PLANNING COMMISSION
Meeting Agenda
Monday – December 28, 2015
7:00 PM
City Council Chambers – 155 NW 2nd Avenue

Commissioner John Savory (Chair)

Commissioner Shawn Hensley (Vice Chair)
Commissioner Larry Boatright
Commissioner Derrick Mottern
Commissioner John Serlet
Commissioner Kristene Rocha
Commissioner Tyler Smith

1. CALL TO ORDER
   a. *Invocation and Pledge of Allegiance*

2. CITIZEN INPUT ON NON-AGENDA ITEMS

3. MINUTES
   a. *Planning Commission Minutes, December 14, 2015*

4. PUBLIC HEARING
   a. *Consider a request from Pioneer Property for a Minor Land Partition to create three parcels from two existing parcels zoned M-2 Heavy Industrial located at 175 & 185 Hazel Dell Way (MLP 15-04).*

5. NEW BUSINESS
   a. *None*

6. FINAL DECISIONS ***(Note: These are final, written findings of previous oral decisions. No public testimony.)***
   a. *MLP 15-03 Peter Hostetler from 12.14.15 Public Hearing oral decision*
   b. *MLP 15-04 Pioneer Property from 12.28.15 Public Hearing oral decision*

7. ITEMS OF INTEREST/REPORT FROM STAFF
   a. *Next Regular Planning Commission meeting scheduled for Monday, January 11, 2016*
      - *Premier Gear – Site & Design Review & Conditional Use Permit*

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

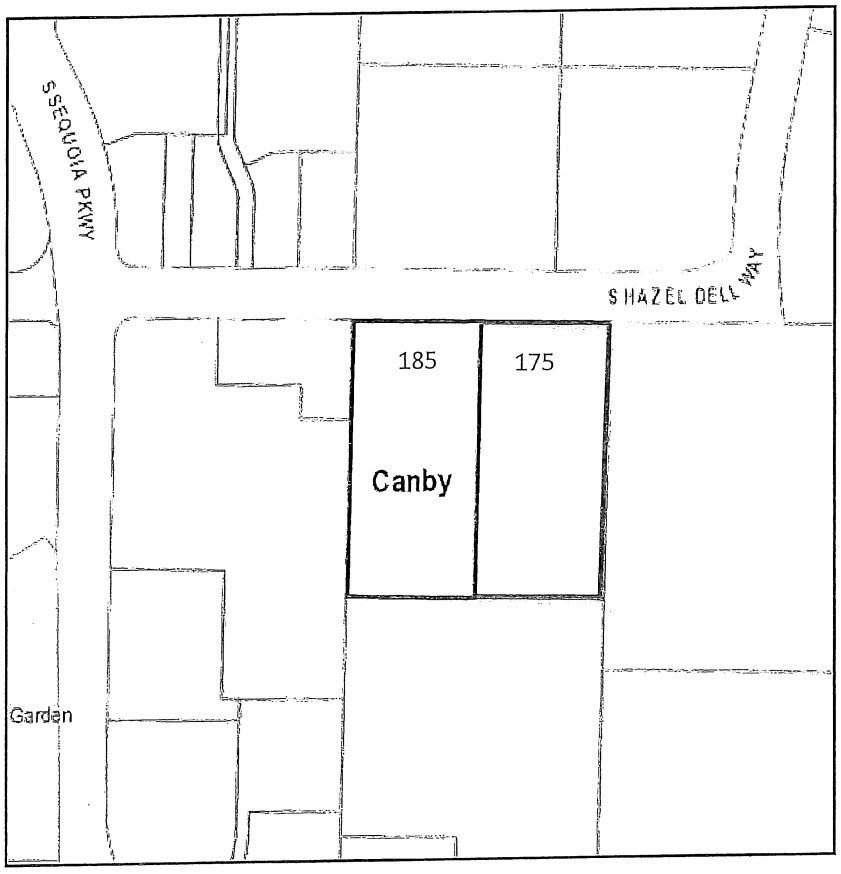
9. ADJOURNMENT

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.

City of Canby

MINOR PARTITION STAFF REPORT
FILE #: MLP 15-04
Prepared for the December 28, 2015 Planning Commission Meeting

LOCATION: 175 & 185 Hazel Dell Way
ZONING: M-2 Heavy Industrial Zone, I-O Canby Industrial Area Overlay Zone
Tax lots: 31E3404504 & 31E34004503 (Property bordered in red below)



LOT SIZES: 185 S HAZEL DELL (1.95 ACRES), AND 175 S HAZEL DELL (1.95 ACRES), 3.9 TOTAL ACRES
OWNERS: Pioneer Property, LLC
APPLICANT: Pioneer Property, LLC
APPLICATION TYPE: Minor Land Partition (Type III)
CITY FILE NUMBER: MLP 15-04

I. PROJECT OVERVIEW & EXISTING CONDITIONS

The properties are located on the south side of Hazel Dell Way approximately 378 feet east of Sequoia Parkway. The applicant proposes to partition two existing 1.95 acre parcels into three parcels containing approximately 1.82 acres, 1.10 acres, and 1.0 acres each. The subject properties total approximately 3.9 acres. The properties are also located within Pioneer Industrial Park. The applicant states that Parcel 1 (1.82 acres) is paved and will continue to be used for a pump storage area for the Pioneer Pump facility located on the adjacent parcel to the south, Parcel 2 (1.0 acres) will continue use as a bus parking facility for Canby Area Transit (CAT) that is leasing 22,049 square feet of the parcel, Parcel 3 (1.10 acres) is currently vacant land. Access for all of the proposed parcels will be available over a 30 foot wide developed private access easement that extends down the center of the three parcels from Hazel Dell Way. The applicant is not proposing any new construction at this time.

ATTACHMENTS:

A. Applicant Narrative
B. Site Plan

AGENCY AND PUBLIC COMMENTS:

Comments were solicited from the public, City departments, and applicable reviewing agencies. Summary of comments are included in the staff report, and complete agency and public comments are part of the file. All comments from citizens and agencies received to date are attached to the file and will be presented to the Planning Commission.

The City Engineer (Public Works) stated that all public improvements are constructed as part of a previous application.

Other agencies either had no comment or failed to respond at the time this report was completed. No public comments were received.

II. APPLICABLE CRITERIA & STAFF FINDINGS

Applicable criteria used in evaluating this application are found in Chapter 16 of the *City of Canby's Land Development and Planning Ordinance* (Zoning Code) as follows:

- 16.08 General Provisions
- 16.34 M-2 Heavy Industrial Zone
- 16.35 Canby Industrial Area Overlay 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
- 16.89 Application and Review Procedures
- 16.120 Parks, Open Space, and Recreation Land General Provisions

Chapter 16.08 General Provisions

16.08.010 Compliance with title

No building, structure, or land shall hereafter be used or occupied, and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered contrary to the provisions of this title. *No lot area, yard, or required off-street parking or loading area existing on or after the effective date of the ordinance codified in this title shall be reduced in area, dimension, or size below the minimums required by this title,* nor shall any lot area, yard, or required off-street parking or loading area that is required by this title for one use be used to satisfy the lot area, yard, off-street parking or loading area requirement for any other use, except as may be provided in this title. (Ord. 740 section 10.3.05(A), 1984)

16.08.090 Sidewalks required

B. The Planning Commission may impose appropriate sidewalk and curbing requirements as a condition of approving any discretionary application it reviews.

Findings: The subject properties are situated on the south side of Hazel Dell Way, and sidewalks have been constructed along the Hazel Dell Way frontage of the subject parcels as a result of a previous land use application. Sidewalk and street improvements are required under Section 16.10. Section 16.10.070(B)(6) states: "To afford safe pedestrian access and egress for properties within the city, a sidewalk shall be constructed along all street frontages, prior to use or occupancy of the building or structure proposed for said property." The applicant is not proposing any new construction at this time, but future development of the site could require interior pedestrian walkways within the parcels.

16.08.070 Illegally created lots

In no case shall a lot which has been created in violation of state statute or city ordinance be considered as a lot of record for development purposes, until such violation has been legally remedied. (Ord. 740 section 10.3.05(G), 1984)

Findings: The properties were previously created as Lot 15 and Lot 16 of Burden NO. 3 Subdivision and are considered legal parcels for land use purposes. The proposal meets the above criteria.

16.08.150 Traffic Impact Study (TIS).

This section contains standards pertaining to traffic studies including purpose, scoping, determination, submittal requirements, content, methodology, neighborhood and through-trip studies, mitigation, conditions of approval, and rough proportionality determination.

Findings: A Traffic Impact study is not required for the project because the proposal is to divide the properties and does not include any new use or development on the site. The request does not meet TIS requirements listed in Section 16.08.150(C).

16.08.160 Safety and Functionality Standards

The City will not issue any development permits unless the proposed development complies with the city's basic transportation safety and functionality standards, the purpose of which is to ensure that development does not occur in areas where the surrounding public facilities are inadequate.

Findings: Upon future submission of a development permit application, the applicant shall demonstrate that the development property will meet the standards listed in A-E of this section.

16.34 M-2 Heavy Industrial Zone

16.34.030 Development Standards:
The following subsections indicate the required development standards of the M-2 zone that are applicable to this case:

A. Minimum lot area: five thousand square feet;

B. Minimum width and frontage: fifty feet;

Findings: The subject property is situated within the M-2 Zone and the minimum lot size is 5000 square feet per Section 16.34.030. The smallest lot in the proposed partition is 1.0 acres, or 43,560 square feet, and the proposal also meets minimum width and frontage requirements.

16.35 I-O Canby Industrial Area Overlay Zone

Findings: The properties are also located within the I-O Zone, (Canby Industrial Area Overlay Zone). However, the zone provides development standards and design guidelines for particular uses and construction projects and does not contain criteria for land divisions. Subsequently, criteria listed in the zone chapter are not applicable to this proposal.

16.46 Access Limitations on Project Density

TABLE 16.46.30

Access Management Guidelines for City Streets*

Street Facility	Maximum spacing** of roadways	Minimum spacing** of roadways	Minimum spacing** of roadway to driveway***	Minimum Spacing** driveway to driveway***
Arterial	1,000 feet	660 feet	330 feet	330 feet or combine
Collector	600 feet	250 feet	100 feet	100 feet or combine
Neighborhood/Local	600 feet	150 feet	50 feet****	10 feet

Findings: There is no evidence that two additional lots will impact the suitability of the existing access to lots within the neighborhood at this time. No new roads are proposed to trigger minimum access standards. Based upon staff's calculations, the existing driveway and any future driveway access to the new parcels will meet the provisions of the above table.

16.56 Land Division Regulation

Findings: Section 16.56 contains general language regarding land divisions and has no specific evaluation criteria.

16.60 Major or Minor Partitions

16.60.020 Standards and criteria

The same improvements shall be installed to serve each building site of a partition as is required of a subdivision, and the same basic design standards shall apply. If the improvements are not constructed or installed prior to the filing of the signed partition plat with the county, they shall be guaranteed in a manner approved by the City Attorney. However, if the commission finds that the nature of development in the vicinity of the partition makes installation of some improvements unreasonable, the commission shall except those improvements. In lieu of excepting an improvement, the commission may recommend to the council that the improvement be installed in the area under special assessment financing or other facility extension policies of the city.

Findings: As indicated above, the standards of Chapter 16.64 (Subdivision-Design Standards) are applicable to this proposal. The above section also gives the Planning Commission the authority to waive immediate requirements if construction is not instigated prior to filing the final plat. In this particular case, construction is not proposed and will take place at a later date. Additional public improvements are not necessary according to comments from the City Engineer, and a review of future improvements on the property are guaranteed through the required site and design review application process.

16.60.040 Minor partitions.

Application for a minor partition shall be evaluated based upon the following standards and criteria:

A. Conformance with the text and applicable maps of the Comprehensive Plan;
B. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;
C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;
E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

Findings: The application meets the definition of a partitioning stated in Section 16.04.470. The applicant intends to divide two parcels into three separate lots and does not propose any new streets or roadway. Public facilities and services are presently available to serve the proposed new parcels. Extending individual service laterals within any future access and utility easement from the main utilities services located in the existing adjacent public streets may be necessary depending on the type and location of new development on the parcels. Access to the newly created parcels would occur over an existing driveway access identified on the site plan as a 30 foot access easement that extends through the parcels to the Pioneer Pump operation to the south. A condition of approval shall be placed to establish that all utility and ingress and egress access easements are

shown on the recorded partition plat, and that a Shared Maintenance Agreement must be recorded for the access easement.

