (1) copy of this application packet. The City may request further information at any time before deeming the application complete.
- Payment of appropriate fees – cash or check only. Refer to the city’s Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.

SUBDIVISION APPLICATION – TYPE III

Applicant City
 Check Check

- Mailing labels (1" x 2-5/8") for all property owners and all residents within 500 feet of the subject property. **If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to “occupant.”** A list of property owners may be obtained from a title insurance company or from the County Assessor.
- One (1) copy of a written, narrative statement describing the proposed development and detailing how it conforms with the Municipal Code and to the approval criteria, including the applicable Design Review Matrix, and availability and adequacy of public facilities and services. **Ask staff for applicable Municipal Code chapters and approval criteria.** Applicable Code Criteria for this application includes:

- Three (3) copies of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (payment must be received by the City before the traffic engineer will conduct or review a traffic impact study. Ask staff to determine if a TIS is required.
- One (1) copy in written format of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees.
- One (1) copy in written format of the minutes of the pre-application meeting
- One copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor’s office. If the property is a legal lot of record created by recorded deed or land

sales contract at a time when it was legal to configure property lines by deed or contract, then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds.

Applicant City
Check Check

- N/A If the development is located in a Hazard ("H") Overlay Zone, submit one (1) copy of an affidavit signed by a licensed professional engineer that the proposed development will not result in significant impacts to fish, wildlife and open space resources of the community. If major site grading is proposed, or removal of any trees having trunks greater than six inches in diameter is proposed, then submit one (1) copy of a grading plan and/or tree-cutting plan.

SUBDIVISION APPLICATION – TYPE III

- ^{ONE} Ten (10) paper copies of the proposed plans, printed to scale no smaller than 1"=50'. The plans shall include the following information:
- Vicinity Map. Vicinity map at a scale of 1"=400' showing the relationship of the project site to the existing street or road pattern.
 - Site Plan-the following general information shall be included on the site plan:
 - Date, north-arrow, and scale of drawing;
 - Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
 - Property lines (legal lot of record boundaries);
 - Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
 - Location of all jurisdictional wetlands or watercourses on or abutting the property;
 - Finished grading contour lines of site and abutting public ways;
 - Location of all existing structures, and whether or not they are to be retained with the proposed development;
 - Layout of all proposed structures, such as buildings, fences, signs, solid waste collection containers, mailboxes, exterior storage areas, and exterior mechanical and utility equipment;
 - Location of all proposed hardscape, including driveways, parking lots, compact cars and handicapped spaces, loading areas, bicycle paths, bicycle parking, sidewalks, and pedestrian ways;
 - Callouts to identify dimensions and distances between structures and other significant features, including property lines, yards and setbacks, building area, building height, lot area, impervious surface area, lot densities and parking areas;
 - Location of vision clearance areas at all proposed driveways and streets.
 - Landscape Plan
The following general information shall be included on the landscape plan:
 - Layout and dimensions of all proposed areas of landscaping;
 - Proposed irrigation system;
 - Types, sizes, and location of all plants to be used in the landscaping (can be a "palette" of possible plants to be used in specific areas for landscaping);

- Identification of any non-vegetative ground cover proposed, and dimensions of non-vegetative landscaped areas;
- Location and description of all existing trees on-site, and identification of each tree proposed for preservation and each tree proposed for removal;
- Location and description of all existing street trees in the street right-of-way abutting the property, and identification of each street tree proposed for preservation and each tree proposed for removal.
- Elevations Plan
 - The following general information shall be included on the elevations plan:
 - Profile elevations of all buildings and other proposed structures;
 - Profile of proposed screening for garbage containers and exterior storage areas;
 - Profile of proposed fencing.
- Sign Plan.
 - Location and profile drawings of all proposed exterior signage.
- Color and Materials Plan.
 - Colors and materials proposed for all buildings and other significant structures.
- Name of Proposed Subdivision Plat (subject to review and approval by Clackamas County).
- Township, range, and section in which the property lies.
- Title Block Including:
 - Name & address of engineer or surveyor who prepared plans
 - Date that the plans were prepared
 - Scale of the drawings (standard engineer's scale)
- Subdivision boundary, lot lines, lot dimensions, gross area in square feet of each lot (excluding the square footage of accessways for flag lots), proposed public and private easements, and subdivision phase boundaries;
- If any undevelopable tract is proposed to be created, the dimensions, gross area, and purpose of the tract shall be included.
- If any oversized lots are proposed, which in the opinion of the Planning Director are likely to be further divided in the future, provide an illustration of how the lot could be further divided in conformance with all CMC standards in a manner which provides for continuation of streets and provides adequate building envelopes.
- Existing contour lines having the following minimum intervals:
 - One-foot contour intervals for ground slopes up to five percent;
 - Two-foot contour intervals for ground slopes between five and ten percent;
 - Five-foot contour intervals for ground slopes exceeding ten percent.
 - Include base flood elevation and delineation of any areas on the property subject to inundation in the event of a 100-year flood.
- Location and proposed disposition of all existing: driveways, wells, septic tanks, drain fields, easements, drainage ways, and jurisdictional watercourses or wetlands on or abutting the property. As a reminder, the property owner is responsible for meeting all state/federal wetland and waterway regulations.
- Location, names, right-of-way width, improvement dimensions, curve radius, and grades of all existing and proposed streets and public access ways within the proposed subdivision and abutting the subdivision.
- Identify the classification of all streets in accordance with the Canby Transportation System Plan. Show typical cross-sections of proposed street improvements, including identification of proposed street trees. Provide street center profiles showing the finished grade of all streets as approved by the City

Engineer, including extensions for a reasonable distance beyond the limits of the proposed subdivision.

- Location and type of existing and proposed transit facilities.
- Location of all proposed utilities, including sewer, water, storm water, electric, telephone, and natural gas; including utility sizes and grades.
- Indicate on the proposed plans how the proposed lots meet Canby's solar access standards (only applicable to lots created in an R-1, R-1.5, or R-2 zoning district).

SUBDIVISION – TYPE III: APPLICATION PROCESS

1. Prior to submitting an application, all applicants are encouraged to request a pre-application meeting with the City, or the City Planner may determine that a pre-application meeting is necessary after an application has been discussed or upon receipt of an application by the City. To schedule a pre-application meeting, an applicant must submit a completed pre-application form and set of preliminary plans to the City Planner, and after receiving the Planner's initials, must then make and take 16 copies of the pre-application materials to the Canby Public Works Department to schedule the pre-application meeting. The City does not charge a fee for a pre-application meeting.
2. Prior to submitting an application, all applicants must hold a neighborhood meeting with surrounding property owners and any recognized neighborhood association representative, pursuant to the procedures described in Canby Municipal Code Section 16.89.070. In certain situations, the Planning Director may waive the neighborhood meeting requirement.
3. At the time an application is submitted to the City, payment of all required application processing fees is required. An application will not be accepted without payment of fees. City Staff can provide you with information concerning application fees.
4. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
5. Staff investigates the application, writes a staff report, issues public notice, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
6. Prior to the public hearing, the City will prepare notice materials for posting on the subject property. This material must be posted **by the applicant** at least ten (10) days before the public hearing.
7. The staff report will be available to all interested parties seven (7) days prior to the hearing.
8. The Planning Commission holds a public hearing. The staff report is presented to the Commission. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
9. The Commission then issues findings of fact which support approval, modification, or denial of the application. A decision may be appealed to the City Council.
10. If an approval or a denial is appealed, City Council holds a public hearing. The staff report is presented and testimony taken, as at the original hearing(s). Unless the City Council decides to

hear the appeal de novo, only testimony regarding items already in the record is permitted, and no new information may be entered. In the case of an appeal, the Council may affirm, revise or reverse the action of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.

11. Prior to construction of any of the subdivision improvements required pursuant to CMC 16.64.070, a preconstruction meeting is held with the City and all applicable utility and service providers. If required, this meeting must be held before issuance of any permits.

SUBDIVISION – TYPE III: STANDARDS AND CRITERIA

Under Section 16.62.020 of the Canby Municipal Code, an application for tentative subdivision approval shall be evaluated based on the following standards and criteria:

- A. Conformance with the text and applicable maps of the Comprehensive Plan;
- B. Conformance with other applicable requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of lots 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 adjacent properties; and
- D. 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.

II. Written Narrative

Application for Multi-Phase Subdivision, Faist Addition Phases 7, 8 & 9

Property Owner: Ralph A. Netter Revocable Trust
Ralph A. Netter, Trustee
356 NW 14th Avenue
Canby, OR 97013

Applicant: Ralph A. Netter
356 NW 14th Avenue
Canby, OR 97013
Telephone: (503) 789-4926
Email: trnetter@yahoo.com

Representative Sisul Engineering
375 Portland Avenue
Gladstone, OR 97027
Pat Sisul, Project Manager
Telephone: (503) 657-0188
Email: patsisul@sisulengineering.com

Location No site address
East of 1866 SE 13th Avenue
East and north of 1966 SE 13th Ave
North of SE 13th Avenue, east of N Teakwood Street

Legal Description Tax Lot 700, Sec. 03, T4S R1E WM
(Assessor Map 4 1E 03)

Zoning R-1 (Low Density Residential Zone)

Site Size Approximately 8.86 Acres

Proposal The proposal is to subdivide the property over 3 phases into a total of 36 lots consistent with the adopted SE 13th Avenue Development Concept Plan and R-1 zoning standards. Subdivision of the property will result in a remainder area adjacent to Tax Lot 800 that will likely be combined with TL 800 at the time of its subdivision. Development of the 6-lot 7th phase will occur immediately, following necessary approvals. Development of the 24-lot 8th phase would occur when sanitary sewer is available to the east of the site. Development of the 6-lot 9th phase would likely occur when additional right-of-way width can be obtained for SE 10th Place along the north line of the property.

SITE DESCRIPTION

The development site is north of SE 13th Avenue, east of S Teakwood Street and east of the Faist Addition Phase 6 subdivision, platted in 2015. It is one of 5 properties included in a 32.10 acre annexation approved by City of Canby voters in November, 2014 and one of 6 properties that made up the SE 13th Avenue Development Concept Plan approved by the Canby City Council in 2014. Following annexation, the City of Canby zoned the property as R-1, Low Density Residential.

The site is more or less a 496' x 866' rectangle, with a 132' x 330' rectangle removed from its SW corner (Tax Lot 800). The site is approximately 8.86 acres in size and has frontage approximately 364 feet of frontage on SE 13th Avenue along the southern portion of the site. Two streets, SE 10th Place and SE 11th Avenue are stubbed to the western property line. Approximately 25 feet of the SE 10th Place right-of-way is stubbed against the west line of the site at the site's NW corner and the 50-foot wide SE 11th Avenue right-of-way is stubbed to the site farther south along the west property line.

The parcel north of the site is a vacant parcel of land owned by the Canby School District (Tax Lot 900) and farther to the north is Baker Prairie Middle School. East of this site are other large undeveloped properties recently annexed into the City of Canby located in the SE 13th Avenue Development Concept Plan area. The new S Sequoia Parkway extension is located approximately 800 feet east of the site. SE 13th Avenue, a City collector roadway, is located adjacent to the site to the south. Farther south, across SE 13th Avenue, are large parcels of land located outside of the City limits that remain in agricultural use. The Canby Road and Gun Club is also located south of SE 13th Avenue to the southeast. West of the site includes some over-sized properties (Tax Lot 800 & Tax Lots 2900 & 2901 of Map 4 1E 03BD). Three nearby schools include Baker Prairie Middle School, Trost Elementary School on Redwood Street to the northwest, and the Ackerman Center on SE 13th Avenue to the west.

The site is vacant and is in agricultural use. The site has no permanent vegetation other than one row of 8" to 12" trees crossing the property from east to west approximately 190 feet north of SE 13th Avenue and two trees located near the most western southwest corner of the site. Other than the few trees, the site has no identified natural resources and no identified physical hazards. The NW corner of the site is at elevation 178, NE corner is at elevation 175, the SE corner is at elevation 177, the most southerly SW corner is at elevation 183 and the most westerly SW corner is at elevation 182. The highest point of the site in the SW corner along SE 13th Avenue and the lowest point is the NE corner. Fall is generally from SW to NE and the change in grade occurs over an approximate distance of 940 feet, for an average grade of 0.85 percent.

Public water, sewer, power gas and communications are located in SE 10th Place, SE 11th Avenue, and SE 13th Avenue to the west of the site and can be extended into the property to serve the proposed development. Public storm drainage can be accommodated through new drywells and connections to existing drywells. Sanitary sewer for the eastern portion of the site will require construction of the planned Mulino Rd. pump station by the City of Canby.

PROPOSAL

The proposal is to subdivide the property over 3 phases into a total of 36 lots consistent with the adopted SE 13th Avenue Development Concept Plan and R-1 zoning standards. Subdivision of the property will result in one remainder area adjacent to Tax Lot 800 that would likely be combined with Tax Lot 800 to make a total of 6 more lots when Tax Lot 800 is developed.

The development proposes to use the name “Faist Addition”, similar to the subdivisions to the west. Development of a 6-lot Phase 7 would occur immediately, following land use and engineering plan approvals. Phase 7 would include the extension of SE 11th Avenue into the site from the west, with construction of a portion of a new street, S Vine Street, along the eastern side of the subdivision, as a hammerhead turnaround. All necessary utilities to serve Phase 7 of the subdivision are available in SE 11th Avenue. The earliest that Phase 7 could be platted would be late in 2016, with the first new homes being constructed between late 2016 into early 2017. Homes would likely be of similar size, style, and quality of homes constructed in the Faist Addition subdivisions to the west.

The 24-lot Phase 8 would be developed when sanitary sewer is available to the east of the site. A pump station along S Mulino Road is planned for construction by the City of Canby in the next 18 to 24 months. Sanitary sewer for Phases 8 & 9 will drain to that pump station either by way of a new sewer main in SE 13th Avenue to S Sequoia Parkway, by construction of a public sanitary sewer main across neighboring parcels to the east to the City main in S Sequoia Parkway, or a combination of the two. Construction of a sewer main across neighboring properties will require the cooperation of neighboring property owners to dedicate a sewer easement to the City of Canby, while the construction of the sewer main in SE 13th Avenue will not.

The 8th phase of the subdivision would connect S Vine Street to SE 13th Avenue, would improve the frontage of SE 13th Avenue and would construct the internal streets of SE 11th Avenue, SE 11th Place and SE 12th Avenue. SE 13th Avenue would be improved to City arterial standards, while the internal streets would be constructed to local street standards. A remainder tract, Tract A, adjacent to Tax Lot 800 would be created with Phase 8.

Development of the northern 6-lots in Phase 9 will require the S Mulino Road pump station to be in service and will also require additional street right-of-way along the north property line for SE 10th Place to be constructed to an adequate width for access to Lots 31-36. SE 10th Avenue is stubbed to the site with the centerline of the street being located along the common property line, so the Netter property and the School District property will each end up dedicating approximately ½ of the right-of-way.

Proposed lot sizes in the subdivision will range from a minimum of 7,000 sf to a maximum of 7,334 sf. The lots are between the minimum allowable lot size of 7,000 sf and the maximum allowable lot size of 10,000 sf and are generally the same size as in the

other phases of the Faist Addition neighborhood to the west. Future lots in subdivisions to the east of this subdivision will be zoned R-1.5 and will be smaller lots.

Dedications for new and existing roadways are consistent with adopted City standards and the approved SE 13th Avenue Development Concept Plan. Local street standards require 34 feet of paved street inside a 50 foot wide right-of-way. SE 13th Avenue will be improved to City arterial street standards having a width from centerline to curb line of 22 feet, a 6-inch curb, and a six-foot sidewalk in a 30-foot wide ½ right-of-way. Dedication of the additional right-of-way along SE 13th Avenue would occur at the time Phase 8 is platted.

A pre-application conference with the City occurred on January 12, 2016. During the pre-application discussion, it was recommended to the applicant that rather than to pursue developing this site with a combination of a minor partition and a subdivision that he should instead should request a multi-phased subdivision. A Neighborhood meeting was conducted at the Canby Adult Center on February, 17 2016. A traffic impact study for the entire 32 acre annexation and Concept Development Plan area was completed by the City's traffic engineer, DKS & Associates in 2014. Because the proposed subdivision is consistent with the approved Development Concept Plan, no further traffic analysis is required with the application for subdivision.

APPLICABLE CRITERIA AND STANDARDS

Identification of Applicable Criteria and Standards

The following sections of the City of Canby Land Development and Planning Ordinance apply to this application:

- 16.10 Off-Street Parking and Loading
- 16.16 R-1 Low Density Residential Zone
- 16.46 Access Limitations on Project Density
- 16.56 Land Division General Provisions
- 16.60 Major or Minor Partitions
- 16.64 Subdivisions – Design Standards
- 16.86 Street Alignments
- 16.88 General Standards & Procedures
- 16.89 Application and Review Procedures
- 16.120 Park, Open Space and Recreation Land General Provisions

LAND USE AND DEVELOPMENT ORDINANCE

Chapter 16.10 Off-Street Parking and Loading

Response: The parking requirement for single family dwellings is two spaces per dwelling unit (Table 16.10.050). This requirement can be satisfied when building plans are submitted for each lot.

Chapter 16.16 R-1 Low Density Residential Zone

Response: The proposed subdivision will create 36 new lots for detached single family dwellings over three phases. The proposed residential use is allowed outright in the zone (16.16.010.A). New lots in the R-1 Zone are required to meet the development standards specified in Sec. 16.16.030. Development standards for structures can be verified when plans for building permits are submitted. The following table lists requirements and how the application proposes to satisfy each standard:

Section 16.16.030 R-1 Zone Dimensional Standards

Requirement	Proposed
16.16.030.A Minimum and maximum lot area: 7,000 sq. ft. and 10,000 sq. ft.	Lots proposed = 36 Min. lot area = 7,000 sq. ft. Max. lot area = 7,334 sq. ft. Average lot area = 7,106 sq. ft.
16.16.030.C Minimum width and frontage: 60 feet	All lots are at least 60 feet wide and have at least 60 feet of frontage.
16.18.030.D Minimum yard requirements: Street yard, 20 feet for side w/dwy Other street yards, 15 feet Rear yard, 20 feet for two story building, 15 feet for one story Interior yard: 7 feet, or zero lot line	These requirements will be satisfied when building plans are submitted for structures on each proposed lot.
16.16.030.E Maximum building height: 35 feet	This requirement will be satisfied when building plans are submitted for structures on each proposed lot.
16.16.030.F Maximum amount of impervious surface: 60 percent	This requirement will be satisfied when building plans are submitted for structures on each proposed lot.
16.16.30.G Other regulations.	These requirements will be satisfied when building plans are submitted for structures on each proposed lot.

Section 16.46.010 Number of Units in Residential Development

Response: The development proposes to create detached single family residences on individual lots, therefore Sec. 16.46.010A is the appropriate standard.

The Faist Addition neighborhood is an area loosely defined as being south of Trost Elementary and Baker Prairie Middle Schools, north of SE 13th Avenue and east of lots fronting S Redwood Street. The neighborhood is currently accessed by two public streets, the S Teakwood Street connection to SE 13th Avenue to the south and the SE 11th Avenue connection to S Redwood Street to the west. A third point of access, usable in emergency situations, is an access through Baker Prairie Middle School to Township Road. This access is signed as a “Private Drive, No Thru Traffic” at both ends, however, it is not gated and it appears to be used, at least by some neighborhood residents, as a short cut access to Township Road. The access roadway is 26 feet wide and the curbs on the west side of the access road are painted red with stencils stating, “No Parking Fire Lane”. In the case of an emergency in the neighborhood, this access could be used by emergency crews, if needed.

Currently, 160 lots are located within Faist Addition Phases 1-6. These 160 lots plus one home on an oversized parcel, a remnant of the Faist parent parcel, use the two public

street connections for access in and out of the neighborhood. Development of the proposed subdivision would add 36 lots to the neighborhood, increasing the total number of lots to 197. The proposed subdivision would also create one new point of access out of the neighborhood with a connection of S Vine Street onto SE 13th Avenue during Phase 8.

Per the formula in 16.46.010.A.2, up to 207 lots are allowed to be served by three points of access and up to 288 lots are allowed with four points of access. Therefore, the number of access points will be adequate to serve the number of lots in the neighborhood, as is permitted by this section of the Code.

Based upon the traffic study prepared for the Development Concept Plan and the traffic impact study that was performed in 2015 for the Faist Addition Phase 6 subdivision, no unwarranted problems are anticipated to occur at the intersection of SE 13th Avenue and S Teakwood Street with development of the Development Concept Plan area. The traffic study for Faist Addition Phase 6 stated the following in regards to the impact of the Faist Addition Phase 6 subdivision on the S Teakwood Avenue / SE 13th Avenue intersection.

The results of the capacity analysis show that the intersection of SE 13th Avenue and S Teakwood Avenue is currently operating at LOS A and a v/c ratio of 0.08 during the evening peak hour. Following the background growth and the addition of new trips from adjacent annexation development, the intersection is projected to continue to operate at LOS A with a v/c ratio of 0.11. This is within the Clackamas County's operational standards. Following the full build-out of the site as planned, the intersection of SE 13th Avenue and S Teakwood Avenue is projected to remain at LOS A with a v/c ratio of 0.12.

All roadways within the development are proposed to be two-lane public roadways constructed to the City standard width of 34 feet of pavement. SE 13th Avenue is a County-owned and maintained roadway and it is listed as an arterial roadway in the City's Transportation Plan. SE 13th Avenue will be improved to a 22-foot wide ½ street width along the frontage of the site.

Section 16.46.030 Access Connection

Response: The applicant proposes one new street, S Vine Street; extensions of four existing streets to the west, SE 10th Place, SE 11th Avenue, SE 11th Place and SE 12th Avenue. The layout of streets in the subdivision is consistent with the Development Concept Plan approved by the City Council in 2014 prior to annexation.

Other than SE 13th Avenue and S Sequoia Parkway that border the DCP area to the south and east, all streets within the DCP neighborhood will be local streets. S Sequoia Parkway is a City collector. Due to the limited distance between the bridge over the railway and the SE 13th Avenue intersection, no street connection to S Sequoia Parkway from the neighborhood was proposed in the DCP. SE 13th Avenue is classified as a minor arterial and is under the jurisdiction of Clackamas County. Clackamas County

allows a minimum intersection spacing of between 300-400 feet on minor arterials. However, the City of Canby Transportation Plan identifies SE 13th Avenue as an arterial roadway having a minimum intersection spacing of 660 feet and a maximum spacing of 1,000 feet. Two new connections to SE 13th Avenue were identified in the Development Concept Plan, S Vine Street and S Walnut Street. The street layout in the adopted DCP included some necessary minor deviations from the Access Management Guidelines and intersection spacing standards identified in Table 16.46.30.

Per measurements taken from aerial photography, the distance from the center of S Teakwood Street to the double yellow stripe on S Sequoia Parkway is approximately 1,703 feet. According to the street layout in the approved DCP, the centerline to centerline distance from S Teakwood to S Vine would be 618 feet, from S Vine to S Walnut the distance would measure 626 feet, and there would be 459 feet from S Walnut Street to the center stripe on S Sequoia Parkway. While the spacing of these intersections meets County requirements, the separations fall below City requirements. In order to meet the City intersection separation standard, one of the two new connections to SE 13th Avenue would have to be eliminated and the other would have to be moved. If that were done, up to 851 feet could separate the intersections. The applicant's response to Section 16.46.070 addresses allowable exception standards for intersection spacing requirements.

Interior streets within the proposed subdivision will be local streets. Table 16.46.030 identifies intersection spacing for local streets to be between 150 feet minimum and 600 feet maximum. Proposed intersection spacing on S Vine Street measures 161 feet from SE 13th Avenue to SE 12th Avenue, and approximately 241.5 feet from SE 12th Avenue to SE 11th Place, SE 11th Place to SE 11th Avenue, and SE 11th Avenue to SE 10th Place. These are all within the accepted range.

Section 16.46.070 Exception Standards

Response: Section 16.46.070 allows exceptions from the access spacing standards if the applicant can provide proof of unique or special conditions that make strict application of the provisions impractical. One exception to the access spacing standards is needed to allow the separation between S Teakwood Street and S Vine Street along SE 13th Avenue to be 618 feet, less than the 660 feet required by Table 16.46.30.

As mentioned above, SE 13th Avenue is under the jurisdiction of Clackamas County and is classified as a minor arterial. Clackamas County allows a minimum spacing of 300-400 feet along minor arterials. However, the City of Canby Transportation Plan identifies SE 13th Avenue as an arterial and City Code requires a minimum spacing of 660 feet between intersections. The S Vine Street intersection is proposed to be 618 feet east of S Teakwood Street, exceeding Clackamas County's minimum intersection spacing of 300-400 feet, but falling below Canby's intersection separation requirement of 660 feet. In order to meet the City intersection separation standard, one of the two new intersections proposed along SE 13th Avenue by the Development Concept Plan for this area would have to be eliminated and the other would have to be moved. If that were to be done, then up to 851 feet could separate future intersections between S Teakwood Street and S Sequoia Parkway.

There are several unique or special conditions that make strict application of the intersection spacing standards impractical in this instance. Below, we explain why two new intersections are needed from the DCP area to SE 13th Avenue and why a lesser spacing should be permitted.

Special Condition #1: Two points of access are needed to comply with Sect 16.46.010A

Two additional points of connection to SE 13th Avenue are needed in order for the entire neighborhood to comply with the standards of Municipal Code Section 16.46.010A. Section 16.46.010A sets a relationship between density and the number of access points into a development area. Vehicular access plays a major factor in determining the appropriate density of residential development. In order to assure that sufficient access is provided for emergency response as well as the convenience of residents, Section 16.46.010A establishes a relationship between the number of access points and the number of housing units.

Earlier in this narrative, in response to Section 16.46.010A, we noted that given the number of existing lots in the neighborhood and the 36 lots proposed with this subdivision, the number of access points from the neighborhood will be sufficient to meet the standards of Section 16.46.010A. The neighborhood currently has two public street access points, SE 11th Avenue to S Redwood Street and S Teakwood Street to SE 13th Avenue. A third accessway, a fire department access through Baker Prairie Middle School to Township Road is also used for access by some residents and could be used by emergency vehicles in an emergency situation. Phase 8 of the proposed subdivision, will construct a third public accessway into the neighborhood with a connection of S Vine Street to SE 13th Avenue. Per the formula in Section 16.46.010A, three points of access are sufficient for up to 207 homes and up to 288 homes can be served with four points of access. Following development of this new subdivision, there would be 197 lots total in the neighborhood, less than the number permitted by Code. However, when the entire Development Concept Plan area is examined, it is clear that if only one new intersection is created onto SE 13th Avenue then there would be a shortage of access points.

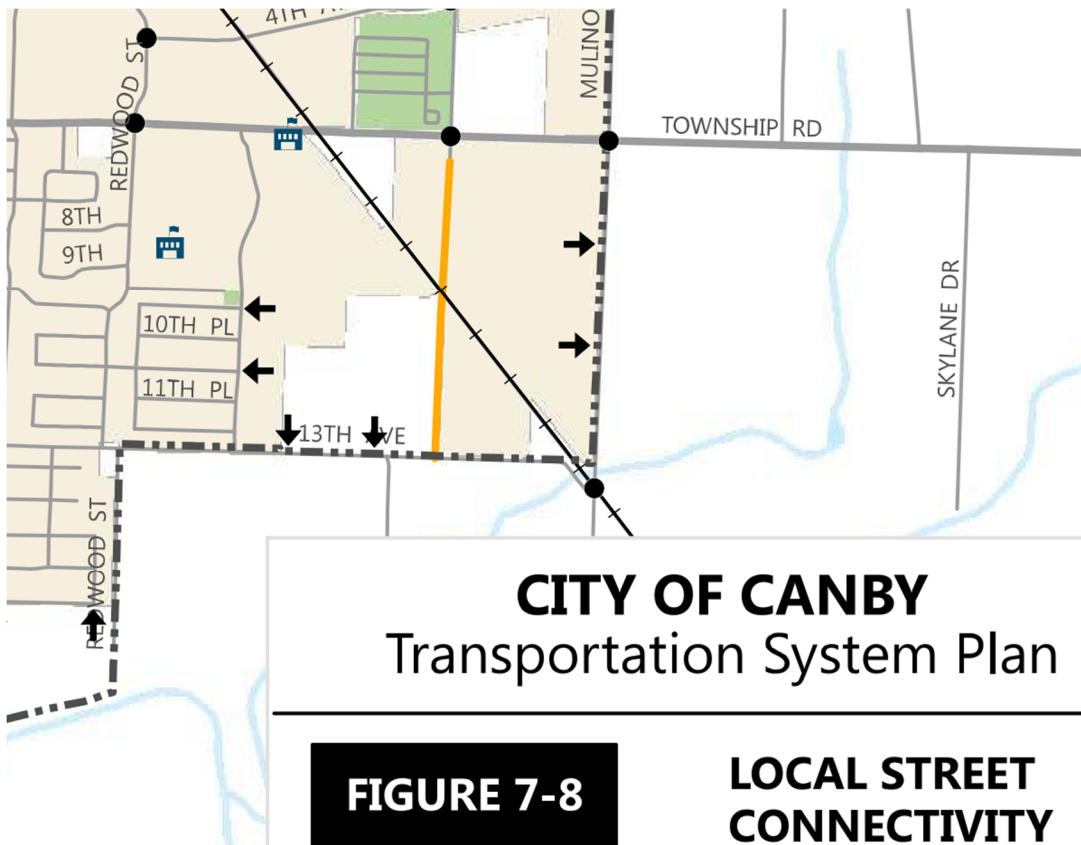
From S Sycamore Drive east to the west line of this subdivision, the existing Faist Addition neighborhood (Phases 1 through 6) currently totals 162 lots. One lot, the original Faist home, located on a large parcel, takes access directly to SE 13th Avenue, while the other 161 lots access the neighborhood from one of the two existing public ways (or possibly through Baker Prairie Middle School to Township Road). At buildout, when all undeveloped and under-developed lands east to S Sequoia Parkway are fully developed, it is anticipated that approximately 192 additional lots may be developed. These additional lots would come from the parent parcels as noted below:

Tax Lots 400 & 401	Stoller & Herrod	50 lots
Tax Lots 500 & 600	Marcum & Rice	59 lots
Tax Lots 700 & 800	Netter & Boyle	42 lots
Tax Lot 900	Canby School District	23 lots
Tax Lots 2900 & 2901	Faist & Faist	18 additional, 20 total
Total		192

Together the 162 existing homes and the 192 future homes (354 total) will share the few points of access in and out of the neighborhood. Per the formula in 16.46.010A, four points of access are adequate to serve up to 288 homes and five points of access will serve up to 375 homes. If only one new intersection was constructed to SE 13th Avenue, the overall neighborhood would have only 4 points of access (3 public & 1 private) which couldn't support planned densities. Two new connections to SE 13th Avenue and 5 points of access total (4 public & 1 private) would meet the access standards for the 354 anticipated homes. In order to provide two new needed connections to SE 13th Avenue, the intersection spacing has to be reduced below what is permitted by Code.

