

**PLANNING COMMISSION
Meeting Agenda
Monday – July 9, 2012**

6:00 PM

City Council Chambers – 155 NW 2nd Avenue

Chair Dan Ewert – Vice-Chair Randy Tessman

Commissioners Sean Joyce, Charles Kocher, John Proctor, Misty Slagle and Tyler Smith

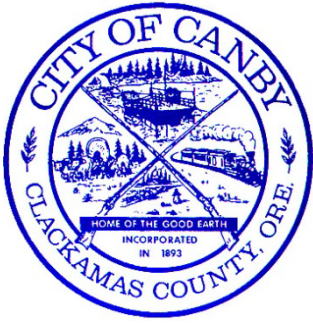
- 1. CALL TO ORDER**
- 2. CITIZEN INPUT ON NON-AGENDA ITEMS**
- 3. PUBLIC HEARINGS**
 - a. Consider a request from **Hope Village, Inc.** for approval to: (1) Annex 0.79 acres of land in two tax lots owned by Hope Village; (2) Amend the Comprehensive Plan Land Use Map from Residential-Commercial (RC) to High Density Residential (HDR) to accommodate planned senior housing; and (3) Change the zone district from Clackamas County Exclusive Farm Use (EFU) to City of Canby High Density Residential (R-2). **(ANN 12-01/CPA 12-01/ZC 12-01)** Staff: Bryan Brown, Planning Director
- 4. NEW BUSINESS - None**
- 5. FINAL DECISIONS - None**
- 6. MINUTES**
 - a. June 4, 2012 – Special Planning Commission Meeting Minutes
- 7. ITEMS OF INTEREST/REPORT FROM STAFF**
- 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.

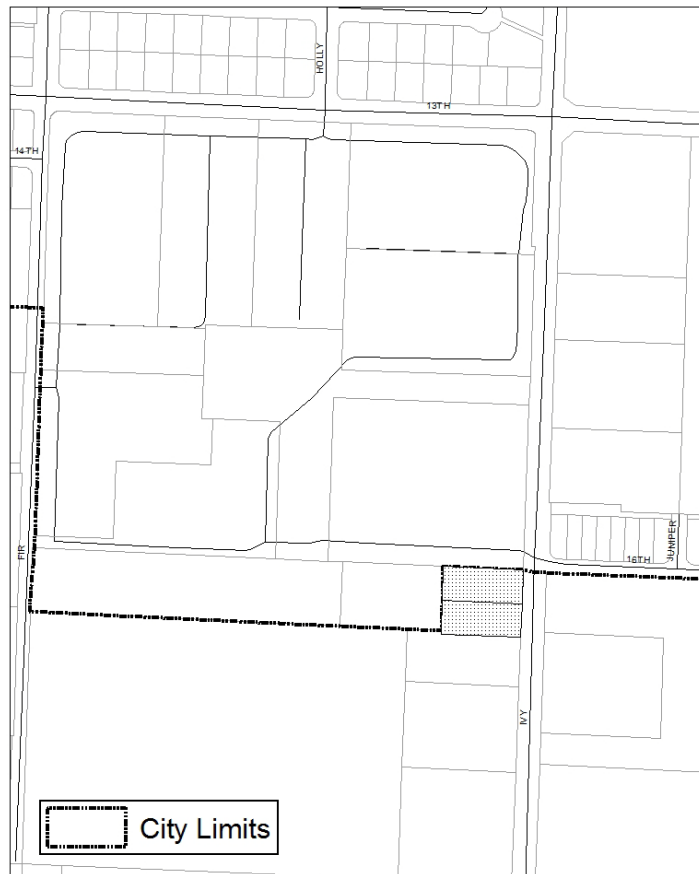
For a schedule of the playback times, please call 503-263-6287.



City of Canby

**STAFF REPORT TO THE
PLANNING COMMISSION
FILE #: ANN 12-01/CPA 12-01/ZC 12-01**

LOCATION: Adjacent and to the south of Hope Village fronting on S. Ivy Street (see map below)



PROPERTY SIZE: The site is approximately 0.79 acres

TAX LOT: Map 4S-1E-4D Lot #'s 1100 & 1101

COMPREHENSIVE PLAN DESIGNATION: Residential-Commercial (RC)

ZONING DESIGNATION: Clackamas County Exclusive Farm Use (EFU)

OWNER/APPLICANT: Hope Village, Inc.; Robert Price, Representative

DATE OF REPORT: June 15, 2012

DATE OF PUBLIC HEARING: June 25, 2012

I. PROJECT OVERVIEW & EXISTING CONDITIONS

The applicant is requesting to annex approximately 0.79 acres of property that was recently purchased by Hope Village with expansion of their senior housing campus in mind. They intend to combine this tract with their successful annexation last year of 4 acres contiguous to the west of this tract. The zoning needed to accommodate the density of development contemplated and to match that approved for the contiguous property in last year's annexation, calls for the assignment of High Density Residential (R-2) zoning. This zone change from the existing Exclusive Farm Use (EFU) county designation is not possible without also amending the City of Canby Comprehensive Land Use Plan Map from its current Residential-Commercial (R-C) designation to the High Density Residential (HDR) designation. The concurrent request for a Comprehensive Plan Amendment will allow the desired zoning map amendment that will allow designation of high density residential zoning to the property.

Hope Village intends to combine the previously annexed 4-acre tract with this 0.79 acre to develop senior housing at the required minimum of 14-units per acre or more with the requested zoning. No development proposal or site plan is submitted for review or approval at this time. Therefore, for purposes of analysis, only the effects of the annexation, comprehensive plan amendment and zone change should be considered with this application. A specific development proposal for this property will come later if this proposal is approved and recommended to be placed on the November 2012 ballot for voter approval.

II. ATTACHMENTS

- A.** Applicant Submitted Application containing:
 - a. Application forms - 3
 - b. Introduction
 - c. Introduction of the Site and Surrounding Area
 - d. Approval Criteria
 - e. Neighborhood meeting summary
 - f. Engineers Statement Regarding Adequacy of Infrastructure Services
 - g. Legal Description of Property, Tax Lot Maps
 - h. Conceptual Development Plan for Illustration Only
 - i. Council Approved Annexation Development Concept Plan Waiver – Applicant Letter Dated 11.20.2011 and Staff Report for 1.04.12 Council Mtg.
- B.** Staff's Annexation Land Supply Analysis (Utilized with This and Last Year's Request)
- C.** Traffic Impact Study contracted by applicant with the City's Consulting Traffic Engineer
- D.** Citizen Comments
- E.** Comprehensive Plan Land Use Map – Existing and Proposed
- F.** Zoning Map – Existing and Proposed

III. APPLICABLE REVIEW CRITERIA & FINDINGS

Major approval criteria used in evaluating this application include the following Chapters from the *City of Canby's Municipal Code including the Land Development and Planning Ordinance*(Title 16):

- 16.84 Annexations
- 16.88 Comprehensive Plan Amendments
- 16.54 Amendments to Zoning Map
- 16.89 Application and Review Procedures

Staff Report Approach: This staff report incorporates and references the findings within the applicant's narrative submittal to describe compliance with most applicable approval criteria. The applicant submitted a land supply analysis which was produced by staff in conjunction with their prior application made last year which was deemed to be equally applicable for this request.

Excerpts from the code are highlighted below in **gray**, with findings and discussion after the code citations within a red box. If not discussed below, other standards from the Code are either considered to be fully met by the applicant's submittal and findings and/or do not warrant discussion.

Chapter 16.84 Annexation Compliance

16.84.040.A.1.b. Annexation Development Map.

A. The following criteria shall apply to all annexation requests.

1. The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):

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. The terms of the Development Agreement may include, but are not limited to:

- 1. Timing of the submittal of an application for zoning***
- 2. Dedication of land for future public facilities including park and open space land***
- 3. Construction of public improvements***
- 4. Waiver of compensation claims***
- 5. Waiver of nexus or rough proportionality objections to future exactions***
- 6. Other commitments deemed valuable to the City of Canby***

For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.

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 Development Concept Plan shall address City of Canby infrastructure requirements including:

- 1. Water***
- 2. Sewer***
- 3. Storm water***
- 4. Access***
- 5. Internal Circulation***

6. Street Standards
7. Fire Department requirements
8. Parks and open space

For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification. (Ord 1294, 2008)

Findings: The 2 tax lots which are a part of this annexation do not lie within a defined Development Agreement Area so are exempt from those provisions so this criterion is not applicable. The subject property is within a Development Concept Area. However, CMC 16.84.090 Exceptions – allows the City Council to authorize an exception to any of the requirements of the annexation chapter. The applicant made a request to the Council to waive the requirement to submit and gain approval of a concept plan for the larger area containing this property and the City Council exempted the applicant from this requirement at its January 4, 2012 regular meeting. Therefore, this criterion has been exempted and is not applicable.

Criteria 16.84.040.A.2 Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning – low density residential, light industrial, etc.) Currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient.