16.60.060 Final procedures and recordation.

A. Following the action of the city in approving or conditionally approving a tentative plat for a partition, the applicant shall be responsible for the completion of all required improvements, or the posting of adequate assurances in lieu thereof, to the satisfaction of the city engineer prior to the transfer of title of any of the parcels involved.

Findings: The City Engineer commented that all public improvements are in place and no new improvements are required.

B. Recordation of an accurate survey map, prepared by a registered engineer or licensed surveyor, must be completed within one year of the approval of the tentative map. One copy of the recorded survey map shall be filed with the City Planner for appropriate record keeping.
C. The applicant shall bear full responsibility for compliance with applicable state and city regulations regarding the recordation of documents and subsequent transfer of ownership.
D. The Planning Director may approve a single one-year extension to the original one-year period. Applicants must file a request for such extension in writing, stating the reasons the request is needed. The Planning Director shall review such requests and may issue the extension after reviewing any changes that may have been made to the text of this title and any other pertinent factors, including public comment on the original application.

Findings: A condition of approval shall state that a surveyed partition plat, prepared by a licensed surveyor or engineer, shall be submitted and recorded at Clackamas County after City review. The proposed final plat must be submitted to the city for review within one year of Planning Commission approval, or the applicant must request that the Planning Director approve a one-year extension for submittal. The applicant or county shall provide the city with a copy of the final plat in a timely manner after it is recorded at Clackamas County.

16.64 Subdivisions-Design Standards

As noted under 16.60.020 above, the same improvements shall be installed to serve each building site of a partition as is required of a subdivision, and the same basic design standards shall apply. If the improvements are not constructed or installed prior to the filing of the signed partition plat with the county, they shall be guaranteed in a manner approved by the City Attorney.

16.64.010 Streets

M. Planting Easements. The Planning Commission may require additional easements for planting street trees or shrubs.

16.64.070

C.(3) Street Trees. Street trees shall be provided consistent with the provisions of Chapter 12.32.
K. Street tree planting is required of the subdivider and shall be according to city requirements. (Ord. 899 section 4, 1993)

Findings: Street trees have been planted along the street frontage as a result of a previous land use case. It should be determined if the existing trees are planted on private property or within the

public right-of-way. If not planted in the public right-of-way, a 12 foot street tree easement must be shown on the recorded partitioning plat.

16.64.030 Easements

A. Utility Lines. Easements for electric lines or other public utilities are required, subject to the recommendations of the utility providing agency. Utility easements twelve feet in width shall be required along all street lot lines unless specifically waived. The commission may also require utility easements alongside on rear lot lines when required for utility provision. The construction of buildings or other improvements on such easements shall not be permitted unless specifically allowed by the affected utility providing agency.

Findings: A condition of approval shall require that all provisions of applicable utility agencies are met prior to the recordation of the partition plat.

C. Pedestrian Ways. In any block over six hundred feet in length, a pedestrian way or combination pedestrian way and utility easement shall be provided through the middle of the block. If unusual conditions require blocks longer than one thousand two hundred feet, two pedestrian ways may be required. When essential for public convenience, such ways may be required to connect to cul-de-sacs, or between streets and other public or semipublic lands or through green way systems. Sidewalks to city standards may be required in easements where insufficient right-of-way exists for the full street surface and the sidewalk.

Findings: As previously stated, sidewalks along the property frontages are developed at the site. Any future development will require site and design review that could require additional walkways within the development area.

16.64.040 Lots

A. Size and Shape. The lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated. To provide for proper site design and prevent the creation of irregularly shaped parcels, the depth of any lot or parcel shall not exceed three times its width (or four times its width in rural areas) unless there is a topographical or environmental constraint or an existing man-made feature such as a railroad line.

Findings: The lots meet the above criteria.

B. Minimum Lot Sizes:
   1. Lot sizes shall conform to requirements of Division III...
C. Lot Frontage. All lots shall meet the requirements specified in Division III...
E. Lot Side Lines. The side lines of lots shall run at right angles to the street upon which the lots face...

Findings: The proposal meets the above criteria.

16.64.060 Grading of building sites.

The commission may impose bonding requirements, similar to those described in section 16.64.070, for the purpose of ensuring that grading work will create no public hazard nor endanger public facilities where either steep slopes or unstable soil conditions are known to exist.

Findings: Two of the proposed parcels are currently developed with transportation and industrial storage uses, and the above criteria will be addressed during the site and design review process when future development occurs on the parcels. Staff does not recommend a bonding requirement.

16.64.070 Improvements

A. Improvement Procedures. In addition to other requirements, improvements installed by a land divider either as a requirement of these regulations, or at his own option, shall conform to the requirements of these regulations and improvement standards and specifications followed by the city, and shall be installed in accordance with the following procedure:
   1. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the city. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the tentative plat of a subdivision or partition. No work shall commence until the developer has signed the necessary certificates and paid the subdivision development fees specified elsewhere in this division.
   2. Improvement work shall not commence until after the city is notified, and if work is discontinued for any reason it shall not be resumed until after the city is notified.
   3. Improvements shall be constructed under the inspection and to the satisfaction of the City. The city may require changes in typical sections and details in the public interest if unusual conditions arise during construction which warrant the change.

Findings: The City Engineer stated that no additional public improvements are required for this project.

   5. A map showing public improvements "as built" shall be filed with the city engineer within sixty days of the completion of the improvements.

Findings: As-built plans are not sought when improvements are not required or construction has yet to take place.

B. The following improvements shall be installed at the expense of the subdivider unless specifically exempted by the Planning Commission:
   1. Streets, including drainage and street trees;
   2. Complete sanitary sewer system;
   3. Water distribution lines and fire hydrants;
   4. Sidewalks and any special pedestrian ways;
   5. Street name and traffic-control signs;
   6. Streetlights;
   7. Lot, street and perimeter monumentation;
   8. Underground power lines and related facilities;
   9. Underground telephone lines, CATV lines, natural gas lines, and related facilities;

Findings: As previously discussed, the City Engineer stated that no public improvements are required due to previous development. Future development will result in a site and design review application process.

C. Streets

2. ...monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street centerlines as required by Oregon Revised Statutes Chapter 92.

Findings: A condition of approval addresses monumentation requirements.

4. Prior to city approval of the partition plat, all perimeter and back lot line monumentation shall be installed and the installation of the front lot monumentation (along and within street rights-of-way) shall be guaranteed. Any monuments destroyed during improvement installation shall be replaced at the developer's expense.

Findings: A condition of approval addresses monumentation requirements.

9. Improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use where the existing transportation system may be burdened by the proposed use.

Findings: There is no evidence that the existing transportation system may be burdened by the proposal.

D. Surface Drainage and Storm Sewer System.

3. All new subdivisions in Canby are required to treat stormwater on site. Stormwater management using LID practices is required where feasible, pursuant to requirements of this chapter and other applicable sections of this code. LID facilities shall be constructed in accordance with Canby Public Works Design Standards.

Findings: All storm water is retained onsite per Chapter 4 of the Canby Public Works Design Standards as a result of previous development requirements. Any additional standards will be reviewed during future construction on the site.

G. Sidewalks. Sidewalks shall be required on both sides of a public street and in any special pedestrian way within the subdivision, except that in the case of identified arterials, or industrial districts, the commission may approve a subdivision without sidewalks if alternative pedestrian routes are available. Sidewalk construction may be postponed until the actual construction of buildings on the lots, provided that adequate assurance is given that such sidewalks will be installed.

Findings: Construction of sidewalks has occurred on the property street frontages. At the time of future development of the property, additional sidewalks may be required during the review process.

J. Street Lighting System. Streetlights shall be required to the satisfaction of the manager of the Canby Utility Board.

Findings: No new streetlights are proposed or required at this time.

K. Other Improvements.

1. Curb cuts and driveway installation are not required of the subdivider but, if installed, shall be according to city standards.
2. Street tree planting is required of the subdivider and shall be according to city requirements.
3. The developer shall make necessary arrangements with utility companies or other persons or corporations affected, for the installation of underground lines and facilities....

Findings: Curb cuts are not necessary with this proposal. A condition of approval addresses street trees. Future development may require placement of underground utility lines.

M. Survey Accuracy and Requirements. In addition to meeting the requirements as set forth in Oregon Revised Statutes relative to required lot, street and perimeter monumentation, the criteria listed in **Section 16.64.070** shall be required.

Findings: A condition of approval states that the City Engineer or County surveyor shall verify that the above standards are met prior to the recordation of the partition plat.

N. Agreement for Improvements. Before commission approval of a subdivision plat or partition map, the land divider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property, or execute and file with the city engineer, an agreement specifying the period within which required improvements and repairs shall be completed and provided that, if the work is not completed within the period specified, the city may complete the work and recover the full cost and expense, together with court costs and reasonable attorney fees necessary to collect the amounts from the land divider. The agreement shall also provide for reimbursement to the city for the cost of inspection by the city which shall not exceed ten percent of the improvements to be installed.

O. Bond.

1. The land divider shall file with the agreement, to assure his full and faithful performance thereof, one of the financial choices listed in this section and meet stated provisions of the section.

P. Guarantee. All improvements installed by the subdivider shall be guaranteed as to workmanship and materials for a period of one year following written notice of acceptance by the city to the developer.

Findings: Any public improvements required by the Commission shall meet the above criteria.

16.89 Application and Review Procedures

16.89.010 Purpose 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. (Ord. 1080, 2001)

Findings: This application is being processed in accordance with Chapter 16.89. Notice of the public hearing was mailed to owners and residents of lots within 200 feet of the subject development and to applicable agencies. Notice of the meeting was posted at the Development Services Building, City Hall, and Library and published in the Canby Herald. This chapter requires a Type III process for minor partitions. A neighborhood meeting is not required for minor partitions.

16.120 Parks, Open Space, and Recreation Land-General Provision

16.120.020 Minimum standard for park, open space and recreation land

A. Parkland Dedication: All new residential, commercial and industrial developments shall be required to provide park, open space and recreation sites to serve existing and future residents and employees of those developments.

1. The required parkland shall be dedicated as a condition of approval for:

   a. Approval of a tentative plat of a subdivision or partition.

Findings: Criteria in this section require that System Development Charges (SDCs) be collected at the time of any future construction on the newly created parcels.

III. PUBLIC TESTIMONY

Notice of this application and opportunity to provide comment was mailed to owners and residents of lots within 200 feet of the subject properties and to all applicable public agencies. All citizen and agency comments/written testimony will be presented to the Planning Commission.

IV. Decision

Based on the application submitted and the facts, findings, and conclusions of this report, staff recommends that the Planning Commission **approve** Minor Land Partition File MLP 15-04 subject to the following conditions of approval:

V. CONDITIONS OF APPROVAL

Minor Partition Conditions Unique to This Request:

1. The applicant is responsible for determining if existing utility service to all existing structures will need to be relocated or protected by private easement as a result of this partition.
2. Any access or utility easement to serve the parcels shall be shown on the recorded partition plat.
3. The applicant shall record a Shared Maintenance Agreement for the 30 foot wide access easement on the properties.
4. A street tree easement 12 feet wide measured from the front property line shall be provided along the Hazel Dell Way street frontage and shall be designated on the Partition Plat, unless the applicant can establish that the existing trees are planted within the public right-of-way.