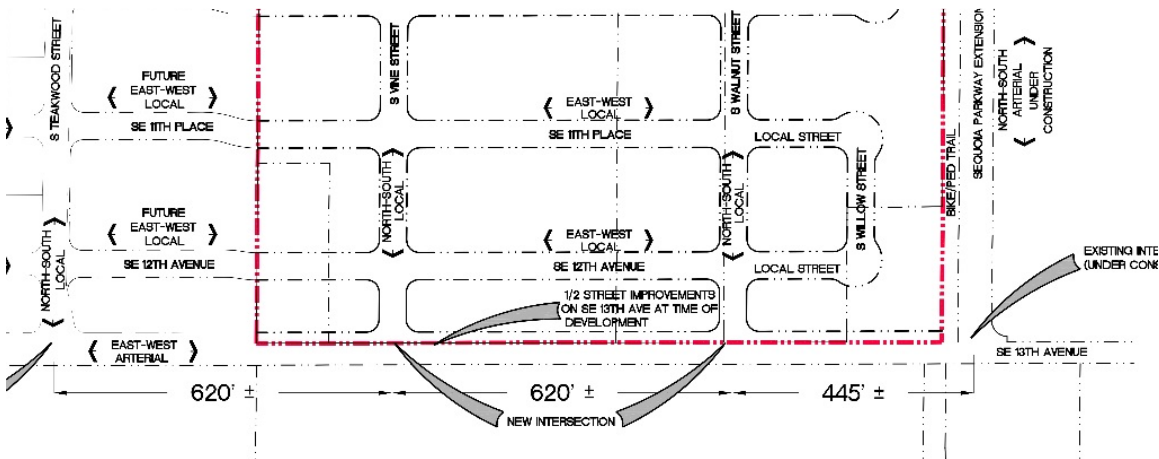
Special Condition #2: The Transportation Plan shows two new connections to 13th Ave

The City Transportation Plan identifies two future local street connections to SE 13th Avenue between S Teakwood Street and S Sequoia Parkway. Per Figure 7-8 Local Street Connectivity (figure below), directional arrows indicate potential future local street connections. The text of the TSP indicates that one of the criteria for showing connections is that vehicle connections should be provided every 600 feet from centerline to centerline. The authors of the transportation plan failed to catch that a 600 foot spacing does not meet minimum intersection separation requirements on an arterial roadway, however, they did recognized that a second point of access from the DCP area to SE 13th Avenue would be needed in order to provide an adequate number of access points for the neighborhood.



Special Condition #3: Earlier planning efforts have already established a reduced spacing

Previous planning efforts already established that the distance between future intersections along SE 13th Avenue will be less than 660 feet. Sheet 4 of the Development Concept Plan (figure below) prepared for the SE 13th Avenue Annexation identified the anticipated spacing between the future intersections along SE 13th Avenue to be 620' +/- from S Teakwood Street to S Vine Street, 620' +/- from S Vine Street to S Walnut Street, and 445' +/- from S Walnut Street to S Sequoia Parkway. The plan was approved by the Planning Commission and the City Council with no concerns or objections being raised concerning the deviation from the adopted spacing requirements.



The Street Plan shown in the Development Concept Plan had to take into account existing property lines of the parent parcels in the DCP area, the size of the various parcels, and had to consider likely development patterns, i.e. what properties would likely develop first and which would develop later. The two connections to SE 13th Avenue had to be positioned so that fit with existing property lines so that one of the two narrow parcels (Rice & Marcum) was not burdened by having to dedicate a significant amount of right-of-way for a new north-south street, otherwise those parcels may not be financially viable to subdivide. S Vine Street and S Walnut Streets were positioned not only so that they would fall entirely, or nearly entirely, on one of the two larger properties where the loss of the north-south right-of-way would not have as much of an economic impact on the parent parcel, other factors, including logical lot patterns were also looked at. Lots in the DCP area will have to meet minimum and maximum lot areas and dimensional standards. Moving streets around after previous planning efforts have been completed could have a negative impact on the density achievable in the DCP area.

Special Condition #4: Nearly every other intersection spacing is below the standard

Where urban subdivisions have developed along SE 13th Avenue, most of the separations between existing intersections do not meet the recommended intersection separation standards of Table 16.46.30. SE 13th Avenue runs from S Ivy Street to S Mulino Road. It is fully developed on both the north and south sides of the street from

Ivy Street to S Redwood Street. Beyond Redwood Street, subdivisions are developed on the north side of the street as far as S Teakwood Street. Distances in between existing intersections on SE 13th Avenue from S Ivy Street to S Teakwood Street are as follows:

S Ivy Street	→	S Larch Street	498 feet
S Larch Street	→	S Lupine Street	440 feet
S Lupine Street	→	S Pine Street	727 feet
S Pine Street	→	S Ponderosa Street	426 feet
S Ponderosa Street	→	S Redwood Street	411 feet
S Redwood Street	→	S Teakwood Street	1104 feet
Average Existing Spacing			601 feet

The average separation between existing intersections on SE 13th Avenue is 601 feet, less than the adopted minimum separation of 660 feet and less than the 618 feet proposed between S Teakwood and S Vine Streets.

It should be noted that currently the distance from S Redwood Street to S Teakwood Street, at 1,104 feet, exceeds the maximum intersection spacing permitted by the Code. At ultimate build out, when the entire SE 13th Avenue corridor is fully developed on both the north and the south from S Ivy Street to S Sequoia Parkway, it is likely that one new intersection may end up being constructed to the south midway between S Redwood and S Teakwood Streets. A new intersection would divide the current 1,104 foot distance between intersections approximately in half (552 feet). If this new intersection to the south happened and S Vine Street and S Walnut Street were both constructed as planned, the average distance between intersections on SE 13th Avenue between Ivy Street and Sequoia Parkway would then drop to 531 feet. Under this scenario, the only two intersections that would meet the adopted spacing standards would be S Lupine Street to S Pine Street, at 727 feet. All of the other intersections along SE 13th Avenue would be less than the permitted standard and the distance from S Vine Street to S Walnut Street and from S Teakwood Street to S Vine Street would be the second and third longest intersection separations along the entire corridor.

Summary: For the reasons noted above, we believe that there are several unique conditions that make strict application of the intersection spacing standards impractical along SE 13th Avenue and that a lesser spacing should be permitted.

Chapter 16.49 Site & Design Review

Response: Site and Design Review is required for all new development, except for single family and two-family dwellings (16.49.030).

Dwellings in the proposed subdivision will not require site and design review.

Division IV Land Division Regulations

Chapter 16.60 Major or Minor Partitions

Response: The applicant is proposing a three-phase subdivision to divide the subdivision as proposed. No major or minor partition is proposed. The large remainder parcels that remain following platting of Phases 7 and 8 are not intended to be buildable parcels, but will simply be remainder areas for future subdivision, with no utilities installed. The provisions of Chapter 16.60 do not apply to the application.

Chapter 16.62 Subdivisions-Applications

Response: An application satisfying the filing procedures and information required in Sec. 16.62.010 has been submitted.

Standards and criteria for approval of a subdivision are set forth in Sec. 16.62.020, as follows:

A. Conformance with other applicable requirements of the Land Development and Planning Ordinance;

Response: Applicable requirements of other sections of the Land Development and Planning Ordinance are discussed in other sections of this narrative and on the maps included with the application, demonstrating that the proposed land division conforms to applicable criteria.

B. The overall design and arrangement of lots 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 adjacent properties;

Response: The design and layout of the site provides for desirable and functional building sites. All lots meet or exceed the minimum lot area and dimensional standards for the R-1 Zone. Each lot has access to a local public street and has easy connectivity to a nearby arterial street (SE 13th Avenue). The proposed subdivision layout provides street connections for future developments to the east, west, and north, and provides for pedestrian and bicycle connectivity with new sidewalks inside the development and along SE 13th Avenue. Public utilities, including sewer, water, communications, and power will be extended through the development site so that these services can be used by undeveloped neighboring properties to the east, west and north. Development of the site will not hinder the use or development of any adjacent properties.

C. Subdivision design and layout shall incorporate Low Impact Development techniques where possible to achieve the following:

- 1. Manage stormwater through a land development strategy that emphasizes conservation and use of onsite natural features integrated with engineered stormwater controls to more closely mimic predevelopment hydrologic conditions.*
- 2. Encourage creative and coordinated site planning, the conservation of natural conditions and features, the use of appropriate new technologies and techniques, and the efficient layout of open space, streets, utility networks and other public improvements.*
- 3. Minimize impervious surfaces.*
- 4. Encourage the creation or preservation of native vegetation and permanent open space.*
- 5. Clustering of residential dwellings where appropriate to achieve (1-4) above. The arrangement of clustered dwellings shall be designed to avoid linear development patterns.*

Response: Although the Code encourages Low Impact Development techniques, other provisions of the Code, such as minimum lot area requirements and minimum width requirements for public streets, with planter strip and sidewalk located on both sides of the streets, make it difficult to achieve successful Low Impact Development techniques within low density residential subdivisions.

Subsurface injection of stormwater, retention of existing trees and installation of new trees that reduce impervious surfaces and heat are Low Impact Development techniques that typically could be utilized by low density residential subdivisions. Stormwater runoff from the streets and homes in this subdivision will be injected into the ground through the use of drywells for street runoff and chamber systems for roof runoff. Injection of stormwater will recharge the groundwater. This development will also be responsible to install street trees along the street frontage of all new lots. In time, when these trees grow to maturity, they will provide for reduced stormwater runoff and will reduce heating coming from the site in the summer by providing shading for streets, driveways and sidewalks. The street system in the proposed development is double loaded, a more economical design that creates less impervious surfacing than having single loaded streets. Double loaded streets are the norm, but single loaded streets have been developed in Canby on occasion.

Because the site has been in agricultural use for many years, few trees are located on the property. One row of trees runs across the property from west to east approximately 210 feet north of the center of SE 13th Avenue, which places the tree row in the front setback of proposed Lots 11, and 16-18. The combination of the installation of franchise utilities systems for power, gas, cable and communications on one side of the trees and construction of home foundations on the other side of the trees will likely be too great of

an impact for these trees to be able to remain. It is anticipated that all of the trees in this particular row will be removed from the site.

The proposed layout will provide lots that will allow adequate space to create vegetation after the homes are constructed as has been done in other neighboring developments.

D. 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.

Response: Necessary facilities and services are available for the proposed development at the proposed R-1 zoning designation. A discussion of public facilities and services by phase is listed below. For all phases, police service will be provided by the City of Canby Police Department, fire protection is available through the Canby Fire District, and garbage and recycling collection are available through Canby Disposal Company. All other facilities are available or can be made available through the extension of utilities at the time of development.

Phase 7: Public water, public sewer and franchise utility service for Phase 7 will be extended into the site from the recently completed Phase 6 to the west. SE 11th Avenue will be extended into the property, terminating with a turnaround at S Vine Street that exceeds the minimum turnaround dimensions required by the Fire Code. A total of sixteen homes would be located on SE 11th Avenue between S Teakwood and S Vine Streets, less than the 30 homes allowed by the Fire Code to be served from a single point of access. Public storm drainage is available through installation of a new drywell and use of an existing drywell at the east end of SE 11th Avenue.

Phase 8: Phase 8 of the project will occur when the City has constructed a planned sanitary sewer pump station at the intersection of SE 13th Avenue and S Mulino Road. The pump station has been planned for many years and is needed not only to serve the residential areas in this corner of Canby, but it is also needed to serve industrial land already within the City limits east of S Sequoia Parkway. According to the City Engineer, the timing for the pump station is for it to be completed is within the next 18 to 24 months. Along with the pump station, the City of Canby will install a gravity sanitary sewer main from the SE 13th Avenue / S Sequoia Parkway intersection to the new pump station and a force main back to an existing gravity line, likely in S Sequoia Parkway on the north side of the railroad. All of the City improvements will be funded by SDC's. The developer will be responsible for installing a public sanitary sewer line offsite from this subdivision to an existing public sewer main east of the site. This existing public main could be as far away as S Sequoia Parkway, or it could be closer to the subdivision, depending upon whether any other properties in this area were to develop. The offsite sanitary sewer main could be installed in completely in SE 13th Avenue, completely on private property, or a combination in SE 13th Avenue and on private property. Easements will be needed from private property owners before sewer lines could cross private property.

With development of Phase 8, S Vine Street will be connected to SE 13th Avenue, improving fire access with the new intersection. SE 11th Place will be extended to the eastern property line, SE 11th Place and SE 12th Avenue will be constructed, and SE 13th Avenue will be improved with a ½ street improvement including a sidewalk on the north side of the street. Public storm drainage is available through construction of new storm drain catch basins, water quality manholes and drywells. The public water line in S Vine Street will be connected to a 14-inch water main in SE 13th Avenue as the 14-inch main line is extended across the SE 13th Avenue frontage of the site. Gas, communications and power are all available to the west of the site in SE 11th and SE 13th Avenues.

Phase 9: Phase 9 will plat 6 lots fronting SE 10th Place along the northern portion of the site. The centerline of SE 10th Place is more or less located along the property line common to the Netter parcel and a parcel owned by the Canby School District. Each property owner will be responsible for dedicating approximately ½ of the future 50' wide right-of-way for SE 10th Place, and therefore development of this phase will occur when additional right-of-way is available from Tax Lot 900 to construct a street wide enough to support two-way traffic. As with Phase 8, development of Phase 9 is dependent upon construction of the sanitary sewer pump station at SE 13th Avenue and S Mulino Road.

When SE 10th Place is constructed, a new water line loop will be created through connection of the existing waterline in SE 10th Place to the waterline in S Vine Street. Sanitary sewer in Phase 9 is expected to drain south into the Phase 8 sewer system, while power, gas and communications will all be available from Phase 6, 7 & 8. Public storm drainage will be available in Phase 9 through construction of new storm drain catch basins, water quality manholes, and drywells, or through the use of existing facilities installed in earlier phases.

E. The layout of subdivision streets, sidewalks, and pedestrian ways supports the objectives of the Safe Routes to Schools Program by providing safe and efficient walking and bicycling routes within the subdivision and between the subdivision and all schools within a one-mile radius. During review of a subdivision application, city staff will coordinate with the appropriate school district representative to ensure safe routes to schools are incorporated into the subdivision design to the greatest extent possible. (Ord. 890 section 53, 1993; Ord. 740 section 10.4.40(B), 1984; Ord. 1338, 2010)

Response: Sidewalks along SE 13th Avenue will be constructed with development of Phase 8, while all other sidewalks in the subdivision will be constructed at the same time as new homes are constructed. All streets in the subdivision will have new sidewalks on both sides, as is common in newer neighborhoods in the City of Canby.

Two schools, Trost Elementary and Baker Prairie Middle Schools, are located north of the proposed development. Sidewalks in this neighborhood will connect with other sidewalks in Phase 6 that are being constructed with the new homes being constructed in that subdivision. Sidewalks on the east side of S. Teakwood Street in Faist Addition

Phase 6 will lead directly to Baker Prairie Middle School and to a pathway on school district property that leads to Trost Elementary.

Once the entire Development Concept Plan area has been developed, a gridded network of streets will provide for many safe connections from this neighborhood to the schools to the north. These sidewalks will provide safe connections that support the objectives of the Safe Routes to Schools Program.

F. A Traffic Impact Study (TIS) may be required in accordance with Section 16.08.150. (Ord. 1340, 2011)

Response: A Traffic Impact Study was commissioned during the annexation of the property in 2014 by the applicant and the other property owners who were requesting annexation into the City of Canby. The study was performed by the City's traffic engineering firm of DKS Associates. Because this recent study of the site and surrounding intersections has already been performed, the proposed subdivision is consistent with the Development Concept Plan approved for the area, and no change in zoning is proposed, another traffic study is not required for the proposed subdivision.

Chapter 16.64 Subdivisions Design Standards

Section 16.64.010 Streets

Response: New local streets in the subdivision, S Vine Street, SE 10th Place, SE 11th Avenue, SE 11th Place and SE 12th Avenue will have pavement widths of 34 feet from curb to curb, with street right-of-ways of 50 feet. Planter strips separating the curb from the sidewalk will measure 4.5 feet while sidewalks will be constructed to the City standard width of 6 feet. All of these dimensions are current local street standards. With these dimensions, the sidewalk will be located ½ within the right-of-way and ½ within an easement on the lots.

SE 13th Avenue is currently under the jurisdiction of Clackamas County and is listed as a minor arterial in the County Transportation System Plan. The City of Canby Transportation Plan identifies SE 13th Avenue as an arterial roadway. SE 13th Avenue is to be constructed with a centerline to curblane dimension of 23 feet (46 feet curb to curb) in a ½ right-of-way of 40 feet (80 feet ultimate r.o.w. width). The 23-foot wide ½ street will permit room for ½ of a 12-foot wide center turn median, an 11-foot wide travel lane, and a 6-foot wide bike lane. No parking will be permitted on SE 13th Avenue.

One new street name is proposed, "S Vine Street". There is not currently a Vine Street located on the south side of Canby, however N Vine Street is located off of NE Territorial Road in northeast Canby. S Vine Street is consistent with the street naming identified in the Development Concept Plan and follows the pattern of naming north-south roadways after trees or plants with a "Street" suffix. Other proposed street names

include “SE 10th Place”, “SE 11th Avenue” “SE 11th Place” and “SE 12th Avenue”, all of which are extensions or new segments of other nearby roadways.

Section 16.64.015 Access

No connection to a State Highway is proposed, therefore the project does not have to be reviewed for conformance with state access management standards.

The proposed road system follows the road system identified in the Development Concept Plan approved by the City Council. The road system in the DCP area is a large gridded neighborhood having 5 east-west streets and 2 north south streets. The gridded street pattern continues extensions of existing streets from the west through this site and eventually across properties farther east. The proposed road network allows for convenient access for residents, visitors, deliveries, emergency vehicles, and garbage collection. The road network also allows for logical development patterns for other nearby properties not already developed.

Profiles of future roadways in the subdivision are have been included with the application. The terrain of the site generally falls from the southwest to northeast, however the ground is not consistent, there are low spots and high spots. S Vine Street has been master planned from SE 13th Avenue to the future SE 10th Avenue to the north. On the eastern side of S Vine Street, SE 10th Place, SE 11th Avenue, SE 11th Place and SE 12th Place will generally slope east, consistent with the natural terrain. On the west side of S Vine Street, street profiles will include a mix of roadway falling toward S Vine Street and falling away from S Vine Street. S Vine Street will be constructed above the surrounding terrain, to aid in having the profiles of the numbered streets to match into the crown of S Vine Street.

All local streets will have sidewalks on both sides, constructed at the same time as the home construction. Lot access and locations for driveways will be reviewed by the City and Clackamas County Building Department at the time of building permits.

Section 16.64.020 Blocks

The City requires subdivisions to be designed to accommodate blocks that provide lots of suitable size and access in multiple directions. Generally, block lengths in residential zones are limited to 400 feet. Proposed blocks in the north south direction will measure less than 200 feet in all cases, and less between SE 12th & 13th Avenues. In the east-west direction, the distance from the centerline of S Teakwood Street to the centerline of S Vine Street will be approximately 620 feet, for a block length of 570 feet (620 feet minus 25 feet of right of way on Teakwood Street and 25 feet of right-of-way on Vine Street). The block lengths proposed are consistent with the adopted Development Concept Plan for the SE 13th Avenue Annexation, which identified longer block lengths in the east-west direction order to match proposed intersection spacings along SE 13th Avenue.

Section 16.64.030 Easements

Easements for utility lines and sidewalks will be provided as necessary to satisfy requirements of the City.

Section 16.64.040 Lots

(16.64.040.A & B) Lot sizes and shapes comply with dimensional requirements for the R-1 Zone, as previously discussed in this narrative and as shown on the proposed site plan.

(16.64.040.C) All R-1 lots have at least 60 feet of frontage.

(16.64.040.D) Double frontage lots are being created along SE 13th Avenue, a traffic arterial. No double frontage lots are being created by this development.

(16.64.040.E) Lot side lines all at or near to right angles to fronting streets.

(16.64.040.F) The subdivision is proposed to be developed in three phases. With Phases 7 and 8, large remainder parcels will be left following recording of the plats, however, services won't be installed for the remainder areas, so remnant areas will not be buildable lots. As subdivision phases are platted, the remnant areas will diminish and after platting of the last phase, no dividable lots will remain in the subdivision. Tract A, a remainder area near Tax Lot 800, is anticipated to be developed in time along with Tax Lot 800 to create a total of 6 lots.

(16.64.040.H) No hazardous situation related to flooding or soil instability has been identified on the site. The site will dispose of storm drain runoff through injection of storm water into drywells as was done in the neighboring subdivisions and in other nearby subdivisions.

(16.64.040.I) No flag lots or pan-handle shaped lots are proposed.

(16.64.040.J) The proposed development does not meet the "Infill" standards.

Section 16.64.050 Parks and Recreation.

In 2014, the City Council approved a Development Concept Plan for the 32-acre SE 13th Avenue Annexation that included provisions for a park on the Stoller property, approximately 620 feet northeast from the NE corner of the site. The Development Concept Plan indicated that the Stoller Park would be the only park in the Development Concept Plan area and that all properties, would pay the park fee-in-lieu payment at the time of building permit submittal. Therefore, there is no portion of the current subdivision proposal is planned for dedication as public open space.

Section 16.64.060 Grading of Building Sites

Minor grading will be accomplished on the site to create suitable building sites. Most of this grading will occur along the street frontage of the lots as is needed to construct the public road and sidewalk improvements.

Section 16.64.070 Improvements

Improvements for the subdivision will be accomplished as required by this section. Plans have been submitted with this application that show the arrangement of streets and sidewalks, public utilities, and other improvements necessary to provide for the convenience, health, and safety of future residents of this neighborhood and of the City. Please refer to specific plans for details. Following approval of the preliminary plan, more detailed construction plans will be submitted to the City for plan review and approval prior to construction. These construction plans will also be submitted to the private utility service providers, such as gas and communications companies, so that they may design their system improvements needed to serve the subdivision.

Local streets within the subdivision will be constructed to the City's standard structural section for local streets. SE 13th Avenue, currently under the jurisdiction of Clackamas County, will be widened by approximately 6 feet along the frontage of the site. The widened section of street will be constructed to the higher structural standard of the Clackamas County and the City of Canby standards. The existing pavement section on SE 13th Avenue will likely be overlaid with additional pavement and restriped. All streets will have concrete curbs and sidewalk installed. Sidewalks and driveway approaches along local streets will be constructed at the same time new homes are constructed. Street lighting, striping, signage, ramps at intersections and the sidewalk along SE 13th Avenue will be constructed with the other roadway improvements. Street trees will be installed by the City when the City feels it is appropriate time for the trees to be installed.

Stormwater will be managed through the collection of stormwater runoff in catch basin inlets and piped to new water quality manholes installed for stormwater treatment. Stormwater will be disposed of through underground injection into drywells, similar as is done in nearby subdivisions.

LID stormwater approaches such as green roofs, pervious pavements and roadside swales are often not good fits for residential subdivisions. Green roofs tend to work best on flat roofs do not work well on the pitched roof architecture common to today's residential subdivisions. Pervious pavements tend to function better in mature subdivisions where there isn't a lot of ground disturbing activity taking place. The home building, landscaping, and fence building activities common in brand new subdivisions tend to deposit soil and other landscaping material onto the surface of roadways. This material would clog pervious pavement and prevent it from functioning as intended. Once this material works its way down inside the porous pavement, the pavement becomes nearly sealed, similar to standard pavements. Roadside swales can be problematic in residential subdivisions as the swales make it difficult for people to exist

cars parked against the curblin, as the planter strip is often soggy or under a few inches of water.

Sanitary sewer will be provided to the Phase 7 of the subdivision through an extension of the existing sanitary sewer main in SE 11th Avenue in Phase 6. Sanitary sewer for Phases 8 and 9 will flow east toward S Sequoia Parkway and will end up at a new sewer pump station being constructed by the City at the intersection of SE 13th Avenue and S Mulino Road in the next 18 to 24 months. A pump station at that intersection has been planned for quite some time and it is needed to serve residential and industrial properties in this SE corner of Canby.

Canby Utility has a 14-inch water main in SE 13th Avenue located west of the site, a 14-inch water main in S Sequoia Parkway east of the site, and 8-inch water mains in all other nearby streets. As parcels along SE 13th Avenue are developed, the 14-inch water main in SE 13th Avenue will be extended east and until its eventual connection to the main in S Sequoia Parkway. The connection of the two 14-inch water mains will form a large diameter loop that is capable of serving future industrial development in this corner of Canby. As neighborhood streets are constructed in the Development Concept Plan area, new 8-inch water mains and fire hydrants will also be constructed. These 8-inch pipes will also be connected to the 14-inch mains to provide increased fire flows, better water quality and increased redundancy throughout the public water system.

Section 16.64.080 Low Impact Development Incentives

The project does not plan to increase density or building heights allowed through the incentives offered in this section.

Chapter 16.86 Street Alignments

This chapter is intended to insure that adequate space is provided in appropriate locations for the planned expansion, extension, or realignment of public streets and it is further intended to allow for the safe utilization of streets once developed.

The layout of the street system is consistent with the SE 13th Avenue Development Concept Plan with proposed street and pavement widths conforming to City of Canby standards. SE 13th Avenue is proposed to be constructed to its full and final width on the north side of the street, with the south side of the street remaining in its current form until the south side of the street is subdivided. The extensions of SE 10th Place and SE 11th Avenue are proposed to be constructed to City local street standards, as are the three new streets, S Vine Street, SE 11th Place and SE 12th Avenue. Along the north side of Tract A, SE 11th Place is proposed to be constructed as a $\frac{3}{4}$ street improvement, with no curb on the south side of the street. The south curb would be constructed when Tax Lot 800 develops.

Chapter 16.88 General Standards and Procedures

The general standards and procedures set out in this chapter apply to the regulations of all sections of this title, except as may be specifically noted. The application has been submitted to the City by applicant, with the land use application signed by the property owner, and the appropriate fees paid (Sec. 16.88.030).

Chapter 16.89 Application and Review Procedures

The purpose of this chapter is to establish standard decision-making procedures that will enable the City, the applicant, and the public to review applications and participate in the decision-making process in a timely and effective way.

This application is a Type III procedure. A pre-application meeting was held with City of Canby and utility company representatives on January 12, 2016 at the City of Canby Public Works Shop Complex. During the pre-application discussion, it was recommended to the applicant that rather than to pursue developing this site with a combination of a minor partition and a subdivision that he should instead should request a multi-phased subdivision. A neighborhood meeting was conducted at the Canby Adult Center on February 17, 2016. At both meetings, concerns were minimal. Summaries of both meetings are included with the submitted application materials.

A traffic impact study for the entire 32 acre annexation and Concept Development Plan area was completed by the City's traffic engineer, DKS Associates, in 2014. Because the proposed subdivision is consistent with the approved Development Concept Plan, no further traffic analysis is required with the application for subdivision.

Chapter 16.120 Parks Open Space and Recreation Land

The City of Canby shall require park land dedication or a fee in lieu of park land dedication in the form of a system development charge. The approved Development Concept Plan identified one future park in the Development Concept Plan area, to be located on the Stoller property farther east. Lots in this subdivision will pay a park system development charge rather than dedicate park land.

CONCLUSION

The foregoing narrative and accompanying plans and documents, together demonstrate that the proposed three-phase subdivision, Faist Addition Phases 7, 8 & 9, generally conforms to the applicable criteria and standards of the City's Land Development and Planning Ordinance. Therefore, the applicant requests that the Planning Commission approve the application for multi-phased subdivision.

V. SE 13th Avenue Annexation Traffic Study

DRAFT MEMORANDUM

DATE: March 5, 2014

TO: Bryan Brown, City of Canby

FROM: Chris Maciejewski, PE, PTOE
Steve Boice, PE
Kate Drennan

SUBJECT: Canby SE 13th Avenue Annexation Transportation Impact Analysis

P#11010-034-000

This memorandum evaluates the transportation impacts associated with the proposed annexation and land use zoning change for six parcels along SE 13th Avenue in Canby, Oregon. The six parcels (tax lots 400, 401, 500, 600, 700, and 800) are located on the north side of SE 13th Avenue between S Teakwood Street and Logging County Road and combine to form 32-acres.

The parcels are located within the Canby Urban Growth Boundary (UGB), but are outside of the current Canby city limits. They are currently zoned EFU (Exclusive Farm Use) by Clackamas County. The proposed land use action is to annex the property into the City of Canby and rezone tax lots 700 and 800 from EFU to R-1 (Low Density Residential) and tax lots 400, 401, 500, and 600 from EFU to R-1.5 (Medium Density Residential). The proposed zoning (R-1 and R-1.5) is consistent with the City's Comprehensive Map designation for each respective parcel, as seen in Figure 1.

Per the City's Annexation Development Map¹ the site is located within the Development Concept Plan (DCP) area, which requires that a DCP be provided for infrastructure components, including water, sewer, storm water, access, internal circulation, street standards, fire department requirements, parks and open space. The developer has provided a site plan to satisfy the requirements of the DCP (see attached).

¹ Canby, OR Code or Ordinances, Figure 16.84.040

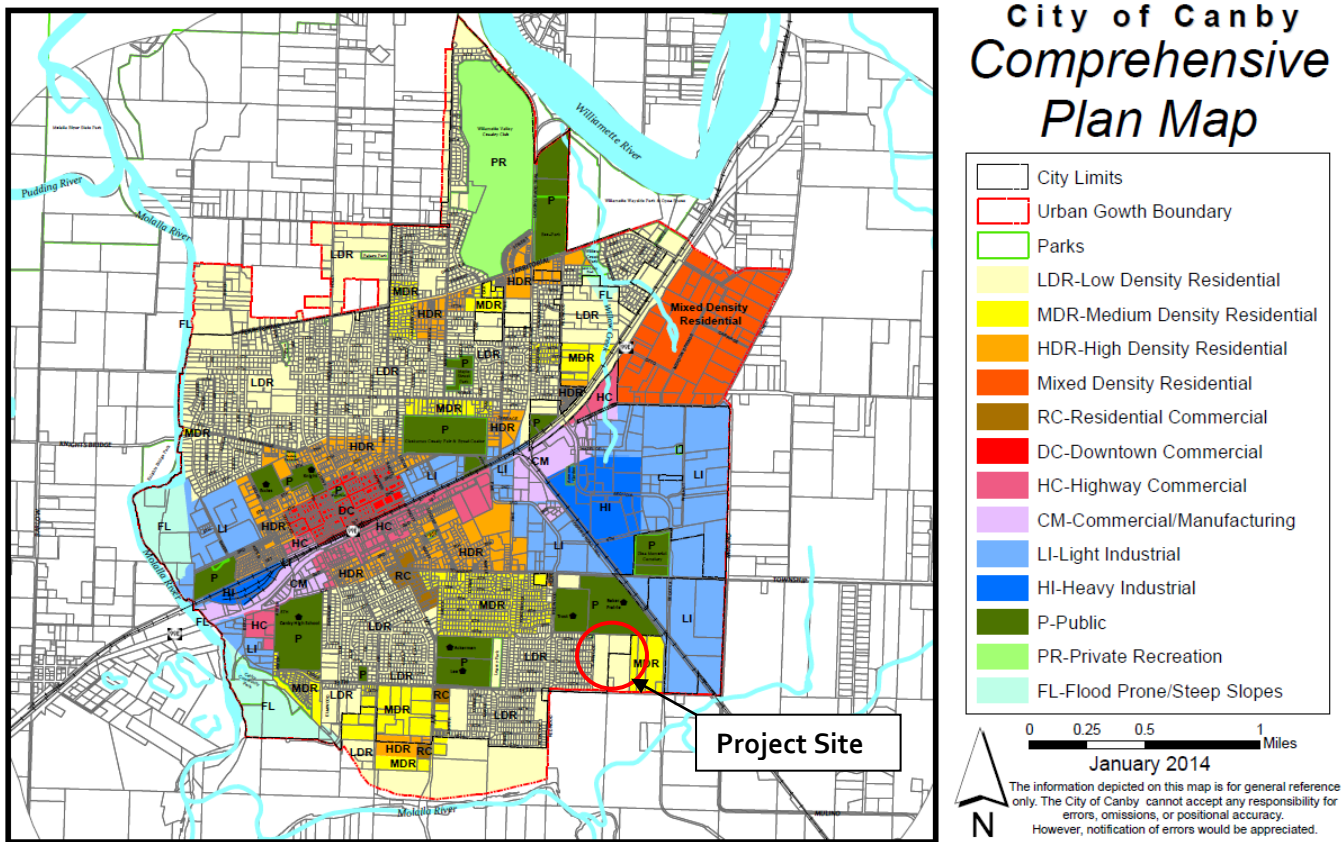


Figure 1: City of Canby Comprehensive Map

While the street connections shown in the site plan are intended to be permanent, with minor adjustments, the configuration of the lots is subject to future change. This Transportation Impact Analysis (TIA) therefore is focused on satisfying Oregon Transportation Planning Rule (TPR) requirements (OAR 660-12-0060) and approval of the DCP, which must demonstrate that the transportation system has available capacity to accommodate the change in zoning. Land use approval for a specific use would be addressed through subsequent applications and may require additional traffic impact evaluation depending on the proposed use and its unique site plan.