Findings: A land needs analysis is required with all annexations to assess the current amount of developable land within the same class of that proposed. The applicant submitted an analysis performed by staff and utilized with their contiguous annexation application made last year. It has been determined that the same study is applicable to for this request. It demonstrates that there is less than a three-year supply of High Density Residential (R-2) zoned land. There is a High Density Residential (R-2) zone deficiency within the City Limits and a long-term High Density Residential (HDR) designation deficiency within the UGB. Therefore, the supply does not exceed a three-year supply so a “need” for high density residential land exists. A 3-year supply of HDR land at the estimated consumption rate is not available. Staff concurs and incorporates the applicant’s narrative as findings with the exception that the “Growth Priorities” map on page 32 of the Comp Plan is no longer applicable since the Land Development Code was amended to alter the annexation section eliminating priority areas in favor of the Concept Development Plan and/or Development Agreement areas.

Criteria 16.84.040.A.3 Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate

identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.

Findings: This staff report incorporates the relevant section of the applicant's narrative as findings. Future development is anticipated to develop the site at a density of 16 units per acre. This development will be residential, better matching the area than what would be possible under the existing RC Comp Plan designation. Potential traffic generation has been shown to likely be less than that allowed under the current designation. Staff does not foresee any significant impacts from the proposal or need to mitigate any concerns. This applicable criterion has or can be met at the time of development.

Criteria 16.84.040.A.4 Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities.

Findings: This staff report incorporates the relevant section of the applicant's narrative as findings. The applicant included a report by John Middleton, P.E. with ZTec Engineers to demonstrate that utility infrastructure will be available, with adequate capacity to serve the eventual planned development. Staff agrees that park and school facilities will not be significantly impacted if developed as senior housing. The chance this annexation will not develop as senior housing is insignificant. This applicable criterion has or can be met at the time of development.

Criteria 16.84.040.A.5 Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time.

Findings: Staff accepts the relevant section of the applicant's narrative as findings. The demand for senior housing expansion is evident from the applicant and for high density housing in Canby. Staff finds that the applicant narrative is sufficient and the applicable criteria are or can be met.

Criteria 16.84.040.A.6 Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand.

Findings: This staff report incorporates the relevant section of the applicant's narrative as findings. According to ZTec's report and utility provider statements, utility capacity is available, and no facilities need increasing as a result of this proposal. Staff finds that the applicant narrative is sufficient and this criterion is or can be met.

Criteria 16.84.040.A.7 Statement outlining method and source of financing required to provide additional facilities, if any.

Findings: This staff report incorporates the relevant Section of the applicant's narrative as findings. No financing is needed as Hope Village will pay for necessary costs of its own development, and normally associated adjacent street and sidewalk improvements and utility extension connections which are nearby.

Criteria 16.84.040.A.8 Statement indicating the type and nature of any comprehensive plan text or map amendments or zoning text or map amendments that may be required to complete the proposed development.

Findings: Staff finds a misstatement in the first sentence of the applicant's narrative. The correct response indicated elsewhere in the application is that a Comprehensive Plan Amendment is requested and needed with this application in order to amend the current RC land use designation to the HDR land use designation which would then align with the applicant's desired R-2 High Density Residential zoning assignment upon annexation. This zoning is more in keeping with the residential use planned and will allow the potential residential density that is likely to exceed that allowed by the current Comprehensive Plan land use designation. Staff accepts and incorporates the remaining relevant section of the applicant's narrative as findings. With this supplemental finding along with the applicant's finding the criteria is met.

Criteria 16.84.040.A.9 Compliance with other applicable city ordinances or policies.

Findings: Staff incorporates the relevant section of the applicant's narrative as applicable findings that would indicate compliance with all city ordinances and policies.

Criteria 16.84.040.A.10 Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222.

Findings: Staff incorporates the relevant section of the applicant's narrative as findings. The application complies with all applicable Oregon Revised Statutes. The applicable criteria can be met.

Chapter 16.88 Comprehensive Plan Amendment Analysis

16.88.180.C Comprehensive Plan Amendments *In judging whether or not a legislative plan amendment shall be approved, the Planning Commission and City Council shall consider:*

1. *The remainder of the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;*

Findings: Staff incorporates the relevant section of the applicant's narrative as sufficient findings to show this criterion has been met.

2. *A public need for the change;*

Findings: Staff incorporates the relevant section of the applicant's narrative as sufficient findings to show this criterion has been met.

3. *Whether the proposed change will serve the public need better than any other change which might be expected to be made;*

Findings: Staff incorporates the relevant section of the applicant's narrative as sufficient findings to show this criterion has been met.

4. *Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;*

Findings: Staff incorporates the relevant section of the applicant's narrative as sufficient findings to show this criterion has been met.

5. *Statewide planning goals.*

Findings: Staff incorporates the relevant section of the applicant's narrative as sufficient findings to show this criterion has been met.

Chapter 16.54 Amendments to the Zoning Map Analysis

The assignment of an appropriate zoning district is a part of any annexation application within the City of Canby. The approval criteria are similar to that for approval of an annexation.

16.54.040 Standards and criteria.

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

A. *The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development;*

Findings: Staff incorporates the relevant section of the applicant's narrative as sufficient findings to show this criterion has been met. We supplement the applicant's findings in relation to the applicability of Policy 6 of the Land Use Element of the Comprehensive Plan in regard to "Areas of Special Concern". This policy mentions the need for special access considerations and treatment for all property shown on the Land Use Map within the "Residential-Commercial" category having frontage on S. Ivy Street. Staff has determined this concern is not really applicable to this request since the Comp Plan designation is requested to be changed away from the RC designation and this particular property is not shown on the "Areas of Special Concern" map within the Comprehensive Plan. It is understood that direct access is not

B. *Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation. (Ord. 749 section 1(B), 1984; Ord.740 section 10.3.85(D), 1984)*

Findings: Staff incorporates the relevant section of the applicant's narrative as sufficient findings to show this criterion has been met. There will be necessary infrastructure improvements which will be applicable at the time of development of the annexed property. No special utility extension or capacity issues were noted in the report prepared by ZTec Engineers or from the

City Engineers review of this application. Additionally, the application was forwarded to all public facility and service providers for comment and to date no responses of any concern with future service provision have been noted. This criterion is judged to be satisfied.

16.08.150 Traffic Impact Study (TIS)

A. *Determination.* Based on information provided by the applicant about the proposed development, the city will determine when a TIS is required and will consider the following when making that determination.

1. Changes in land use designation, zoning designation, or development standard.
2. Changes in use or intensity of use.
3. Projected increase in trip generation.
4. Potential impacts to residential areas and local streets.
5. Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes and multimodal street improvements identified in the TSP.
6. Potential impacts to intersection level of service (LOS).

Findings: The Transportation Planning Rule within State Statute (OAR 660-12-0060-9) requires that there be a record of traffic generation findings which are consistent with the City's Transportation System Plan with any Comp Plan Map Amendment or Zoning Map Amendment. Therefore, staff required that a Traffic Impact Study be prepared for this application. The TIS is included as attachment C to this staff report. The findings of the TIS determined that the Comp Plan Amendment and zone change from the proposed annexation would not have any significant effect on the surrounding transportation network, and no mitigation measures would be required to satisfy TPR requirements. The P.M. peak hour trip potential under the reasonable worst-case development scenario would be less under the proposed HDR Comp Plan designation than the existing RC designation. The increase in traffic over the existing EFU zoning from one P.M. peak hour trip to 14 would not significantly affect the surrounding transportation system and the TSP anticipated and took into account a reasonable worst case traffic generation scenario greater than the HDR Comp Plan Amendment proposed. This review criterion is met.

Chapter 16.89.060 Process Compliance

16.89.060 Type IV Decision.

For certain applications, the City Council makes a final decision after a recommendation by the Planning Commission. These application types are referred to as Type IV decisions.

A. Pre-application conference. A pre-application conference may be required by the Planning Director for Type IV applications.

B. Neighborhood meetings. The applicant may be required to present their development proposal at a neighborhood meeting (see Section 16.89.070). Table 16.89.020 sets the minimum guidelines for neighborhood review but the Planning Director may require other applications to go through neighborhood review as well.

C. Application requirements. Type IV applications shall be made on forms provided by the Planning Director. The application shall be accompanied by all required information and fees.

D. Public notice and hearings. The public notice and hearings process for the Planning Commission's review of Type IV applications shall follow that for Type III applications, as provided in subsections 16.89.050.D and 16.89.050.E.

E. Decision process.

1. Approval or denial of a Type IV decision shall be based on the standards and criteria located in the code.

2. The hearings body shall issue a final written order containing findings and conclusions recommending that the City Council approve, approve with conditions, or deny the application.

3. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts.

4. In cases involving attorneys, the prevailing attorney shall prepare the findings, conclusions, and final order. Staff shall review and, if necessary, revise, these materials prior to submittal to the hearings body.

F. City Council proceedings:

1. Upon receipt of the record of the Planning Commission proceedings, and the recommendation of the Commission, the City Council shall conduct a review of that record and shall vote to approve, approve with conditions, or deny the recommendation of the Planning Commission.

2. The City Council may question those individuals who were a party to the public hearing conducted by the Planning Commission if the Commission's record appears to be lacking sufficient information to allow for a decision by the Council. The Council shall hear arguments based solely on the record of the Commission.