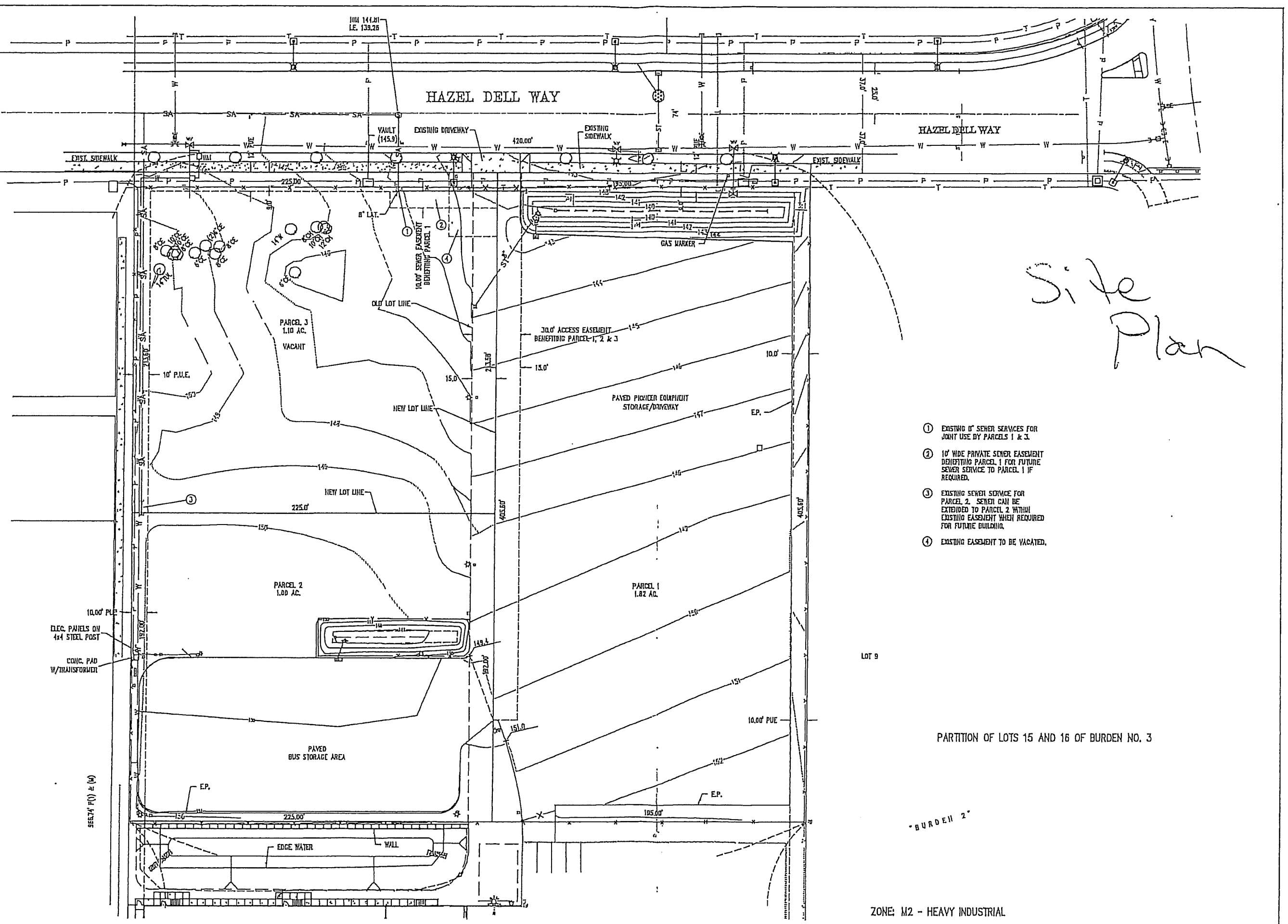
Final Partition Plat Conditions:

5. A final surveyed partition plat shall be prepared by a licensed surveyor for recording the partition plat of record. Prior to recordation with Clackamas County, the plat shall

be submitted to the city along with applicable fees for review by the city and other appropriate agencies. The final plat must be submitted to the city within one year of Planning Commission approval or the applicant must request, in writing, a one year extension from the Planning Commission. The applicant or county shall provide the city with a recorded copy of the plat in a timely manner.

Monumentation/Survey Accuracy Conditions

6. The county surveyor shall verify that the survey accuracy and monumentation requirements set forth in Oregon Revised Statutes and CMC 16.64.070(M) are met prior to the recordation of the final plat. Installation of the front lot monumentation (along and within street rights-of-way) and the replacement of any existing monuments destroyed during improvement installation shall be confirmed by the city engineer or county surveyor prior to the recordation of the partition plat.
7. Monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street centerlines as required by Oregon Revised Statutes Chapter 92. The city engineer or county surveyor shall verify compliance with this condition prior to the recordation of the final plat.



LEGEND:

o	MONUMENTS FOUND AS NOTED
I.R.	IRON ROD
I.P.	IRON PIPE
FD.	FOUND
(M)	MEASURED
—SA—	EXISTING SEWER
—ST—	EXISTING STORM
—W—	EXISTING WATER
—G—	EXISTING GAS
—P—	EXISTING POWER
—SA—	PROPOSED SEWER
	PROPOSED STORM
—W—	PROPOSED WATER
—x—	EXISTING FENCE
—o—	SILT FENCE
(XXX.XX)	EXISTING SPOT ELEVATION
XXX.XX	PROPOSED SPOT ELEVATION
	EXISTING CONCRETE SIDEWALK
	PROPOSED ASPHALTIC CONCRETE
—XXX—	ORIGINAL CONTOUR
—XXX—	EXISTING CONTOUR
	EXISTING FIRE HYDRANT
CB	EXISTING CATCH BASIN
	EXISTING STORM MANHOLE
	EXISTING SANITARY MANHOLE
	EXISTING LIGHT POLE
	EXISTING POWER POLE
	EXISTING WATER VALVE
WM	EXISTING WATER METER
GM	EXISTING GAS METER
	EXISTING GAS METER
	EXISTING STREET SIGN
	EXISTING TREE
	DIRECTION FLOW
AP	APPLE
CE	CEDAR
F	FIR
M	MAPLE

GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 INCH = 30 FEET

① EXISTING 8" SEWER SERVICES FOR JOINT USE BY PARCELS 1 & 3.

② 10' WIDE PRIVATE SEWER EASEMENT BENEFITING PARCEL 1 FOR FUTURE SEWER SERVICE TO PARCEL 1 IF REQUIRED.

③ EXISTING SEWER SERVICE FOR PARCEL 2. SEWER CAN BE EXTENDED TO PARCEL 2 WITHIN EXISTING EASEMENT WHEN REQUIRED FOR FUTURE BUILDING.

④ EXISTING EASEMENT TO BE VACATED.

PARTITION OF LOTS 15 AND 16 OF BURDEN NO. 3

ZONE: M2 - HEAVY INDUSTRIAL

REVISION	BY	APPROVED	DATE

REGISTERED PROFESSIONAL ENGINEER, OREGON, JULY 14, 1978, JOHN McL. MIDDLETON
EXPIRES 12/31/2016

DRAWN BY: JHH — DATE: 5-8-14
CHECKED: JMM
DESIGN:
CHECKED:

ZTec ENGINEERS Inc.
Civil – Structural – Surveying
3880 S.E. 8TH AVE., SUITE 280, PORTLAND, OR. 97202
Phone: (503) 235-8795 Fax: (503) 233-7889
Email: ztec@ztecengineers.com

SUBTITLE: PRELIMINARY PARTITION PLAT

TITLE: FOR: PIONEER PUMP
CAT BUS YARD
CANBY, OREGON

PLOT DATE: 11-9-15

JOB NO.: Y3917-2
DWG. NO.: Y39172PRE
SCALE: 1"=30'
SHEET: PRE

ZTEC CAD FILE: Y39172PRE.DWG

Revised Plat

PARTITION PLAT

A REPLAT OF LOTS 15 AND 16 OF "BURDEN NO. 3", LOCATED
IN THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 34, T.3S., R.1E., W.M.,
IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON

PARTITION PLAT NO. _____

ZTec ENGINEERS INC.
3880 S.E. 8TH AVENUE, SUITE 280 PORTLAND, OREGON 97202
PH: (503) 235-8795 FAX: (503) 233-7889

JOB NO. Y3917-2 DATE SURVEYED:

LEGEND

●	DENOTES MONUMENTS FOUND AS NOTED
⊘	DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944", AND SET ON THE PLAT OF "BURDEN 2"
○	DENOTES 5/8"X30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC ENGRS. LS 1944" AND SET ON
I.R.	DENOTES IRON ROD.
FD.	DENOTES FOUND.
(M)	DENOTES MEASURED.
SQ. FT.	DENOTES SQUARE FEET.
AC.	DENOTES ACRES
SN	DENOTES PRIVATE SURVEY CLACKAMAS COUNTY SURVEY RECORDS
SN(1)	DENOTES SN _____
PUE	DENOTES PUBLIC UTILITY EASEMENT
P(1)	DENOTES PLAT OF "BURDEN NO. 2", PLAT NO. 4004
P(2)	DENOTES PLAT OF "BURDEN NO. 3", PLAT NO. 4084

NOTE:

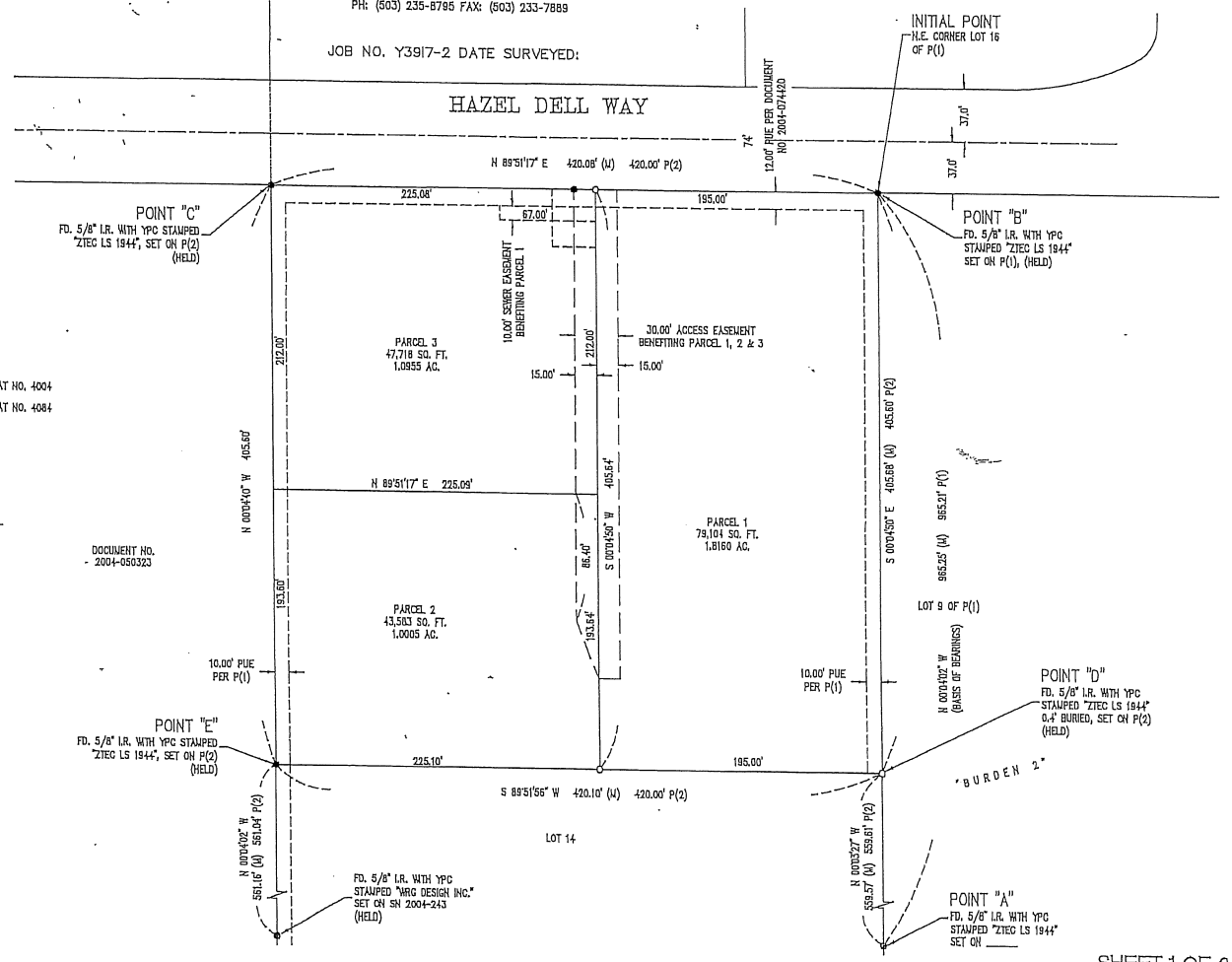
1. THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL IMPOSED BY CITY OF CANBY PLANNING COMMISSION CASE FILE NO. _____

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

RENEWAL DATE: 1/1/2016

GRAPHIC SCALE
0 25 50 100
(IN FEET)
1 INCH = 50 FEET



SHEET 1 OF 2

PARTITION PLAT

A REPLAT OF LOTS 15 AND 16 OF "BURDEN NO. 3", LOCATED
IN THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 34, T.3S., R.1E., W.M.,
IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON

PARTITION PLAT NO. _____

ZTec ENGINEERS INC.
3880 S.E. 8TH AVENUE, SUITE 280 PORTLAND, OREGON 97202
PH: (503) 235-8795 FAX: (503) 233-7889

JOB NO. Y3917-2 DATE SURVEYED:

SURVEYOR'S CERTIFICATE:

I, CHRIS FISCHBORN, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED ON THE ATTACHED PLAT MAP, BEING ALL OF LOTS 15 AND 16 OF THE PLAT OF "BURDEN NO. 3" (PLAT NO. 4084) LOCATED IN THE N.W. ONE-QUARTER AND IN THE S.W. ONE-QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH , RANGE 1 EAST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON.