Project Site

The site consists of six parcels along the north side of SE 13th Avenue, beginning just east of S Teakwood Street on the western frontage, and extending east to Logging County Road, a multiuse trail. The 32- acre combined parcel is within the Urban Growth Boundary (UGB) which is divided to the north and south by SE 13th Avenue. Currently, the site is being used for farming, with two residences and out buildings fronting SE 13th Avenue. The City of Canby Comprehensive Plan has planned the area for Low and Medium Density Residential. West of the site, across S Teakwood Street is a large gridded neighborhood. North of the site is the Baker Prairie Middle School. The northern edge of the parcel also features a ten foot paved path that serves as an edge to Baker Prairie Middle School's athletic fields and a non-motorized connection between S Teakwood Street and the Logging County Road.

Site Access and Connectivity

The following sections summarize site access to the property, intersection sight distance, and multi-modal connectivity to the project site to determine the adequacy of public facilities serving the site.

Site Access

The concept plan proposes two new north-south streets for circulation (S Vine Street and S Walnut Street), accessed off of SE 13th Avenue. SE 13th Avenue is under the jurisdiction of Clackamas County and classified as a minor arterial by the County (while the City of Canby classifies this facility as an arterial).² SE 13th Avenue is a two lane road with wide shoulders. The travel lanes are eleven feet, and the shoulder varies between seven to eleven feet, with a wider shoulder on the north side.

The proposed S Vine Street and S Walnut Street extending to the north would intersect with each of the five existing east-west streets from S Teakwood Street. S Vine Street is proposed to be located approximately 630 feet east of S Teakwood Street. S Walnut Street is proposed to be located approximately 600 feet east of S. Vine Street, where a private gravel drive currently exists. This would be approximately 420 feet west of Logging County Road and the proposed Sequoia Parkway extension currently under construction. These streets would meet the access spacing standards for the Clackamas County classification of a minor arterial (detailed in Table 1). However, if at a future time the City of Canby were to take jurisdiction of SE 13th Avenue and apply their standards for arterials, the proposed S Vine Street and S Walnut Street would not meet the City's arterial intersection spacing standards of 660 feet.

Table 1: Access Spacing Standards for City Street Facilities³

Street Facility	Minimum spacing of roadways		Minimum spacing of driveways	
	City of Canby	Clackamas County	City of Canby	Clackamas County
Arterial	660 feet	300-400 feet	330 feet or combine	300-400 feet
Collector	250 feet	150 feet	100 feet or combine	100-150 feet
Neighborhood Route/Connector or Local	150 feet	N/A	10 feet	N/A

² Clackamas County Transportation System Plan, Proposed Functional Classification Changes Map, approved December 11, 2013

³ City of Canby TSP, 2010, Table 7-2

To meet City standards, a deviation would be required for S Vine Street or S Walnut Street. To meet the requirements of an exception to the access spacing standards, an alternatives analysis would be required that demonstrates that an alternative meeting City standards has operational, safety, or site development issues that could be improved with the proposed deviation. The conceptual plan for the site could be altered to consolidate access into the site into one single road, but this may undermine circulation and access. However, it should be noted that the two proposed streets have been identified in Figure 7-8 in the Canby TSP depicting “potential local street connection” as shown in Figure 2.

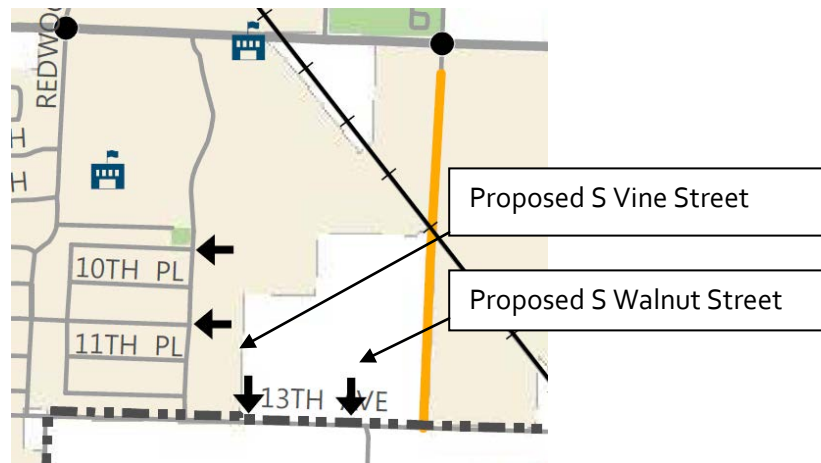


Figure 2: Potential Local Street Connections (Canby TSP Figure 7-8)

The site proposes a grid-like circulation system, with extensions of the existing streets of SE10th Avenue, SE 10th Place, SE 11th Avenue, SE 11th Place, SE 12th Avenue, and SE 13th Avenue running east-west through the neighboring property to S Teakwood Street. S Teakwood Street is classified as local road, is not striped, and has a width is about thirty feet curb to curb. There is a five and a half foot sidewalk and a three foot landscape strip on the west side of S Teakwood Street bordering the existing residential development. There is no curb or sidewalk on the east side of S Teakwood Street adjacent to the parcel. The access spacing of these street extensions would meet the standards associated with local streets.

Intersection Sight Distance

Intersection sight distance was reviewed in the field to ensure adequate safety at site access points⁴. The measurements are provided in Table 2 and are compared to the American Association of State Highway and Transportation Officials (AASHTO) requirement based on the posted speed along SE 13th Avenue⁵. There is no posted speed limit along SE 13th Avenue within this location; however there is a 25 mph speed zone which begins at S Teakwood Street and continues to the west. Because the basic rule is in effect at this location, the 85th percentile speed has been used which was measured to be 45 mph.⁶

Table 2: Intersection Sight Distance Summary for Proposed Access Points - S Vine Street and S Walnut Street

Criteria	Intersection Sight Distance	
	Looking East	Looking West
Field Measurements (feet)	>550 ft.	>500 ft.
AASHTO Standard (feet)	500 ft.	430 ft.
Standard Met?	YES	YES

As indicated in the table and illustrated in Figure 3, intersection sight distance would be met at the proposed access points of S Vine Street and NE 13th Avenue, as well as S Walnut Street and NE 13th Avenue.



Figure 3: Intersection Sight Distance (Looking East and West from Proposed S Pine Street and NE 13th Ave)

⁴ Site visit conducted by DKS Associates, February 20, 2014.

⁵ *A Policy on Geometric Design of Highways and Streets*, American Association of State Highway and Transportation Officials, Table 9-6: Decision Intersection Sight Distance and Table 9-8: Design Intersection Sight Distance, 2011.

⁶ Canby SE 13th Avenue Pedestrian Study, DKS Associates, June 2013.

Multi-Modal Connectivity:

Currently SE 13th Avenue does not have sidewalks, but does have wide shoulders for bicycling or walking. Clackamas County’s cross section for minor arterials includes a minimum 60 feet of right of way which is consistent with the City’s cross section standards for an arterial. Cross section elements include two 11-12 foot travel lanes, 6-8 foot sidewalks, 5 foot landscaping strips, 6 foot bike lanes, and optional turn lanes. The development should provide half-street roadway improvements according to Clackamas County local road roadway standards including curb, sidewalks, and possibly set-back for bike lanes in the future. These improvements should be coordinated with City staff. Internal connectivity should be provided when the site develops.

S Teakwood Street currently has a pleasant pedestrian environment with a sidewalk and landscaping strip on the west side of the street. The low traffic volumes and speeds also make the street viable for bicycling. Additionally, the site is bracketed on the north and east sides by paved, multi-use paths, providing safe connections to trails as shown in Figure 4.



Figure 4: Multi-use trails surrounding development parcel

Potential Project Trip Generation

The amount of new vehicle trips generated by the proposed subdivision was estimated using trip generation estimates published in the ITE Trip Generation Manual for Single-Family Detached Housing⁷. The project site is currently undeveloped; therefore all trips generated to the site were treated as new trips to the existing roadway network. The proposed site is expected to generate 117 (32 in, 85 out) a.m. peak hour trips, 156 (86 in, 70 out) p.m. peak hour trips. Table 3 summarizes the trip generation estimates for the proposed site based on

⁷ Trip Generation Manual, Institute of Transportation Engineers, 9th Edition.

the development concept plan. Further analysis will be conducted when the applicant submits documentation for land use approval.

Table 3: Trip Generation Summary for proposed Site Development

Land Use (ITE Code)	Units	Time	Trip Generation	Peak Hour Trips		
		Period	Rate	In	Out	Total
Single Family Detached (210)	156	AM Peak	0.75 trips/unit	32	85	117
		PM Peak	1.0 trips/unit	86	70	156

During the 2010 TSP update, nearby intersections were observed and subsequently modeled to study operating conditions in 2030. The traffic analysis accounted for the proposed low and medium density residential development on this site. All of the nearby intersections would operate within the mobility standard and have excess capacity beyond 2030.

Transportation Planning Rule

The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning, and does not create a significant impact on the surrounding transportation system beyond currently allowed uses. The TPR allows a change in land use zoning in the event that a zone change would make the designation consistent with both the Comprehensive Plan and the Transportation System Plan. The allowance (found in Section 9) was added to the TPR in December 2011 and fits the circumstances of the project parcel. Specifically, section 9 states:

"If a proposed rezoning is consistent with the existing comprehensive plan map designation, and consistent with the acknowledged transportation system plan, then it can be approved without considering the effect on the transportation system. Special provisions in subsection (c) apply if the area was added to the urban growth boundary (UGB)."

Since the site is already within the UGB, provisions from subsection (c) would not apply. The project parcels meet this allowance because the site was designated at low density residential in the City's Comprehensive Plan. In the most recent TSP, the traffic modeling forecasted growth to 2030 and the traffic analysis zone for this area assumed LDR and MDR land use and found the surrounding transportation system met operating standards.⁸

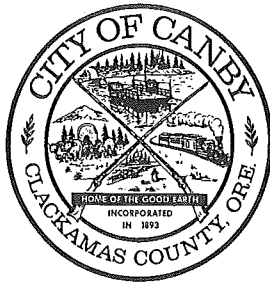
⁸ Future Needs Report, Travel Demand and Land Use, Canby Transportation System Plan, 2010

Findings

Based upon the analysis presented in this memorandum, the following items are recommended for the annexation and land use zoning change for six parcels along SE 13th Avenue to ensure consistency with City standards.

- The site was designated as Low and Medium Density Residential in the Comprehensive Plan and the change in land use was assumed for trip modeling in the 2010 Canby Transportation System Plan. Therefore, TPR requirements are met.
- The proposed concept plan would meet current City standards along S Teakwood Street and would meet Clackamas County standards on SE 13th Avenue for access spacing and sight distance requirements. However, if the City takes ownership of SE 13th Avenue and applies an arterial classification, the developer would need to request a deviation to the standard for roadway spacing of 660 feet. It should be noted that the two proposed streets have been identified in Figure 7-8 in the Canby TSP depicting “potential local street connection”.
- Any new trees, fences, or retaining walls should be set back to maintain adequate visibility at site access points. Prior to occupation of the site, sight distance at the new project access point will need to be verified, documented, and stamped by a registered professional Civil Engineer licensed in the State of Oregon.
- It is recommended that the site provide multimodal connectivity through the proposed park dedication to the County Logging Road multimodal trail.
- The development should provide frontage improvements, including recommended half street improvements along SE 13th Avenue to the County’s minor arterial road standards. The developer should allocate proper setback on SE 13th Avenue to preserve right-of-way. Both the County’s and City’s arterial cross-section would require a minimum of 60 feet of right-of-way to include sidewalks and bike lanes.
- The proposed concept plan would have adequate internal circulation through the site. All proposed streets (S Vine Street, S Walnut Street, SE 10th Avenue, E 10th Place, SE 11th Avenue, SE 11th Place, and SE 12th Avenue) should be constructed to City local road standards, including required right-of-way, sidewalks, and appropriate intersection traffic control.
- Surrounding roadways and intersections would have sufficient capacity to accommodate the proposed annexation, zone change, and development concept plan.

IV. Pre-application Meeting Minutes



Pre-Application Meeting

**Six Lot Subdivision
January 12, 2016
10:30 am**

Attended by:

Hassan Ibrahim, Curran-McLeod Engineers, 503-684-3478
Pat Sisul, Sisul Engineering, 503-657-0188
Doug Quan, Canby Utility, Water, 971-563-6314
Mark Gunter, Public Works, 503-266-0780

Ralph Netter, Owner, 503-789-4926
Gary Stockwell, Canby Utility, Electric, 503-263-4307
Bryan Brown, Planning, 503-266-0702
Dan Mickelsen, Erosion Control, 503-266-0698

This document is for preliminary use only and is not a contractual document.

SISUL ENGINEERING, Pat Sisul

- Ralph is interested in developing some of the property he recently annexed and he would like to develop more of his property other than these 6 lots, but the issue is sewer. We have been through a few different scenarios with Mark and Jerry and their standpoint was not a good option for sewer. The parcels east of Ralph's is Rice, Marcum, Stoller and Ralph can get easements over Rice and Stoller's property, but Marcum is unwilling to grant and the easement for sewer. This keeps Ralph from serving the rest of the property and this is why we are coming in just for this 6-lot subdivision at this time.
- We want to make sure we can get utilities to the lots.
- Pat wanted to clarify on the phases of the subdivision, it will be one subdivision application and we just present it as a two to three phase subdivision application and do we have to set time limit lines? Bryan said I do not think you do, there is nothing in the code that talks about timing because the market dictates it. The only issue is we should likely enter into a development agreement when you are doing phases, it will bring to light the alternatives to sewer, timing of the phases and it will give people the understanding of what we were thinking at the time it was approved. Pat said Ralph will fill out the normal standard application he has to submit for the plat within so many months and Bryan said yes and once you get the preliminary plat you have a one-year time frame for the first phase and after that it is up to Ralph. Pat said is there a fee for him to pay if he does not build the other phases and Bryan said no and there is always a slight risk, but in this case it is even less because we adopted an annexation concept plan and it will never go away. Northwoods subdivision adopted a master plan and with a master plan it can go away, for example, if the Planning Commission decides we have adopted new storm water standards and we want them implemented you would have to replat and install our new standards. Right now the code does not state any expiration for phasing and it is good forever.
- Pat asked Gary and Doug about their thoughts if someone was to go before Ralph and the needs of utilities in SE 13th Avenue. Doug said we would look at coming in off of SE 11th Avenue and feed the whole 8.6 acres along with keeping fire flow. Pat said he would expect

Ralph to put in a 14 inch water main along the frontage of SE 13th Avenue and then would loop the 8 inch and Doug said as long as the water main goes in at SE 13th Avenue it will work. Gary said if Ralph does the rest of his property, yes, I will need the source down SE 13th Avenue, simply because Hugh Boyle and the Faist's have a block on the two streets and I need to serve this logically without having a bunch of redundant cable. Pat said your system ends here at the vault on SE 13th Avenue and Gary said there are two systems, we have a 200 amp distribution and conduit for our 600 amp, which would be another source for this subdivision. Whether it is on Boyle or Netter's property I will need an additional easement for setting an 8 x 10 LA vault, which is a splice and pull vault. Pat said is this the same style we did in Dinsmore and Gary said yes, same situation of going down the street with 200 and 600 amp system. Discussion ensued on the service alternatives for SE 13th Avenue. The consensus was power and water are available. Gary stated there is another alternative if a property owner on the east decides to go before Ralph we have some conduit along the logging road to Township Road, instead of figuring out whose going to buy all this cable to go clear back to Township Road we would probably do an extension by the middle school and an easement through the park and it will be my second source. The primary source coming from SE 13th Avenue and the backup source coming off the logging bridge road.

- Pat asked Bryan if we need to do a neighborhood meeting and the answer was yes, within a 500 feet area.

CITY OF CANBY, PLANNING DEPARTMENT, Bryan Brown

- I still think you can potentially make this application, but I do have some concerns and I do not control the Planning Commission. The subdivision is probably fine, it is the minor partition that presents some issues and there is actually a difference between this one and the one you did on the Faist 6 subdivision. The difference is you had existing homes on these lots and there is a specific exemption for partitioning or subdivisions when you have existing homes and they do not have meet lot size requirements. There are no exemption for creating lots such as parcel 2, which is 1.375 acres in an R-1 zone to be 1.2 acres larger than 10,000 sq ft. These are okay to be larger than 10,000 sq ft because they had an existing home on it. There could be a question as to whether you can create parcel 1 and 2 in the partition and the other issue is other than the lot size, is you are not really proposing to make parcel 1 and 2 developable at this time, no dedicating right-of-way, not improving the street frontage off of parcel 2 and it does not have 60 ft of frontage on a public street. There are those gray areas and now the reason we could potentially approve this is based totally on the fact this property is subjected to the development concept plan with the annexation. Pat said does it make a difference if it is one parcel rather than three and Bryan said I think it is better if you just have the subdivision parcel and the remainder, I think it makes it less arguable that you are doing this partition and creating these odd shaped lots without normal frontage because then we think it more as a remainder, which is a little easier to argue and we will use the agreement that the remainder is going to develop in the future in accordance with the concept plan. Pat said if we ask the county surveyor if we could do it that way, would you have a problem with it. Bryan said I think based on the concept plan which underlines this property and gives an assurance on how the remainder will develop and we have already agreed when

it was annexed. One of the arguments for dedication with the partition even if you are not developing, is what if the adjacent properties somehow developed ahead of you when you do the remainder. The other thought is what if we want to make improvements all the way along SE 13th Avenue because if the east properties want to develop and we have the right-of-way from Ralph we can make the necessary connections and improvements. If one section does not have sidewalks and we have the right-of-way, we can actually put it in. Pat said that was one of the questions we had for you was the dedication along SE 13th Avenue and do you want it now and Bryan said it is best if we can get it as soon as we can. Hassan said he supports the issue of obtaining the right-of-way as soon as we can. Pat said how much dedication do you want and Bryan said he did not look it up before the meeting, but will let you know. It is a normal requirement to bring the streets up to standards in a partition and the requirements are no different than they are for a subdivision. We realize you are not thinking now of doing anything with the partitions, but we still need to make sure all standards are met and it is my recommendation we acquire the right-of-way.

- Bryan stated the ideal thing for you to do it plat the whole thing and develop it in phases. Phase 1 is what we are working on today and leave the other phases to develop at a later date, but to do it you will have to have a subdivision that we knew was going to be in phases and had a viable utility service solution to every lot on your entire property. You cannot count on this development getting the sewer from the other direction so you will need to have a viable solution when we approve this subdivision, knowing you will not be developing two phases of it anytime soon. Pat said we do have another option of running the sewer down to SE 13th Avenue from S Vine Street. We met with Jerry, Mark and Curt and running a sewer line down SE 13th Avenue will be a large expense for something not needed. Can you tell us what information we have on the timing of the sewer lift station at Mulino Road? Bryan said the concept plan showed a temporary lift station to serve the concept plan area. Hassan said there was a meeting a couple of weeks ago and the plan was to proceed with the permanent Mulino pump station and right now we are exploring options and coming up with a scope of what it will take and the costs. Bryan said would we be opposed to them serving parcel 1 from the sewer line if they were willing to pay for it? Hassan said from the as-built drawings we received from Pat the sewer is about 9-1/2 ft where it terminates right now and how many lots can you do by gravity. Pat said we can get some lots that back up to SE 13th Avenue, but it is a big expense and it would not only be the sewer line in SE 13th Avenue, but all the improvements for SE 13th Avenue to get 3 lots. Two of the lots are on Boyle's property and when we bring the sewer line into the proposed subdivision on S Vine Street it would be too shallow and the option would not be the way to go. Mark said the timing of doing the lift station is the issue because there is no question as whether the lift station will go in, it is a matter of going in and we talked about facilitating the timing based upon what the plan was and that is where we are at. Bryan asked is there any talk of the developer contributing other than system development charges (SDC) to the construction of the lift station. Mark said there has not been because SDC's will completely pay for it, whether they are reimbursement SDC's meaning it will be paid for via SDC's. Again if you are in a big hurry and they really want to build you can do a developer reimbursement through the SDC program, if they want to front the money for the sewer lift station. Hassan said he did not know if the parcels are big enough to pay for the whole pump station that is the question. Mark stated I do not know of any one developer to do this entire subdivision and needing the lift station now, so we will

go ahead and do it out of the SDC's. Hassan said another option would be advanced financing district (AFD) or an LID. Pat said Bryan you are saying submit as a two to three phase subdivision with this being part of phase 1 and the remainder of parcel 1 being phase 2 would be developed at such a time that the sewer line is either extended down SE 13th Avenue or sewer becomes available to the east through some other direction. Bryan said yes and if our utility service people are comfortable with this kind of process then we implement the concept plan because you are going to be drawing it like the annexation concept plan and it will be implemented as intended as this property was annexed. It would be tied down by the approval of a preliminary plat and if you ever wanted to proceed with the final platting, the final plats would have to conform to the preliminary plat. This would be where all the utility people agree on how it will be served for each lot. Pat said the benefit to Ralph would be to file one subdivision application and Bryan said that is what I am thinking and forget the partition, this would be easier for the Planning Commission. Pat told Ralph we would have to show two different alternatives to serving sewer to the all the proposed lots.

- You clearly do not have to do a traffic study for this 6-lot, but I am a little hesitant if you do the whole property. Potentially you would not have to do a traffic study either because we have two studies done in the area.

CURRAN-MCLEOD ENGINEERING, Hassan Ibrahim

- SE 13th Avenue is a county road from S Teakwood Street to Mulino Road and falls under the county's jurisdiction and it is an arterial street. A question remains whether the city takes over this section or the county maintains it for the time being. When SE 13th Avenue improves the roadway specifications will be 46 ft paved surface curb to curb with a 60 ft right-of-way and the standard is a 60 to 80 ft right-of-way. We will have (2) 6 ft bike lanes.
- You asked the question about whether you need to dedicate the right-of-way right now and I think we came to the conclusion, Bryan, it would be ideal if we get the right-of-way now. Bryan said it makes sense and the interesting part is if they take the subdivision of the whole site and they phase it, we do not actually get the right-of-way till they plat that section. Pat said you mentioned it in case the development started coming this direction and as soon as it develops the sewer will be available. Bryan said I was also thinking of that option and maybe we are reaching out for no reason and the reason we want it is if the development came from that direction. Hassan said in either case there is no harm in getting the right-of-way right now. Bryan said if they subdivide the whole property we can wait, but if they do the partition we should get it now.
- As far as the improvements at this time there is no benefit in doing it right now. You will still need to follow up with the county and they could possibly have some other issues or requirements.
- The local streets will be a continuation of the width of that street, which is 34 ft and a 50 ft right-of-way. Bryan said they always get questioned on the width of the planter strip and is it 4-1/2 ft wide, 6 inch curb and 6 ft sidewalk and Hassan stated yes. Bryan said we have not been putting this in our findings when we approve the subdivision with all the specifications for the planter strip, curb and sidewalk. Hassan said he would address the specifications in his comments.

- The sanitary sewer we touched bases on. Mark what will be the time line on the Mulino lift station a 1 year or 1-1/2 years and Mark said that would be pretty aggressive and I am thinking it will not be a lot farther than that and I mean certainly a couple of years to 2-1/2 years. Hassan said we have worked with the Weygandt's on getting the land for the sewer lift station and they are not opposed to it. It will be a great benefit to them because they have the two huge parcels they want to sell at some point. We will be exploring a couple of options, we looked at the size of this sanitary sewer to take the capacity and the flow if we bring it up SE 13th Avenue, we have a 12 inch line here and it is in the master plan and will have enough capacity to take the flow. The other option is the forced main from the abutting the rail road property and taking it to the first manhole. Pat said the meeting we had a couple of weeks ago, we were told it was going to go back on the north side of the railroad and Hassan said that is one option and Curt and I had a discussion this morning and this would be another option having a gravity and a forced main in the same trench. Pat said the gravity line will go about this far and the rest will be all forced main. Discussion ensued.
- The storm system will include drywells and infiltration and Mark said we will look closely at the master plan and see what they have come up. Hassan said it does not addresses this and it is just our standards and it encourages LID or whatever feasible option we can come up with like drywells, ponds, etc. Pat said as this subdivision develops we are going to have to move stormwater from the fringes of the property back to areas where we can get away from the wells. You will see on these first phases long storm drain runs to get the drywells out of the middle of the property. Hassan said hopefully they will have enough capacity. Bryan asked if you do a subdivision proposal on 8.3 acres you will be proposing some drywells otherwise you are running it back here and Hassan said you are doing a storm conveyance system to be 267 ft away from the water wells. Discussion ensued.

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- Just for the small 6-lot subdivision we should not have any problems. We would extend a run from SE 11th Avenue and do a road crossing for the next phase and we would be ready to go. Pat said would you have one new transformer in this space and Gary said yes and stated he did a rough sketch for this subdivision and the first two lots 1 and 6 would actually be served from existing equipment from Faist 6. I would set a transformer and serve 2, 3, 4 and 5 with a road crossing and a street light located between lots 2 and 3. The next street light would be slated to go on the other side of the intersection off the radius.
- Gary asked about the Herrod property not being annexed in the city without them doing anything and Hassan said ultimately if the road has to go through there is always condemnation process if they object. It is a last resort.
- Gary asked if there was any PGE equipment on Ralph's property and the answer was no. Gary said when we go to develop this there will be a charge for PGE's conversion and buy out. It used to be an upfront fee for PGE and now they are doing it at the time of development.

CANBY UTILITY, WATER DEPARTMENT, Doug Quan

- You will need to run the 8 inch water line down NE 11th Avenue. Pat asked if they could put the water line in S Vine Street running north and south and just leave the sides shut off so we

do not need blow offs on them as well. Doug said you only have to do one blow off and right before the "T" in SE 11th Avenue, leaving the other two off like we did in Northwoods because there will not be any services off of it. It will all be pressure tested and you will have north and south gates closed with a cap and plugged at the ends.

- The automatic blow off station is changing a little bit, it will be going to the storm system not sewer system. You can move the existing unit by lot 25 of the Faist 6 subdivision to the new location, but you will have to add a dechlorination unit. It will be a tablet feed unit and go into the storm line.

CITY OF CANBY, EROSION CONTROL, Dan Mickelsen

- Dan asked if the blow off valve could be moved and have a pipe stubbed out because it looks like it is in the middle of the street and could cause problems. Doug said if you build it off the end run, they dump equipment and everything else, which they could break it. Pat said do we need a barricade and Dan said it is not in a curb line area now and is sitting in the middle of the road and I am saying move it farther east and Doug stated put the blow off before the "T" and pipe it over here to the catch basin. Pat asked if they could not close the gate valve here and put at the end of the street and Doug said yes. Pat said we will put the blow off at the south end of S Vine Street.
- Do you know if this drywell will take Ralph's water and our water? Pat said in Dinsmore we tested the (2) drywells one at a time with (3) hydrants flowing into them for 2 hours and we built up 30 inches of water in the bottom of the drywell. When we shut it off the 30 inches of water was gone in 30 seconds. It is taking about an inch per second. We are basing our data on what the performance tests at Dinsmore and we have not completed any performance testing at Faist. Have you seen any issues with the drywells and Dan said no. We put an acre into some of the drywells out there and Hassan said he looked at today's standards and it says a half an acre per drywell. Pat said we tend to go by what we have seen in this part of town, we know in the north part of town it would not work putting an acre into a drywell, but the SE side of town it seems to take the water. Doug said the blow off station will release 200 gallons per minute for 3 to 5 minutes.
- I want to remind you to be cognizant of the removal of soil from the lots so they will not be over 3 inches above the curb, due to the fact on 10th and 11th Avenues at Faist 6 the driveway cuts are getting all the storm water from the fire truck turn-arounds and making a muddy mess. Pat said I do not know if you looked at our street profiles, but we are proposing to have our streets above existing grade and part of the reason is we are trying to get the water on SE 11th Avenue to go back to that existing drywell. Both S Vine Street and SE 11th Avenue in this section will be built above existing grade.

OWNER, Ralph Netter

- What if I did a temporary pump station and pumped it out and Hassan said it is always an option, but the price could be a factor. Ralph asked how much would it cost and the answer was two to three hundred thousand and Pat said it would have to be public and the timing to go through DEQ's approval process for a temporary pump station knowing that the permanent pump station is a couple years behind, it is not worth all the efforts and headaches to go through the DEQ process.

III. Neighborhood Meeting Notes

Faist Addition Phases 7, 8 & 9 - Neighborhood Meeting

Wednesday, February 17, 2016, 7:00 pm

@ Canby Adult Center

Seven people attended the meeting including the applicant & his representative. A sign in sheet is attached.

The meeting began at 7:00 PM.

Large maps were provided showing the proposed development together with existing properties in the vicinity of the property. Selected sheets from the SE 13th Avenue Development Concept Plan were shown so attendees could see how the proposed subdivision was consistent with the approved Development Concept Plan.

Pat Sisul began the meeting by reviewing how the land division process works and that the Neighborhood meeting is the first opportunity for neighbors of the development site to have input on a project. Other opportunities for input would be after application is made and the City Staff requests comments from neighbors and if they chose to testify at the public hearing. Most of the attendees were very familiar with the process and with the property, therefore, fewer questions were asked than typical.

Below is a summary of topics that were discussed concerning the project and the general area:

- The project will be named Faist Addition phases 7, 8 & 9, developed in 3 phases. Phase 7 will be 6 lots and sewer is available to serve that area of the site. The second phase, Phase 8, will be 24 lots. With that phase, 13th Avenue will be improved and sewer will have to be constructed to drain west to the existing sewer main in Sequoia Parkway. The City will construct a new pump station, gravity main, & force main at 13th Avenue & Mulino Road to serve this area and the surrounding industrial land. The pump station is expected to be operational within 18 to 24 months. The third phase, Phase 9, will require some additional right-of-way from the school district to construct SE 10th Place to a wide enough width to support two-way traffic.
- Have there been discussions with the school district? *No discussions with the school district have occurred.*
- Will the project impact the bikeway/walkway along the south side of the school property? *No, this site is separated from bikeway/walkway by a separate parcel owned by the school district. There will be no impact to the bikeway/walkway.*
- Where will the pump station be located? *The pump station will most likely be located on the north side of the railroad tracks at the Mulino Road / SE 13th Avenue intersection. A force main will likely go back up the north side of the railroad to a gravity main in Sequoia Parkway.*
- Why wasn't the pump station constructed years ago? *I don't know, probably because the City was waiting for a development to be approved that needed the pump station.*
- Will building permits be approved before the pump station is operational? *I don't know, I am aware of a situation like that having occurred once before a few years back where it was a race between whether a building needing a pump station was going to be completed before*

the pump station that was going to serve it. The pump station was completed days before the building was finished.

- *Is the subdivision plan consistent with the Development Concept Plan? Yes, the streets are in the same locations as with the Development Concept Plan. Changes were made to the lot layout that wasn't included with the Development Concept Plan submitted to the City. The changes to the lot layout modified the sizes of some of the individual lots within each block, but not the blocks themselves.*
 - *How many access points to 13th Avenue will be created? None with the first phase. With the second phase, one new connection will be created to SE 13th Avenue, S Vine Street. When the remainder of the Development Concept Plan area is developed, a second street, S Walnut Street, will also connect to SE 13th Avenue.*
 - *It was discussed about how the driveway for Baker Prairie Middle School is signed as a private driveway. Several of the neighbors mentioned that they routinely use it for access. Betty Faist mentioned that she tends not to go that direction, because she prefers to use the bridge on Sequoia Parkway.*
 - *It was mentioned how the City Planning Department favored a multi-phased subdivision application rather than applications for a partition and a subdivision. The reason is that the multi-phased subdivision is consistent with Development Concept Plan and a partition / subdivision approach may be confusing to the Planning Commission.*
 - *This project is expected to go to Planning Commission in late April.*
 - *Construction of Phase 7 is anticipated for late summer or fall of 2016. Phase 8 will be constructed based on the timing of the pump station.*
-

The meeting ended at approximately 8:00 PM.