3. The City Council may choose to conduct public hearings on Comprehensive Plan amendments, amendments to the text of this title, zone map amendments, and annexations. If the Council elects to conduct such hearings, it may do so in joint session with the Planning Commission or after receiving the written record of the Commission. (Ord. 1080, 2001)

Findings: Annexations are processed as a Type IV "quasi-judicial" process which is considered through a public hearing with a recommendation made by the Planning Commission and decision by the City Council if they determine to set the request for a voter approval on the

November, 2012 general ballot. The notice requirements are the same as for Type III applications. Notice of this application and the Planning Commission and Council Hearing dates to be held was made to surrounding property owners on June 1, 2012, at least 20-days prior to the hearing. The applicant provided prior notification and held a neighborhood meeting on February 20, 2012 and provided a summary of that meeting as attachment A.e to this report. The site was posted with a Public Hearing Notice sign on June 15, 2012. A notice meeting ordinance requirements of the public hearings was published in the Canby Herald on June 20, 2012. The Planning Director waived the requirement for a pre-application meeting for this request. The Planning Commission submits a recommendation to the City Council for a decision to refer the annexation to the voters for a general election. These findings indicate that all processing requirements have been satisfied with this application.

Neighborhood Meeting Held.

The applicant held a neighborhood meeting on February 20, 2012 after sending a postcard to neighboring property owners and residents within a 500 foot radius of the property to be annexed. Questions that were raised appear to have been adequately addressed at that meeting.

Findings:The holding of the informative neighborhood meeting satisfies this applicable criterion.

Public Testimony Received

Notice of this application and opportunity to provide comment was mailed to owners of lots within 500 feet of the subject properties and to all applicable public agencies and City departments on June 1, 2012. As of the date of this Staff Report, the following comments were received by City of Canby from the following persons/agencies:

Agency/City Department Comments.


Comments were received from the following agencies/city departments:

- Hassan Ibrahim, City Engineers Office

June 1, 2012

MEMORANDUM

TO: Mr. Bryan Brown
City of Canby Planning Director

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

RE: **CITY OF CANBY
HOPE VILLAGE EXPANSION (ANN 12-01)**

We have the following comments and recommendations on the above mentioned annexation:

1. Half street improvements along the entire site frontage with S. Ivy Street will be required and constructed to City or Clackamas County Street Standards to include curbs, sidewalks, street lights, landscaping and utilities extended to the project boundary as necessary. The applicable standards will be as agreed upon by both municipalities.
2. Access spacing shall meet the City or Clackamas County Access Management Standards as determined.
3. All private storm drainage must be retained on-site to City Standards and in accordance with DEQ guidelines using acceptable disposal means.
4. Sanitary sewer service connection to this parcel is available at the intersection of S. Ivy Street and SE 16th Avenue.

We have no concerns about the proceedings with this project subject to the above stated comments.

General Public Input.

- Letter from Robert & Miriam Kinder in support of this application.
- Letter from Scott Gustafson in support of this application.
- Letter from Bob Kauffman in support of this application.
- Letter from Clayton & Jean Metzger in support of this application.
- Letter from Buzz Weygandt in support of this application.

Conclusion Regarding Consistency with the Standards of the Canby Municipal Code

Staff concludes, as detailed in the submittal from the applicant and as detailed herein this staff report, including all attachments hereto, that:

1. The application and proposed use is in conformance with applicable sections of the City's Comprehensive Plan and Land Development and Planning Ordinance when all of the conditions contained in this staff report are applied.
2. The requirement for submittal and approval of a Development Concept Plan in conjunction with this annexation request was provided an exception through a formal waiver by the City Council prior to the application being submitted.
3. The proposed annexation meets the approval criteria set forth in CMC 16.84.040.A.
4. The Comprehensive Plan Amendment meets the approval criteria set forth in CMC 16.88.180.C, making the requested change in the Land Use Plan Map designation from RC to HDR appropriate.
5. The zoning of the property, if annexed, should be R-2 pursuant to the approval criteria set

forth in CMC 16.54.040.

6. The proposed annexation's desired zoning district of R-2 is in conformance with the concurrent requested Comprehensive Plan Land Use Plan Map Amendment.
7. The application complies with all applicable Oregon Revised Statutes.
8. There are sufficient public and private utility and service capacity to serve the site at the minimum and anticipated development intensity.
9. The "County Maintained Roads within the City of Canby" map shows S. Ivy as a County Maintained Arterial Road which should currently stay under the County's jurisdiction and not be annexed at this time.
10. If in the unlikely event this property is developed as non-senior residential units as currently planned, there would be school enrollment impacts.
11. It has been determined there is currently less than a three-year supply of High Density Residential (R-2) zoned land within the City limits – a policy set by the Canby City Council to guide decisions on annexation requests. There is a High Density Residential (R-2) zone deficiency within the City Limits and a long-term High Density Residential (HDR) designation deficiency within the UGB. Therefore, the supply does not exceed a three-year supply and there is a "need" for high density residential zoned land at this time.

16.89 Recommendation

Based on the application submitted and the facts, findings and conclusions of this report, but without benefit of a public hearing, Staff recommends that the Planning Commission recommend to the City Council that:

1. ANN 12-01 be approved for submission to the electorate for a vote of the people;
2. That the accompanying Comprehensive Plan Amendment changing the Land Use Plan Map from the RC Residential Commercial designation to the HDR High Density Residential designation be approved; and,
3. Upon annexation, the zoning of the subject property be designated as R-2 High Density Residential.



City of Canby
 Planning Department
 170 N. 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
 Ph: 503-266-7001
 Fax: 503-266-1574

LAND USE APPLICATION:

ANNEXATION – Process Type IV

APPLICANT INFORMATION:

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

Applicant Name: Hope Village Inc. Daytime Phone: 503-266-9810
 Mailing Address: 1535 S. Ivy St. Fax Number: 503-263-7854
 City/State: Canby, OR Zip 97013 Email: craig@hopevillage.org

Representative Name: Robert Price Daytime Phone: 503-807-4009
 Mailing Address: 3935 NE 72nd Avenue Fax Number: 503-281-1447
 City/State: Portland, OR Zip 97213 Email: rprice5956@comcast.n

Property Owner Name: Hope Village Inc. Daytime Phone: 503-266-9810
 Signature: _____
 Mailing Address: 1535 S. Ivy St. Fax Number: 503-263-7854
 City/State: Canby, OR Zip 97013 Email: craig@hopevillage.org

Property Owner Name: N/A Daytime Phone: _____
 Signature: *[Handwritten Signature]*
 Mailing Address: _____ Fax Number: _____
 City/State: _____ Zip _____ Email: _____

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

- All property owners represent that 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.
- All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.84 Annexation 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 INFORMATION:

<u>1665 S. Ivy St.</u>	<u>0.79 acre</u>	<u>T4S, R1E, Section 4, TL 1100 and 1101</u>
(Street Address or Location of Subject Property)	(Total Size of Property)	(Assessor Tax Lot Numbers)
<u>Rural res. modular dwelling</u>	<u>EFU</u>	<u>Ag. Resource (ClackCo)</u>
(Existing Use, Structures, Other Improvements on Site)	(ClackCo) (Zoning)	(Comp Plan Designation)

PROPOSED PROJECT INFORMATION:

The site will be part of Hope Village's future growth. See attached narrative.

(Describe the Proposed Development or Use of Subject Property)

STAFF USE ONLY – DO NOT WRITE BELOW – STAFF USE ONLY				
<u>ANN 12-01</u>	<u>2.28.12</u>	<u>BCB/Costa</u>	<u>9272</u>	
<u>CPA 12-01</u>				
<u>ZC 12-01</u>				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

COMPREHENSIVE PLAN AMENDMENT APPLICATION

Fee \$3,220.00
Process Type IV

OWNERS

Name Hope Village Inc.
Address 1535 S. Ivy St.
City Canby State OR Zip 97013
Phone 503-266-9810 Fax 503-263-7854
E-mail craig@hopevillage.org

APPLICANT*

Name Robert Price
Address 3935 NE 72nd Avenue
City Portland State OR Zip 97213
Phone 503-807-4009 Fax 503-281-1447
E-mail rprice5956@comcast.net

Please indicate who is to receive correspondence (i.e. staff reports etc) and what format they are to be sent

<input checked="" type="checkbox"/>	Owner	<input checked="" type="checkbox"/>	Email	<input checked="" type="checkbox"/>	US Postal	<input type="checkbox"/>	Fax
<input checked="" type="checkbox"/>	Applicant	<input checked="" type="checkbox"/>	Email	<input checked="" type="checkbox"/>	US Postal	<input type="checkbox"/>	Fax

OWNER'S SIGNATURE



DESCRIPTION OF PROPERTY

Address 1665 S. Ivy St.

Tax Map: T4S, R1E, Section 4
0.79 ac.

Tax Lot(s) 1100 & 1101

Lot Size

(Acres/Sq.Ft.)

Existing Use Rural res.