THAT AT THE INITIAL POINT I FOUND A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944", SAID IRON ROD BEING AT THE NORTHEAST CORNER OF SAID LOT 16 OF SAID "BURDEN NO. 3", SAID POINT ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF HAZEL DELL WAY; THENCE FROM SAID INITIAL POINT, SOUTH 00°04'50" EAST, ALON GHTE EAST LINE OF SAID LOT 16, A DISTANCE OF 405.68 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944" AT THE SOUTHEAST CORNER OF SAID LOT 16; THENCE SOUTH 89°51'56" WEST, ALONG THE SOUTH LINE OF SAID LOT AND ALONG THE SOUTH LINE OF SAID LOT 15 OF SAID "BURDEN NO. 3", A DISTANCE OF 420.10 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944" AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00°04'40" WEST, ALONG THE WEST LIE HOF SAID LOT 15, A DISTANCE OF 405.60 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944" AT THE NORTHWEST CORNER OF LOT 15, SAID POINT ALSO ON SAID SOUTH RIGHT OF WAY OF SAID HAZEL DELL WAY; THENCE NORTH 89°51'17" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 420.08 FEET TO THE INITIAL POINT.

SAID PARCEL OF LAND CONTAINS AN AREA OF 3.9120 ACRES MORE OR LESS.

NARRATIVE:

BASIS OF BEARINGS: NORTH 00°04'02" WEST BETWEEN THE 5/8 INCH IRON RODS FOUND AT POINTS "A" AND "B", AS PER THE PLATS OF "BURDEN NO. 2" AND "BURDEN NO. 3".

PURPOSE OF SURVEY: TO REPLAT LOTS 15 AND 16 OF "BURDEN NO. 2" (PLAT NO. 4004) INTO 3 LOTS AS SHOWN.

HAZEL DELL WAY: HELD THE 5/8 INCH IRON RODS FOUND AT POINTS "B" & "C" FOR THE SOUTH RIGHT OF WAY LINE OF THE STREET,

EAST PROPERTY LINE: HELD THE IRON RODS FOUND AT POINTS "B" AND "D" FOR THE EAST PROPRETY LINE OF LOT 16 OF "BURDEN NO. 3".

SOUTH PROPERTY LINE: HELD THE 5/8 INCH IRON RODS FOUND AT POINTS "D" & "E" FOR THE SOUTH LINE OF LOTS 15 & 16 OF "BURDEN NO. 3".

WEST PROPERYY LINE: HELD THE IRON RODS FOUND AT POINTS "C" AND "E" FOR THE WEST LINE OF LOT 15 OF "BURDEN NO. 3".

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

RENEWAL DATE: 1/1/2016

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS THAT, _____, OWNERS OF THE LAND REPRESENTED ON THE ATTACHED MAP, DO HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEXED MAP OF BURDEN NO. 3 AS DESCRIBED IN THE ACCONPANYING SURVEYOR'S CERTIFICATE, TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF, ALL LOTS BEING OF THE DIMENSIONS SHOWN AND DO HEREBY GRANT ALL EASEMENTS AS SHOWN OR NOTED ON SAID MAP UNDER THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES AND DO FURTHER STATE THAT THIS PLAT IS SUBJECT TO THE RESTRICTIONS SHOWN OR NOTED HEREON.

_____
XXXXXXXXXXXXXXX
XXXXXXXXXXXXXXX

_____
XXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

ACKNOWLEDGMENT:

STATE OF OREGON

COUNTY OF CLACKAMAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY _____

_____
NOTARY PUBLIC - OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES_____

APPROVALS:

APPROVED THIS_____DAY OF_____, 20__

BY: _____
CITY OF CANBY

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH JUNE 30, 20__

APPROVED THIS_____DAY OF_____, 20__

RAY ERLAND, CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY:_____
DEPUTY

APPROVED THIS_____DAY OF_____, 20__

_____
CLACKAMAS COUNTY SURVEYOR; AND
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
DELEGATE PER COUNTY CODE CHAPTER 11.02

STATE OF OREGON S.S.

COUNTY OF CLACKAMAS

I DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS RECEIVED FOR RECORD ON THE_____DAY OF_____, 20__, AT _____O'CLOCK____M.

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY:_____
DEPUTY

Fax 503-266-1574 **Process Type II/III**

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

☐ Applicant Name: PIONEER PROPERTY LLC Phone: 281-772-5249
Address: 1012 ISLAND VIEW ST. Email: dawalker14@gmail.com
City/State: KEMAH TX Zip: 77565

☒ Representative Name: JOHN MIDDLETON Phone: 503-235-8795
Address: 3880 SE 8TH AVE STE 280 Email: JohnM@ZTECENGINEERS.COM
City/State: PORTLAND OR Zip: 97202

☐ Property Owner Name: PIONEER PROPERTY LLC Phone: 503-997-1871
Signature: Donald E. Turner, Member
Address: 658 HORST PLACE Email: JTURNER@ANCESTRYBREWING.COM
City/State: THE VILLAGES FL Zip: 32162

☐ 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.

- All property owners signing here have full legal capacity to, and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- All property owners understand that they must meet all applicable County Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.49 Site and Design Review Standards.
- All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

MAP 31E34 04504 Acct 05016487
MAP 31E34 04503 Acct 05016486

175 AND 185 HAZEL DELL WAY — Street Address or Location of Subject Property
3.91 AC — Total Size of Property
Assessor Tax Lot Numbers

FENCED PAVED PARKING — Existing Use, Structures, Other Improvements on Site
Zoning
Comp Plan Designation

~~LOT LINE ADJUSTMENT~~ MINOR PARTITION — Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY

MLP 15-04	11.12.15	BB	$1280.00	
FILE #	DATE RECEIVED	RECEIPT #	AMOUNT	DATE APP COMPLETE

Page 1 of 6

Print out plat to show existing lot lay

MLP 15-04

PC – Dec. 28th

SITE AND DESIGN REVIEW APPLICATION – TYPE III–INSTRUCTIONS

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 Check | City 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*.
"Major" Partition – includes the creation of a road or street.
"Minor" Partition – does not include the creation of a road or street.

☐ ☐ Mailing labels (1" x 2-5/8") for all property owners and all residents within ~~500~~ 200 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:

_____

_____

_____

_____

N/A☐ ☐ 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. NOT REQUIRED

N/A☐ ☐ 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. NOT REQUIRED

N/A☐ ☐ One (1) copy in written format of the minutes of the pre-application meeting NOT REQUIRED

☐ ☐ 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 Check	City 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.
☐	☐	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.
- ☐
- ☐ Name of Proposed Partition Plat (subject to review and approval by Clackamas County).
- ☐ Partition boundary, parcel lines, parcel dimensions, gross area in square feet of each parcel (excluding the square footage of accessways for flag lots), and proposed public and private easements;
- ☐ If any undevelopable tract is proposed to be created, the dimensions, gross area, and purpose of the tract shall be included.
- ☐ If any oversized parcels 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 parcel could be further divided in conformance with all CMC standards in a manner which provides for continuation of streets and provides adequate building envelopes.
- ☐ Site Plan-the following general information shall be included on the site plan:
  - ☐ Property lines (legal lot of record boundaries);
  - ☐ 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.
  - ☐ Location and description of all existing structures (i.e., buildings, signs, fences, mechanical or utility structures, etc.) on the property, including those under construction or pending under an issued building permit. Indicate which structures are to remain and which are to be removed. For structures to remain,

GRANTOR:
Charles E. Burden, Trustee of the Ray L. Burden
Family Trust under Will dated 3/19/2002
P.O. Box 729
Canby, OR 97013

GRANTEE:
Pioneer Property, LLC
310 S. Sequoia Pkwy
Canby, OR 97013

SEND TAX STATEMENTS TO:
Pioneer Property, LLC
310 S. Sequoia Parkway
Canby, OR 97013

AFTER RECORDING RETURN TO:
Pioneer Property, LLC
310 S. Sequoia Parkway
Canby, OR 97013

Escrow No: 3626065258CDW-TTPOR50

Lots 15 and 16, Burden 3
Canby, OR

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Recorded by TICOR TITLE 2006005758 CDW

Charles E. Burden, Trustee of the Ray L. Burden Family Trust under Will dated 3/19/2002, Grantor, conveys and warrants to

Pioneer Property, LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

Lots 15 and 16, BURDEN NO. 3, in the City of Canby, County of Clackamas, and State of Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS $508,266.00. (See ORS 93.030)

Subject to and excepting:

1. Water Line Extension Agreement, and the terms and provisions thereof:

   By and Between: Canby Utility Board, a political subdivision of the City of Canby, an Oregon municipal corporation
   And: Ray L. Burden
   Regarding: Installation and extension of water line to future development(s)
   Recording Date: August 22, 2002
   Recording No.: 2002-077467

   Amendment(s)/Modification(s) of said agreement

   Recording Date: November 30, 2005
   Recording No: 2005-119531

2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

   Granted to: City of Canby, a municipal corporation
   Purpose: Road purposes - Hazel Dell Way right-of-way
   Recording Date: August 13, 2004
   Recording No: 2004-074420
   Affects: A 12 foot strip of land, as described in said instrument

   Said strip of land is delineated on the face of the plat of Burden No. 3

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Canby, a municipal corporation
Purpose: Road and utility improvements and road right-of-way
Recording Date: August 13, 2004
Recording No: 2004-074421
Affects: A 12 foot strip of land, as described in said instrument

Said strip of land is delineated on the face of the plat of Burden No. 3

4. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin ancestry source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Burden No. 2 and Burden No. 3

5. Easement(s) for the purposes(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the plat of said property.

Purpose: Public utilities
Affects: East 10 feet of Lot 16 and the West 10 feet of Lot 15 as delineated on the face of the plat

Purpose: Private access easement
Affects: Portion of Lots 15 and 16, as delineated on the face of the plat

Purpose: Utility Easement as set forth in document 2004-074420
Affects: Northerly 12 feet of Lot 15, as delineated on the face of the plat

Purpose: Utility Easement as set forth in document 2004-074421
Affects: Northerly 12 feet of Lot 16 as delineated on the face of the plat

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 2-25-2014

Ray L. Burden Family Trust under Will dated 3/19/2002

BY: Charles E. Burden Trustee
Charles E. Burden, Trustee

State of OREGON

COUNTY of Multnomah

This instrument was acknowledged before me on February 25, 2014

by Charles E. Burden, Trustee of the Ray L. Burden Family Trust under Will dated 3/19/2002.