Notes prepared by Pat Sisul, Sisul Engineering

Neighborhood Meeting Attendance Sheet

February 17, 2016

	Name	Address
1.	Ralph Netter	536 N.W. 13 th Ave. Canby.
2.	Loren Hartman	1738 SE 11th Pl Canby
3.	Tom Kendall	P.O. Box 151 Canby, OR
4.	Betty Faist	1866-S.E. 13 th Canby, OR.
5.	Dan Stoller	2220 SE 13 th Canby, OR
6.	Mary Stoller	2220 SE 13 th . Canby, OR
7.	PAT SISUL	375 PORTLAND AVENUE, GLADSTONE
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Ralph Netter
356 NW 14th Avenue
Canby, Oregon 97013

January 29, 2016

RE: Neighborhood Meeting for proposed subdivision
SE 13th Avenue, Assessor Map 41E03 Tax Lot 00700

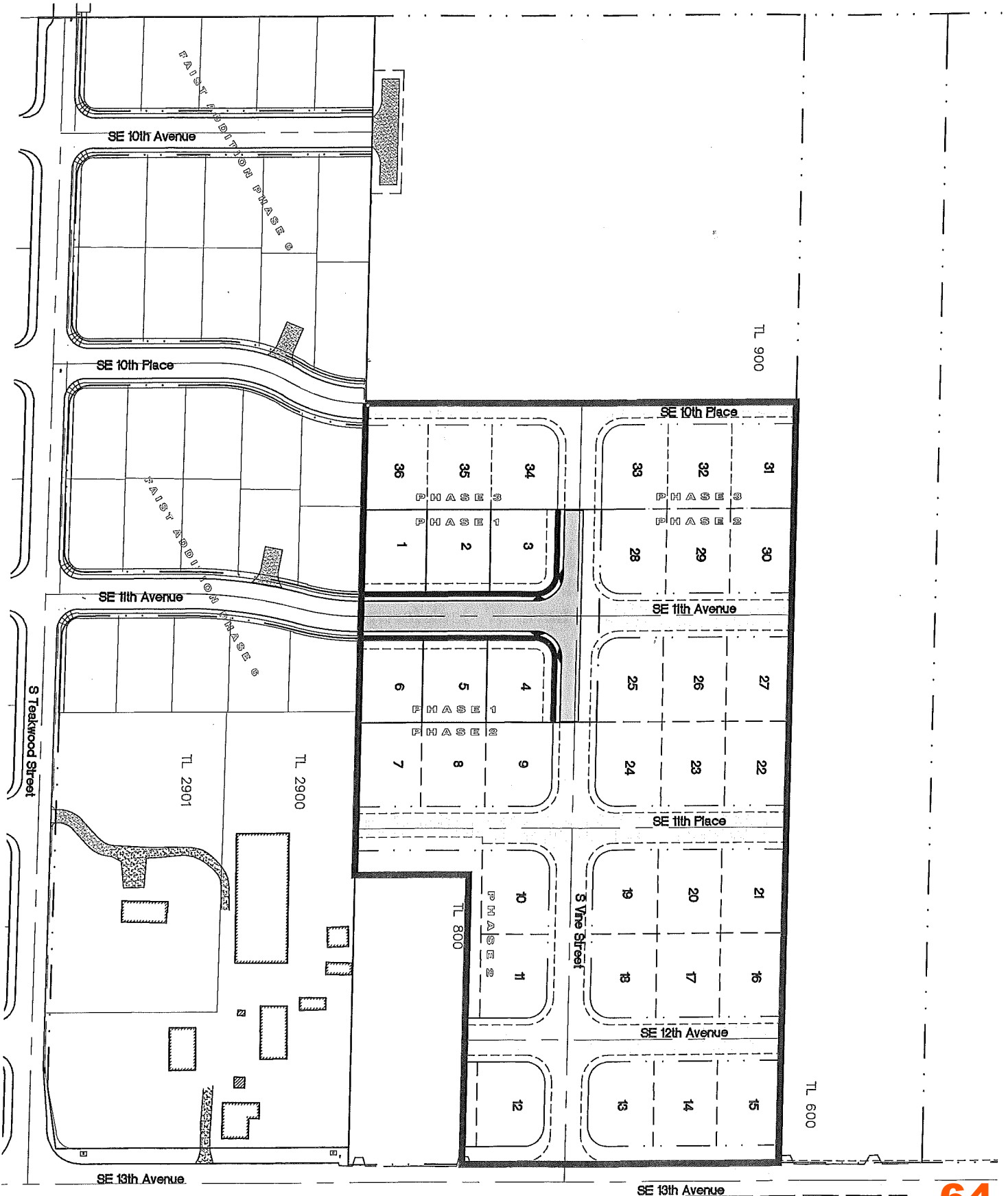
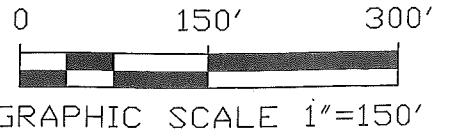
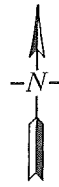
Dear Neighborhood Property Owner or Resident,

You are invited to attend a neighborhood meeting to discuss a proposed three-phase low density subdivision located on SE 13th Avenue. The property is located north of SE 13th Avenue, east of S Teakwood Street, east and north of 1966 SE 13th Avenue and west of 2134 SE 13th Avenue. The first phase, planned for the summer of 2016, will include 6 lots. A total of 36 lots are planned for the 3 phases. A Site Plan of the proposed subdivision is located on the reverse side.

The meeting will be 7:00pm on Wednesday, February 17th, 2016 at the Canby Adult Center, 1250 S. Ivy St. We will be available to answer questions or discuss concerns or thoughts that you may have. We look forward to seeing you there.

Thank you,

Ralph Netter



AFTER RECORDING RETURN TO:
RALPH NETTER

Clackamas County Office Records 2004-003374
Sherry Hall, County Clerk

4P
22375 Airport Rd NE
Aurora OR 97002

Barcode
01/16/2004 01:43:12 PM

Until a change is requested all tax statements shall be sent to the following address:

D-D Cnt#1 SH#3 BEVERLY
\$20.00 \$11.00 \$10.00

275168

Same as Above

Escrow No: 4100-15098mjm
Order No: 275168

CHICAGO

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

ELWOOD FAIST

Grantor, conveys and warrants to RALPH NETTER

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

(Continued)

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

ENCUMBRANCES:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.

(Continued)

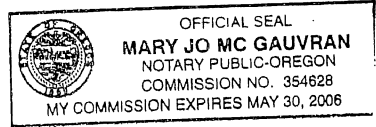
The true consideration for this conveyance is \$1,000,000.00

Dated 1-15-04 ; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

X Elwood Faist
Elwood Faist

STATE OF OREGON, County of Clackamas) ss.
This instrument was acknowledged before me on 1-15-04
by Elwood Faist
This instrument was acknowledged before me on _____
by _____ as _____
of _____

Mary Jo Mc Gauvran
Notary Public for Oregon
My commission expires: 5-30-06



Encumbrances, continued

2. The rights of the public in and to that portion of the premises herein described lying within the limits of public roads and highways.
3. State of Oregon Well Ownership Information Form, including the terms and provisions thereof;
Recorded: January 18, 2000
Recorder's Fee No.: 2000-002872

(4)

LEGAL DESCRIPTION

Part of the Southwest quarter of the Northeast quarter of Section 3, Township 4 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

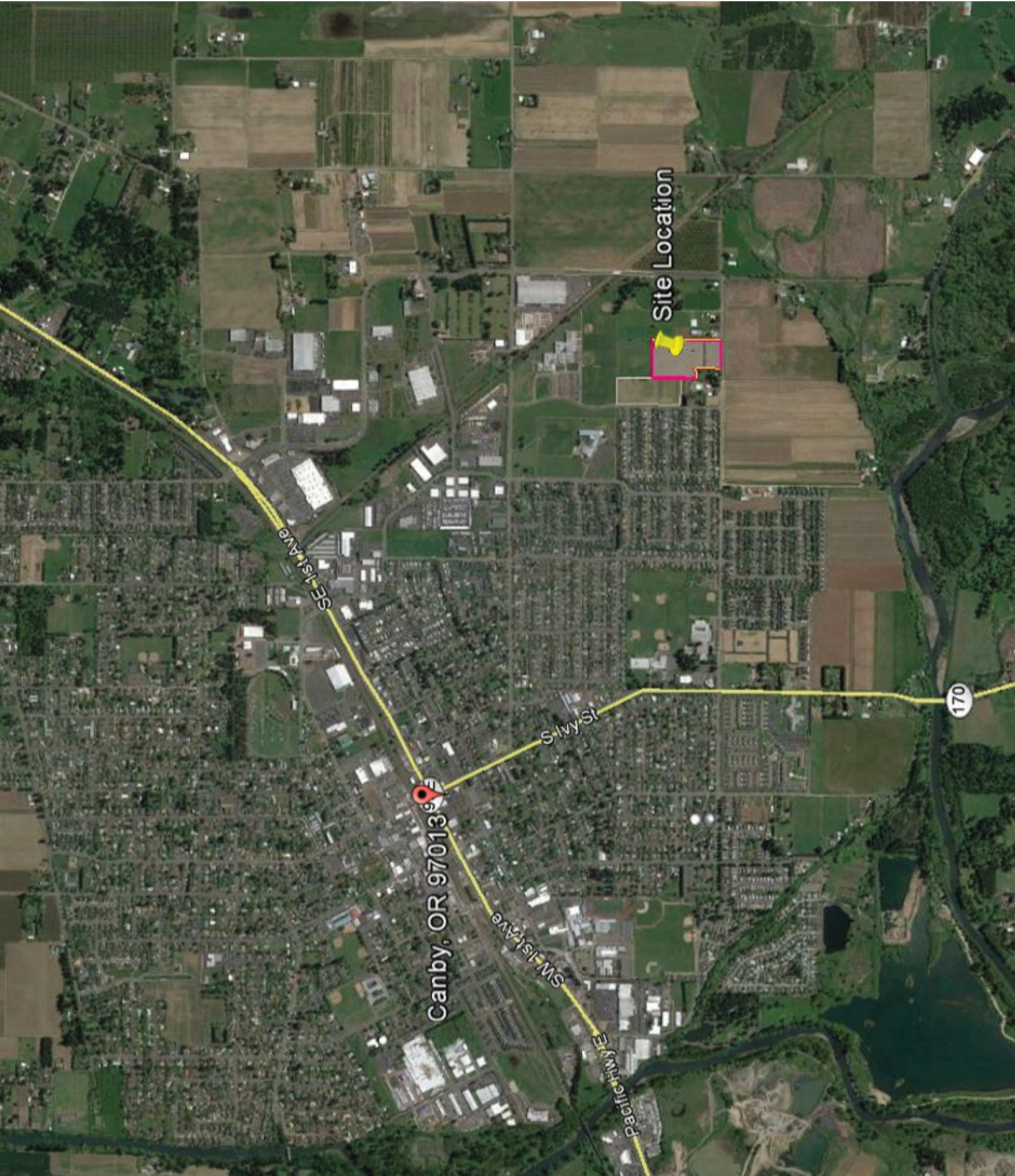
Beginning at the center of said Section 3; thence North along the quarter section line 53.33 rods to the Southwest corner of the Bridges Tract described in Book 183, Page 26, Deed Records; thence East along the South line of said Bridges Tract 30 rods to the East line of the Sollie Tract described in Book 159, Page 548, Deed Records; thence South along said East line 53.33 rods to the South line of the Northeast quarter of said Section 3; thence West along said South line 30 rods to the place of beginning, SAVE AND EXCEPT the following described tract:

Beginning at the center of said Section 3; thence North along the quarter Section line 20 rods; thence East parallel with the South line of the Northeast quarter of said Section 3, a distance of 8 rods; thence South parallel with the North and South quarter Section line 20 rods to the South line of the said Northeast quarter of said Section 3; thence West along said South line 8 rods to the place of beginning, all in the County of Clackamas and State of Oregon.

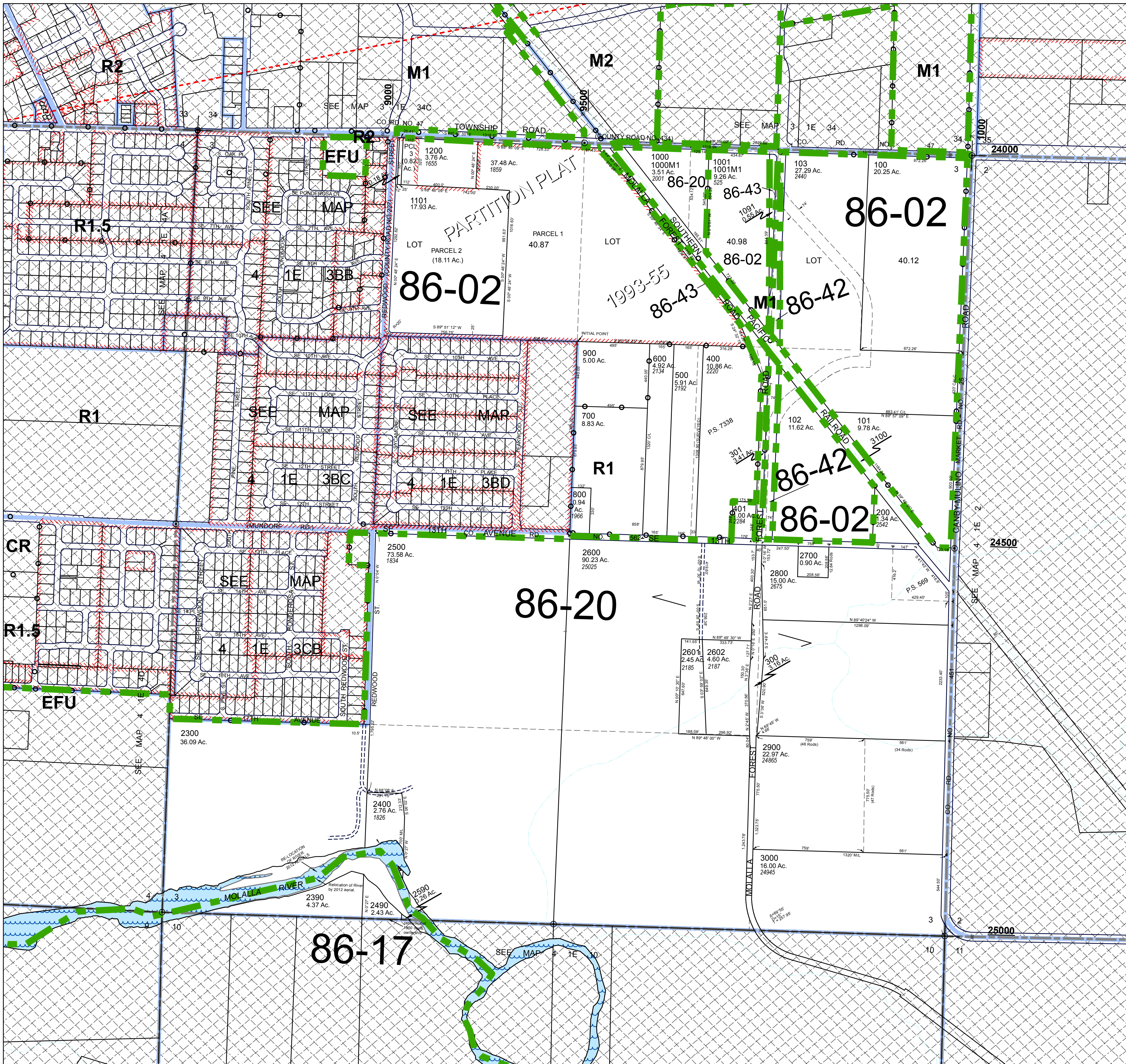
3

VI. Maps

- a. Vicinity Map
- b. Assessor Map
- c. Record of Survey
- d. Sheet 1 – Tentative Site Plan
- e. Sheet 2 – Existing Conditions
- f. Sheet 3 – Street Plan
- g. Sheet 4 – Street Profiles
- h. Sheet 5 – Street Profiles
- i. Sheet 6 – Sanitary Option 1
- j. Sheet 7 – Sanitary Option 2
- k. Sheet 8 – Waterline & Storm Drain Plan
- l. Sheet 9 – Grading Plan
- m. Sheet 10 – Shadow Plat



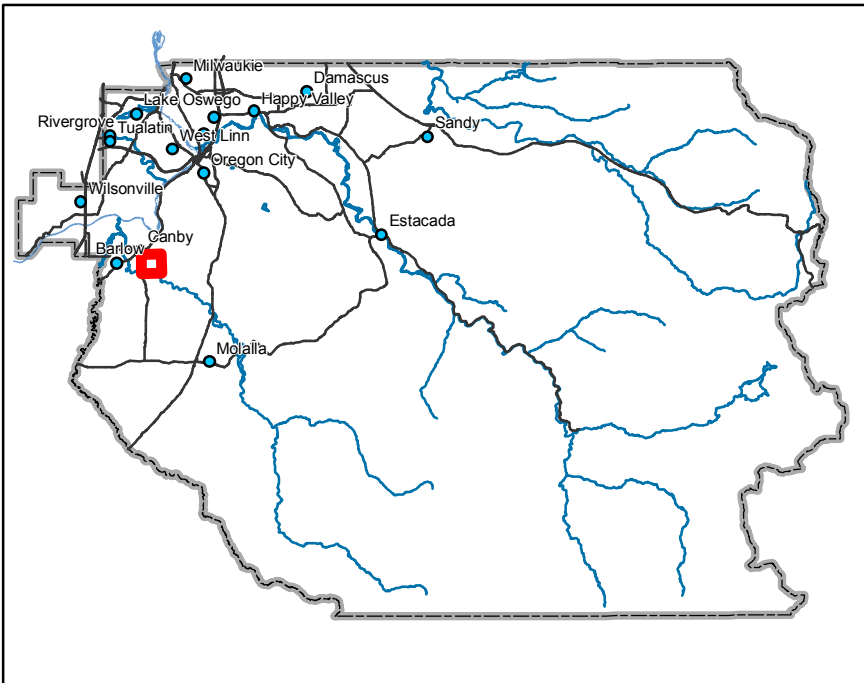
SECTION 3 T.4S. R.1E. W.M.
CLACKAMAS COUNTY
1" = 400'



Cancelled Taxlots

- 1300
- 1301
- 1400
- 1500
- 1600
- 1700
- 1701
- 180
- 1801
- 1800
- 1900
- 2001
- 2100
- 2200
- 250
- 2000
- 2002
- 2003
- 1290
- 193
- 192

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY



PARCEL 1
PARTITION PLAT NO., 1993-55

CLACKAMAS COUNTY SURVEYOR

RECEIVED: _____

ACCEPTED FOR FILING: _____

SURVEY NUMBER: _____

Record of Survey

SITUATED IN THE NORTHEAST 1/4 OF SECTION 3,
TOWNSHIP 4 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
CLACKAMAS COUNTY, OREGON

FEBRUARY 28, 2014 SCALE: 1" = 100'

FOR: SE 13TH AVENUE PROPERTY OWNERS

LEGEND:

- - DENOTES FOUND MONUMENT AS NOTED, STRAIGHT AND FLUSH WITH THE SURFACE, UNLESS NOTED OTHERWISE.
- YPC - YELLOW PLASTIC CAP (INSCRIBED AS NOTED)
- IP - INSIDE DIAMETER IRON PIPE
- IR - IRON ROD
- D1 - DEED 2013-052847
- D2 - DEED 85-10970
- D3 - DEED 2005-043347
- D4 - DEED 92-44429
- D5 - DEED 2009-051839
- P1 - PARTITION PLAT NO. 1993-55
- P2 - PLAT OF "FAIST ADDITION" (PLAT 3510)
- R1 - PS 7338
- R2 - PS 28130
- R3 - SN 2006-111
- M - MEASURED DISTANCE
- CL - CENTERLINE
- R/W - RIGHT OF WAY LINE



NARRATIVE:

THE BASIS OF BEARINGS IS THE SOUTH LINE OF PARTITION PLAT NO. 1993-55. THIS SURVEY WAS PERFORMED TO SET OUT THE EXTERIOR BOUNDARIES OF THOSE TRACTS DESCRIBED IN DEEDS 85-10970 (D2), 2009-051839, 92-44429, 2011-016438 AND 76-18244 CLACKAMAS COUNTY RECORDS.

NORTH LINE: HELD THE MONUMENTS AT THE SE CORNER NE 1/4 OF THE NW 1/4 OF SECTION 3 AND THE SE CORNER OF PARTITION PLAT NO. 1993-55.

WEST LINE: HELD THE MONUMENTS AT THE SE CORNER NE 1/4 OF THE NW 1/4 OF SECTION 3 AND THE SE CORNER OF TRACT 'A' "FAIST ADDITION" AND EXTENDED THE LINE 40.00' TO ESTABLISH THE CENTER OF SECTION 3 PER SAID "FAIST ADDITION".

SOUTH LINE: HELD CENTER OF SECTION 3 (ESTABLISHED ABOVE) AND THE MONUMENT AT THE SE CORNER OF DEED 2013-052847 (D1) AS BEING 20' NORTHERLY OF THE CENTERLINE. ESTABLISHED THE NORTH RIGHT OF WAY LINE 20' FROM THE CENTERLINE.

EAST LINE: HELD THE MONUMENT AT THE SE CORNER OF PARTITION PLAT NO. 1993-55 AND THE MONUMENTS ALONG THE EAST LINES OF DEED (D1) AND (D2) AS SHOWN.

HERROD TRACT: HELD THE FOUND MONUMENTS PER (D1).

CANBY SCHOOL DISTRICT NO. 86 TRACT: HELD THE FOUND MONUMENTS PER SURVEY NO. 2006-111.

THIS SURVEY WAS PREPARED USING
HEWLETT-PACKARD PRODUCT NO. 51645A
INK ON HWAN WMF POLYESTER FILM.

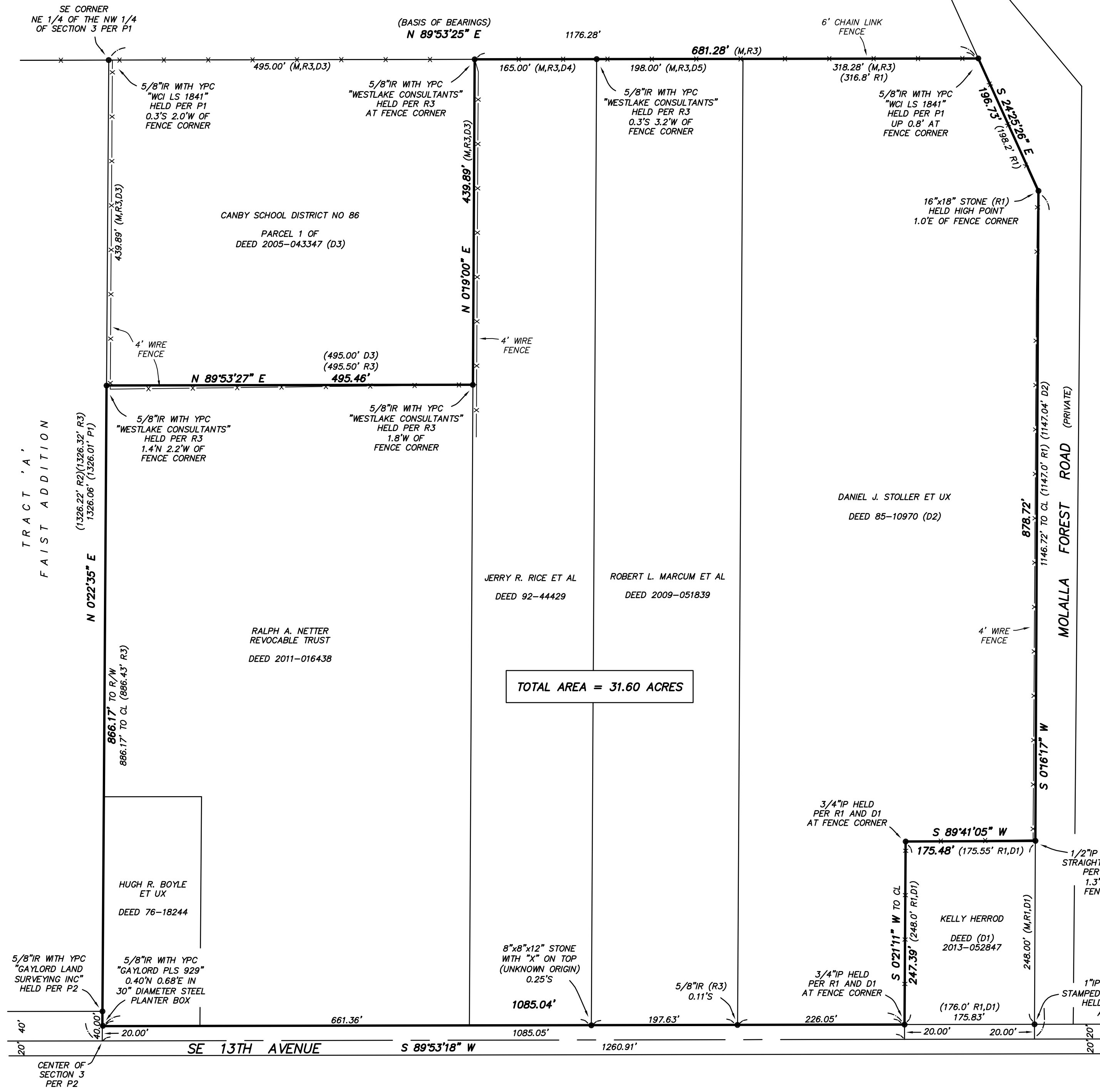
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kenneth D. Griffin

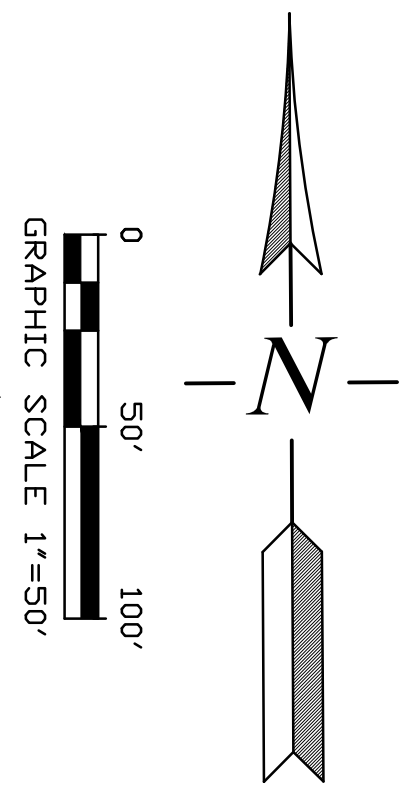
OREGON
JULY 26, 1985
KENNETH D. GRIFFIN
2147

RENEWS: 6/30/15
0533-RS

GRIFFIN LAND SURVEYING INC.
6107 SW MURRAY BLVD. #409
BEAVERTON, OR. 97008
PHONE: (503)201-3116



TOTAL AREA = 31.60 ACRES



RIGGE

TL 600

CANBY SCHOOL DISTRICT

FAIST ADDITION PHASE 6

FAIST ADDITION PHASE 6

FAIST ADDITION PHASE 6

PHASE 8

PHASE 9

BOYLE

TRACT A 8,734 sf

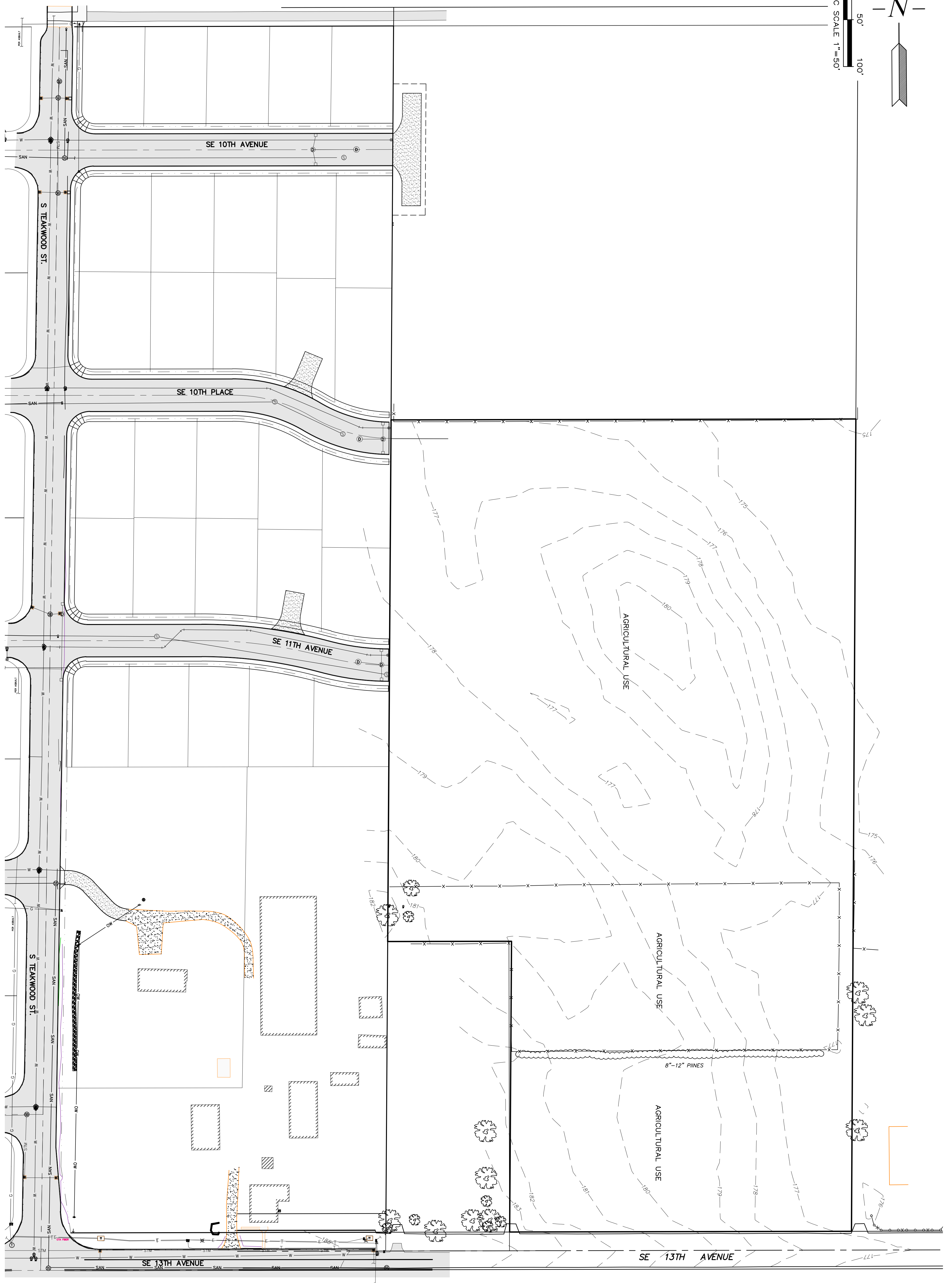
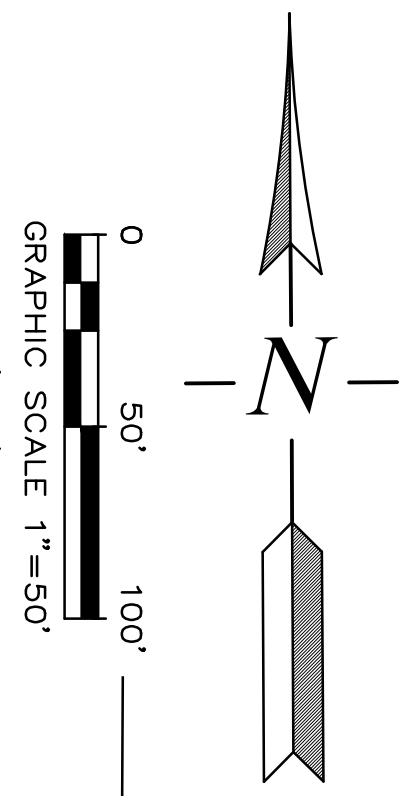
DATE FEB. 2016
SCALE 1" = 50'
DRAWN JVA
JOB SGL05-032
SHEET 1
OF 10 SHEETS