Proposed Use senior housing

Existing Structures modular res. plus outbuildings

Zoning EFO (ClackCo)
(ClackCo)

Comprehensive Plan Designation Ag. Resource

Previous Land Use Action (if any) _____

FOR CITY USE ONLY	
File #:	<u>CPA 12-01</u>
Date Received:	<u>7.28.12</u> By: <u>BCB/CR</u>
Completeness:	
Pre-App Meeting:	
Hearing Date:	<u>6.25.12 PC + 7.18.12 CC</u>

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

**CITY OF CANBY
ZONE MAP CHANGE APPLICATION**

Fee \$2,640

OWNERS

APPLICANT**

Name Hope Village Inc.

Name Robert Price

Address 1535 S. Ivy St.

Address 3935 NE 72nd Avenue

City Canby State OR Zip 97013

City Portland State OR Zip 97213

Phone 503-266-9810 Fax 503-263-7854

Phone 503-807-4009 Fax 503-281-1447

E-mail craig@hopevillage.org

E-mail rprice5956@comcast.net

Please indicate who is to receive correspondence (i.e. staff reports etc) and what format they are to be sent

Owner Email US Postal Fax
 Applicant Email US Postal Fax

OWNER'S SIGNATURE _____



DESCRIPTION OF PROPERTY

Address 1665 S. Ivy St.

Tax Map T4S, R1E, Section 4

Tax Lot(s) 1100 & 1101

Lot Size 0.79 a
(Acres/Sq.Ft.)

Existing Use Rural res.

Proposed Use senior living

Existing Structures modular home and outbuildings

Zoning EFU (ClackCo)

Comprehensive Plan Designation Ag. Resource

Project Description Annexation, Comp Plan Amend (to High Den Res), and Zone Change (to R-2)

Previous Land Use Action (If any) _____

FOR CITY USE ONLY	
File #:	<u>2012-01</u>
Date Received:	<u>2.28.12</u> By: <u>BCB/CA</u>
Completeness:	
Pre-App Meeting:	
Hearing Date:	<u>6.25.12 GC & 7.18.12 CC</u>

****If the applicant is not the property owner, they must attach documentary evidence of their authority to act as agent in making this application.**

Introduction

Hope Village, Inc. ("Hope Village") has recently acquired a parcel of land that adjoins the existing Hope Village campus and the 4-acre parcel that was recently approved for annexation to the city by the Canby voters in November 2011. Because the timing of this current acquisition did not coincide with the process for applying to the city for annexation of the 4-acre parcel, Hope Village wishes to annex to the City of Canby this current site of 0.79 acre adjacent to the existing Hope Village campus in the southeasterly portion of the Canby urban area. The purpose of the annexation is to allow further expansion of the Hope Village campus to include an additional not less than 14 units per acre designed for senior adult living.

Hope Village is a retirement community that is well established in Canby and is a viable and active participant in the Canby community. The existing 33-acre campus is located at the southeast corner of 13th Avenue and Ivy Street and the southern boundary has been the Canby city limits. Hope Village is firmly established in Canby, and wishes to remain a part of the community for many, many years to come. And with the coming peak of the "baby boomer" generation where many more citizens will be coming of retirement age, the future for Hope Village is bright. However, in order for Hope Village to be a participant in providing additional retirement facilities for the coming wave of "boomers", some expansion will be necessary. Already filled to capacity and with a waiting list, Hope Village wishes to take this opportunity to expand further onto this adjacent site.

Hope Village recently succeeded in annexing a 4-acre site that is contiguous to the current parcel on the westerly side, as shown on the accompanying maps. That recent application was unanimously approved by both the Canby Planning Commission and the Canby City Council, and was placed on the November 2011 ballot for approval by the Canby voters.

Hope Village purchased this 0.79 acre site recently from the owners (Robert Pendell) with the idea of expansion. In actual fact, Hope Village has been investigating the opportunities for expansion for several years, and came to a successful agreement with the Pendells to acquire this final site in the east-west strip between Fir and Ivy Streets. The potential addition of 0.79 acre would provide for approximately 14 additional units would provide Hope Village with even more opportunities to serve a greater population of residents. To this end, this annexation is applied for.

As part of the annexation process, Hope Village must request a Comprehensive Plan Amendment to the Canby Comprehensive Plan to change the designation of the site to High Density Residential from the current Residential-Commercial designation. Although the site is within the Canby Urban Growth Boundary, Clackamas County's Comprehensive Plan has the subject site designated for Agricultural Resource.

In addition, an amendment to the city's zoning map is required. Because the site is currently zoned Exclusive Farm Use (EFU) in Clackamas County, it must be zoned differently once it is annexed. The city's designation on it's Comprehensive Plan is Residential-Commercial. This designation does not provide quite enough flexibility for higher density residential development for senior living. Thus, the High Density Residential designation is appropriate, necessitating a change to the zone that matches

this Comprehensive Plan designation. This would be the R-2 (High Density Residential) zone. Therefore, this application also requests a zone map amendment to R-2.

No other regulatory actions are requested, whether conditional use, variance, or other action. The development proposed by Hope Village can be accommodated in the subject site without any other regulatory actions. No specific site development plan is proposed at this time, simply because Hope Village has to be sure the site will be annexed by a vote of the citizens of Canby on the November 2012 ballot. Once the annexation is approved by the voters, and the Comprehensive Plan designation is set at High Density Residential, and the zoning is R-2 (High Density Residential), Hope village may then proceed with planning for the future development of the total 4.79 acre site.

Description of the Site and Surrounding Area

The 0.79 acre site is a rectangular piece of property, comprised of two tax lots, one 0.40 acre in size and the second is 0.39 acre in size. The legal description of the two parcels is Tax Lots 1100 and 1100, of Tax Map 4S-1E-4D. These two tax lots comprising the total 0.79 acre parcel are oriented in an east-west direction. See attached copy of the Assessor's map, surveyor's legal description and surveyor's map.

The site is adjacent to and abuts the Hope Village campus for approximately 234 feet at the southeasterly corner of the Hope Village campus. The entire 234 feet (+/-) makes up a portion of the southerly boundary of the Marquis Care site, which Hope Village owns but does not operate. Marquis Care operates the Assisted Living & Skilled Nursing and Rehabilitation facilities on the Hope Village campus. The subject parcel is approximately 165 feet in uniform width (see map).

The site is basically flat and level, and is currently occupied by one manufactured residential structure, a detached shop building, and one or more worn out storage structures. The residence is currently vacant of owner-occupants or renters. The site is served by an onsite subsurface septic system and a well.

The site is similar in character to most of the surrounding area in the southwesterly 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 south near the Molalla River. Development is limited in this area, with Hope Village being the greatest level of urban development. The area is served by Fir and Ivy Streets, both of which are north-south streets. The most significant east-west street is 13th. However, the city's Comprehensive Plan identifies another future east-west street at approximately equivalent to 17th that will connect Fir and Ivy. The location of this extension of 17th is not part of Hope Village's site.

The area south of Hope Village is outside the city's corporate limits, but within the Urban Growth Boundary (UGB) south to the crest of the bluff overlooking the Molalla River. Land south of Hope Village, including the proposed annexation site, is zoned Exclusive Farm Use (EFU) by Clackamas County.

There continues to be considerable farming activity in the immediate vicinity, and most is outside the city limits. Urban development is gradually increasing in this neighborhood area, while there are several farm and non-farm related dwellings on various properties in this local area. It appears that most urban infrastructure has been extended south in this area to be very near most properties that may wish to be annexed. As such, local services and facilities should not be a problem for the proposed annexation, or for other smaller scale annexations in the future.

Current access to Hope Village is via Ivy Street on the easterly side of the campus. Access to the 0.79 acre site is currently via two driveways on Ivy Street. This additional 0.79 acre site will be combined with the recent four acre site approved for annexation, and it is likely that the entire 4.79 acre site will be developed as a unit by Hope Village. At this time, it is not possible to determine if access directly onto Ivy Street will continue. That decision will be made as part of the future site development process. All streets within the Hope Village campus are private streets, not under the jurisdiction of the City

of Canby. Fire access will remain as it is at the present time, via Ivy Street with individual access via the internal private streets.

Approval Criteria

There are a number of approval criteria contained in the Canby Municipal Code that must be addressed as part of the application for annexation. As part of the annexation process, an amendment to the Canby Comprehensive Plan is required to provide a designation to the properties to be annexed, which were previously (prior to annexation) designated "Agricultural Resource" by Clackamas County. In addition, a zone change must also be requested concurrently with the annexation. The bulk of the criteria are contained in CMC 16.84 Annexations and CMC 16.54 Amendments to Zoning Map, although there are other criteria to address including Policy 6, and others, of the Canby Comprehensive Plan; any criteria and/or requirements contained in the Urban Growth Management Agreement with Clackamas County; and State Statutes, ORS 195.065 and 222. Finally, we have addressed CMC 16.20, High Density Residential Zone because the R-2 zone is what Hope Village requests as part of the zone map amendment process.