Candice Weischedel

Notary Public - State of Oregon

My commission expires: 3/5/14

OFFICIAL SEAL
CANDICE DAWN WEISCHEDEL
NOTARY PUBLIC-OREGON
COMMISSION NO. 445585
MY COMMISSION EXPIRES MARCH 05, 2014

RECEIPT

Development Services Department
111 NW 2nd Avenue
Canby, OR 97013
503-266-7001

DATE: 11/12/2015
RECEIPT#: 652
RECEIVED BY: lf

☐ REFUND

APPLICANT OR COMPANY NAME	Pioneer Pump
APP NO # OR COMPANY ADDRESS	1012 Island View, Kemah, TX 77685
COMMENTS	MLP 15-04 - Pioneer Pump minor partition 175 & 185 Hazel Dell Way

PAYMENT

CREDIT CARD: ☐	CHECK#: 113	AMOUNT: $1,280.00
CASH: ☐	COMPANY: Pioneer Pump	WRITTEN BY: Walker

QTY	LINE ITEM DESCRIPTION	UNIT PRICE	LINE TOTAL
1	100-003-340-0300 PLAN REVIEWS	$1,280.00	$ 1,280.00
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
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			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
			$ -
	THANK YOU FOR YOUR BUSINESS!	TOTAL	$ 1,280.00

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

3880 SE 8th Ave.,
Ross Island Plaza, Suite 280,
Portland, OR 97202
(503) 235-8795
FAX: (503) 233-7889
E-mail: john@ztecengineers.com

John McL. Middleton, P.E.
Chris C. Fischborn, P.L.S.

Ronald B. Sellards, P.E

10-19-15

MINOR PARTITIN APPLICATION
NARRATIVE
LOTS 15 AND 16 BURDEN NO. 3
175 AND 185 HAZEL DELL WAY
CANBY OREGON

Description of Proposed Partition:
The property to be partitioned is all of lots 15 and 16 of the Plat of Burden No. 3. The existing 2 lots will be partitioned into 3 lots. The property is partially developed as follows:

Lot 16 was paved to provide an area for outdoor pump storage for Pioneer Pump, whose facility is located adjacent to the southerly boundary of this property. The paved development included the creation of a 25 feet wide paved access to Hazel Dell Way and a storm water treatment and disposal facility for surface runoff from the paved area.

Last year Canby Area Transit (CAT) wanted an area for bus storage and a lease parcel of 22,049 sq. ft. was created on the south portion of Lot 15 for CAT use. The lease parcel was improved with paved surface, water service and area lighting. The lease parcel was also granted an access easement over a portion of Lot 16 to Hazel Dell Way and a storm water treatment and disposal facility for surface runoff from the bus storage area was constructed on the north edge of the Lease parcel.

The remainder of Lot 15 was left vacant and unimproved.

The Partitioning of Lots 15 and 16 will result in 3 lots, described as follows:

Parcel 1 will have an area of 1.82 Ac., being the original Lot 16 of Burden No. 3 less the westerly 15 feet, and contain the paved pump storage area and storm water runoff treatment and disposal facility.

Parcel 2 will have an area of 1.00 Ac. and include, the paved bus storage area and associated storm water runoff treatment and disposal facility. This parcel is intended to be sold to CAT for continued bus storage and development of a future CAT building.

Parcel 3 will have an area of 1.10 Ac. and will be available for development of a future zone appropriate use.

All three parcels will share the existing access to Hazel Dell Way via a shared 30 feet access easement.

16.60.040 Minor Partition standards and criteria

A. *Conformance with the text and applicable maps of the Comprehensive Plan:*
The property is zoned M2 Heavy Industrial. The present uses of 2 of the parcels, pump storage and bus storage are allowable uses in this zone. The future development of Parcel 3 can be in conformance with the current zoning.

B. *Conformance with other applicable requirements of the Land Development and Planning Ordinance;*
Development in the M2 zone covered in Chapter 16.34 of the code. See in later section of this narrative.

C. *The overall design and arrangement of parcels shall be functional and shall adequately provide building site, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;*
The adjacent properties to the west, east and south are all developed. The northerly property boundary is Hazel Dell Way, a public right of way. Access to the right of way will be via a shared driveway easement over an existing paved driveway that has been, and will remain, functional for the existing and future uses on the site. Utilities , sewer and water services are available to all parcels via existing or proposed easements shown on the partition plat.

D. *No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to City standards is not necessary to insure safe and efficient access to the parcels;*
Access is via an existing driveway to Hazel Dell Way. All parcels have mutual access rights and maintenance responsibilities on the driveway. The maintenance agreement will be referenced on the recorded plat. Emergency vehicles will continue to have unhindered use of the driveway.
The existing driveway provides safe and efficient access to the existing uses on the property and will continue to provide the same level of access to future users.

E. *It must be demonstrated that all required public facilities and services are available, or will become available through development, to adequately meet the needs of the proposed land division.*
Public sewer, water and power, communication and natural gas facilities are available in Hazel dell Way right of way and associated PUE on the north edge of the development. The availability of services is detailed below:

Parcel1- Power, communications and natural gas are available on the Parcel in the frontage PUE. Public water service has been extended to the parcel and can be activated if required by a use other the present surface storage.
An easement is created on Parcel 3 for future extension of sewer service if required to Parcel 1.

Parcel 2- Water service and power service have already been extended to Parcel 2 via the 10 feet PUE on the west side of Parcel 3. Sewer service has also been extended to within a few feet of Parcel 2 located in the existing 10' PUE on Parcel 3. This service can easily be extended to Parcel 2 in the future, utilizing the current easement on Parcel 3. Natural Gas, and communication facilities are available in the frontage PUE and can be extended within existing easement to Parcel 2 if required.

Parcel 3- Water and sewer services are available on the north end of the parcel. Power, communications and natural gas are also on the north edge of the parcel in the existing 12' PUE.

Public facilities and services are either already available to each parcel or can be easily extended to each parcel if required.

16.34.020 M2 Review Matrix

Traffic Impacts, particularly heavy truck traffic and its impact on non-industrial areas and streets.

Property is located in an industrial area and the existing traffic, buses for CAT and occasional trucks moving stored pumps use only industrial streets to reach 99E. The buses, in service, will use some residential streets in Canby as part of their routes but that would the case regardless of where the buses were stored. Future uses of the property, particularly future development on Parcel 3 may changes the volume and type of traffic but the impact is unlikely to be significant in this developing industrial area.

Noise impact, especially loud and high pitched noise and noise expected to occur at night.

The existing uses, pump storage and bus storage generate some mild traffic noise that is not especially loud and not high pitched. The noises are restricted to the work day. Future uses of the site will probably generate similar mild traffic noise or similar activity noise appropriate to an industrial zone.

Air pollution, including odors as well as measurable pollutants.

The existing uses generate standard vehicular pollutants from bus and truck traffic. All vehicles operate within DEQ established standards. Future uses will be similar.

Water pollution including impacts on groundwater and surface water as well as any unusual or hazardous discharges to the city sewage treatment facility.

Surface runoff from paved areas is treated in vegetated infiltration facilities. The treatment removes pollutants to protect groundwater. There is no connection to off-site surface water facilities.
The parcels can be connected to the public sanitary sewer collection system in the future as further development dictates. The nature of discharges will be known at that time and, if necessary steps will be taken to prevent any unusual or hazardous discharge going to the city sewage treatment facility.

Electrical consumption.

Electrical facilities are in place to provide service to the parcels. The consumption at this time is limited to area lighting demand, very low consumption.
Future uses could include standard industrial power demand. Facilities in the industrial park were designed with anticipation of industrial development of this property. Future electrical consumption will be within the assumed demand for this property.

Other adverse impacts, which may include factors not listed above or may be used to add more negative points to any of the items already listed, where extreme adverse impacts are expected.

No adverse impacts are anticipated.

Tax benefits to the community, particularly for property taxes beyond the cost of providing public services.

The development of currently vacant industrial land will increase tax revenues to the benefit of the community. The cost of the public infrastructure streets, water, sewer, power etc. has already been incurred. Future development of this site will operate within the current public service framework so no additional cost of providing public services will be incurred.

Total number of persons to be employed

This number is unknown dependant on the nature of the future development.

Number of local persons who can expect to be employed, based upon percentage of skilled, semi-skilled and unskilled positions.

The numbers and categories are unknown dependant on the nature of the future development.

Reliance on locally produced resources and locally processed materials

Unknown dependant on the nature of the future development.

Export characteristics and residual benefits to other local industries

The existing storage space on lot 16 benefits the adjacent pump supplier, Pioneer Pump. The bus storage area benefits CAT the local bus company.
The future development of vacant portions of the property may have similar benefits to other local industries.

Other community benefits, including particularly advantageous design characteristics, etc. may also be used to add more positive points to each of the factors listed above where extremely beneficial impacts are expected

Future development may have characteristics that are relevant to this criterion but are unknown at this time.

Low Impact Design and sustainability features

The on-site storm water facilities for treatment and disposal of storm water runoff from impervious areas are low impact design and meet sustainability goals.

PARTITION PLAT

PARTITION PLAT NO. _____

A REPLAT OF LOTS 15 AND 16 OF "BURDEN NO. 3", LOCATED
IN THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 34, T.3S., R.1E., W.M.,
IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON

ZTec ENGINEERS INC.
3880 S.E. 8TH AVENUE, SUITE 280 PORTLAND, OREGON 97202
PH: (503) 235-8795 FAX: (503) 233-7889

JOB NO. Y3917-2 DATE SURVEYED:

LEGEND

●	DENOTES MONUMENTS FOUND AS NOTED
⊀	DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944", AND SET ON THE PLAT OF "BURDEN 2"
○	DENOTES 5/8"X30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC ENGRS. LS 1944" AND SET ON
I.R.	DENOTES IRON ROD.
FD.	DENOTES FOUND.
(M)	DENOTES MEASURED.
SQ. FT.	DENOTES SQUARE FEET.
AC.	DENOTES ACRES
SN	DENOTES PRIVATE SURVEY CLACKAMAS COUNTY SURVEY RECORDS
SN(1)	DENOTES SN _____
PUE	DENOTES PUBLIC UTILITY EASEMENT
P(1)	DENOTES PLAT OF "BURDEN NO. 2", PLAT NO. 4004
P(2)	DENOTES PLAT OF "BURDEN NO. 3", PLAT NO. 4084

NOTE:

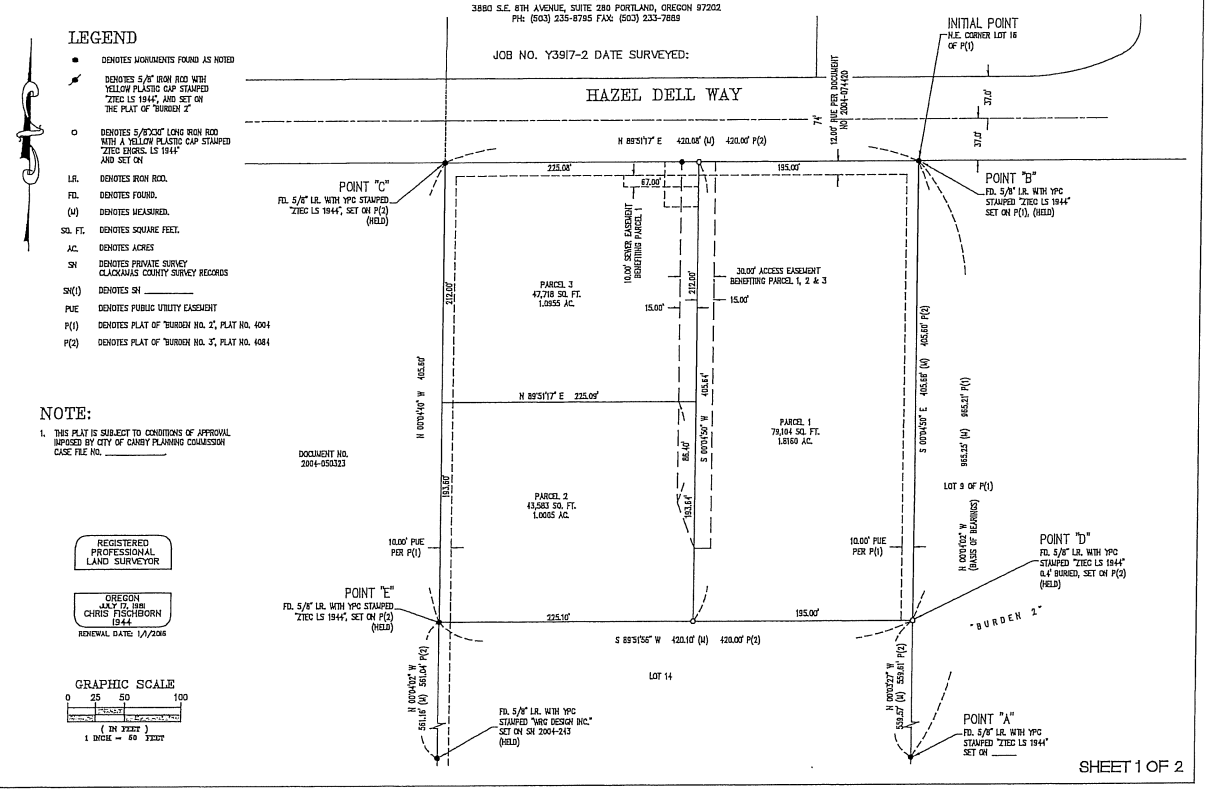
1. THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL IMPOSED BY CITY OF CANBY PLANNING COMMISSION CASE FILE NO. _____