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 667-0188
DRAWING: 05-032 Tentative Plan.dwg

Site Plan

FAIST ADDITION PHASES 7-9
Ralph Netter

REVISIONS	BY



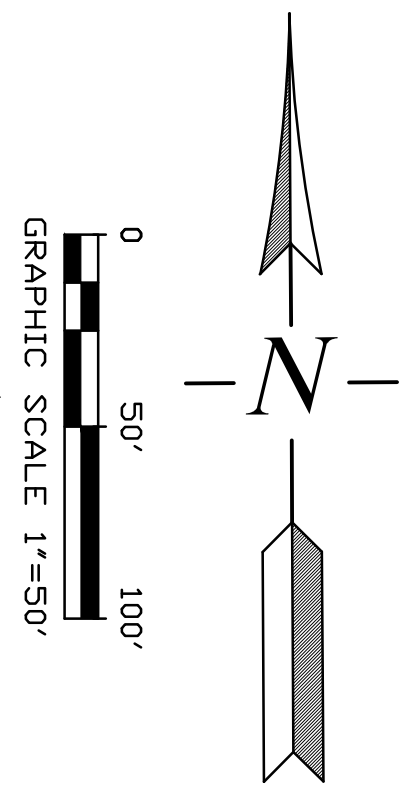
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 JOB SGL05-032
 SHEET 2
 OF 10 SHEETS

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 667-0188
 DRAWING: 05-032 Tentative Plan.dwg

Existing Conditions

FAIST ADDITION PHASES 7-9
Ralph Netter

REVISIONS	BY



CANBY SCHOOL DISTRICT



REVISIONS	BY

FAIST ADDITION PHASES 7-9
Ralph Netter

Street Plan

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 667-0188
DRAWING: 05-032 Tentative Plan.dwg

DATE FEB. 2016
 SCALE 1" = 50'
 DRAWN JVA
 CHECK SGL/OS-032
 SHEET **3**
 OF 10 SHEETS

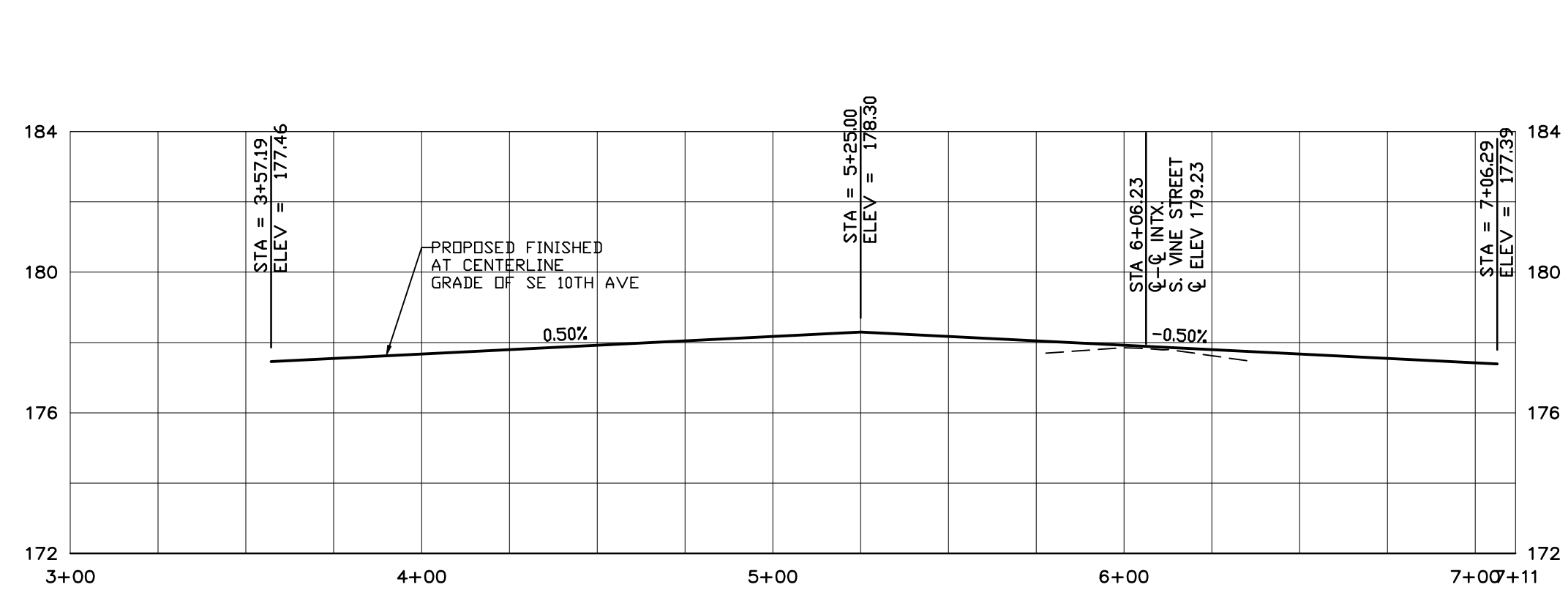
REVISIONS	BY

FAIST ADDITION PHASES 7-9
Ralph Netter

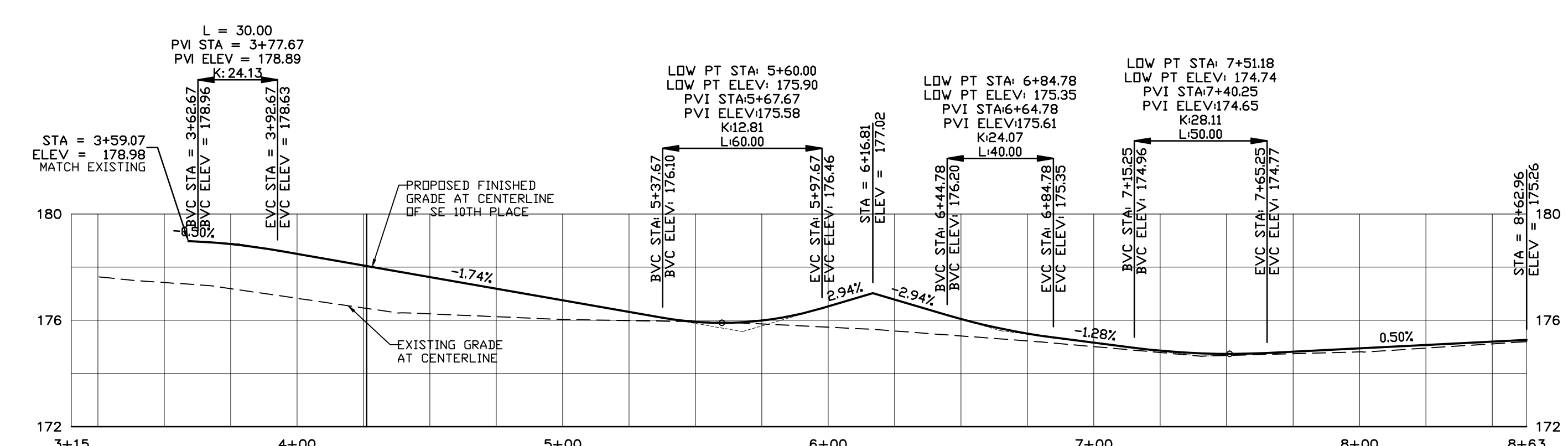
**Street Profiles +
 Typical Sections**

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 667-0188
DRAWING: 05-032 Tentative Plan.dwg

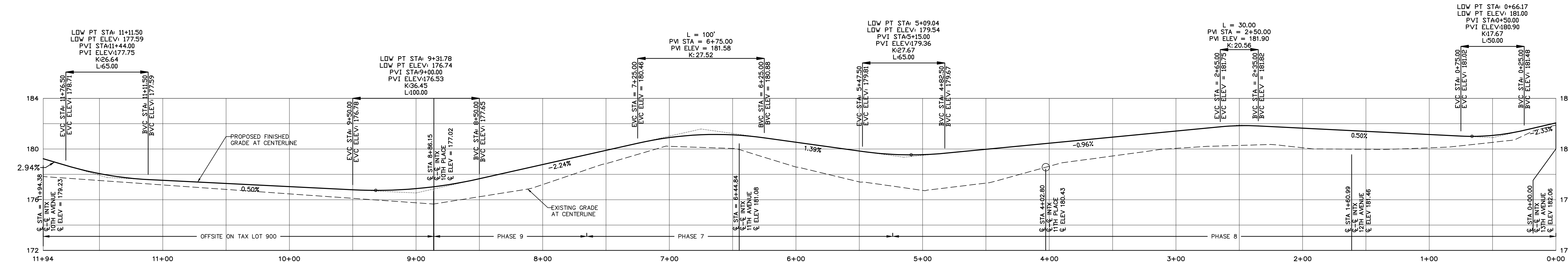
DATE FEB. 2016
 SCALE 1" = 40'
 DRAWN JWM
 JOB SGL05-032
 SHEET **4**
 OF 10 SHEETS



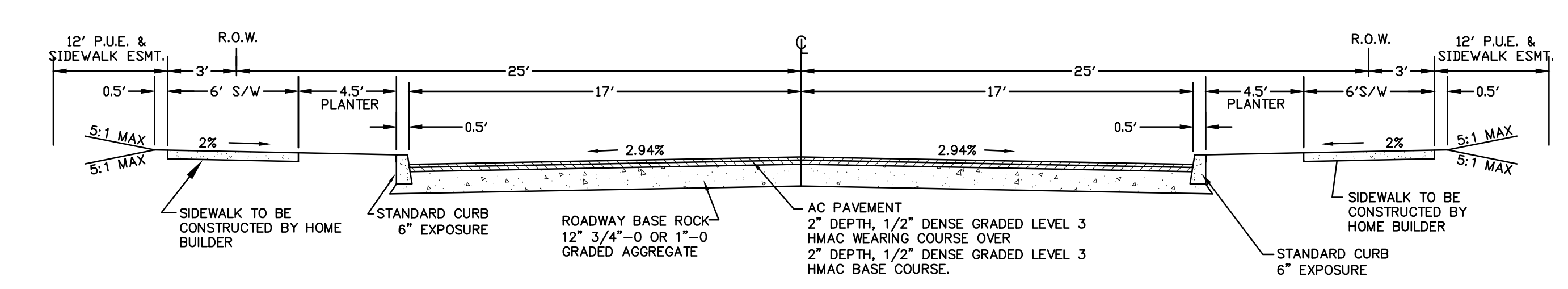
SE 10th Ave Profile (Offsite on Tax Lot 900)
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=4'



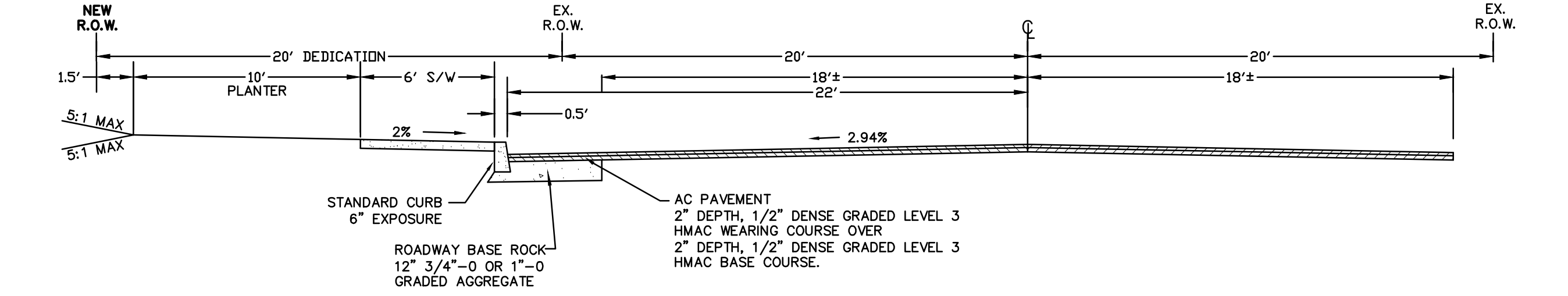
SE 10th Place Profile (Phase 9)
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=4'



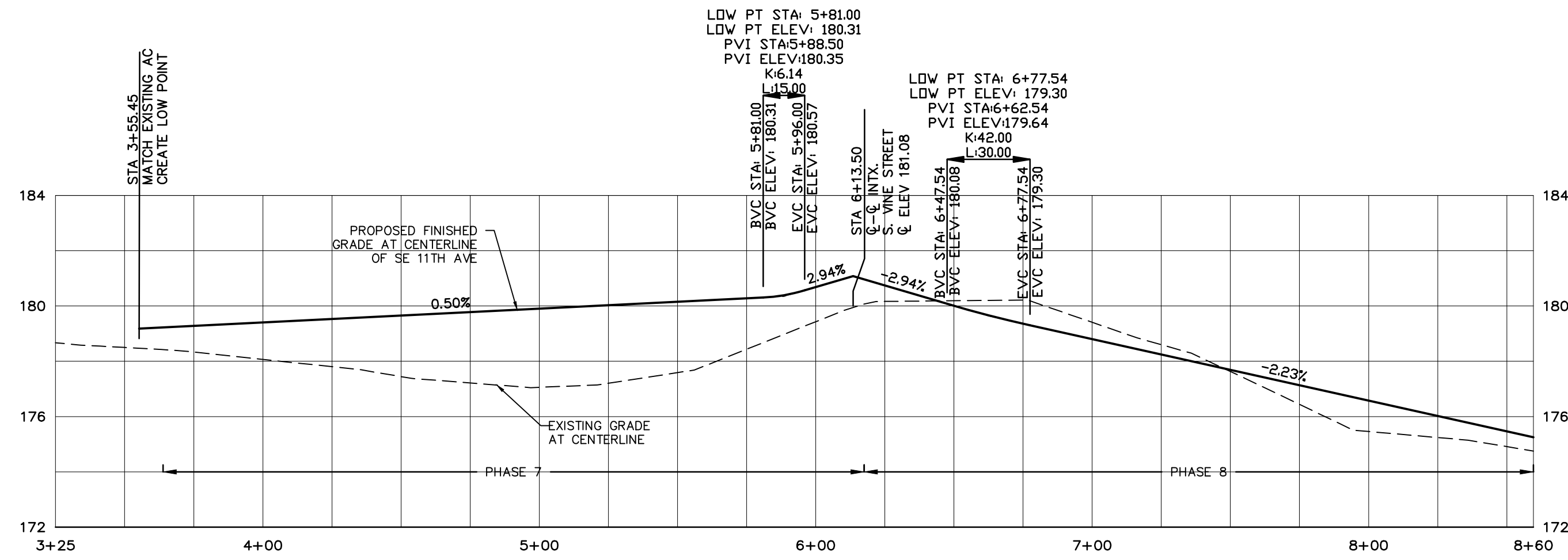
Vine Street Profile
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=4'



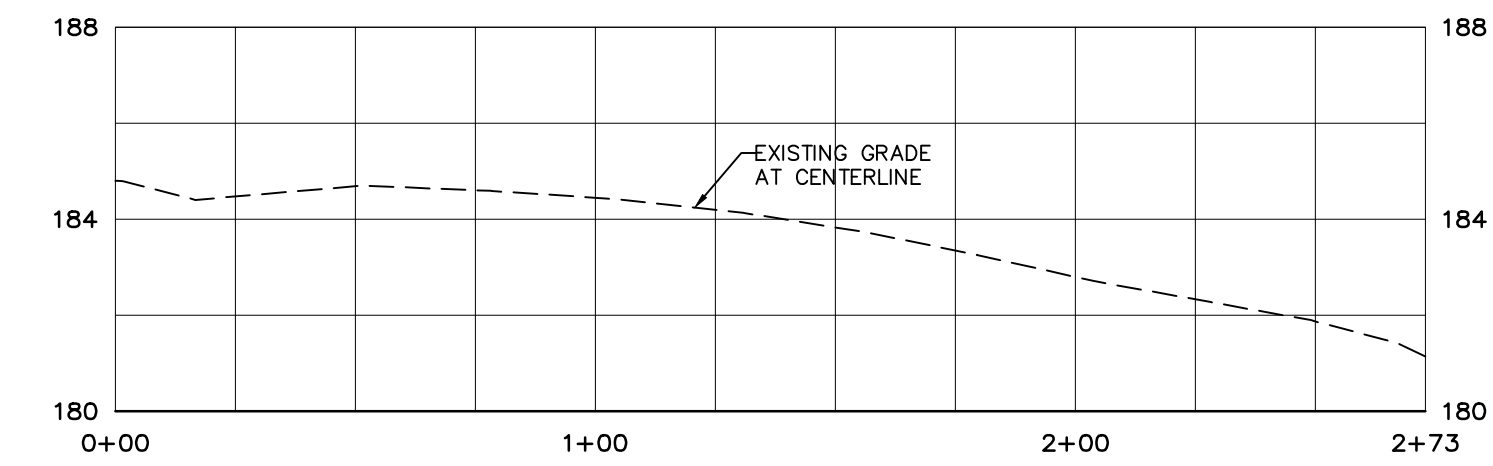
LOCAL STREET TYPICAL SECTION
 10TH AVENUE, 10TH PLACE & 11TH AVENUE, 11TH PLACE,
 12TH AVENUE, VINE STREET



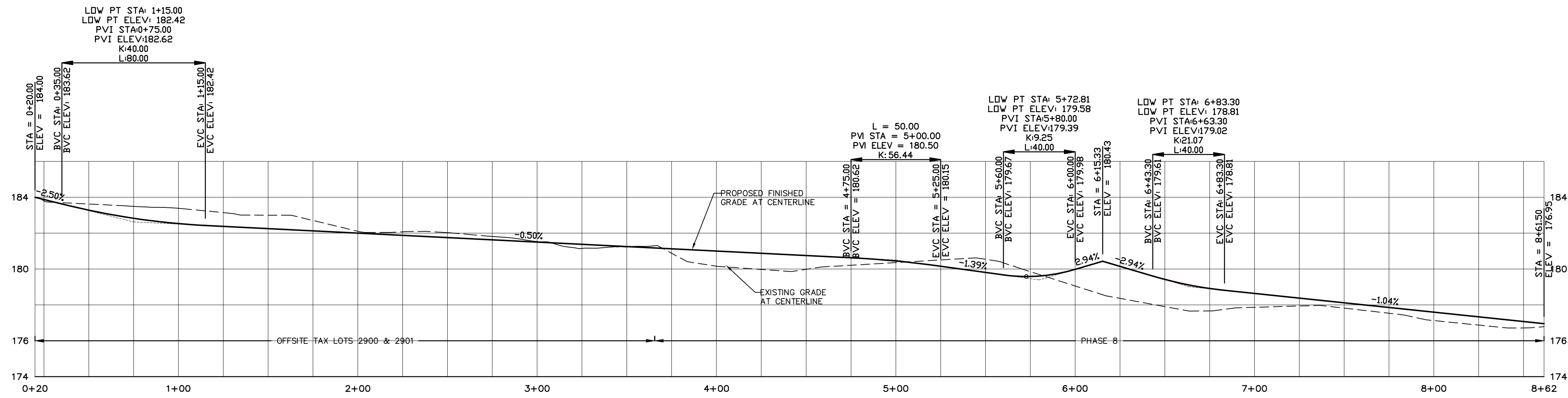
SE 13TH AVENUE TYPICAL SECTION
 N.T.S.



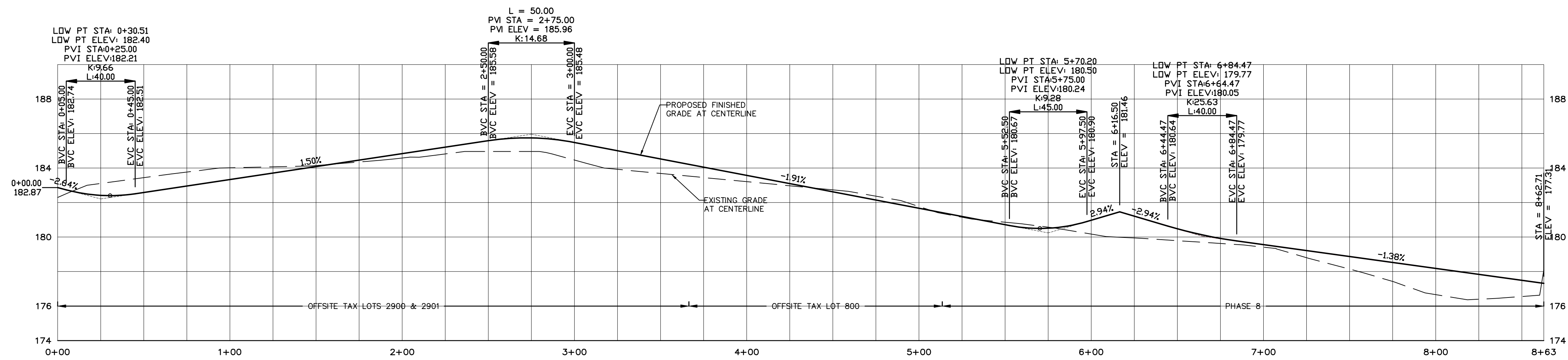
SE 11th Ave Profile
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=4'



SE 13th Avenue Profile
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=4'



SE 11th Place Profile
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=4'



SE 12th Avenue Profile
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=4'

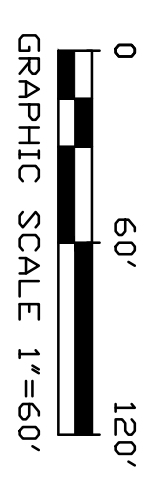
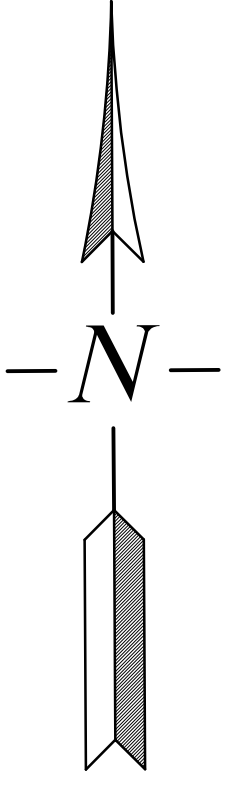
REVISIONS	BY

FAIST ADDITION PHASES 7-9
Ralph Netter

Street Profiles

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 667-0188
DRAWING: 05-032 Tentative Plan.dwg

DATE FEB, 2016
 SCALE 1" = 40'
 DRAWN JWM
 JOB SGL05-032
 SHEET **5**
 OF 10 SHEETS

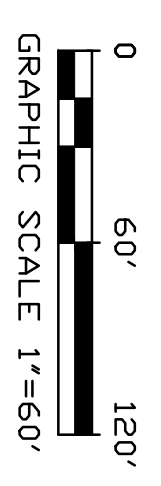
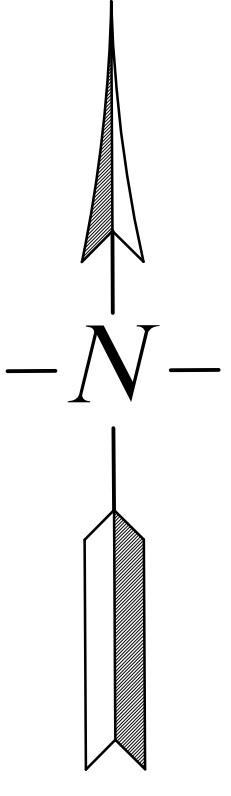


CONNECT TO EXISTING
8" IE OUT 163.00

15' EASEMENT TO CITY
OF CANBY REQUIRED FOR
PAVING OF RICE, MARCUM
& STOLLER
SANITARY SEWER OPTION 1
SANITARY SEWER WILL EXTEND ACROSS
RICE, MARCUM & STOLLER PROPERTIES &
SCUDLO PARKWAY TO THE SANITARY SEWER MAIN IN
SCUDLO PARKWAY.

EXISTING SAN MH
12" IE OUT 174.55 (W)

<p>DATE FEB. 2016 SCALE 1" = 60' DRAWN JWM JOB SCL05-032</p>	<p>SISUL ENGINEERING 375 PORTLAND AVENUE GLADSTONE, OREGON 97027 (503) 657-0188 <small>DRAWING: 05-032 Tentative Plan.dwg</small></p>	<p>FAIST ADDITION PHASES 7-9 Sanitary Sewer Option 1 Ralph Netter</p>	<p>REVISIONS BY</p>
<p>SHEET 6 OF 10 SHEETS</p>			



SAN MH 30
 RIM 729.50 (S)
 8" IE IN 161.40 (W)
 8" IE OUT 161.30 (E)

SAN MH 29
 RIM 723.00
 8" IE IN 163.14 (W)
 8" IE OUT 163.09 (E)

SAN MH 28
 RIM 726.83
 8" IE IN 165.90 (W)
 8" IE OUT 164.40 (E)

SAN MH 27
 RIM 181.57
 8" IE IN 165.06 (N)
 8" IE OUT 165.75 (E)

OFFSITE LINE INSTALLED WITH PHASE 8

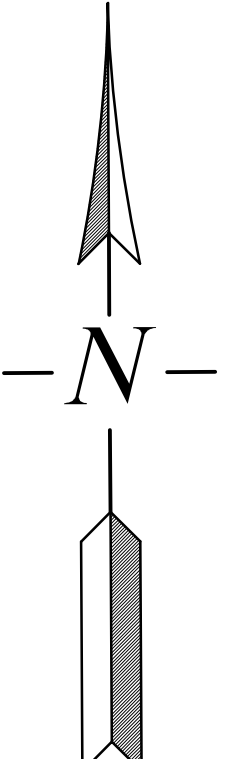
REVISIONS	BY

FAIST ADDITION PHASES 7-9
Ralph Netter

Sanitary Sewer Option 2

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 667-0188
 DRAWING: 05-032 Tentative Plan.dwg

DATE FEB. 2016
 SCALE 1" = 60'
 DRAWN JWM
 CHECK SCL/05-032
 SHEET **7**
 OF 10 SHEETS



0 50' 100'
GRAPHIC SCALE 1"=50'



REVISIONS BY

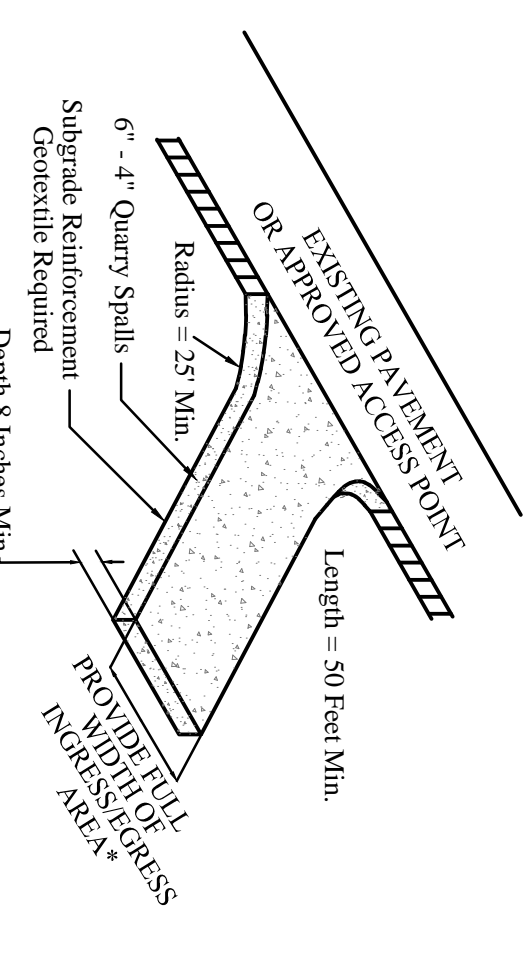
FAIST ADDITION PHASES 7-9

Ralph Netter

Waterline + Storm Plan

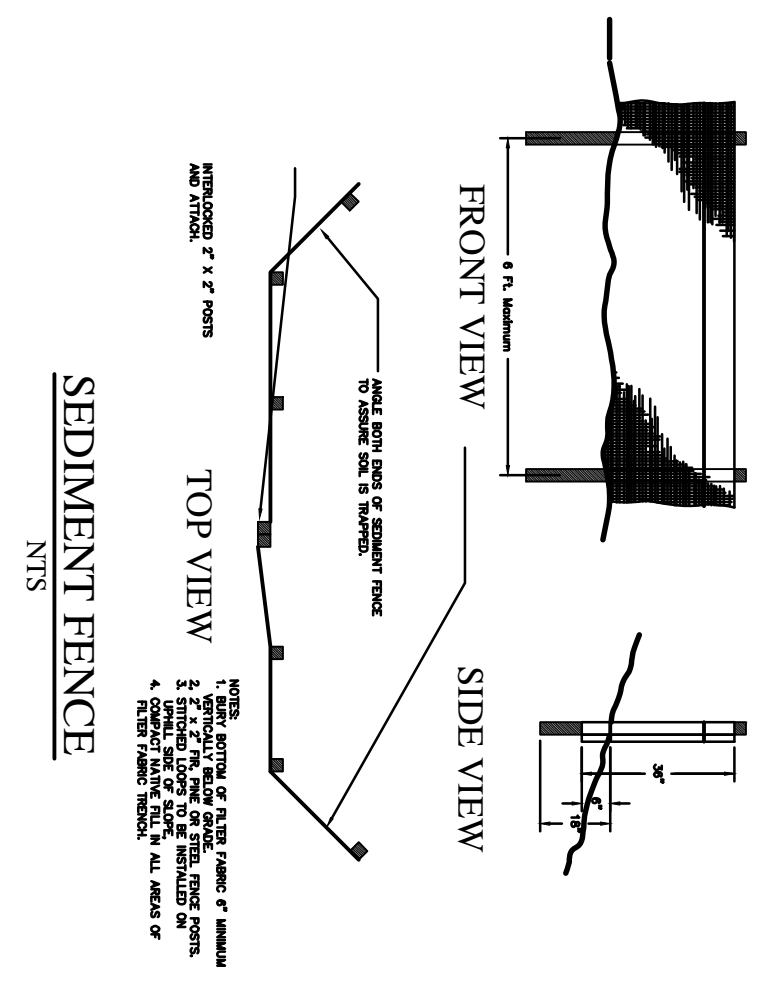
SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 667-0188
DRAWING: 05-032 Tentative Plan.dwg