CMC 16.84, Annexations

The specific criteria under which the City will consider the annexation request are contained in CMC 16.84.040 Standards and criteria. These criteria are addressed as follows:

- A.** The following criteria shall apply to all annexation requests.
- 1.** *The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):*
 - 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.*

Finding: Because the subject 0.79 acre site is not within a designated Development Area on the City's Annexation Development Map, this particular criterion is not applicable to the proposed annexation by Hope Village.
 - 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.*

Finding: The subject 0.79 acre site is located within the Southwest Canby DCP Area and would be subject to the requirements of a Development Concept Plan. However, as part of this current annexation application, Hope Village has requested that the Canby City Council exempt Hope Village's proposed 0.79 acre annexation from the DCP. After due consideration of the facts and the issues, on January 4, 2012 the Canby City Council voted unanimously to exempt Hope Village's proposed 0.79 acre annexation from the requirement for preparation of a DCP. Therefore, this criterion will not be applicable to the proposed annexation by Hope Village.
 - 2.** *Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning – low density residential, light industrial, etc.) currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the*

city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient;

Finding: The applicant has reviewed available data and determined that the City currently is deficient in its supply of high density residential land within the City limits due to the influx of new housing starts that have occurred over the last 10 to 15 years.

Data on buildable lands includes the City Comprehensive Plan updated in 2007, a 1999 Land Needs Study prepared by OTAK Inc. and a School District Enrollment forecast prepared by Portland State University Population Research Center dated February 2009, and recent analysis by city staff for the previous four acre annexation request by Hope Village. Although the Comprehensive Plan was updated in 2007, the populations and buildable lands component of the plan were not updated and the data dates back to 1980. The 1999 Buildable Lands Analysis is now over 10 years old. Therefore the most useful data includes the 2009 PSU School District Enrollment Study as well as available GIS information, and the city staff's analysis of Hope Village's previous annexation application of earlier in 2011 for the 4.0 acre Scott parcel.

The criterion calls for two parts: 1) to identify buildable lands within the City, and 2) Identify the rate of development of those lands. The analysis completed by city staff for the 4-acre annexation is reflected in the Staff Report on pages 8 through 15, inclusive. Those pages have been appended to this application narrative.

The result of that analysis is that there is less than a three-year supply of High Density Residential (R-2) land within the city's buildable and developable inventory. The City Council has determined that such deficiency can be addressed through annexation of lands that are appropriate to be zoned R-2, as is the case for this 0.79 acre site. Adding 0.79 acre to the numbers provided by the staff analysis would result in a continuing deficiency of R-2 lands, improved only by adding this small 0.79 acre parcel.

If the city maintains 3,428 total acres within its city limits and its UGB, the 47.53 acres of High Density Residential land (including the recently approved 4-acre parcel) represents 1.4% of the total land area. The subject site, at 0.79 acre, represents 0.023% of the total. This is an extremely small percentage, and overall amount of land to be annexing to the city and developing as originally envisioned when the High Density Residential designation was applied.

According to the "Growth Priorities" map on page 32 of the Plan, the subject site is within *Priority Area "A"*, which is seen as the area where growth will take place initially. The annexation of the subject site certainly falls within the first priority to preserve and protect agricultural land and to provide area efficiently for urbanizable land, fulfilling this element of the Plan. This conversion of land from rural (agricultural) to urban (residential, senior living) is an orderly means of development in Canby.

While the Comprehensive Plan suggests a growth in the city to a population of approximately 20,000 by the year 2000, the current economic downturn has derailed that expectation. Nevertheless, it is important that Canby continue its

growth in a means other than the red-hot single family process that occurred in the first half of the first decade of the new millennium. The annexation and development of the site for senior living as part of an expansion of Hope Village will help the city to grow, but in a different manner than in the recent years.

With development of approximately 11 units on 0.79 acre at a density of 14 units per acre, a growth of approximately 17 persons based on a conservative household size of 1.5 persons. This growth will benefit the city because of the economic support that senior citizens will provide to the community. It is likely, however, that this level of growth may be higher than what will occur in the single family residential zones.

According to the staff analysis, the City of Canby has 47.53 acres of developable high density land within its total UGB. Adding 0.79 acre to this overall total will result in a new total of 48.32 acres of land for high density residential use. The calculated deficiency of High Density Residential designated land is now 52.2 acres (after deducting the 4-acre site recently approved for annexation). With the addition of this 0.79 acre site, the deficiency will still be 51.41 acres. As such, the addition of this 0.79 site will do little to significantly improve the city's position relative to the deficiency of high density residential lands. Nevertheless, it is an improvement that will serve a significant purpose for the provision of senior housing at Hope Village.

The first two Goals of the *Urban Growth Element* identify the need to preserve and protect agricultural lands that are outside the city's UGB. Because the subject site is within the UGB, and is directly contiguous to the existing city limits, the annexation of the subject site is a natural step in the development of Canby. In addition, the site is to be part of Hope Village, and cannot be developed by Hope Village in any other alternative location. But because the proposed development is on land that would eventually be annexed, its use as agricultural land is limited in scope and time frame. Further, this 0.79 acre site is not in agricultural use, but rather, is in rural residential use by virtue of the existence of a single family dwelling on the site.

While particular attention is paid to Policy No. 6 of the Land Use Element through this review process, other Policies are also just as important. The first Policy, "*Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses while grouping compatible uses*", serves to describe perfectly the proposed annexation and development of the subject four acre site. The specific development of senior housing as an expansion of Hope Village could occur practically no where else in Canby. Grouping compatible uses is exactly what Hope Village is proposing. The annexation is supported by **Implementation Measure H** which states, "*Continue to work towards a gradual increase in the density and intensity of development allowed within the City, discouraging wasteful development practices and designs.*" Fulfillment of this Policy and Implementation Measures is the goal of Hope Village's expansion plans.

Policy No. 2 states "*Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.*", and **Implementation Measures A and C** support that proposed annexation and

subsequent development, seeking to increase the range of housing opportunities and diversity of housing types, as well as allowing the use of density bonuses (such as the senior living bonus) as a means of encouraging development.

Policy No. 3 states "*Canby shall discourage any development which will result in overburdening any of the community's public facilities and services.*" Information is available, and an engineer's report indicates that adequate infrastructure is available to allow development of the subject site as proposed by Hope Village. Therefore, the proposed annexation and subsequent development is in compliance with this Policy and its implementation measures.

Policy No. 4 states "*Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.*" The subject site is not within any area identified as a natural hazard area, and is no less developable than any other similar site that is not within a natural hazard area, regardless of location within the city. Because this site does not have an "H" overlay on it, this Policy is not specifically applicable to this site.

Finally, Policy No. 5 states "*Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.*" The High Density Residential Comprehensive Plan designation, and the commensurate R-2 zoning, allow for annexation and development in keeping with the city's Comprehensive Plan, with no further changes, variances, revisions or etc.

Because the subject site fronts on and has direct driveway access to Ivy Street, it may be likely that any development by Hope Village may continue to use Ivy Street as a point of access. However, it is also likely that the subject site will be integrated into the existing Hope Village Development, as well as any proposed development of the recently approved 4-acre annexation site directly adjacent to the west. However, traffic concerns may be allayed when a traffic analysis should indicate that the developed site will have a minimal impact on Ivy Street.

With regard to the "loss" of 0.79 acre of land designated "Residential Commercial" on the Canby Comprehensive Plan, the amount of land is so small in the overall context of the types of land designated on the Canby Comprehensive Plan that the "loss" of such land will not have a significant impact on the balance of land use types in the Canby Comprehensive Plan. The calculations of the "loss" of 0.79 acre of "Residential Commercial" land would result in a conclusion that there may continue to be enough "Residential Commercial" land in the Canby Comprehensive Plan.

In addition, because most land designated "Residential Commercial" and zoned C-R (Commercial Residential) has been developed for residential purposes, the true value of the C-R zoning may be somewhat diluted. While this type of development is consistent with the intent and purpose of the C-R zone, it inhibits potential development of small scale neighborhood commercial development. As such, the overall usefulness of the C-R zone in this location may be questioned.

Finally, the location of the lands designated "Residential Commercial" along Ivy Street may not be the best possible location for local neighborhood commercial development. This site, plus two additional properties directly adjacent to the

south, comprise the entire "Residential Commercial" designated lands (and to be zoned C-R) in this immediate vicinity. Discussions with Clackamas County staff indicate a significant concern for site generated traffic should this small area be developed for local neighborhood commercial use under the C-R zoning. On the other hand, high density residential development of the 0.79 acre site as part of a larger overall master plan for Hope Village will provide opportunities to mitigate any potential impacts from site generated traffic.

3. *Statement of potential physical, aesthetic, and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.*

Finding: The R-2 district was formulated to promote and allow high density residential development at a density of not less than 14 units per acre. The 0.79 acre site would allow a minimum of 11 units, but may likely provide a somewhat greater density, perhaps up to 16 units based on a site master plan prepared by Hope Village for the entire 4.79 acre area.

Because this site is currently developed for single family rural residential use, the physical impacts of development could be somewhat significant for this local neighborhood area, given the fact that there will be a more intensive scale of high density residential development in the immediate area. Virtually all development in this neighborhood area is residential development, largely dominated by the existing Hope Village senior living development, at 33 acres in size for the developed campus, and not including the recently annexed 4.0 acres.