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

RENEWAL DATE: 1/1/2016

GRAPHIC SCALE
0 25 50 100
(IN FEET)
1 INCH = 50 FEET



PARTITION PLAT

PARTITION PLAT NO. _____

A REPLAT OF LOTS 15 AND 16 OF "BURDEN NO. 3", LOCATED
IN THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 34, T.3S., R.1E., W.M.,
IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON

ZTec ENGINEERS INC.
3880 S.E. 8TH AVENUE, SUITE 280 PORTLAND, OREGON 97202
PH: (503) 235-8795 FAX: (503) 233-7889

JOB NO. Y3917-2 DATE SURVEYED:

SURVEYOR'S CERTIFICATE:

I, CHRIS FISCHBORN, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED ON THE ATTACHED PLAT MAP, BEING ALL OF LOTS 15 AND 16 OF THE PLAT OF "BURDEN NO. 3" (PLAT NO. 4084) LOCATED IN THE N.W. ONE-QUARTER AND IN THE S.W. ONE-QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH , RANGE 1 EAST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON.

THAT AT THE INITIAL POINT I FOUND A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944", SAID IRON ROD BEING AT THE NORTHEAST CORNER OF SAID LOT 16 OF SAID "BURDEN NO. 3", SAID POINT ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF HAZEL DELL WAY; THENCE FROM SAID INITIAL POINT, SOUTH 00°04'50" EAST, ALONG SAID EAST LINE OF SAID LOT 16, A DISTANCE OF 405.68 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944" AT THE SOUTHEAST CORNER OF SAID LOT 16; THENCE SOUTH 89°51'56" WEST, ALONG THE SOUTH LINE OF SAID LOT AND ALONG THE SOUTH LINE OF SAID LOT 15 OF SAID "BURDEN NO. 3", A DISTANCE OF 420.10 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944" AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH 00°04'50" WEST, ALONG THE WEST LINE NOF SAID LOT 15, A DISTANCE OF 405.60 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944" AT THE NORTHWEST CORNER OF LOT 15, SAID POINT ALSO ON SAID SOUTH RIGHT OF WAY OF SAID HAZEL DELL WAY; THENCE NORTH 89°51'17" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 420.08 FEET TO THE INITIAL POINT.

SAID PARCEL OF LAND CONTAINS AN AREA OF 3.9120 ACRES MORE OR LESS.

NARRATIVE:

BASIS OF BEARINGS: NORTH 00°04'02" WEST BETWEEN THE 5/8 INCH IRON RODS FOUND AT POINTS "A" AND "B", AS PER THE PLATS OF "BURDEN NO. 2" AND "BURDEN NO. 3".

PURPOSE OF SURVEY: TO REPLAT LOTS 15 AND 16 OF "BURDEN NO. 2" (PLAT NO. 4004) INTO 3 LOTS AS SHOWN.

HAZEL DELL WAY: HELD THE 5/8 INCH IRON RODS FOUND AT POINTS "B" & "C" FOR THE SOUTH RIGHT OF WAY LINE OF THE STREET.

EAST PROPERTY LINE: HELD THE IRON RODS FOUND AT POINTS "B" AND "D" FOR THE EAST PROPRETY LINE OF LOT 16 OF "BURDEN NO. 3".

SOUTH PROPERTY LINE: HELD THE 5/8 INCH IRON RODS FOUND AT POINTS "D" & "E" FOR THE SOUTH LINE OF LOTS 15 & 16 OF "BURDEN NO. 3".

WEST PROPERTY LINE: HELD THE IRON RODS FOUND AT POINTS "C" AND "E" FOR THE WEST LINE OF LOT 15 OF "BURDEN NO. 3".

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

RENEWAL DATE: 1/1/2016

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS THAT, _____, OWNERS OF THE LAND REPRESENTED ON THE ATTACHED MAP, DO HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEXED MAP OF BURDEN NO. 3 AS DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF, ALL LOTS BEING OF THE DIMENSIONS SHOWN AND DO HEREBY GRANT ALL EASEMENTS AS SHOWN OR NOTED ON SAID MAP UNDER THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES AND DO FURTHER STATE THAT THIS PLAT IS SUBJECT TO THE RESTRICTIONS SHOWN OR NOTED HEREON.

_____ _____
XXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

ACKNOWLEDGMENT:

STATE OF OREGON

COUNTY OF CLACKAMAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY _____

_____
NOTARY PUBLIC - OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES_____

APPROVALS:

APPROVED THIS_____DAY OF_____, 20__

BY: _____
CITY OF CANBY

APPROVED THIS_____DAY OF_____, 20__

_____
CLACKAMAS COUNTY SURVEYOR; AND
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
DELEGATE PER COUNTY CODE CHAPTER 11.02

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH JUNE 30, 20__

APPROVED THIS_____DAY OF_____, 20__

RAY ERLAND, CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

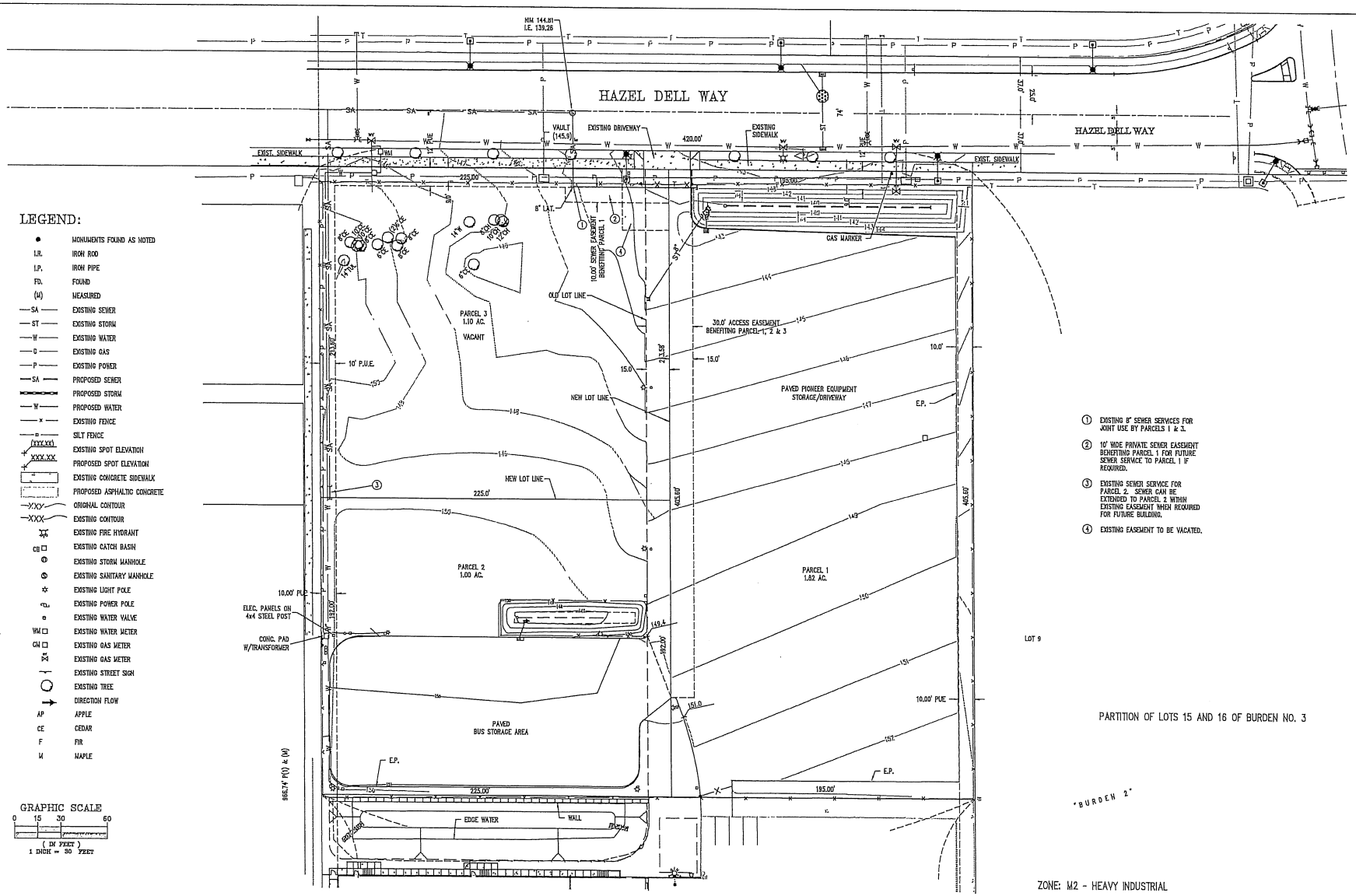
BY: _____
DEPUTY

STATE OF OREGON
S.S.
COUNTY OF CLACKAMAS

I DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS RECEIVED FOR RECORD ON THE_____DAY OF_____, 20__, AT _____O'CLOCK____M.

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY: _____
DEPUTY



LEGEND:

- MONUMENTS FOUND AS NOTED
- I.R. IRON ROD
- I.P. IRON PIPE
- FD. FOUND
- (M) MEASURED
- SA EXISTING SEWER
- ST EXISTING STORM
- W EXISTING WATER
- G EXISTING GAS
- P EXISTING POWER
- SA PROPOSED SEWER
- PROPOSED STORM
- W PROPOSED WATER
- x EXISTING FENCE
- SILT FENCE
- (XXX.XX) EXISTING SPOT ELEVATION
- XXX.XX PROPOSED SPOT ELEVATION
- EXISTING CONCRETE SIDEWALK
- PROPOSED ASPHALTIC CONCRETE
- XXX ORIGINAL CONTOUR
- XXX EXISTING CONTOUR
- EXISTING FIRE HYDRANT
- CB EXISTING CATCH BASIN
- EXISTING STORM MANHOLE
- EXISTING SANITARY MANHOLE
- EXISTING LIGHT POLE
- EXISTING POWER POLE
- EXISTING WATER VALVE
- WM EXISTING WATER METER
- GM EXISTING GAS METER
- EXISTING GAS METER
- EXISTING STREET SIGN
- EXISTING TREE
- DIRECTION FLOW
- AP APPLE
- CE CEDAR
- F FIR
- M MAPLE

GRAPHIC SCALE

0 15 30 60

(IN FEET)

1 INCH = 30 FEET

1. EXISTING 8" SEWER SERVICES FOR JOINT USE BY PARCELS 1 & 3.
2. 10' WIDE PRIVATE SEWER EASEMENT BENEFITING PARCEL 1 FOR FUTURE SEWER SERVICE TO PARCEL 1 IF REQUIRED.
3. EXISTING SEWER SERVICE FOR PARCEL 2. SEWER CAN BE EXTENDED TO PARCEL 2 WITHIN EXISTING EASEMENT WHEN REQUIRED FOR FUTURE BUILDING.
4. EXISTING EASEMENT TO BE VACATED.