DATE FEB. 2016
SCALE 1" = 50'
DRAWN JWM
JOB SCL05-032
SHEET 8
OF 10 SHEETS

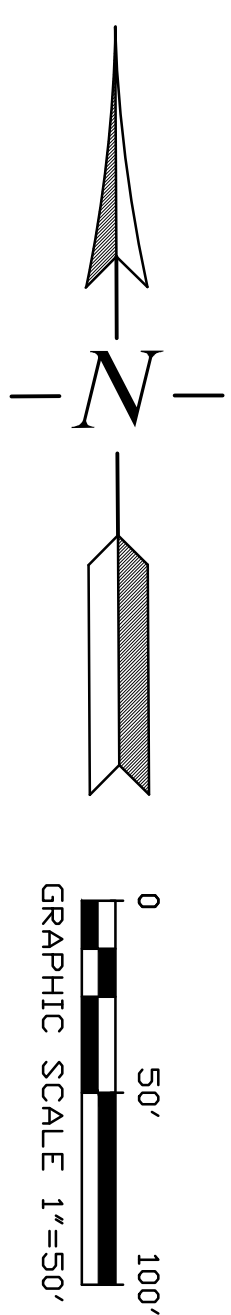
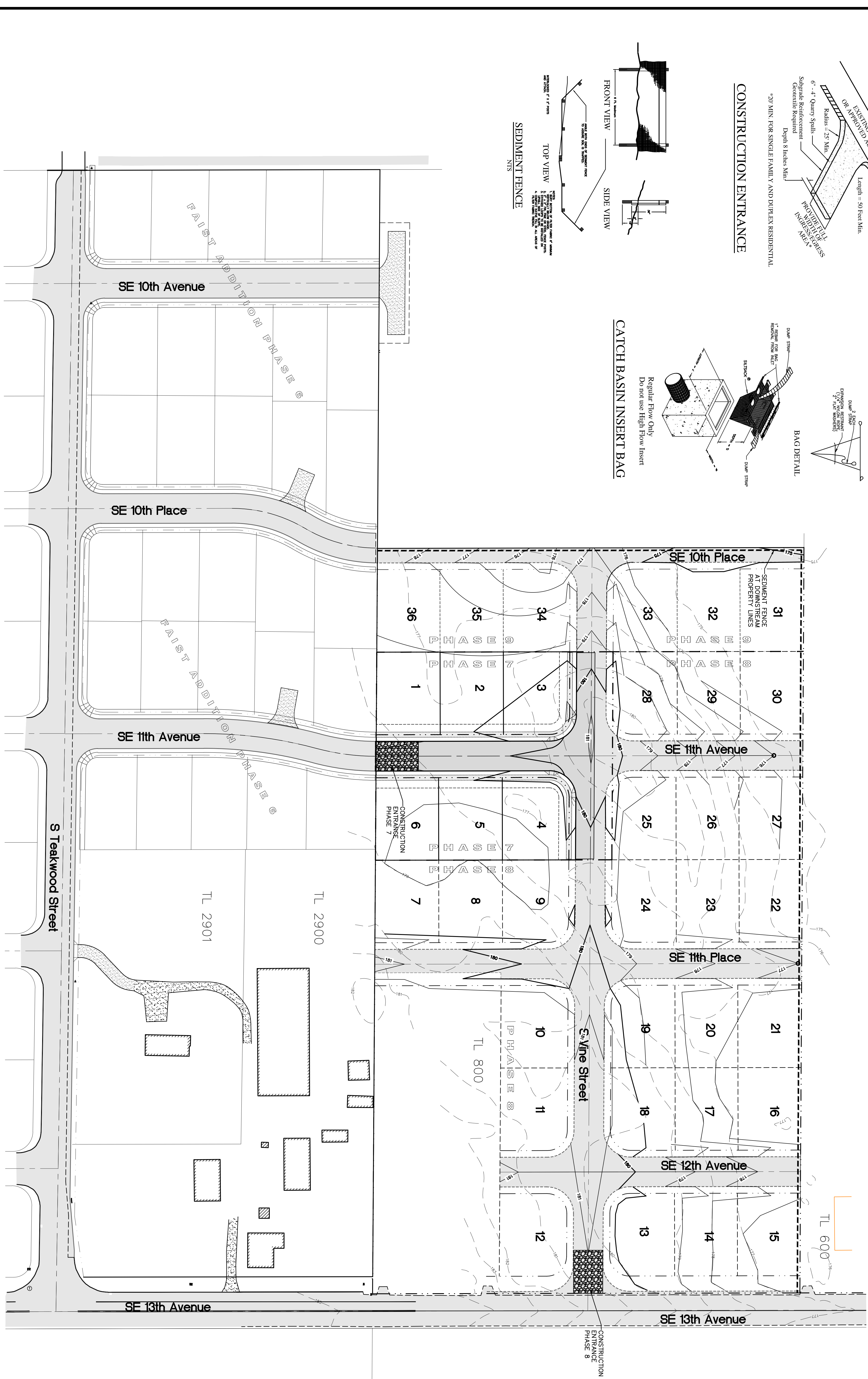
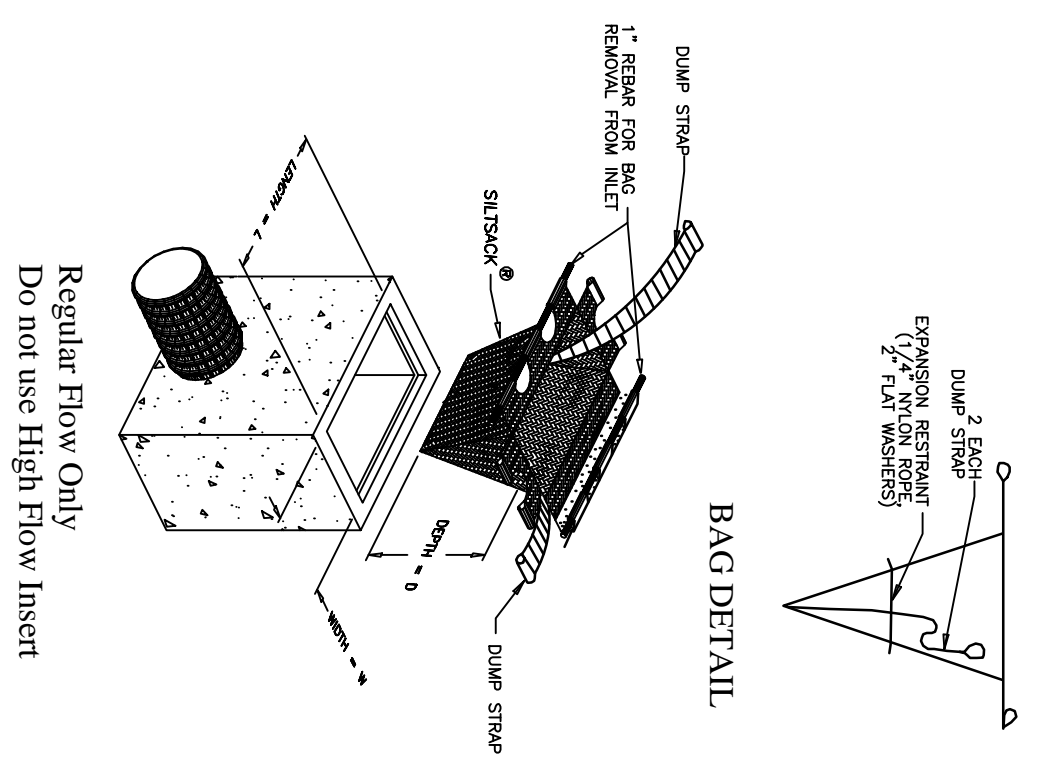


CONSTRUCTION ENTRANCE

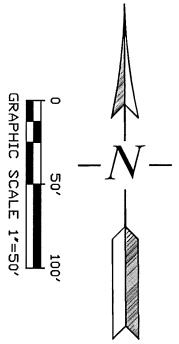
*20' MIN. FOR SINGLE FAMILY AND DUPLEX RESIDENTIAL



CATCH BASIN INSERT BAG



<p>DATE: FEB. 2016 SCALE: 1" = 50' DRAWN: JWM JOB: S01.05-032 SHEET: 9 OF 10 SHEETS</p>	<p>SISUL ENGINEERING 375 PORTLAND AVENUE GLADSTONE, OREGON 97027 (503) 657-0188 DRAWING: 05-032 Tentative Plan.dwg</p>	<p>Grading and Erosion Control</p>	<p>FAIST ADDITION PHASES 7-9 Ralph Netter</p>	<p>REVISIONS BY</p> <table border="1" style="width: 100%; height: 40px;"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>				



NO.	REVISIONS	BY

FAIST ADDITION PHASES 7-9
Ralph Netter

Shadow Plat

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 657-0186
DRAWING: 05-032 Tentative Plan.dwg

DATE FEB, 2016
 SCALE 1" = 50'
 DRAWN JVA
 CHECK SGL/OS-032
 SHEET
10
 OF 10 SHEETS


CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

February 29, 2016

MEMORANDUM

TO: Mr. Bryan Brown
City of Canby

FROM: Hassan Ibrahim, P.E. 
Curran-McLeod, Inc.

**RE: CITY OF CANBY
FAIST ADDITION PHASE 7, 8 & 9 (SUB 16-01)**

We have reviewed the submitted plans on the above mentioned project and have the following comments:

1. SE 13th Avenue is a County road and is classified by the County and the City Transportation System Plan (TSP) as an arterial road. Right-of-way dedications and public improvements must be in compliance with the Clackamas County Development requirements. The County may allow the development of SE 13th Avenue to City standards and requirements.

Based on the City TSP, the required ROW ranges between 60-foot and 80-foot, the existing right-of-way (ROW) width is 40 feet. As part of phase 7, a 20-foot wide right-of-way dedication as proposed by the developer along the entire site frontage to be consistent with the adjoining existing developments on the north side is acceptable to meet the minimum right-of-way width (60 feet) as required by the City TSP. Public improvements can be deferred until phase 8 is developed. The public improvements will include half street improvements along the entire site frontage in conformance with the City TSP, Arterial (Two-Way Traffic) section. The curb will be located at 23 feet measured from the right-of-way centerline with a 6-foot curb tight concrete sidewalks, ADA ramps, street lights and utilities as needed. The public improvements shall be constructed in conformance with section 2.207 of the City of Canby Public Works Design Standards, dated June 2012.

2. All interior streets (SE 11th Avenue, SE 11th Place, SE 12th Avenue and S. Vine Street) shall be designed to City local street standards with 34-foot paved width, curbs, 4.5' planters, 6' sidewalks, street lights and utilities in conformance with Chapter 2 of the City of Canby Public Works Design Standards, dated June 2012. Turnarounds may be required at the end of each street as directed by Canby Fire Department.

Mr. Bryan Brown
February 29, 2016
Page 2

3. SE 10th Place and S. Vine Street within phase 7 limits shall construct half street improvements in conformance with section 2.207 of the City of Canby Public Works Design Standards, dated June 2012. The improvements shall also include curb, 4.5-foot planters, 6' sidewalks, street lights and utilities.
4. As part of the final design, the developer's design engineer shall provide a minimum of 200-foot future centerline street profile design to assure future grades can be met.
5. The UIC structures location shall meet at least one of the two conditions: (1) the vertical separation distance between the UIC and seasonal high groundwater is more than 2.5 feet or (2) the horizontal separation distance between the UIC and any water well is a minimum of 267 feet in accordance of the City of Canby Stormwater Master Plan, Appendix "C", Groundwater Protectiveness Demonstration and Risk Prioritization for Underground Injection Control (UIC) Devices.
6. A storm drainage analysis shall be submitted to the City for review and approval during the final design phase. The analysis shall meet Chapter 4 of the City of Canby Public Works Design Standards dated June 2012.
7. An erosion control permit will be required from the City of Canby prior to any on-site disturbance.
8. Phase 7 shall be served with gravity sanitary sewer from SE 11th Avenue. The 8-inch sanitary sewer line extension shall terminate with a manhole.
9. Currently, there is no existing sanitary sewer system in place to serve phases 8 and 9 if it depends on gravity sewer to Sequoia Parkway. Serving those two phases will be dependent on the construction of Mulino Wastewater Pump Station which will be constructed by the City coincident with the development application. The developer will be required to extend the gravity sewer to the nearest existing sanitary sewer dry line in Sequoia Parkway/ Logging Road using either of the proposed two options. Both proposed options are acceptable.

Should you have any questions or need additional information, please let me know.



March 1st 2016

Comments from Canby Telcom for Faist addition phase 7,8, 9 :

Canby Telcom services will become available through the development.

- The Developer/Owner is required to provide all trenches for placing underground communication facilities; Canby Telcom will place and provide all materials.
- Canby Telcom will follow the power design as much as possible to minimize trenching; however, additional trenches may be required.
- For temporary service (job shack), contact our Customer Care Center to place an order.
- There is no development fee.

Contact Information:

Engineering Manager	Eric Kehler	503-266-8223
Associate Engineer	Dinh Vu	503-266-8201
Construction Inspector	Ron Stenger	503-266-8290
Customer care center		503-266-8111

Laney Fouse

From: CanbyLab
Sent: Tuesday, February 23, 2016 3:01 PM
To: Laney Fouse
Subject: RE: Request for Comments

No comment from pretreatment

From: Laney Fouse
Sent: Tuesday, February 23, 2016 2:35 PM
To: Bret Smith (PD); Bryan Brown; 'Canby Disposal (customerservice@canbydisposal.com)'; 'Curt McLeod (cjm@curran-mcleod.com)'; Dan Mickelsen; Dave Conner; David Epling; 'Dinh Vu'; Don Steiner; 'Douglas Quan'; 'Gary Stockwell'; Greg Parker; 'Hassan Ibrahim (hai@curran-mcleod.com)'; Jeff Snyder; Jerry Nelzen; 'Joe Chavez'; Joseph Lindsay; Julie Wehling; 'kenken@co.clackamas.or.us'; Kevin Batridge (burlbatman@canby.com); 'Kizer, Daniel'; 'Larry Hepler'; Matilda Deas; Michael Hemelstrand; mindymonte@gmail.com; Paul Belz-Templeman; Renate Mengelberg; Rick Robinson; 'Robert Hixson'; Robert Lee (rlee@wavebroadband.com); 'Scott Caufield (scottc@co.clackamas.or.us)'; Sharon Trimble; 'Todd Gary'; Amanda Zeiber
Subject: Request for Comments

Hello,
Please find attached a Request for Comments for your review along with map and drawings for the site.
Please let me know if you require any additional information.
Thanks, Laney

*Laney Fouse
Development Services Department
City of Canby
Direct Line: 503-266-0685
Main Line: 503-266-7001
Fax 503-266-1574
fousel@ci.canby.or.us*

Planning Website: http://www.ci.canby.or.us/Departments/develop_services/development_serv.htm

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 LEGAL DISCLOSURE

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

SE 13TH Avenue, Canby, OR Development Concept Plan



February 28, 2014
Revised May 27, 2014

Prepared by Sisul Engineering
375 Portland Avenue, Gladstone, OR 97027
Phone (503) 657-0188 www.sisulengineering.com

Table of Contents

- I. Purpose
- II. Existing Conditions
- III. Opportunities and Constraints
- IV. Concept Plan
- V. Utility Service
- VI. Park Dedication & Reimbursement to Stoller
- VII. Development Concept Plan Maps
 - 1. Ownership
 - 2. Zoning Designations
 - 3. Existing Conditions
 - 4. Street Plan
 - 5. Drainage
 - 6. Sanitary Sewer
 - 7. Waterline
 - 8. Parks
 - 9. Park Details

I. Purpose

City of Canby Municipal Code (CMC) Section 16.84 establishes criteria under which the City of Canby will consider annexation requests. The City of Canby Annexation Development Map (Figure 16.84.040) shall determine which properties are required to submit either:

- a. A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map; or
- b. A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map.

A group of property owners in the southeasterly portion of the Canby area have come together for the expressed purpose of annexing their properties into the City of Canby. Their contiguous properties are located north of SE 13th Avenue, south of Baker Prairie Middle School, east of S Teakwood Avenue and west of the Sequoia Parkway extension and the Logging Road Trail. These properties are located in a designated DCP area shown on the City of Canby Annexation Development Map.

The purpose of this Development Concept Plan is to address the specific requirement of the City of Canby Municipal Code Section 16.84 to prepare a Development Concept Plan for the properties prior to annexation.

II. Existing Conditions

The roughly 32 acre DCP area is nearly square, with the northwesterly corner removed, or “notched out”. This “notched out” area is owned by the Canby School District and is already inside the Canby city limits. The DCP area is comprised of six (6) tax lots, varying from one (1.0) acre to 10.86 acres in size. The parcels are located in Tax Map 4S-1E-03 and include the following properties and ownerships:

TL400	10.86 acres	Stoller
TL401	1.00 acre	Herrod
TL500	5.93 acres	Marcum
TL600	4.95 acres	Rice
TL700	8.86 acres	Netter
TL800	1.00 acre	Boyle

The site is adjacent to and abuts the Faist property to the west, and Baker Prairie School to the north. To the east and south the land is vacant and in agricultural use. Somewhat further to the west and north of SE 13th Avenue is the Ackerman Center and the Canby Adult Center.

The site appears nearly flat, but there is an 11 foot grade change across the site, with only minor topographical features. The high point of the site is at 180 MSL in the southwest corner, while the low point is at 170 MSL in the northeast corner.

The site is similar in character to most of the surrounding area in the southeasterly Canby area. The area is currently rural in nature and contains larger lot single-family and agricultural uses. The land is generally flat and level, but slopes gently off to the northeast. Development is limited in this area. The area is served by SE 13th Avenue, which is the most significant east-west street in the vicinity. Access from any direction other than SE 13th Avenue is difficult because through streets have not yet been fully developed in this area of Canby. North-south streets are currently limited, but the City of Canby is currently constructing the Sequoia Parkway extension just to the east of the subject site that will provide convenient north-south connectivity when completed.

While urban development is gradually increasing into this neighborhood there continues to be considerable farming activity in the immediate vicinity, most of which is located outside the city limits. Several homes located on large farm and non-farm use properties still remain in this local area. With the urban development, the urban infrastructure has been extended to the boundaries of the Concept Plan Area. As such, local services and facilities are generally available or can be made available through service line extensions.

III. Opportunities and Constraints

The DCP area is similar in character to much of the surrounding area in southeast Canby in that it is rural in nature and contains larger lot single-family and agricultural uses. The land is generally flat and level, but slopes gently off to the northeast. Development is limited immediately surrounding the DCP area, but it has been creeping in on the site since the late 1990's when the Faist Addition subdivisions to the west were developed. In the early 2000's the Toft Farms subdivisions were developed a little farther south and west of Faist Addition and then in the mid-2000's Baker Prairie Middle School and American Steel were developed north of the DCP area. Current construction in this area includes the City of Canby's Sequoia Parkway extension project which is extending Sequoia Parkway from SE Township Rd to SE 13th Avenue. The Sequoia Parkway extension is expected to be completed in the summer of 2014.

Baker Prairie Middle School – The school is located along the northern boundary of the DCP area and will provide convenient access for middle school aged students of future residential developments. The school has large athletic fields located near the site which will provide for active recreational opportunity areas on weekends, during summers, and at other times when school is not in session.

Bike and Walking Trails – A bicycle trail is located on the Baker Prairie Middle School site along the northern edge of the DCP area and the City-owned Logging Road Trail is located along the eastern side. These two trails provide for recreational opportunities and alternative transportation possibilities for future residents of this area.

Sequoia Parkway extension – The Sequoia Parkway extension will provide for convenient north-south access through Canby and for quick access to 99E shopping areas and restaurants. Vehicular access to Sequoia Parkway from the DCP area will not be permitted.

Railroad – A railroad spur line is located slightly off the northeast corner of the DCP area. Access across the railroad is limited.

SE 13th Avenue – SE 13th Avenue is a designated arterial roadway in the City of Canby Transportation System Plan. The roadway provides convenient east-west trips between S Mulino Road and 99E. Because SE 13th Avenue is an arterial, intersections are limited to a spacing guideline established by the City.

Trees on Stoller parcel – The Stoller parcel has a large stand of mature trees that is somewhat out of character for properties in this area. The trees are located southwest of the intersection of the Baker Prairie Middle School pathway and the Logging Road Trail in the northeast corner of the DCP area.

IV. Concept Plan

Zoning: The DCP proposes to use the zoning identified in the City of Canby Comprehensive Plan. The Comprehensive Plan identifies two separate zoning designations for the DCP area, LDR-Low Density Residential and MDR-Medium Density Residential. The two properties on the west side of the DCP area, Boyle and Netter (Tax Lots 700 & 800), are indicated as LDR-Low Density Residential and the DCP identifies that these two properties have City of Canby R-1 Low Density Residential Zoning applied at the time of annexation. These two properties will act as the transition from the R-1 properties located farther west to the R-1.5 zoning that will be applied to the four eastern properties located in the DCP. The four eastern properties, Stoller, Herrod, Marcum & Rice (Tax Lots 400, 401, 500 & 600) are indicated as MDR-Medium Density Residential on the Comprehensive Plan and the DCP agrees that this zoning is appropriate for these properties. MDR properties will have City of Canby R-1.5 Medium Density Residential Zoning applied at the time of annexation.

Canby Municipal Code (CMC) Chapter 16.16 (R-1 Low Density Residential Zone) permits lots created in the R-1 zone to be developed with one single family dwelling per lot in addition to other allowed uses. CMC Chapter 16.18 (R-1.5 Medium Density Residential Zone) permits lots created in the R-1.5 zone to be developed with uses permitted in the R-1 zone or with two or three family dwellings (one duplex or tri-plex on each lot). The DCP proposes to limit uses permitted outright in the R-1.5 zone to those uses permitted outright in the R-1 zone. Two-family and three-family uses would be permitted as Conditional Uses only. The owners of the land in the DCP area do not feel that multiple family dwellings are the proper fit for this particular R-1.5 zoned area and therefore want to set the bar higher for allowing that type of construction.

Streets: The DCP proposes to make connections to logical extensions of existing roadways in the Faist Addition subdivisions to the west of the DCP area and also proposes to make logical connections to SE 13th Avenue along the southern end of the site that are consistent with the planned local street connections anticipated in Figure 7-8 of the Canby TSP. Access to the north is blocked by Baker Prairie Middle School and access to the east is blocked by the Logging Road Trail and inability to connect to the new Sequoia Parkway extension.

East-west streets in the DCP area include extensions of SE 10th Avenue, SE 10th Place, SE 11th Avenue, SE 11th Place, SE 12th Avenue. SE 13th Avenue borders the DCP area to the south and will be improved with half-street improvements at the time of development.

New north-south streets in the DCP area that will intersect with SE 13th Avenue include S Vine Street and S Walnut Street. These two streets are anticipated by Figure 7-8 of the Canby TSP. Vine and Walnut will utilize the alphabetical tree street naming pattern for streets that generally travel north and south. Other north-south streets near the DCP area include Redwood, Sycamore & Teakwood to the west and Sequoia Parkway to the east. Sequoia Parkway is a unique street name that does not fit the established street naming pattern in the City.

Parks: Existing City parks in this area of Canby include Legacy Park and Faist Park both located west of the DCP area. Legacy Park is located adjacent to the Ackerman School grounds and features playgrounds, soccer fields, a picnic shelter and a meditation garden. Faist Park is a 15,041 sq. ft. parcel located west of Teakwood Avenue at the entrance to Baker Prairie Middle School. Faist Park is currently unimproved.

The DCP proposes to create a new 3.429-acre park in the northeast corner of the DCP area to serve the residents of this site, the neighborhood and the entire City of Canby. The park will take advantage of a large stand of trees located on the Stoller parcel in the northeast corner of the site and will include passive recreational opportunities such as walkways, picnic tables, and benches. The City Parks Department has determined that this property would make for an excellent park site and it is anticipated to be used as a location for picnicking or resting by people who use the City's Logging Road trail or the Baker Prairie Elementary School pathway. Park improvements such as a restroom, walkways, benches and tables may be constructed by project developers or may be developed by the City of Canby.

Per the City of Canby's park dedication formula, a park dedication of 3.429 acres will satisfy the need for 127 new lots. If more than 127 new lots are created in the DCP area, the additional lots will satisfy the City Parks SDC obligation through payment of the City SDC fee. See Section VI Parks, for additional information.

V. Utility Service

Based on the level of development surrounding the subject site, necessary facilities and services are available for the proposed annexation at the proposed R-1 and R-1.5 zoning designations. The applicant had a pre-application meeting with the City of Canby utility service providers and all utilities are available in the DCP area or can be made available through development of the site.

Water: Water is provided through Canby Utility's Water Department. A 14-inch water line installed during development of the Faist Addition subdivisions is located in S.E. 13th Avenue at the southwest corner of the site. The City of Canby and Canby Utility are also installing a new 14-inch water main to the southeast corner of the site as a part of the Sequoia Parkway extension. Water to serve homes in future developments will be provided through a connection between these two mains and the loop that will be created. Alternatively, there are 8 inch water lines in S.E. 10th Avenue, S.E. 10th Place, S.E. 11th Avenue, S.E. 11th Place, and S.E. 12th Avenue that connect to an 8 inch water main in S. Teakwood Street. These 8-inch mains can be extended through into the proposed annexation area with development of the remainder of the Faist parcel west of the DCP area;

Sanitary Sewer: Sanitary sewer is provided by the City of Canby. The nearest sewer collection system was installed in S. Teakwood Street and in SE 13th Avenue at the southwest corner of the site with the Faist Addition subdivisions. Manholes in S. Teakwood Street are located at each of the numbered streets and could be used for to serve some of the DCP area by gravity service to the west if the Faist property is developed prior to the DCP area. Without development of the Faist property, a small portion of the southwest portion of the site could gravity flow to the western-flowing main in SE 13th Avenue.

The exact layout of the future sanitary sewer system for the DCP area will depend upon what order the properties are annexed and developed, as urban utility lines are not typically permitted to cross land zoned Exclusive Farm Use by Clackamas County. Properties located on the western side of the DCP area will need to be able to drain to the main line in Sequoia Parkway in order to develop. This will either occur by construction of a sanitary sewer main line through the DCP area or by construction of a sanitary sewer main line in SE 13th Avenue along the southern edge of the DCP area.

In any case, much of the annexation area is planned to drain east to a dry sanitary main being installed in the Sequoia Parkway extension that will ultimately be usable for this development. When it is needed, the city will build a temporary pump station near the

intersection of Sequoia Parkway and SE 13th Avenue. A permanent pump station will be constructed at a later date at Mulino Road and 13th Avenue when there is a need for the facility and after the City has acquired the land for the facility. The permanent pump station will make sanitary sewer service available throughout the entire local vicinity as the permanent pump station is not only needed for the DCP area, but it is also needed to serve a large portion of the light industrial area to the east and northeast of Sequoia Parkway. Construction of the pump station and the associated gravity and force mains will be paid for with Systems Development fees collected on the various properties. The project will be completed by the City of Canby when the first development project has been approved that requires the pump station. Annexation of property will not trigger the need for the pump station to be completed;

Storm Drainage: Roof drains from homes within the subdivision will be directed to privately owned and maintained infiltration facilities on each individual lot. Street drainage will be directed to sumped catch basins and pollution control manholes for water quality treatment and then to dry wells located throughout the development area for disposal through underground injection. All street storm drainage facilities are proposed to be public facilities consistent with the newly adopted City of Canby Stormwater Master Plan and the Canby Public Works Design Standards. When development proposals are submitted, the issue of storm water management and drywell location can be discussed in greater detail.

Private Utilities: Private utilities providing service for telephone, natural gas, cable, garbage and recycling collection are all available in the general neighborhood. These utilities generally operate on a franchise basis. Electrical power is provided through Canby Utility's Electrical Department in conjunction with PGE. Dry utilities such as power, communications and natural gas are available to the DCP area in the southwest corner of the site where the utilities were stubbed to during construction of the Faist Addition subdivisions and some utilities will be available to the eastern side of the DCP area with the completion of the Sequoia Parkway extension. Alternatively, dry utilities are also available in S. Teakwood Avenue and would be available to the DCP area with development of the remainder of the Faist property.

VI. Park Dedication & Reimbursement to Stoller

Park Dedication:

General: A new 3.429-acre park, tentatively named “Stoller Park”, will be located in the northeast corner of the DCP area will serve residents of this site, the neighborhood and the entire City of Canby. The park will take advantage of a large stand of trees located on the Stoller property in the northeast corner of the site. The park will include passive recreational opportunities such as walkways, picnic tables, and benches and it will include a restroom facility. The park will allow for neighborhood residents to give their children a little more space to run, throw a ball or a Frisbee than is available on a typical lot. Neighborhood residents will also be able to use the park to sit and enjoy a book, walk their dog, or to access the nearby bike/pedestrian trails. With the parks location being adjacent to the City’s Logging Road Trail and the Baker Prairie Middle School bike path, it is anticipated that the park will also be used as a destination for people from all over Canby to picnic or rest when using these two trails.

Park Value: The entire 3.429 acre park is located within the boundary of the 10.86 acre Stoller property. The park land cannot be sold to the City of Canby prior to annexation of the Stoller property, as Clackamas County’s Exclusive Farm Use zoning will not permit further division of the property. Once the Stoller property has been annexed into the City, negotiations concerning selling the park land to the City of Canby can begin. The value of the park land will be established based on an MAI appraisal prepared jointly for the City of Canby and the Stollers. The City cannot pay more than the appraised value. If the park is sold to the City as unimproved land, Stollers would be paid by the City based on the value of raw park land. If the land is improved or partially improved as a park prior to its sale to the City, then the appraised value would be based on the value of the park land together with the improvements. It is the Stollers choice as to whether they want to improve the park land prior to selling it to the City. Park improvements are anticipated to include a restroom, walkways, benches and picnic tables.

Park SDC Obligation: Per the City of Canby’s park dedication formula of 2.7 people per single family home and 0.01 acres of park per person, a 3.429 acre park satisfies the need for 127 new lots. If more than 127 new lots are created in the DCP area, the additional lots will satisfy the City Parks SDC obligation through payment of the City SDC fee. It is assumed that the five existing homes will be granted a waiver of SDC fees upon annexation into the City of Canby and that these SDC rights will transfer to a future lot on each parent parcel that currently contains a home.

The division of the park dedication credits will be allocated to the DCP parcels according to Table A, below:

Table A: Park System Development Charge Credits by Owner:

A	B	C	D	E
Tax Lot	Owner	Existing Home Park Credit	Total Number of lots	
			Satisfied by Park Dedication	not paying a park SDC
TL 400	Stoller	1	33	34
TL 401	Herrod	1	0	1
TL 500	Marcum	1	30.5	31.5
TL 600	Rice	1	25.5	26.5
TL 700	Netter	0	37.5	37.5
TL 800	Boyle	1	0.5	1.5
Total		5	127	132

Table A, Column D identifies the number of park SDC credits satisfied for each owner by the park dedication. Taken together with the Existing Home Park Credits shown in Table A, Column C, they equal the number of lots not expected to pay a Park SDC, Column E. If the City of Canby will not allow the Existing Home Park Credit to transfer from an existing home to a new home, then the Table A, Column D will equal the total number of lots not paying a Park SDC. The City of Canby should note whether the Existing Home Park Credit can transfer from an existing home to a new home during the review of the Development Concept Plan.

If a parcel develops fewer lots than anticipated by Table A, the park area is not expected to be reduced. However, Park SDC credits can be transferred between owners if two owners agree to such a transfer. Therefore, if one parcel develops fewer lots and another parcel develops more lots than anticipated by Table A above, Park SDC credits can be transferred between owners. If no such transfer occurs, additional lots would satisfy the additional City Park SDC obligation through payment of a City Park SDC fee.

The City of Canby Development Services Department shall develop a system through which they can track the number of park credits allocated to each parcel, the number used and the number remaining. Issuance of Park SDC Credit Certificates is one method of tracking Park SDC Credits.

Reimbursement to Stollers:

General: In this particular Development Concept Plan Area it has been determined that the most suitable location for a park site, due to both to significant trees in that area and because of the large bridge structure constructed for the Sequoia Parkway extension that would be a deterrent to homes backing up to it, is an area in the northeast portion of the DCP area. The owners of that parcel, the Stollers, are willing to allow that area to be designated for a park site, however, the equity issues between themselves and the others in the annexation area has to be resolved, as designating the majority of the park site on the Stollers' parcel both increases the number of lots the other owners in the annexation area can develop and reduces the number of lots the Stollers can develop.