Considering that Hope Village proposes to develop the site with not less than 14 units per acre, in keeping with the established character of the current Hope Village, residential development would appear to have less impact on the local neighborhood. Additional development similar to the existing Hope Village character would definitely "fit in" with the character of the area to the extent that mitigation would not be necessary. Assuming that the expansion area would be required to do site landscaping, its aesthetic value as a senior housing community would be a "plus" to any neighborhood. Any expansion of Hope Village would likely hardly be noticeable once construction is completed and the units are occupied.

From the aesthetic perspective, residential development as proposed by Hope Village would have the least amount of impact because the design of the units, the materials used, the colors used, and the patterns of development would certainly be the least intrusive and most compatible. They would virtually match the existing Hope Village development and would require no mitigation. Even single family detached dwelling development would have more aesthetic impact because it is not of the same character as the adjacent existing Hope Village development, with a lower density.

There are social differences between urban residential development, and between types of residential development. Residential development usually tends to have fewer peaks and valleys, and continues to have that "in use" appearance. The proposed development of senior housing by Hope Village will

result in perhaps the most continuous “in use” appearance, because seniors move around somewhat less and stay closer to home. Thus the community’s residents become better acquainted with each other, resulting in a more closely knit neighborhood with greater social connections. While this closer connection occurs with single family dwellings, it tends to be invisible with commercial development where people focus on the commercial area simply for jobs and business, leaving out most social aspects of development.

Overall, residential development, and particularly the type proposed by Hope Village for this site, will have more significant positive impacts on the local neighborhood from the physical, aesthetic, and social perspectives. These positive impacts also require fewer mitigation measures, and measures that are less measurable.

4. *Statement of availability, capacity and status of existing water, sewer, drainage, transportation, and school facilities.*

Finding: For analysis of water, sanitary sewer, storm water management, local surface water drainage, and other necessary utilities, please see the attached report by John Middleton, P.E. of ZTec Engineers. Mr. Middleton has worked closely with city staff and outside utility providers to establish the response to this criterion. This document indicates that future expansion of infrastructure and utilities will not be inhibited by the proposed annexation and subsequent development.

With regard to park and school facilities, the proposed annexation is not of sufficient size to create significant additional demand for local park facilities, regardless of whether the site were to be developed for commercial use or residential use. While some open space and/or small “vest pocket” park development would be possible with commercial development, any such open space and/or park development would be relatively very small scale and would add relatively little to the local neighborhood. The final site plan will provide landscaped areas between and around the new buildings, for the benefit of all. However, it must be kept in mind that the site, at 0.79 acre, is small enough that a park feature is not likely to be possible when considering higher density residential development.

For this area of southwest Canby, creation of additional open space and/or parks will likely be a consideration as future development takes place on a larger scale. The opportunity for additional open space and/or park development will present itself when a full scale DCP is prepared for this area and additional larger areas of land are annexed into the city.

With regard to schools, the development proposed by Hope Village for senior housing will have no adverse impact on schools, primarily because senior communities add zero (0) students to the existing student population, thus creating no pressure on existing school facilities. Further, taxes paid by the residents of Hope Village help with school funding. And finally, seniors are often good partners with the schools when it comes to tutoring, reading, and other useful activities, especially for the younger aged students. There really is no downside to having senior housing in Canby.

Single family housing, on the other hand, puts significant pressures on the local schools. While single family dwellings pay property taxes to help support schools, they usually house the students who require these schools. Multifamily housing, because of its density of development, provides more students to the system than any other form of housing. Again, senior housing provides no students to the system.

5. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;

Finding: If referring to a specific use as proposed for the subject site, should annexation take place, the proposed Hope Village expansion will take place on this site. There will be not less than approximately 11 new units for seniors, in keeping with the existing Hope Village facilities. These additional units are needed already, as Hope Village has maintained a continuous waiting list for those who seek senior housing in a community setting. Because the previously annexed four acre site and this 0.79 acre site are contiguous and will be developed as a unit, there is the possibility that the 0.79 acre site will have more than 11 units. A site master plan will be prepared in the future by Hope Village, showing how the total 4.79 acre growth area will be developed in a single process.

As the "baby boomers" come of retirement age, senior living has virtually become a whole new way of life. Continuing Care Retirement Communities (CCRC) provide care in many ways and CCRC's are springing up in many locations. While Hope Village, Summerfield in Tigard, Summerplace in east Portland, Laurel Parc in the Bethany area of Washington County, plus King City and Charbonneau to name a few, all provide for senior living, but they do it in a variety of ways. Hope Village is not a CCRC, but plans to do it "their way", following a successful formula that has worked for many years. As we know, a certain "aging of America" is well underway, and the need for senior housing becomes more acute. The demand for senior housing is greater than the supply. While approximately 11 additional units will not solve any significant problems with regard to senior housing, the added units will help Hope Village and will add even more to the City of Canby.

There is less need for new single family dwellings at the present time, given the current economic situation and the lack of construction that is happening. Generally speaking, this also applies to multifamily housing and certainly for commercial office space. In Canby, at the present time, there is little to no demand for new single family housing. However, some multifamily projects continue in spite of the economy, but there are few of those projects under construction, especially in Canby.

We believe the best project for this site is for senior living as an expansion of Hope Village. Once annexation is completed Hope Village will continue forth with plans for this new senior housing units.

6. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;

Finding: Indications thus far are that the proposed annexation and development as visualized by Hope Village would not require increased demand for any facilities, services, or utilities. The site could be developed by Hope Village without any changes to the city systems.

7. *Statement outlining the method and source of financing required to provide additional facilities, if any:*

Finding: Hope Village will pay the necessary costs of its own development. Beyond that position, and because no additional facilities will be required as a result of the development proposed by Hope Village on the subject site, this requirement will be satisfied.

8. *Statement indicating the type and nature of any comprehensive plan text or map amendments or zoning text or map amendments that may be required to complete the proposed development;*

Finding: No comprehensive plan text or map amendment is being requested. In conjunction with the request for annexation to the City, Hope Village is requesting a zone map amendment to rezone this property upon annexation and provide the site with the proper zone, which would be R-2, High Density Residential (Section 16.20). This is the zone identified by the Comprehensive Plan as being the appropriate zone for this site. This R-2 zoning would be compatible with the R-2 zoning on the recently annexed 4.0 acre site directly adjacent to the west. The existing zone, Exclusive Farm Use (EFU) in Clackamas County, would become R-2 upon annexation to Canby based on Hope Village's application.. All of Hope Village's planning has been based on the R-2, High Density Residential zone being applied to the site upon annexation. Hope Village is very agreeable to having the R-2 zone applied to its site. The application for this zone map amendment accompanies the application for annexation in order that both be acted upon in due process.

9. *Compliance with other applicable city ordinances or policies;*

Finding: Other official documents that are applicable to the requested annexation include Policy #6 of the of the land use element of the Comprehensive Plan; two state statutes (ORS 195.065 and ORS 222); and the Urban Growth Management Agreement (UGMA) between Clackamas County and the City of Canby. These documents are addressed in other parts of this application narrative.

10. *Compliance of the application with the applicable sections of Oregon Revised Statutes, Chapter 222.*

Finding: Compliance with ORS222 is addressed in another section of this application narrative.

There are no additional criteria in this section of the Canby Code that are applicable to the annexation application.

CMC 16.88, Comprehensive Plan Amendments

Chapter 16.88 of the Canby Municipal Code (CMC) relates to Comprehensive Plan Amendments. Because an amendment to the adopted Canby Comprehensive Plan will be required to achieve the High Density Residential designation instead of Residential-

Commercial, the criteria contained in this chapter must be addressed. The criteria are contained in CMC 16.88.180, Comprehensive Plan Amendments.

C. Legislative Plan Amendment Standards and Criteria. In judging whether or not a legislative plan amendment shall be approved, the Planning Commission and City Council shall consider:

1. *The remainder of the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;*

Finding: The Comprehensive Plan Amendment is proposing a designation of High Density Residential in place of Residential-Commercial on two tax lots totaling 0.79 acre. No other changes, other than the corresponding zone change, are being proposed to any other documents, plans, policies, etc. of any other jurisdiction than the City of Canby. This includes Clackamas County, State of Oregon, and any other special, service, or utility district. In the greater context of the proposed annexation, Comprehensive Plan Amendment, or zone change, and the future plans of Hope Village, this proposed amendment from Residential-Commercial to High Density Residential will be relatively insignificant which will have no adverse impacts. Because the site has long since been included in the Canby Urban Growth Boundary, the proposed annexation plus the Comprehensive Plan Amendment and zone change, the ultimate development of the 0.79 acre site has been anticipated. The annexation, and the future development of the subject site with the Comprehensive Plan designation of High Density Residential will only be an advantage and asset to the City of Canby.

2. *A public need for the change;*

Finding: The public need for such change has been fully discussed and supported in the text of this narrative, plus the **ANNEXATION ANALYSIS** prepared by city staff as part of the Staff Report, on pages 8-15. No further justification of the public need is necessary.