PARTITION OF LOTS 15 AND 16 OF BURDEN NO. 3

ZONE: M2 - HEAVY INDUSTRIAL

STA	REVISION	BY	APPROVED	DATE

REGISTERED PROFESSIONAL ENGINEER — OREGON — JULY 14, 1978 — JOHN MCL. MIDDLETON — 9892 — EXPIRES 12/31/2016

DRAWN BY	JHH
CHECKED	JMM
ENGR.	
CHECKED	
DATE	5-8-14

ZTec ENGINEERS Inc.
Civil – Structural – Surveying
3880 S.E. 8TH AVE., SUITE 280, PORTLAND, OR. 97202
Phone: (503) 235-8795 Fax: (503) 233-7889
Email: ztec@ztecengineers.com

SUBTITLE: PRELIMINARY PARTITION PLAT

TITLE: FOR: PIONEER PUMP CAT BUS YARD CANBY, OREGON

JOB NO.:	Y3917-2
DWG. NO.:	Y39172PRE
SCALE:	1"=30'
SHEET:	PRE

PLOT DATE: 11-9-15 ZTEC CAD FILE: Y39172PRE.DWG

PARTITION PLAT

PARTITION PLAT NO. _____

A REPLAT OF LOTS 15 AND 16 OF "BURDEN NO. 3", LOCATED
IN THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 34, T.3S., R.1E., W.M.,
IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON

ZTec ENGINEERS INC.
3880 S.E. 8TH AVENUE, SUITE 280 PORTLAND, OREGON 97202
PH: (503) 235-8795 FAX: (503) 233-7889

JOB NO. Y3917-2 DATE SURVEYED:

LEGEND

●	DENOTES MONUMENTS FOUND AS NOTED
⊀	DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944", AND SET ON THE PLAT OF "BURDEN 2"
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FD.	DENOTES FOUND.
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SQ. FT.	DENOTES SQUARE FEET.
AC.	DENOTES ACRES
SN	DENOTES PRIVATE SURVEY CLACKAMAS COUNTY SURVEY RECORDS
SN(1)	DENOTES SN _____
PUE	DENOTES PUBLIC UTILITY EASEMENT
P(1)	DENOTES PLAT OF "BURDEN NO. 2", PLAT NO. 4004
P(2)	DENOTES PLAT OF "BURDEN NO. 3", PLAT NO. 4084

NOTE:

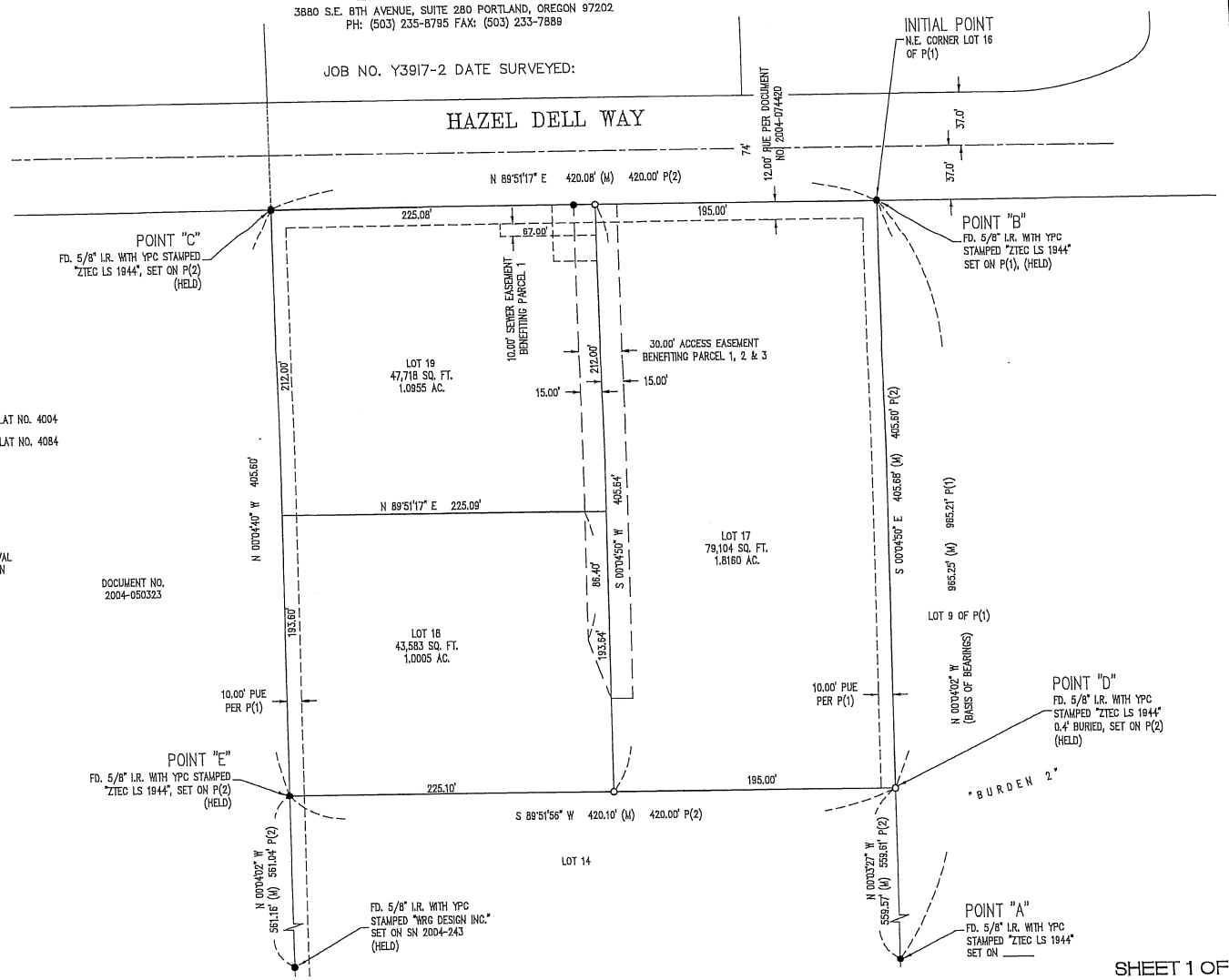
1. THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL IMPOSED BY CITY OF CANBY PLANNING COMMISSION CASE FILE NO. _____

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944

RENEWAL DATE: 1/1/2016

GRAPHIC SCALE
0 25 50 100
(IN FEET)
1 INCH = 50 FEET



SHEET 1 OF 2

City of Canby

Planning and Building Department

Sent Via Email

November 20, 2015

TO: John Middleton
Pioneer Property, LLC

john@ztecengineers.com
dawalker14@gmail.com
jturner@ancestrybrewing.com

RE: Completeness Determination, City File #MLP 15-04

Your application for the requested Minor Land Partition at 175 and 185 Hazel Dell Way is considered complete. A determination of completeness means that planning staff has enough information to proceed with our review of the application and schedule a public hearing. Additional information may be required during the review process.

The application has been assigned City File #MLP 15-04. The application is reviewed through a Type III Quasi-Judicial procedure with a decision made by the Planning Commission. If appealed, the decision is heard by the City Council. The Public Hearing before the Planning Commission is scheduled for **Monday, December 28, 2015 at 7pm, 155 NW 2nd Avenue.**

The City will mail Public Hearing notices to surrounding property owners and notify applicable agencies. The Staff Report will be ready by Wednesday, December 16, 2015. The City will be contacting you so that you may post the Notice of Public Hearing sign at the site no later than Friday, December 18, 2015 (required by city code) Please note there is also a $50 refundable deposit for each sign provided by the City. If you have questions, please contact me at (503) 266-0702 or by email at eplingd@ci.canby.or.us.

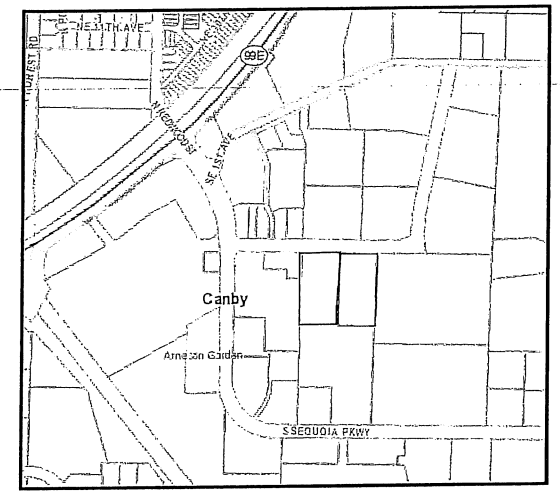
Sincerely,

David Epling
Associate Planner
City of Canby

City of Canby

NOTICE OF PUBLIC HEARING & REQUEST FOR COMMENTS

The purpose of this Notice is to invite you to a Public Hearing at a Planning Commission meeting on Monday, December 28, 2015 at 7 pm in the City Council Chambers, 155 NW 2nd Ave to review a Minor Land Partition application. The applicant proposes to partition both lots into 3 lots. The property is partially developed as follows: Lot 16 – paved to provide area for Pioneer Pump outdoor pump storage, Lot 15 - 22,049 SF for Canby Area Transit was paved for bus storage and is currently leased.



Comments due– If you would like your comments to be incorporated into the City's Staff Report, please return the Comment Form by Wednesday, December 16, 2015.
Location: 175 & 185 Hazel Dell Way
Tax Lot: 31E34C04504 & 31E34C04503 (Both properties shown on map at the left, bordered in red.)
Lot Sizes and Zoning: 3.9 acres, zoned M-2 Heavy Industrial Zone
Owner: Pioneer Property, LLC
Applicant: Pioneer Property, LLC
Application Type: Minor Land Partition
City File Number: MLP 15-04
Contact: David Epling, Associate Planner, 503-266-0686
What is the Decision Process? The Planning Commission will make a decision after the Public Hearing. The Planning Commission's decision may be appealed to the City Council.

Where can I send my comments? Written comments can be submitted up to the time of the Public Hearing and may also be delivered in person to the Planning Commission during the Public Hearing. (Please *see Comment Form).* Comments can be mailed to the Canby Planning Department, P O Box 930, Canby, OR 97013; dropped off at 111 NW Second Avenue; or emailed to eplingd@ci.canby.or.us.

How can I review the documents and staff report? Weekdays from 8 AM to 5 PM at the Canby Planning Department. The staff report to the Planning Commission will be available for inspection starting Friday, December 18, 2015 and can be viewed on the City's website: http://www.ci.canby.or.us Copies are available at $0.25 per page or can be emailed to you upon request.

Applicable Criteria: Canby Municipal Code Chapters:

- 16.08 General Provisions
- 16.34 M-2 Heavy Industrial Zone
- 16.46 Access Standards
- 16.56 Land Division Regulations
- 16.60 Major & Minor Partitions
- 16.64 Subdivision Design Standards
- 16.89 Application & Review Procedures
- 16.120 Parks, Open Space & Recreation Land

Note: Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the board based on that issue.

CITY OF CANBY –COMMENT FORM

If you are unable to attend the Public Hearing, you may submit written comments on this form or in a letter addressing the Planning Commission. Please send comments to the City of Canby Planning Department:

By mail: Planning Department, PO Box 930, Canby, OR 97013
In person: Planning Department at 111 NW Second Street
E-mail: eplingd@ci.canby.or.us

Written comments to be included in the Planning Commission's meeting packet are due by Noon on Wednesday, December 16, 2015. Written comments can also be submitted up to the time of the Public Hearing on Monday, December 28, 2015 and may also be delivered in person to the Planning Commission during the Public Hearing at 7 pm in the City Council Chambers, 155 NW 2nd Avenue.

Application: MLP 15-04 Pioneer Property

COMMENTS:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

YOUR NAME: _____

EMAIL: _____

ORGANIZATION or BUSINESS (if any): _____

ADDRESS: _____

PHONE # (optional): _____

DATE: _____

Thank you!

I DO HEREBY CERTIFY THAT THIS TRACING IS AN EXACT COPY OF THE ORIGINAL PARTITION PLAT.