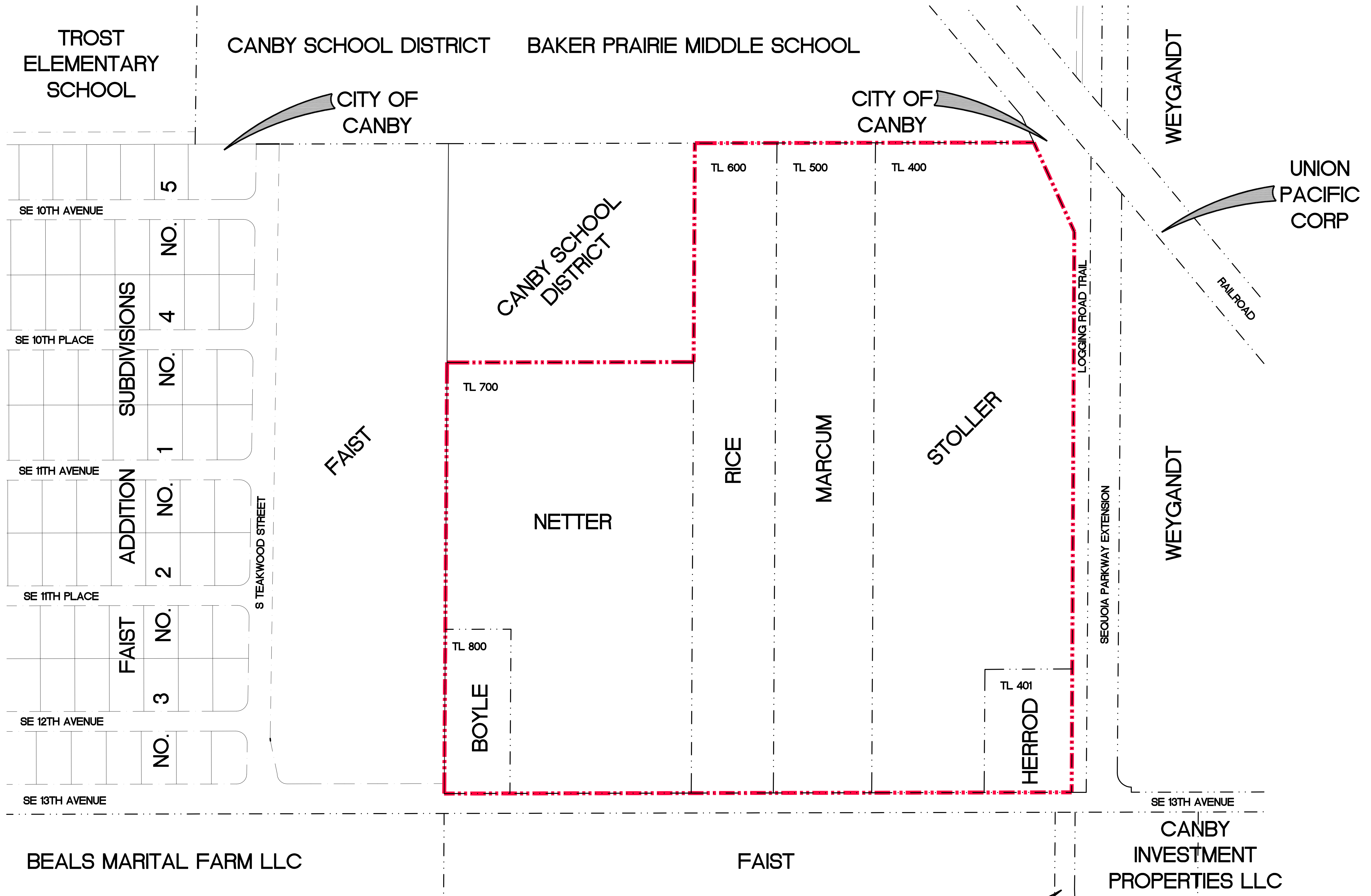
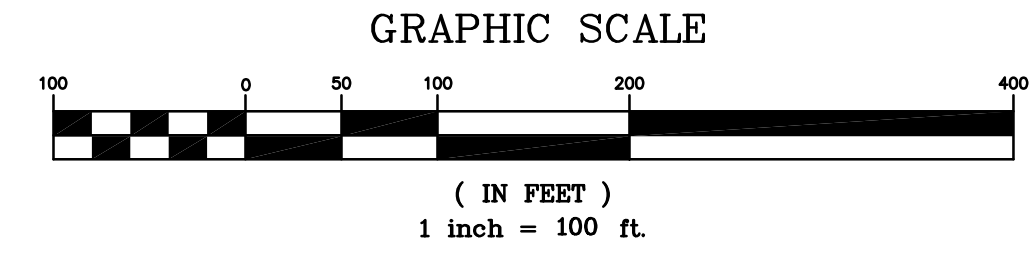
Agreement Required: The Stollers and the other four owners participating in the annexation request have come to a general agreement of how to resolve the equity issue. A development agreement between the five property owners must be signed prior to annexation establishing the methodology and timing for how the Stollers will be reimbursed by the owners/developers of the other benefitting properties. A development agreement between the five property owners requesting annexation shall be acknowledged by all five property owners and recorded with the Clackamas County before the Canby City Council refers the ballot to the voters. For the annexation request submitted in February, 2014, the due date for the City Council to refer the ballot to the voters is anticipated to be August 20, 2014. The development agreement between the property owners shall be signed and recorded prior to this date, or the annexation request shall not be sent before the voters. A copy of the recorded agreement shall be delivered to the City of Canby Development Services Department prior to the August 20, 2014 City Council meeting.

Herrod: Property: One of the six properties in the DCP area, the Herrod property (Tax Lot 401), is not participating in the February, 2014 annexation request. Because Herrod is not participating in the current annexation, Herrod has no obligation to work through the details of the DCP that the other owners are participating in. The Herrod property has intentionally been excluded as a beneficiary of the park dedication. When annexed, homes developed on the Herrod property will satisfy their park SDC obligation to the City of Canby through payment of the appropriate City Park SDC fee.

VII. Development Concept Plan Maps

1. Ownership
2. Zoning Designations
3. Existing Conditions
4. Street Plan
5. Drainage
6. Sanitary Sewer
7. Waterline
8. Parks
9. Park Details

----- = CONCEPT PLAN AREA BOUNDARY



REVISIONS	BY
REVISE: BOUNDARY 5-5-14	PS

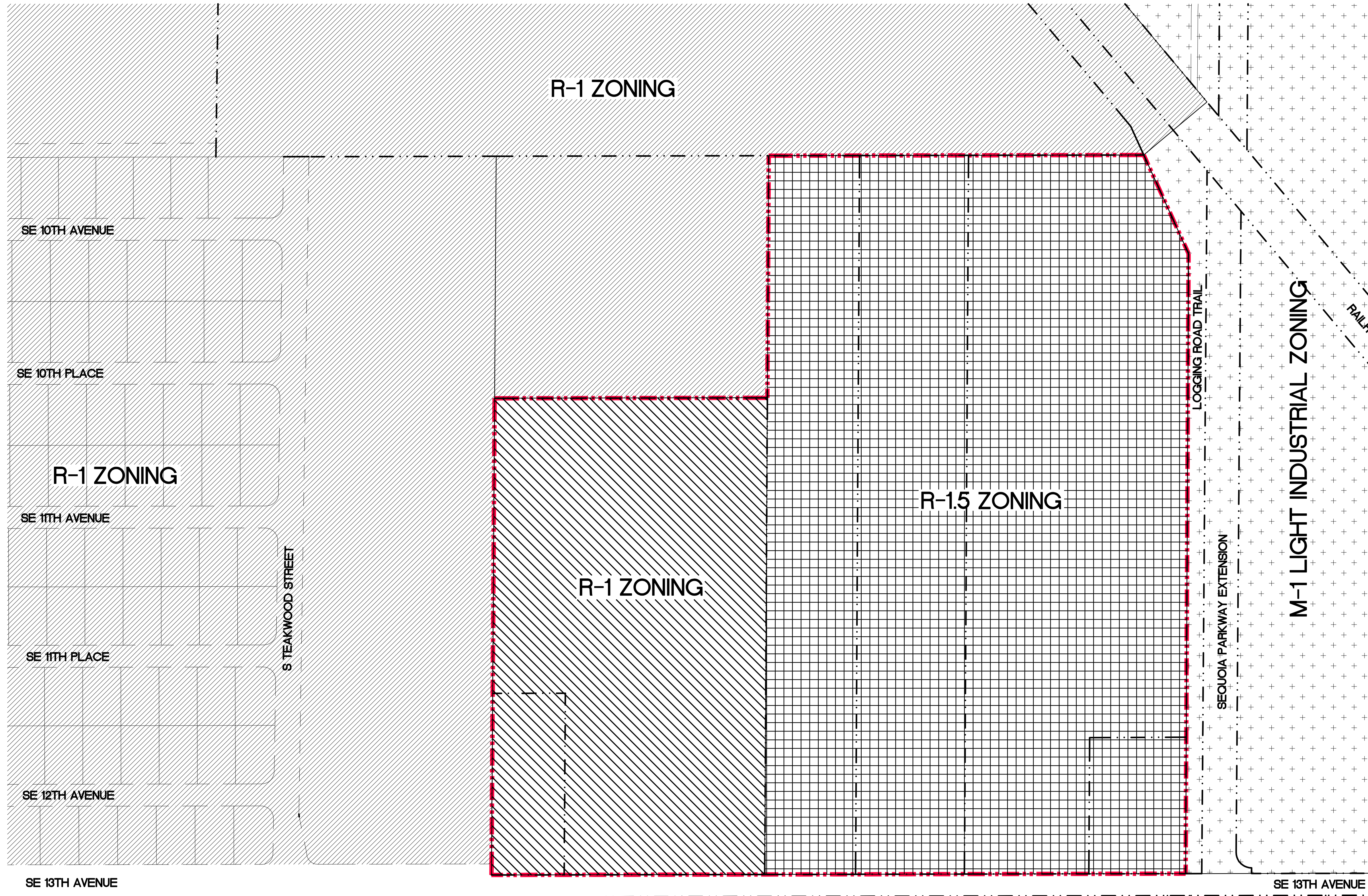
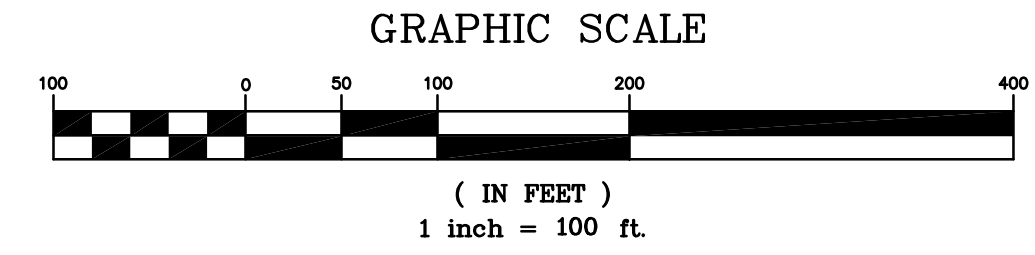
SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners
BOYLE, MARCUM, NETTER, RICE & STOLLER

Ownership

SISUL ENGINEERING
3075 PORTLAND AVENUE
 CLATSOP COUNTY, OREGON 97027
 (503) 867-0188

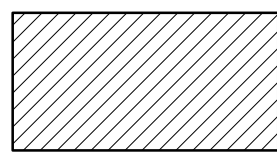
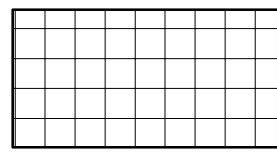
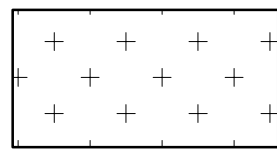
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JOB	SGL05-032A
SHEET	1
OF	9 SHEETS

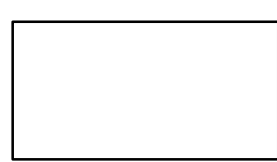
NOTE: THE DEVELOPMENT CONCEPT PLAN ALLOWS FOR THE FOLLOWING USES PERMITTED OUTRIGHT:
 USES PERMITTED OUTRIGHT IN THE R-1 ZONE, CMC CHAPTER 16.16.10.



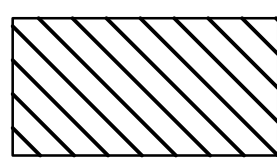
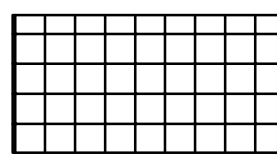
LEGEND:

CURRENT:

-  CITY R-1
-  CITY R-15
-  CITY M-1

-  COUNTY EFU

PROPOSED:

-  CITY R-1
-  CITY R-15

REVISIONS	BY
REVISE BOUNDARY 5-5-14	PS

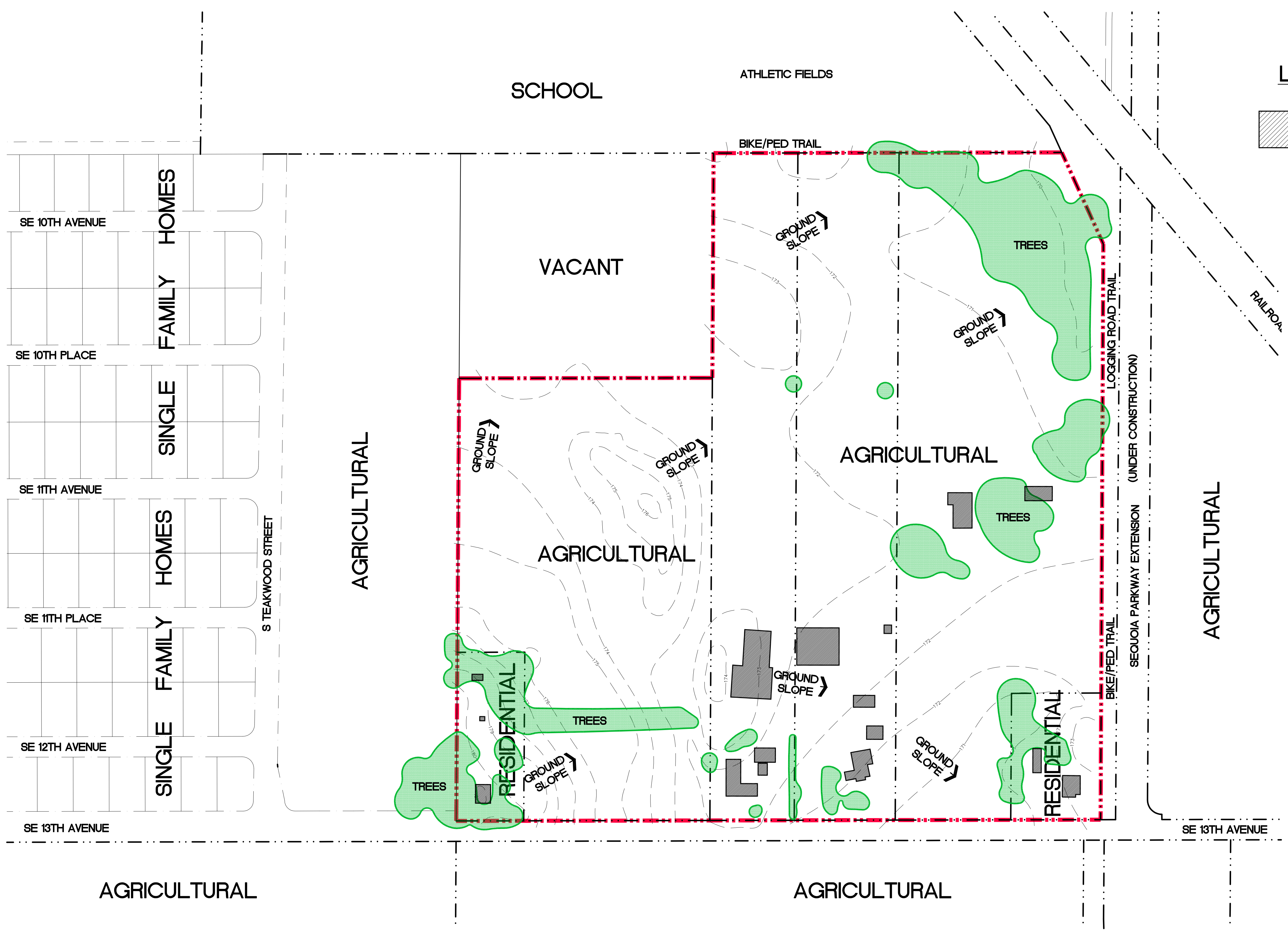
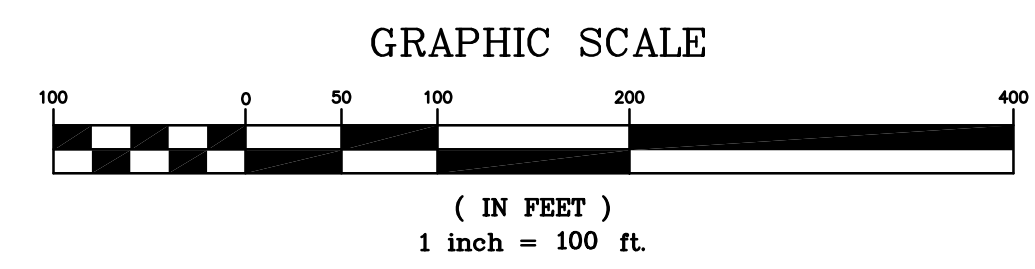
SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners
 BOYLE, MARCUM, NETTER, RICE & STOLLER

Zoning Designations

SISUL ENGINEERING
 3075 PORTLAND AVENUE
 CLATSOP COUNTY, OREGON 97027
 (503) 687-0188

DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	2
OF 9 SHEETS	

REVISIONS	BY
REVISE: BOUNDARY 5-5-14	PS



LEGEND:

EXISTING BUILDING

SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners

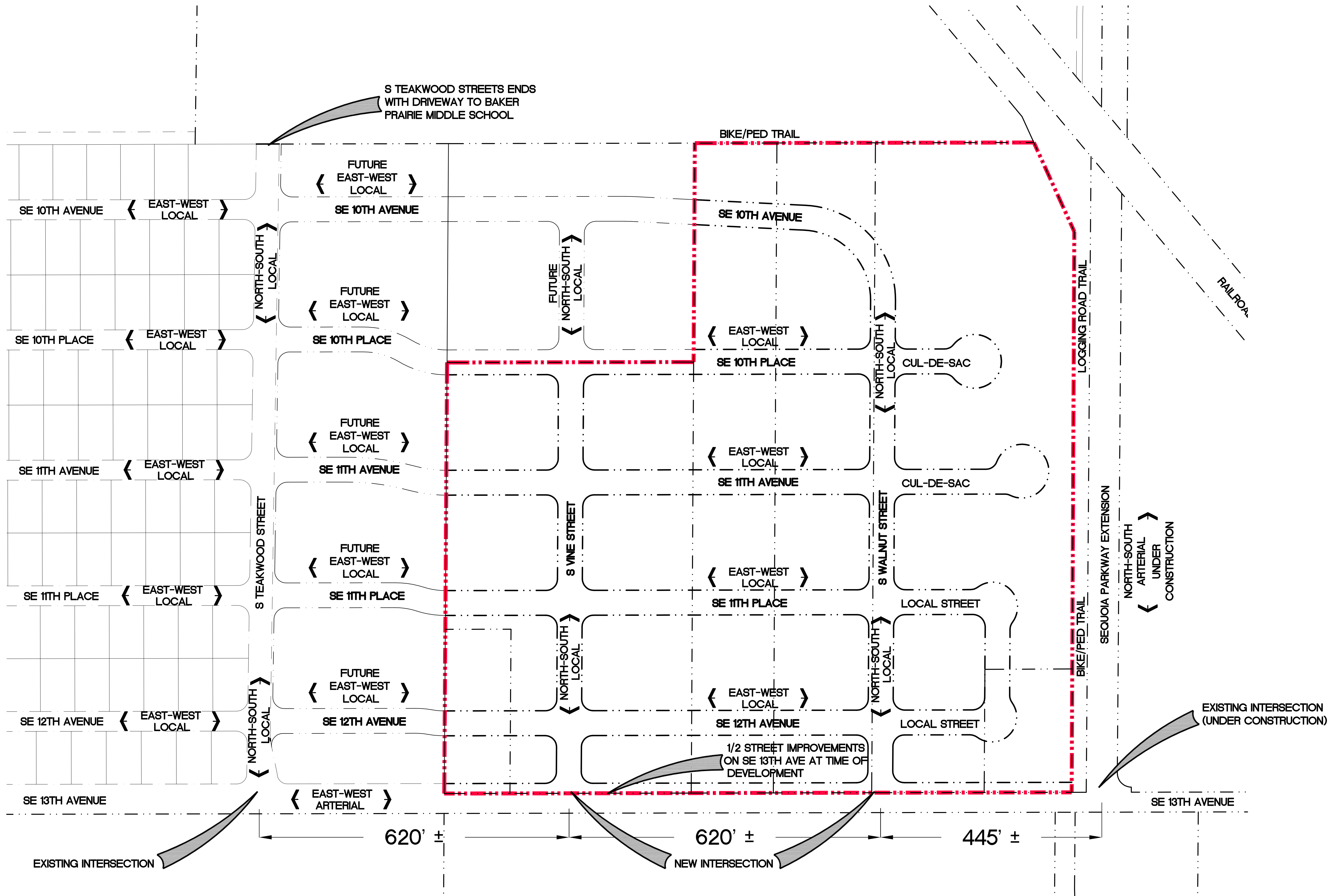
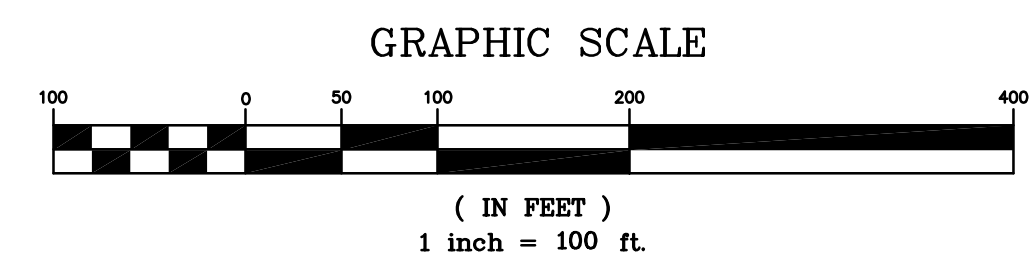
BOYLE, MARCUM, NETTER, RICE & STOLLER

Existing Conditions

SISUL ENGINEERING
3715 PORTLAND AVENUE
CLATSOP COUNTY, OREGON 97027
(503) 687-0188

DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	3

REVISIONS	BY
REVISE BOUNDARY 2-5-14	PS



SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners

BOYLE, MARCUM, NETTER, RICE & STOLLER

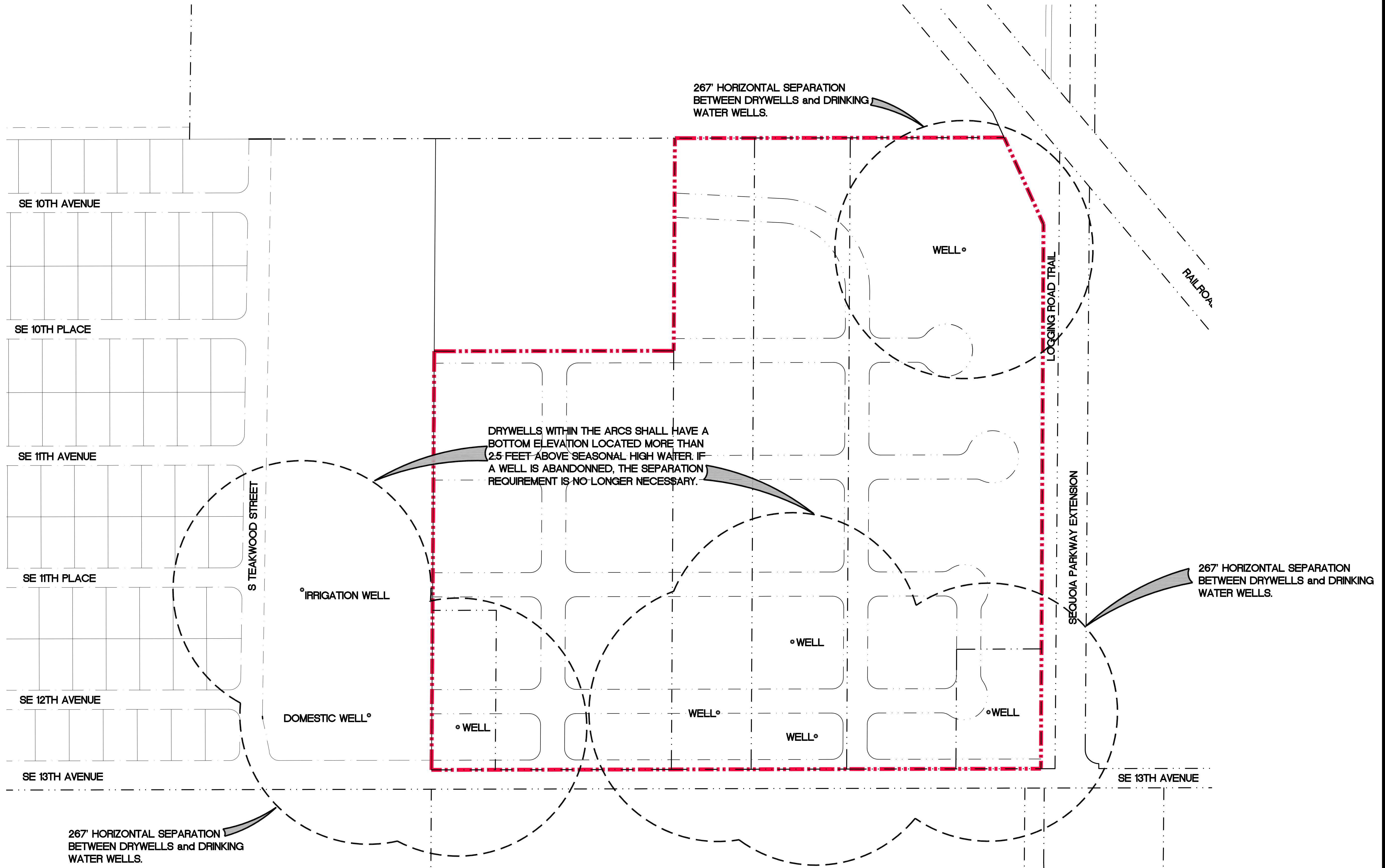
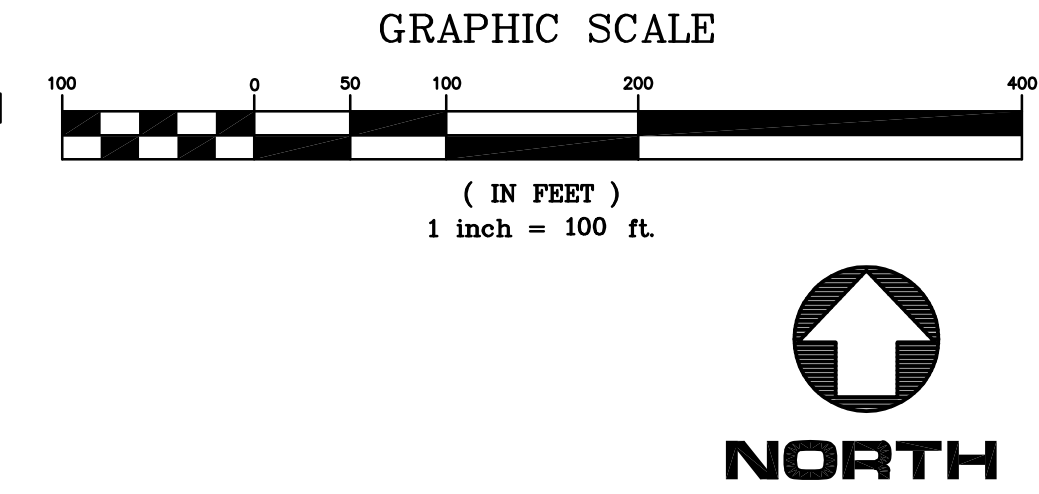
Street Plan

SISUL ENGINEERING
 3715 PORTLAND AVENUE
 CLATSOP COUNTY, OREGON 97027
 (503) 687-0188

DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	4
OF 9 SHEETS	

1. STORMWATER FROM PUBLIC STREETS WILL BE DISPOSED OF THROUGH THE USE OF DRYWELLS. DRYWELLS WILL BE PUBLIC, OWNED AND MAINTAINED BY THE CITY OF CANBY.
2. UPSTREAM OF THE DRYWELLS, CATCH BASINS WITH SUMPS AND POLLUTION CONTROL MANHOLES WILL BE USED AS WATER QUALITY TREATMENT DEVICES TO PROLONG THE LIFE OF THE DRYWELLS. WATER QUALITY TREATMENT DEVICES WILL BE PUBLIC, OWNED AND MAINTAINED BY THE CITY OF CANBY.
3. SUMPED CATCH BASINS, POLLUTION CONTROL MANHOLES AND DRYWELLS ARE THE MOST PREFERRED METHOD OF STORM WATER TREATMENT AND DISPOSAL BY THE CITY OF CANBY PUBLIC WORKS DEPARTMENT.
4. DRYWELLS INCLUDED ON THE CITY OF CANBY'S WATER QUALITY PERMIT WITH DEQ MUST HAVE ADEQUATE SEPARATION FROM DRINKING WATER WELLS. THE CITY OF CANBY STORMWATER MASTER PLAN HAS DETERMINED THAT ADEQUATE SEPARATION IS EITHER 267 FEET HORIZONTALLY OR 2.5 FEET VERTICALLY ABOVE THE SEASONAL HIGH WATER TABLE.

5. AS DEPICTED ON FIGURE 4 IN APPENDIX A OF THE CANBY STORMWATER MASTER PLAN, THE DEPTH TO SEASONAL HIGH GROUNDWATER IN THE CONCEPT PLAN AREA IS BETWEEN 40 AND 50 FEET. TYPICAL DRYWELL DEPTH IS 26 FEET.
6. DRYWELLS IN NEIGHBORING SUBDIVISIONS TO THE WEST HAVE SHOWN THE ABILITY TO ACCOMMODATE MORE THAN 1/2 ACRE OF PUBLIC STREET. DRYWELLS IN THIS AREA ARE ANTICIPATED TO ACCOMMODATE A SIMILAR DRAINAGE AREA.
7. ROOF RUNOFF FROM SINGLE FAMILY HOMES WILL BE DISPOSED OF THROUGH THE INSTALLATION OF UNDERGROUND INJECTION CHAMBERS OR MINI-SUMPS LOCATED IN THE YARD AREA AROUND THE HOMES, AS IS TYPICAL WITH MOST HOMES IN CANBY. ROOF DRAIN DISPOSAL SYSTEMS ON INDIVIDUAL LOTS WILL BE PRIVATELY OWNED AND MAINTAINED.
8. NO DRAINAGEWAYS OR STREAMS ARE LOCATED IN THE DEVELOPMENT CONCEPT PLAN AREA.