3. *Whether the proposed change will serve the public need better than any other change which might be expected to be made;*

Finding: Considering that the entire purpose of the annexation, Comprehensive Plan Amendment, and zone change is to position the property to allow Hope Village to expand its campus and offerings for senior living, there is no other feasible and practical location for this proposed land use action. At 33 acres, the Hope Village campus is built out and the only way to expand the campus and Hope Village's offerings in senior living is to look outside at adjacent properties. After review, the only real direction for Hope Village's expansion is to the south. With the four acre site acquired from the Scott family, the "strip connection" between Fir and Ivy Streets can be completed only by acquiring the 0.79 acre subject site from the Pendells and including it as the final piece in Hope Village's expanded campus. The annexation of the 0.79 acre site, plus the Comprehensive Plan Amendment and the zone change, will fill in the strip connection. In fact, no other piece of property in the entire world will be suitable for the intended purpose.

4. *Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;*

Finding: In the public hearings for the four acre annexation that took place in 2011, it was recognized by the city's decision makers that Hope Village is a significant asset to the City of Canby. In explaining Hope Village's future goals for growth, both the Canby Planning Commission and Canby City Council supported the future goals of Hope Village to provide more senior living opportunities, specifically, by expanding on the four acres that were to be annexed. The same should apply to the 0.79 acre Pendell site, which will assist Hope Village in achieving its goals. Future growth by Hope Village onto the total 4.79 acre expansion area will help to preserve and protect the overall health, safety and general welfare of the entire City of Canby, as well as the current and future residents of Hope Village.

5. Statewide Planning Goals.

Finding: The proposed annexation, Comprehensive Plan Amendment, and zone change will go through the full public process, satisfying Goal 2. Because the site is within the Canby Urban Growth Boundary, the regulatory process will not be approving the loss of farm and/or timber land under Goals 3 and 4. There is no identified Goal 5 natural resource on the site, and the site will not have any adverse impacts on Goal 6 air, water and land resources. The site is subject to the same Goal 7 natural hazards as the balance of the Canby urban area. The site is not now nor ever has been, and will not be in the future, a designated Goal 8 recreational site. Development of the subject site, as part of a larger 4.79 acre annexation and future growth area for Hope Village will provide an additional economic boost to the Canby area, through construction jobs and possible additional employment at Hope Village to manage the new senior living units. Further, the additional residents of Hope Village will contribute to the local and regional economy as new residents of Canby, thus satisfying Goal 9. The proposed growth of Hope Village will provide additional senior living opportunities in support of Goal 10. Senior housing is becoming a major element of housing as the "boomers" enter retirement and seek other living arrangements. The proposed growth by Hope Village onto the 4.79 acre area will result in a "unit plan" for the entire site, not just for the 0.79 acre parcel. Allowable development will utilize existing local services and facilities, and will be within the capacities of the existing systems, satisfying Goal 11. A traffic study for the proposed annexation should result in a finding that there will be no adverse impact as a result of senior housing being developed on the subject site, thus satisfying Goal 12. All new development will achieve the requirements of energy conservation in effect at the time of development, in keeping with Goal 13. Because the site is not within the Willamette River Greenway, Goal 14 will not apply. Similarly, because the site and the City of Canby is not within the coastal zone, Goals 15-19 will not apply.

With regard to the Statewide Planning Goals, the bottom line is that the proposed Comprehensive Plan Amendment from Residential-Commercial to High Density Residential will not cause the Canby Comprehensive Plan to fall out of compliance with the Statewide Planning Goals. Because the Residential-Commercial designation allows residential development at nearly the same densities as the High Density Residential designation, the impacts will be approximately the same with regard to the individual Statewide Planning Goals.

CMC 16.54, Amendments to the Zoning Map

As part of the overall process, the zone must be changed on the site once the annexation and Comprehensive Plan Amendment are completed. This would be the final step in the process. Chapter 16.54, Amendments to the Zoning Map, contain the criteria for review and the process that is to be followed for the zone change. Section 16.54.040, Standards and Criteria, contain two (2) specific criteria that must be addressed and satisfied in order for the requested zone change to be approved. In this case, the zone change will be from Exclusive Farm Use (EFU) in Clackamas County to High Density Residential (R-2) in Canby. The zone that might have been applied to the site, Commercial-Residential (C-R), will not be applied because the process goes directly from annexation to the final designation on the Comprehensive Plan of High Density Residential as part of this application package. The proposed zone under the Residential-Commercial Plan designation will not be applied because the Plan designation will be changed before any zone designation is applied. Therefore, the process will skip the C-R zoning designation on the site in favor of the R-2 zoning designation.

As part of the annexation of any land area to the City of Canby, an Amendment to the Zoning Map of the City of Canby is required in order to delete the existing zoning applied by Clackamas County and to apply the zoning as designated by the city's Comprehensive Plan, or other zone as requested. Currently, the zoning of the 0.79 acre site is Exclusive Farm Use (EFU) by Clackamas County. However, the site will be designated High Density Residential by the city's Comprehensive Plan once the application is approved. The corresponding zone district is R-2, High Density Residential.

The proposed development plan by Hope Village for the subject 0.79 site will be not less than 14 units per acre, or approximately 11 senior housing units based strictly on size. This allowance for senior housing is provided as a permitted use by the R-2 zone at the density required by Hope Village. As such application for an Amendment to the Zoning Map for the planned R-2 zone suits Hope Village just fine. No other variances, conditional uses, or other dispensations for the provisions of the Canby Municipal Code are necessary for Hope Village to accomplish its stated goal for this site. Assuming R-2 zoning is applied to the subject site, multiple family residential and senior housing uses are permitted as they are permitted outright in the R-2 zone which is the basis for residential development.

16.54.010, Authorization to initiate amendments

Finding: In this case, the application is initiated and submitted by the property owner, Hope Village, Inc. After the application has been deemed complete, it will be scheduled for a public hearing before the Canby Planning Commission. Therefore, this criterion will be fulfilled.

16.54.020, Application and fee

Finding: The application for an amendment to the zoning map to apply the designated R-2 zone is submitted to the City along with the required fee of \$2,640. The city will follow the procedures set forth in CMC 16.89. Therefore, this criterion is satisfied.

16.54.030, Public hearing on amendment

Finding: The Planning Commission will schedule a public hearing once the application is deemed complete. Following the Planning Commission's public hearing and recommendation, the City Council will hold its own public hearing to make a final decision. By holding these public hearings, this criterion will be fulfilled.

16.54.040, Standards and criteria

A. *The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development;*

Finding: The zone change to R-2 (High Density Residential) on the 0.79 acre portion of the 4.79 acre total parcel will allow Hope Village to plan and develop the site in uniformity and consistency. With the plan to develop this total site for senior housing, and the adjacent 4.0 acre site already zoned R-2, the subject site would be out of "kilter" if it were to be zoned anything else.

Policy 6 is addressed below and demonstrates that Hope Village is an integral part of the Canby community and demonstrates an important element of growth and development that is desirable in Canby. Development for senior housing will be consistent with plans, goals and policies of the city, county, state and local districts. And will preserve functions and local aspects of sensible and practical land conservation and development. Any individual plans prepared by these jurisdictions and agencies will continue to be consistent with the newly annexed 4.79 acre parcel. Therefore, this criterion will be satisfied.

B. *Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs and any use or development which would be permitted by the new zoning designation.*

Finding: The subject 0.79 acre site is currently served by subsurface septic system and a well. These facilities will not be suitable for the senior level housing proposed by Hope Village. When planned and developed as a unit, the total 4.79 acre site will require full services and facilities. As part of the previous annexation of the 4.0 acre parcel, services and facilities were reviewed and it was determined that such new development would be blended in to the existing city systems. The same applies to this 0.79 acre site. An initial review of services and facilities by John Middleton, P.E. of ZTec Engineers indicates that accommodations can be made for this 0.79 acre site within the framework of the city's existing systems.

As noted in the summary of services and service requirements for the proposed development as prepared by ZTec Engineers, Inc. and also attached, it appears that all services required for development of the subject site (i.e., water, sanitary sewer, surface water drainage and management, fire and police protection, etc.) are all in place and can provide the proposed development with an adequate level of facilities and services. Some improvements may be made, such as the half street improvement of Ivy St. for the entire frontage of the subject site, and the extension of water and sanitary sewer service, in order for the site to become fully developable. However, it has been noted that there are no unforeseen problems or issues in the extension of those services at the time of development.

As such, development of the site under the proposed R-2 (High Density Residential) zone will fulfill this criterion.

16.54.060, Improvement conditions

Finding: Any reasonable requirements for improvement of public and private facilities and services in order to effect the proposed development of the subject site by Hope Village will be undertaken by Hope Village. Where required, Hope Village will pay for those improvements. Where possible, and where a "late comers agreement" is appropriate, Hope Village would request that some recapture of funds expended for expansion of facilities and services whose scope is beyond that of just the development of the subject site be provided back to Hope Village.

Under subsection **B.**, any required improvements should not reduce housing densities below those anticipated by Hope Village in its calculations of the number of units to be built.