CHRIS FISCHBORN P.L.S. 1944 — DATE 11-10-06

BURDEN NO. 3

A REPLAT OF LOTS 10 AND 11 OF "BURDEN NO. 2", LOCATED IN THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 34, T.3S., R.1E., W.M., IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON

SUBDIVISION NO. 4084

ZTec ENGINEERS INC.

3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97202
PH: (503) 235-8795 FAX: (503) 233-7889

JOB NO. M3351-4 DATE SURVEYED:

LEGEND

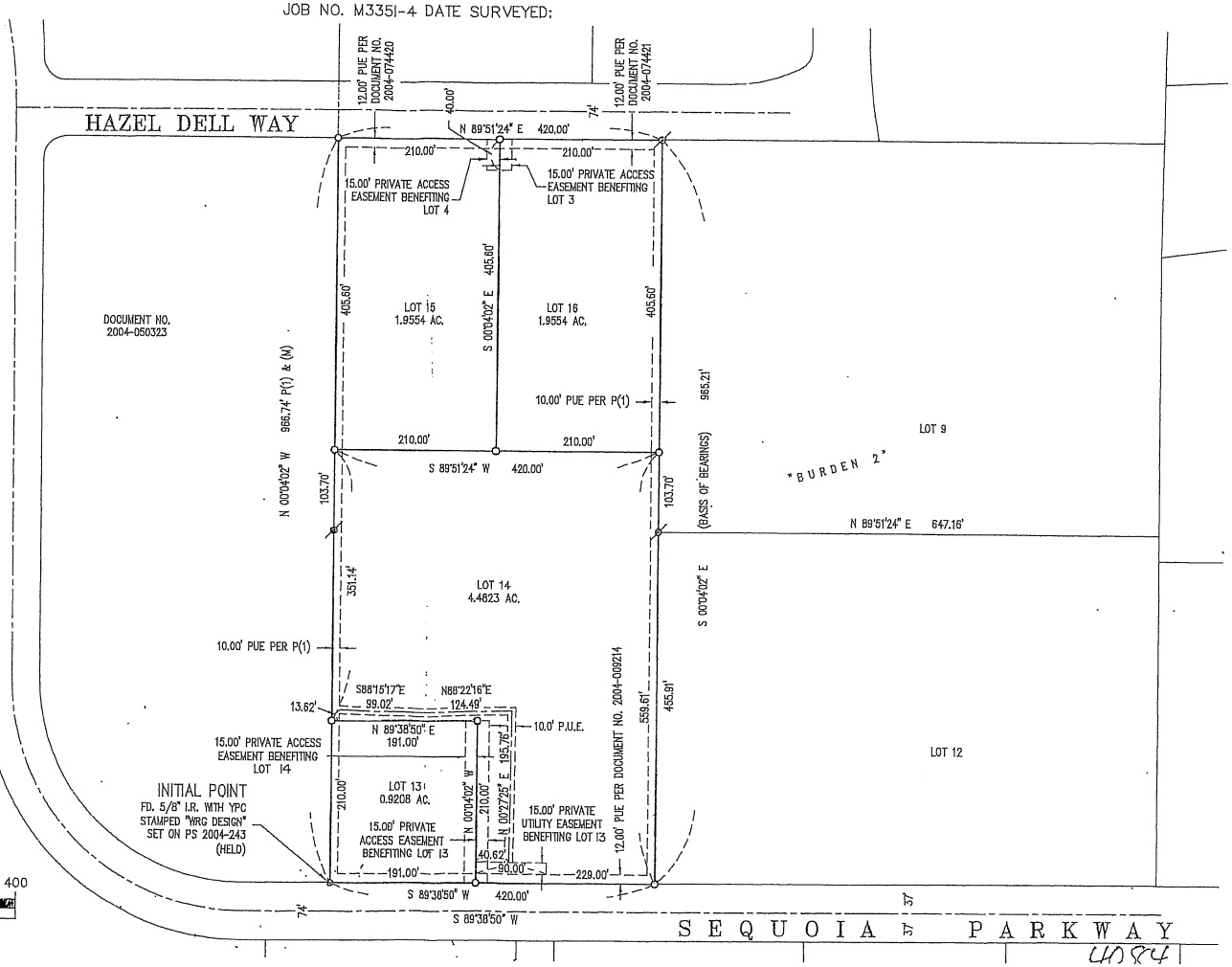
●	DENOTES MONUMENTS FOUND AS NOTED
⊀	DENOTES 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944", AND SET ON THE PLAT OF "BURDEN 2"
○	DENOTES 5/8"X30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "ZTEC ENGRS. LS 1944" AND SET ON
I.R.	DENOTES IRON ROD.
FD.	DENOTES FOUND.
(M)	DENOTES MEASURED.
SQ. FT.	DENOTES SQUARE FEET.
SN	DENOTES PRIVATE SURVEY CLACKAMAS COUNTY SURVEY RECORDS
SN(1)	DENOTES SN 2004-949
PUE	DENOTES PUBLIC UTILITY EASEMENT
P(1)	DENOTES PLAT OF "BURDEN 2", PLAT NO. 4004
AC.	DENOTES ACRES

NOTE:

1. THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL IMPOSED BY CITY OF CANBY PLANNING COMMISSION CASE FILE NO. SUB 06-03.
2. THE PUBLIC UTILITY EASEMENT ALONG THE COMMON LOT LINE BETWEEN LOTS 10 & 11, "BURDEN NO. 2" IS HEREBY REMOVED BY REPLAT.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 17, 1981
CHRIS FISCHBORN
1944
RENEWAL DATE: 1/1/2008

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 INCH = 100 FEET



4084

BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY

A REQUEST FOR A MINOR LAND PARTITION	)	**FINDINGS, CONCLUSION & FINAL ORDER**
	)	**MLP 15-03**
483 South Redwood Street	)	**Peter Hostetler**

NATURE OF THE APPLICATION

The Applicant has sought approval for a Minor Land Partition #MLP 15-03 creating 2 parcels containing approximately 1.2 acres and 0.8 acres each located at 483 South Redwood Street and described as Tax Map/Lot 31E34C 01810, Clackamas County, Oregon. The property is zoned Light Industrial ("M-1") under the Canby Municipal Code ("CMC").

An existing industrial building will remain on the proposed 1.2 acre parcel (Lot 1 on the site plan), and the proposed 0.8 acre parcel (Lot 2) will result in vacant land designated for developed at a later date. An existing driveway will continue to access the industrial building on proposed Lot 1, while an additional access will be created for Lot 2 when the parcel is developed in the future. Sidewalk and street improvements required under Section 16.10 are already in place at the site as a result of previous development. Any future access shall meet all applicable requirements.

HEARINGS

The Planning Commission considered application MLP 15-03 after the duly noticed hearing on December 14, 2015 during which the Planning Commission approved MLP 15-03. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not a Minor Land Partition 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 December 14, 2015 and presented at the December 14, 2015 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 Minor Partition 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 Minor Land Partition application meets all applicable approval criteria, and recommending that File #MLP 15-03 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 Minor Land Partition approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **MLP 15-03** is approved, subject to the following conditions:

CONDITIONS OF APPROVAL

Minor Partition Conditions Unique to This Request:

1. The applicant is responsible for determining if existing utility service to all existing structures will need to be relocated or protected by private easement as a result of this partition.
2. All work associated with the future paved driveway access or utility installations shall secure a street construction and street opening permit and comply with City current Public Works Design Standards.
3. Any utility easement to serve Parcel 1 and Parcel 2 shall be shown on the recorded partition plat.
4. The applicant shall pay the current city fee and provide a street tree plan per the Tree Regulation standards in Chapter 12.32. The plan is applicable to Parcel 1 and Parcel 2 and shall illustrate the requirement of one street tree every 30 feet along the street frontage or give reasons for possible exceptions. The plan shall indicate removal of any dead existing trees and how the plan meets other provisions of Chapter 12.32. The street tree fee shall be paid prior to the recordation of the partition plat.
5. A street tree easement 12 feet wide measured from the front property line shall be provided along the frontage of Parcel 1 and Parcel 2 to allow street tree(s) on private property to be planted. This easement shall be designated on the Partition Plat.

Final Partition Plat Conditions:

6. A final surveyed partition plat shall be prepared by a licensed surveyor for

recording the partition plat of record. Prior to recordation with Clackamas County, the plat shall be submitted to the city along with applicable fees for review by the city and other appropriate agencies. The final plat must be submitted to the city within one year of Planning Commission approval or the applicant must request, in writing, a one year extension from the Planning Commission. The applicant or county shall provide the city with a recorded copy of the plat in a timely manner.

Monumentation/Survey Accuracy Conditions

7. The county surveyor shall verify that the survey accuracy and monumentation requirements set forth in Oregon Revised Statutes and CMC 16.64.070(M) are met prior to the recordation of the final plat. Installation of the front lot monumentation (along and within street rights-of-way) and the replacement of any existing monuments destroyed during improvement installation shall be confirmed by the city engineer or county surveyor prior to the recordation of the partition plat.
8. Monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street centerlines as required by Oregon Revised Statutes Chapter 92. The city engineer or county surveyor shall verify compliance with this condition prior to the recordation of the final plat.

BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY

A REQUEST FOR A MINOR LAND PARTITION 175 and 185 Hazel Dell Way	)))	**FINDINGS, CONCLUSION & FINAL ORDER MLP 15-04 PIONEER PROPERTY, LLC**

NATURE OF THE APPLICATION

The Applicant has sought approval for Minor Land Partition Application #MLP 15-04 to create 3 parcels containing approximately 1.82 acres, 1.10 acres, and 1.0 acres each located at 175 and 185 Hazel Dell Way and described as Tax Map/Lot 31E34 04504 and 31E34 04503, Clackamas County, Oregon. The property is zoned Heavy Industrial ("M-2") under the Canby Municipal Code ("CMC").

An existing industrial paved storage area will remain on the proposed 1.82 acre parcel (Parcel 1 on the site plan), and the existing bus parking area will remain on the proposed 1.0 acre parcel (Parcel 2). Parcel 3 (1.10 acres) will result in vacant land designated for developed at a later date. An existing private easement will continue to access the parcels. Sidewalk and street improvements required under Section 16.10 are completed as a result of previous development.

HEARINGS

The Planning Commission considered application MLP 15-04 after the duly noticed hearing on December 28, 2015 during which the Planning Commission approved MLP 15-04. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not a Minor Land Partition 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 December 16, 2015 and presented at the December 28, 2015 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 Minor Partition 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 Minor Land Partition application meets all applicable approval criteria, and recommending that File #MLP 15-04 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 Minor Land Partition approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **MLP 15-04** is approved, subject to the following conditions:

CONDITIONS OF APPROVAL

Minor Partition Conditions Unique to This Request:

1. The applicant is responsible for determining if existing utility service to all existing structures will need to be relocated or protected by private easement as a result of this partition.
2. Any access or utility easement to serve the parcels shall be shown on the recorded partition plat.
3. The applicant shall record a Shared Maintenance Agreement for the 30 foot access easement on the properties.
4. A street tree easement 12 feet wide measured from the front property line shall be provided along the Hazel Dell Way street frontage and shall be designated on the Partition Plat, unless the applicant can establish that the existing trees are planted within the public right-of-way.

Final Partition Plat Conditions:

5. A final surveyed partition plat shall be prepared by a licensed surveyor for recording the partition plat of record. Prior to recordation with Clackamas County, the plat shall be submitted to the city along with applicable fees for review by the city and other appropriate agencies. The final plat must be submitted to the city within one year of Planning Commission approval or the applicant must request, in writing, a one year extension from the Planning

Commission. The applicant or county shall provide the city with a recorded copy of the plat in a timely manner.

Monumentation/Survey Accuracy Conditions

6. The county surveyor shall verify that the survey accuracy and monumentation requirements set forth in Oregon Revised Statutes and CMC 16.64.070(M) are met prior to the recordation of the final plat. Installation of the front lot monumentation (along and within street rights-of-way) and the replacement of any existing monuments destroyed during improvement installation shall be confirmed by the city engineer or county surveyor prior to the recordation of the partition plat.
7. Monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street centerlines as required by Oregon Revised Statutes Chapter 92. The city engineer or county surveyor shall verify compliance with this condition prior to the recordation of the final plat.