REVISIONS	BY
5-5-14	PS

SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners

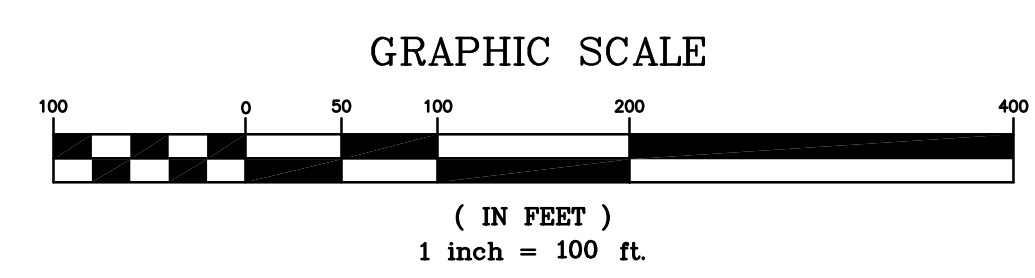
BOYLE, MARCUM, NETTER, RICE & STOLLER

Drainage

SISUL ENGINEERING
3715 PORTLAND AVENUE
CLATSOP, OREGON 97027
(503) 687-0188

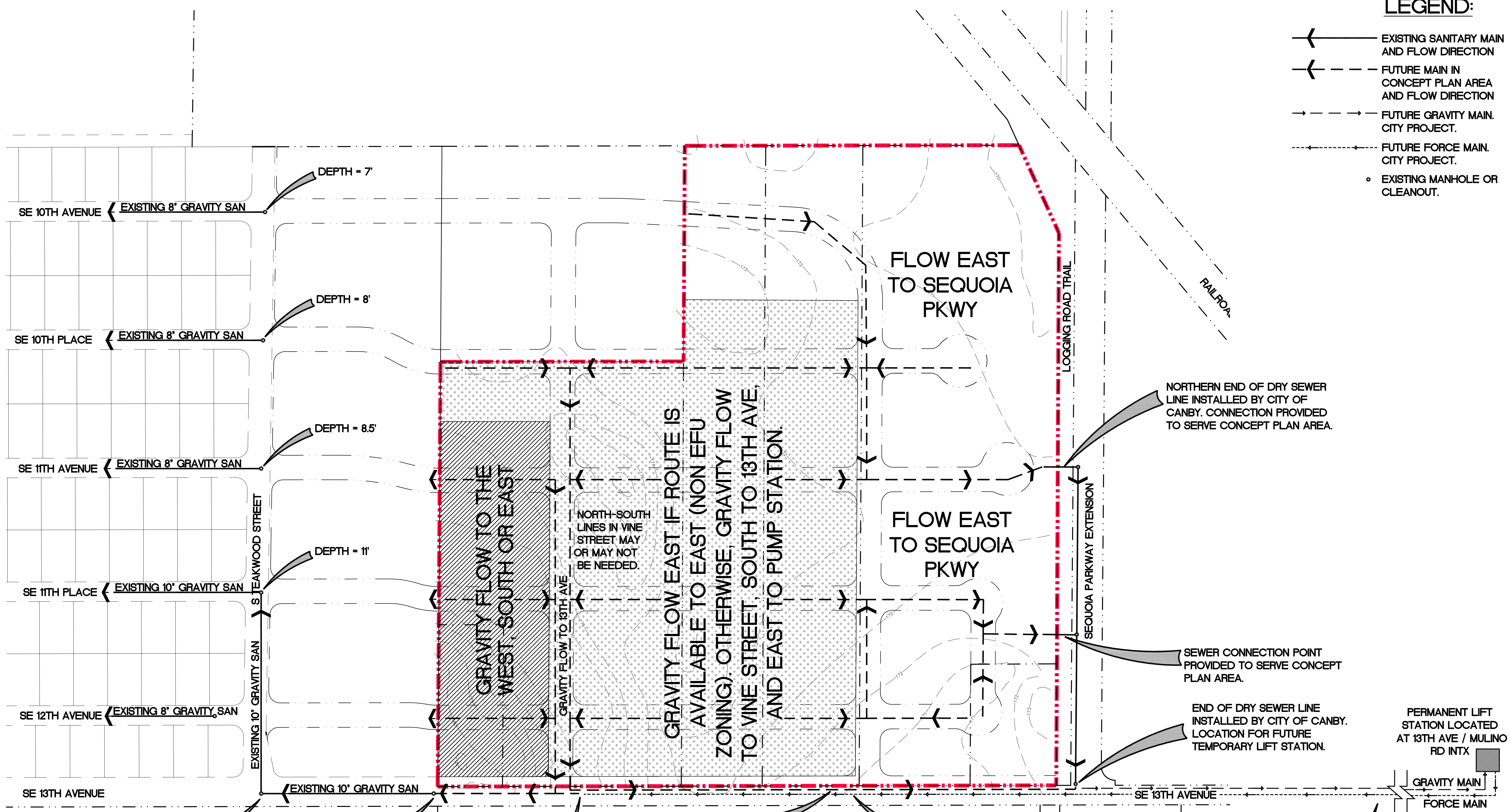
DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	5
OF	9 SHEETS

REVISIONS	BY
REVISE BOUNDARY FOR SANITARY IN 13TH IF NECESSARY. 5-9-14	PS



LEGEND:

- ← EXISTING SANITARY MAIN AND FLOW DIRECTION
- ← - - - FUTURE MAIN IN CONCEPT PLAN AREA AND FLOW DIRECTION
- - - - FUTURE GRAVITY MAIN, CITY PROJECT.
- ← - - - FUTURE FORCE MAIN, CITY PROJECT.
- EXISTING MANHOLE OR CLEANOUT.



EXISTING 13TH AVENUE GRAVITY SEWER MAIN FLOWING WEST SHALL BE EXTENDED EAST AS FAR AS POSSIBLE UNTIL LIMITED BY DEPTH.

NEW GRAVITY SEWER MAIN FLOWING EAST IN 13TH AVENUE MAY BE NEEDED DEPENDING UPON ORDER OF HOW PROPERTIES ARE ANNEXED AND DEVELOPED.

WHEN A SUBDIVISION PROJECT NEEDING A SANITARY SEWER LIFT STATION IS APPROVED BY THE CITY OF CANBY, THE CITY OF CANBY WILL CONSTRUCT A TEMPORARY SANITARY SEWER LIFT STATION AT THE END OF THE DRY SEWER LINE IN SEQUOIA PARKWAY. A SANITARY SEWER LIFT STATION AT SE 13TH AVENUE / S MULINO ROAD AND EXTENSION OF THE SANITARY MAIN IN SEQUOIA PARKWAY DOWN TO THE LIFT STATION WILL BE COMPLETED AT A LATER TIME WHEN THE CITY HAS ACQUIRED A PERMANENT LIFT STATION SITE. BOTH THE TEMPORARY AND PERMANENT LIFT STATIONS WILL PUMP BACK UP TO THE EXISTING 10-INCH GRAVITY SANITARY SEWER MAIN IN 13TH AVENUE THROUGH A FORCE MAIN.

**SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners**

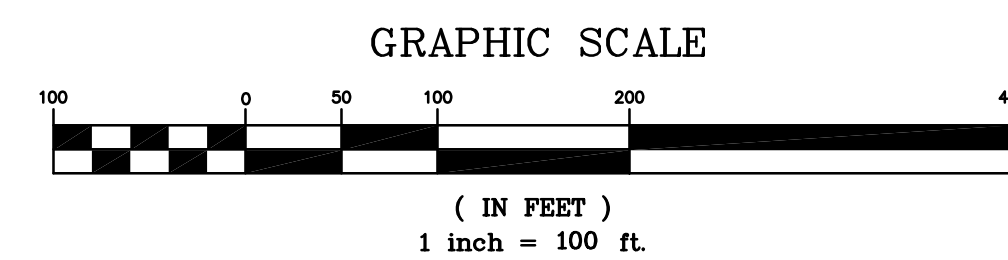
Sanitary Sewer

ISUL ENGINEERING
3715 PORTLAND AVENUE
CLATSOP COUNTY, OREGON 97027
(503) 687-0188

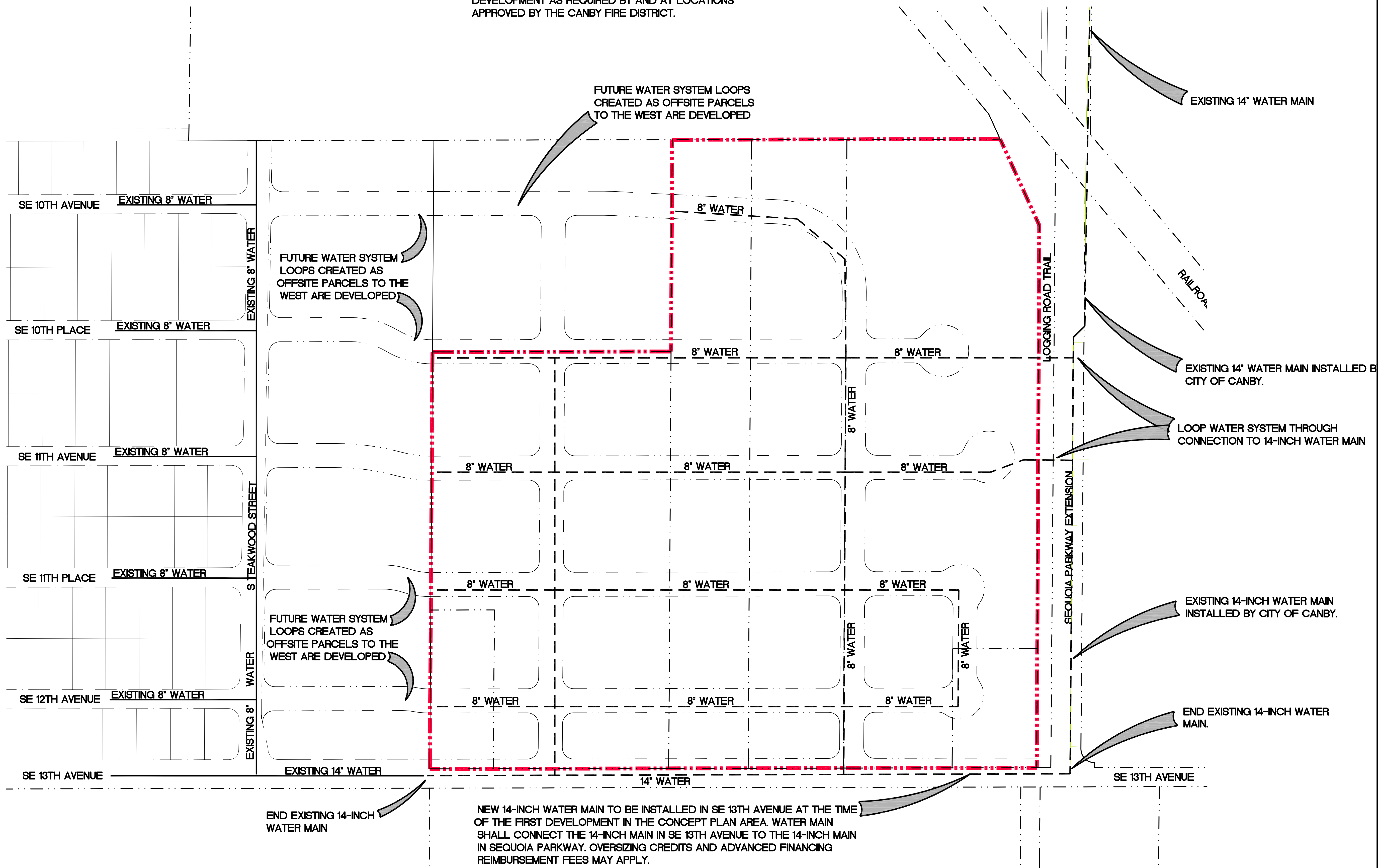
DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	6
DF	9 SHEETS

BOYLE, MARCUM, NETTER, RICE & STOLLER

REVISIONS	BY
REVISE BOUNDARY 2-5-14	PS



FIRE HYDRANTS SHALL BE INSTALLED WITH DEVELOPMENT AS REQUIRED BY AND AT LOCATIONS APPROVED BY THE CANBY FIRE DISTRICT.



FUTURE WATER SYSTEM LOOPS CREATED AS OFFSITE PARCELS TO THE WEST ARE DEVELOPED

FUTURE WATER SYSTEM LOOPS CREATED AS OFFSITE PARCELS TO THE WEST ARE DEVELOPED

FUTURE WATER SYSTEM LOOPS CREATED AS OFFSITE PARCELS TO THE WEST ARE DEVELOPED

NEW 14-INCH WATER MAIN TO BE INSTALLED IN SE 13TH AVENUE AT THE TIME OF THE FIRST DEVELOPMENT IN THE CONCEPT PLAN AREA. WATER MAIN SHALL CONNECT THE 14-INCH MAIN IN SE 13TH AVENUE TO THE 14-INCH MAIN IN SEQUOIA PARKWAY. OVERSIZING CREDITS AND ADVANCED FINANCING REIMBURSEMENT FEES MAY APPLY.

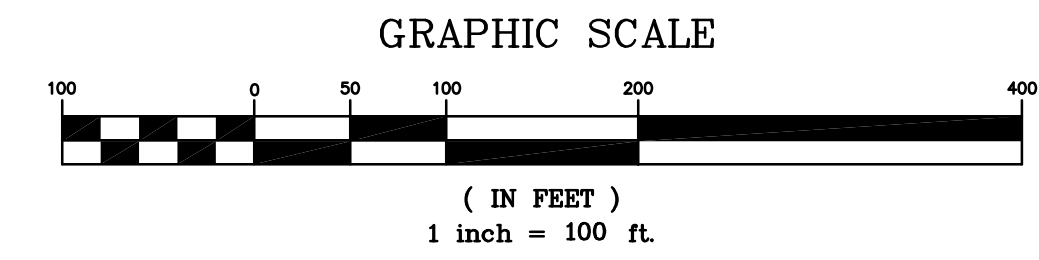
SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners

BOYLE, MARCUM, NETTER, RICE & STOLLER

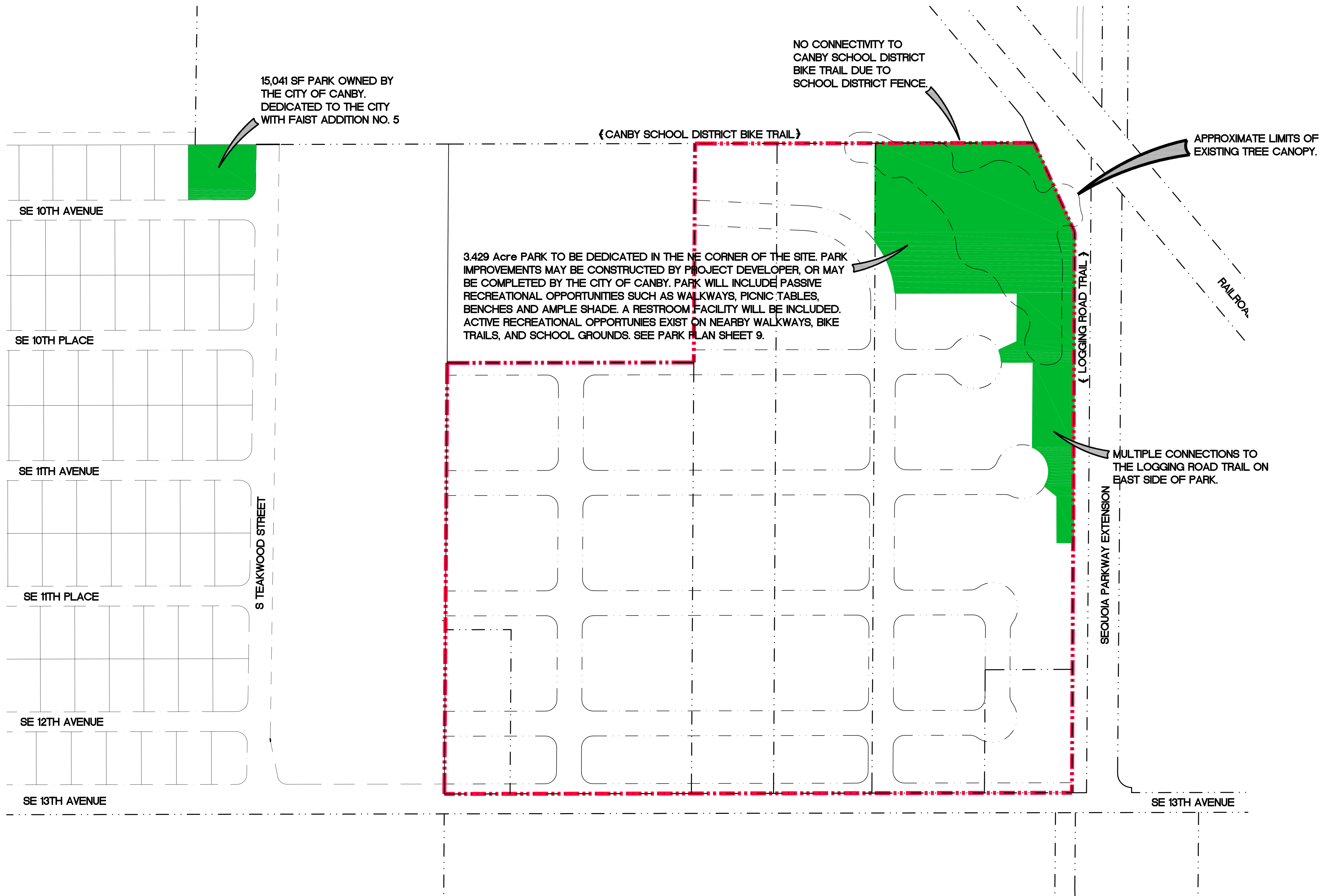
Waterline

SISUL ENGINEERING
 3075 PORTLAND AVENUE
 CLATSOP COUNTY, OREGON 97027
 (503) 687-0188

DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	7
OF 9 SHEETS	



ACTIVE RECREATIONAL OPPORTUNITY AREA
LOCATED ON BAKER PRAIRIE MIDDLE SCHOOL SITE.



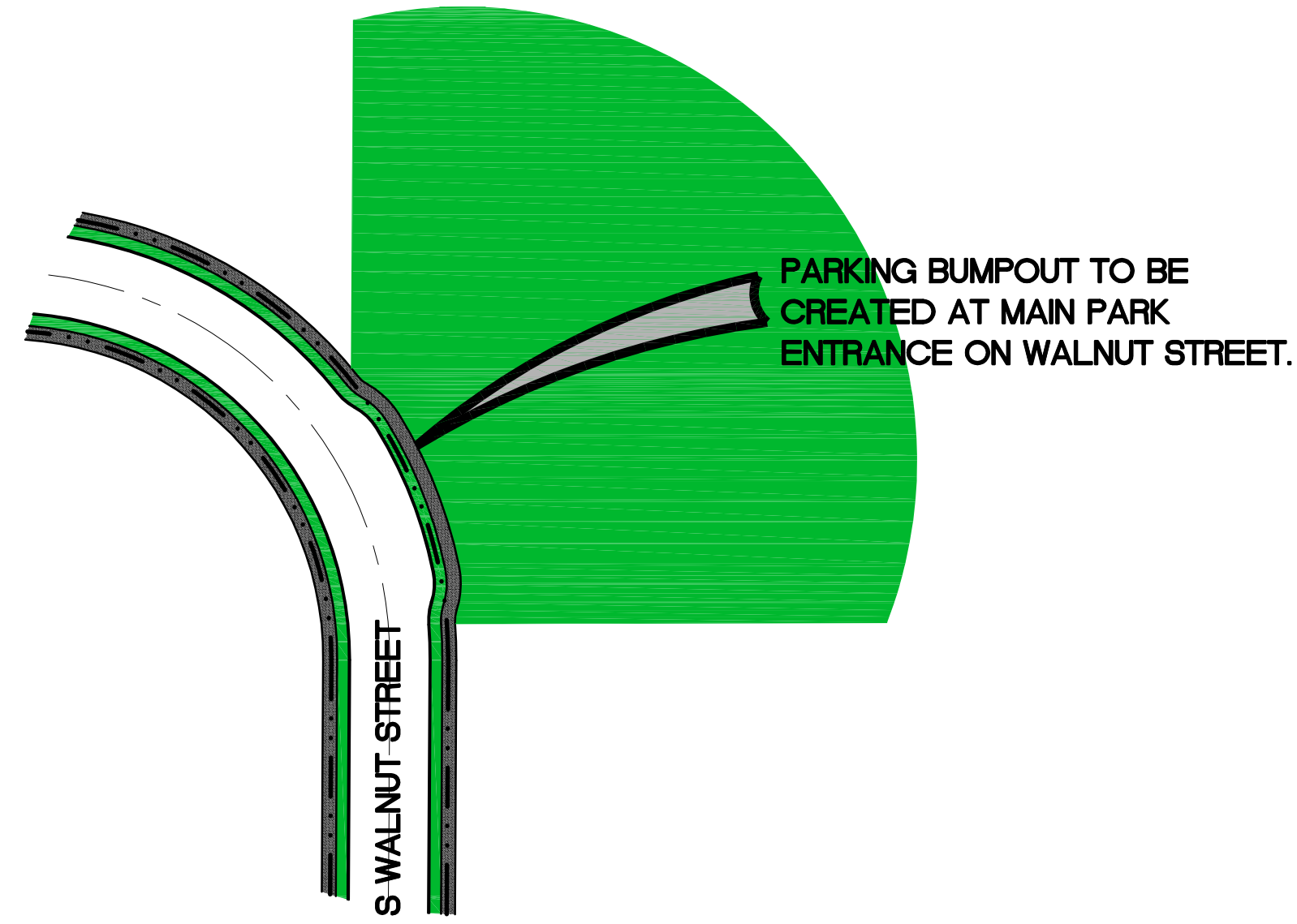
REVISIONS	BY
REVISE BOUNDARY & PARK SIZE: 5-5-14	PS

SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners
BOYLE, MARCUM, NETTER, RICE & STOLLER

Parks

SISUL ENGINEERING
3715 PORTLAND AVENUE
CLATSOP COUNTY, OREGON 97027
(503) 687-0188
UNLICENSED

DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	08
OF	9 SHEETS



PARKING STRIP

OZARK 1
Small, single flush, fully accessible.

Meets UPIS, A.D.A. and Title 24 statute of the State of California

- Ward resistant building & toilet components*
- 4" thick steel reinforced concrete walls*
- 5" thick steel reinforced concrete roof & floors*
- Quick installation and hookup at the jobsite*
- Available in (25) different and unique earthtone colors*
- Barnwood, stucco, exposed aggregate, or split face block exterior wall features*
- Color shingles, ribbed metal, or exposed aggregate exterior roof textures*
- Custom textures and colors available*

The Ozark 1 is an economical single flush building that meets ADA. It has a small overall footprint and can be placed next to an existing restroom to bring a park up to ADA standards or placed in smaller neighborhood parks. The Ozark 1 comes with sink, toilet, interior and exterior lights, and electric exhaust fan. It can have an optional urinal and stainless steel fixtures. The Ozark 1's chase area also can be used for storage. The Ozark 1 is small in size, but big in value.

Durability: The Ozark 1 is engineered and designed for long-life in extreme conditions. The building meets or exceeds the effects of a Zone 4 earthquake, a 140mph wind load and a 250 pounds per square foot snow load.

Maintenance: The Ozark 1 is extremely easy to maintain. With our steel reinforced 5,000 psi concrete construction, the building will not rot, rust, or burn. The building interior is primed and painted with white paint to reflect natural light from the Lexan windows mounted in heavy steel frames cast into the walls.

Cleaning of the building interior is easily accomplished with a brush and warm soapy water. The walls and roof structure are made of "colored through concrete", coated with an exterior stain, followed by an anti-graffiti sealer.

RESTROOM FACILITY



DETAILED PARK PLAN



REVISIONS	BY
NEW SHEET 2-5-14	PS

SE 13th Avenue Concept Plan
SE 13th Avenue Property Owners

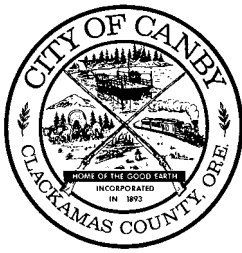
BOYLE, MARCUM, NETTER, RICE & STOLLER

Park Details

SISUL ENGINEERING
307E PORTLAND AVENUE
CLATSOP, OREGON 97027
(503) 687-0188

DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	9
DF	9 SHEETS

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**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

**A REQUEST FOR A SUBDIVISION)
IN THE 1900 BLOCK OF SE 13TH AVE)
FAIST 7, 8, 9)**

**FINDINGS, CONCLUSION & FINAL ORDER
SUB 16-01
Ralph Netter**

NATURE OF THE APPLICATION

The Applicant has sought approval for a Subdivision (SUB 16-01) dividing an 8.88 acre parcel into a 36 lot subdivision on property located on the north side and within the 1900 block of SE 13th Avenue and described as Tax Map/Lot 41E03 00700, Clackamas County, Oregon. The property is zoned Low Density Residential (“R-1”) under the Canby Municipal Code (“CMC”).

HEARINGS

The Planning Commission considered application SUB 16-01 after the duly noticed hearing on March 14, 2016 during which the Planning Commission approved SUB 16-01. These findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not a Subdivision Application shall be approved, the Planning Commission determines whether criteria from the *City of Canby Land Development and Planning Ordinance* are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated March 2, 2016 and presented at the March 14, 2016 meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented, and written and oral testimony was received at the public hearing. Staff recommended approval of the Subdivision Application and applied Conditions of Approval in order to ensure that the proposed development will meet all required *City of Canby Land Development and Planning Ordinance* approval criteria.

After accepting public testimony, the Planning Commission closed the public hearing and made the following additional findings beyond those contained in the staff report to arrive at their decision and support their recommended Conditions of Approval and the exact wording thereof:

•

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the additional findings concluded at the public hearing and noted herein, concluding that the residential Subdivision Application meet all applicable approval criteria, and recommending that File #SUB 16-01 be approved with the Conditions of Approval reflected in the written Order below.

ORDER

The Planning Commission concludes that, with the following conditions, the application meets the requirements for Subdivision approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **SUB 16-01** is approved, subject to the following conditions:

General Public Improvement Conditions:

1. Prior to the start of any public improvement work, the applicant must schedule a pre-construction conference with the city and obtain construction plan sign-off from applicable agencies.
2. The development shall comply with all applicable City of Canby Public Works Design Standards.
3. Minimum floor elevations must be shown for any designated lots indicated for Sanitary Sewer, and reflected on the building permit plot plan.
4. The final construction design plans shall conform to the comments provided by the City Engineer in his memorandum dated February 29, 2016.
5. Public improvements such as sidewalk and street improvements on SE 13th Avenue are required during Phase 8 development.
6. Turnarounds may be required at the end of all interior streets as directed by the Canby Fire Department.

Fees/Assurances:

7. All public improvements are normally installed prior to the recordation of the final plat. If the applicant wishes to forgo construction of any portion of the public improvements until after the recordation of the final plat, then the applicant shall provide the City with appropriate performance security (subdivision performance bond or cash escrow) in the amount of 110% of the cost of the remaining public improvements to be installed.
8. If the applicant chooses to provide a subdivision performance bond for some or all of the required public improvements, the applicant shall obtain a certificate from the city engineer that states:
 - a. The applicant has complied with the requirements for bonding or otherwise assured completion of required public improvements.
 - b. The total cost or estimate of the total cost for the development of the subdivision. This is to be accompanied by a final bid estimate of the subdivider's contractor, if there is a contractor engaged to perform the work, and the certificate of the total cost estimate

must be approved by the city engineer.

9. The applicant must guarantee or warranty all public improvement work with a 1 year subdivision maintenance bond in accordance with 16.64.070(P).
10. The applicant must pay the city Master Fee authorized engineering plan review fee equal to 0.4% of public improvement costs prior to the construction of public improvements (approval of construction plans) as each phase of development occurs.

Streets, Signage & Striping:

11. The street improvement plans for SE 13th Avenue frontage and the interior streets shall conform to the TSP and Public Works standards as indicated by the city engineer.
12. A roadway striping plan shall be submitted by the applicant and shall be approved by city engineer and by the Public Works street department prior to the construction of public improvements.
13. A roadway signage plan shall be submitted by the applicant and shall be approved by the city engineer and by the Public Works street department prior to the construction of public improvements.
14. The applicant shall be responsible for installing all required street signage and striping at the time of construction of public improvements, unless other arrangements are agreed to by the City.

Sewer:

15. The applicant shall submit documentation of DEQ approval of the sewer plans to the City Engineer prior to the construction of this public improvement with each phase of development.

Stormwater:

16. Stormwater systems shall be designed in compliance with the Canby Public Works Design Standards as determined by the City Engineer.
17. The applicant shall construct DEQ approved drywells at the end of each street within the subdivision.

Grading/Erosion Control:

18. The applicant shall submit grading and erosion control plans for approval by Canby Public Works in conjunction with construction plan approval prior to the installation of public improvements and start of grading with each phase of development.
19. The applicant shall grade all areas of the site, including the proposed lots, to minimize the amount of soil to be removed or brought in for home construction.

Final plat conditions:

General Final Plat Conditions:

20. The applicant shall apply for final plat approval at the city and pay any applicable city fees to gain approval of the final subdivision plat. Prior to the recordation of the final plat at Clackamas County, it must be approved by the city and all other applicable agencies. The city will distribute the final plat to applicable agencies for comment prior to signing off on the final plat if deemed necessary.
21. All public improvements or submittal of necessary performance security assurance shall be made prior to the signing and release of the final plat for filing of record.

22. The final plat shall conform to the necessary information requirements of CMC 16.68.030, 16.68.040(B), and 16.68.050. The city engineer or county surveyor shall verify that these standards are met prior to the recordation of the subdivision plat.
23. All “as-builts” of City public improvements installed shall be filed with Canby Public Works within sixty days of the completion of improvements.
24. Clackamas County Surveying reviews **pending subdivision plat documents for Oregon Statutes and county requirements. A subdivision final plat for Phase 1 prepared in substantial conformance with the approved tentative plat must be submitted to the City for approval** within one year of approval of the tentative plat or formally request an extension of up to 6-months with a finding of good cause.
25. The applicant shall record the final plat at Clackamas County within 6 months of the date of the signature of the Planning Director.
26. The applicant shall assure that the city is provided with a copy of the final plat in a timely manner after it is recorded at Clackamas County, including any CC&Rs recorded in conjunction with the final plat.
27. The City shall assign addresses for each newly created subdivision lot and distribute that to the developer, and other agencies that have an interest.

Dedications

28. The applicant shall dedicate by separate instrument 20’ of ROW width for the full length of the subject property along SE 13th Avenue with the Phase 1 Final Plat.

Easements

29. A 12 foot utility easement along all of the lot’s street frontages shall be noted on the final plat. This easement may be combined with other easements and shall be measured from the property boundary.
30. Sidewalk easements are required along the frontage of the newly created private lots for any portion of the 6’ public sidewalk that will lie on private property.

Street Trees

31. A Street Tree Plan shall be submitted with the final plat, and street tree fees must be paid prior to release of the final plat. The plan will allow the city to establish street trees per the Tree Regulation standards in Chapter 12.32 of the Canby Municipal Code. The total per tree fee amount is calculated at one tree per 30 linear feet of total street frontage on both sides of all internal streets and the adjacent side of external streets or as determined by an approved Street Tree Plan on a per tree basis.

Monumentation/Survey Accuracy Conditions

32. The county surveyor and/or city engineer shall verify that the lot, street, and perimeter monumentation shall meet the requirements set forth in Oregon Revised Statutes and conform with the additional survey and monumentation standards of 16.64.070(M)(1-3) prior to recordation of the final plat.

Residential Building Permits Conditions:

33. Construction of all required public improvements and recordation of the final subdivision plat must be completed prior to the construction of any homes.
34. The homebuilder shall apply for a City of Canby Site Plan Permit and County Building Permit for each home.

- 35.** The homebuilder shall apply for a City of Canby Erosion Control Permit.
- 36.** All residential construction shall be in accordance with applicable Public Works Design Standards.
- 37.** On-site stormwater management shall be designed in compliance with the Canby Public Works Design Standards.
- 38.** Clackamas County Building Codes Division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for home construction per contract with the City. The applicable county building permits are required prior to construction of each home.
- 39.** Per the Canby Public Works Design Standards, minimum residential driveway widths at the inside edge of the sidewalk shall be 12 feet and the maximum residential driveways widths shall be 24 feet with an allowed exception for 28 feet for a home with 3 or more garages.
- 40.** Sidewalks and planter strips shall be constructed by the homebuilder as shown on the approved tentative plat.
- 41.** All usual system development fees shall be collected with each home within this development.