Compliance with both **A.** and **B.** of this criterion will have been satisfied with the application of specific improvement conditions as imposed by the City.

16.54.070, Record of amendments

Finding: Appropriate and applicable records must be kept by the City. This particular criterion is not the responsibility of the applicant.

City of Canby Comprehensive Plan Policies and Implementation Measures

Policy No. 6 of the Canby Comprehensive Plan states,

"Canby Shall Recognize The Unique Character Of Certain Areas And Will Utilize The Following Special Requirements, In Conjunction With The Requirements Of The Land Development And Planning Ordinance, In Guiding The Use And Development Of These Unique Areas."

Finding: Hope Village is fast becoming, or perhaps already has become a unique area of Canby which has been recognized by the City. Hope Village is the uppermost example of senior living in Clackamas County. Hope Village is a viable and valuable part of the community. Hope Village residents give to the city, the local schools, and they support local businesses. Hope Village provides a perfect example of senior living in a time when senior living has become virtually a separate category of "residential development and living". Providing Hope Village the opportunity to expand by annexing 0.79 acre to the city will help the community recognize the value of Hope Village.

In recognition of the Hope Village area of southwestern Canby, the City should recognize and encourage the type of growth, stability, and character that Hope Village already brings to Canby. Allowing Hope Village to expand modestly will provide more options in senior housing, not only in Canby but throughout the Willamette Valley.

Implementation Measure 3 found on page 61 of the Canby Comprehensive Plan states *"Area 'C' includes all of the property shown on the Land use Map within the 'Residential-Commercial' category and having frontage on S. Ivy Street. Ever-increasing (sic) traffic on S. Ivy Street necessitates special treatment for*

access, especially where commercial or multi-family residential development occurs. . . .”

Finding: A traffic study, commissioned by the City of Canby and paid for by Hope Village, may conclude that development as part of Hope Village may have impacts on S. Ivy Street that are somewhat different than impacts resulting from development of the subject site for neighborhood commercial purposes. However, the Residential-Commercial designation currently identified on the Canby Comprehensive Plan does allow for higher density residential development, including multi-family development, at nearly the same densities as the High Density Residential designation. Because Ivy Street is a Clackamas County facility with a Minor Arterial designation, the County will determine the impacts on Ivy Street and call for any necessary measures to mitigate any potential adverse impacts resulting from use of the subject site for higher density residential development.

Clackamas County/City of Canby Urban Growth Management Agreement (UGMA)

The UGMA is codified as part of Resolution 519, dated Sept. 23, 1992, and requires certain actions and procedures for a variety of action relative to lands within the Urban Growth Management Boundary area. The UGMA contains seven (7) specific issues on which the City of Canby and Clackamas County agree. Those sections are identified and addressed as follows:

1. *Boundary*

Finding: The subject site is within the Urban Growth Boundary of Canby, thus satisfying this criterion.

2. *Comprehensive Planning, Plan Amendments and Public Facilities. Planning for Lands in Unincorporated UGMB;*

Finding: The subject site is within the UGB, and has been included in long range planning for land use, traffic, services and facilities, utilities, and all similar and appropriate elements. The planning designation proposed for this site is consistent with the designated on the Canby Comprehensive Plan map (High Density Residential). Finally, zoning is proposed to be consistent with what the city foresees as being appropriate for this site (R-2). Upon annexation, the city will assume all planning responsibilities for the subject site. Once the site is annexed to the city by final legislative action, Clackamas County will have no further jurisdiction over or interest in the subject site. Therefore, this criterion is fulfilled.

3. *Development Proposals for Unincorporated UGMB Areas;*

Finding: This criterion does not apply because the development proposal by Hope Village will be presented to the city once annexation has become effective, following regular city procedures.

4. *County Notice to and Coordination with the City;*

Finding: This criterion is not applicable because any development action will take place within the City of Canby, once annexation is effected, not within the jurisdiction of Clackamas County.

5. *City Notice to and Coordination with the County;*

Finding: Because this is a proposed annexation, the City is required under **A.** to notify Clackamas County of the impending action. This notification may also apply to **B.**

6. City Annexation and Sewer, Water and Road Service;

Finding: Under **A.** of this criterion, the City agrees to undertake any annexations in accordance with process and procedures agreed to by the County. In **B.**, The only public roadway that is affected is a portion of Ivy Street that is directly adjacent to the easterly property line of the subject site. As such, the applicant may be require to construct a "half street improvement" along the frontage of Ivy Street to current Clackamas County standards. It should be noted that Ivy Street is a Minor Arterial as designated by Clackamas County, and that the County may not surrender jurisdiction to the City of Canby upon annexation of the subject 0.79 acre site. A final determination will likely take place after discussions between the County and the City once the annexation is approved by the voters of Canby.

In **B.** on page 4 of the UGMA, all required facilities, services and utilities will be within the limits of the long range planning studies and tools for such public infrastructure. Please see the report by John Middleton, P.E. of ZTec Engineers, Inc. for this 0.79 acre parcel.

For **C.** on page 4 of the UGMA, Public water and sanitary sewer are not currently available to the site for use in site development, but will be available upon approval of the annexation application. This subject site is not, however, a health hazard. And for **D.** on page 4, the purpose of the proposed annexation is to obtain city services and facilities, and to develop under the jurisdiction of the City of Canby.

7. Terms of Agreement

Finding: This UGMA is between the City of Canby and Clackamas County. However, no part or measure of the proposed annexation of the subject four acre site, nor the subsequent development for approximately 11 senior living units, violates or otherwise circumvents the measures required under this UGMA.

Therefore, all criterion of this UGMA have been satisfied and/or fulfilled.

State Statutes – ORS 195 and ORS 222

- ORS 195.065 requires various agreements between jurisdictions when urban services are to be provided. The Clackamas County Urban Growth Management Agreement (UGMA) states what agency will provide which services. While Hope Village will benefit from the existence of such an agreement, the proposed annexation will not create any special or heretofore unforeseen circumstances where the provisions of the UGMA will not apply. Hope Village's proposed annexation is exactly in keeping with what the City of Canby envisioned within its urban growth area. No new agreements, or any deviation from the provisions of the existing UGMA, will be required for this proposed annexation of this 0.79 acre site.

- ORS 222 requires several issues be considered prior to an annexation becoming effective. For example, ORS 222.040 provides that an annexation shall not become effective until an election has been conducted. Part of the process of applying for an annexation is meeting the application deadline in order that internal actions by the Planning Commission and City Council take place prior to the election. The city will provide proper notice as required, and agreements with local service providers will be enacted regarding inclusion of the subject site for service purposes after annexation (ORS 222.005). The procedures specified under ORS 222.111 will be followed by the city, which is the city's duty rather than one assigned to the applicant. Other sections such as ORS 222.130 (Annexation election; notice); ORS 222.150 (Election results); ORS 222.160 (Procedure when annexation is submitted to city vote); ORS 222.177 (Filing of annexation records with Secretary of State); and ORS 222.180 (Effective date of annexation) are all parts of the process the city must follow for any annexation.

Sections ORS 222.510 through ORS 222.830, as applicable, deal with the change of service jurisdiction for properties that will be serviced with urban services (water, sanitary sewer, fire protection, etc.) that may have been provided by other non-urban area providers while within the jurisdiction of Clackamas County. The heading of this section of the ORS Chapter is "Annexation of Public Service Districts" and deals with the transfer of service rights and obligations once a property is annexed. Whatever is required under these sections will be accomplished as part of the city's annexation process.

This annexation does not involve a merger of cities, an "island" annexation, or any health abatement, as included in sections included in ORS 222.700's; ORS 222.800's; or ORS 222.900's. Therefore, the proposed annexation complies with, meets, or otherwise fulfills all specific requirements contained in the appropriate and applicable sections of ORS, Ch. 222.

Neighborhood Meeting

A requirement of the annexation process is the holding of an informative neighborhood meeting. The purpose is to inform neighbors within 500 feet of any point of the subject site of the proposal to annex the site to the city. This meeting is not limited to neighbors, but any interested party may attend. A mailing list was prepared and a post card was sent by Hope Village to every name and address on the Clackamas County Assessor's records within 500 feet of any part of the 0.79 acre site.

The neighborhood meeting was held on Monday, February 20, 2012 at Hope Village in the cafeteria/community room. Six (6) neighbors and/or interested individuals attended this open meeting. Those names are on the sign-in sheet that accompanies this application. In addition, a summary of the meeting was prepared and also accompanies the application for annexation.

With the holding of the informative neighborhood meeting, this requirement has been fulfilled.

Notes of the Neighborhood Meeting – February 20, 2012

What: Neighborhood information meeting to discuss the annexation application sponsored by Hope Village, Inc. for the 0.79 acre Pendell property, located at 1665 S. Ivy St.

Where: Hope Village Cafeteria/Community Room, 1535 S. Ivy St.

When: Monday, February 20, 2012, 7:00 PM.

Why: Such neighborhood meeting as a requirement by the City of Canby for an annexation application.

Who: Jerry and Brenda Mootz, Travis McRobbie, Bob Kaufman, Sandra McMartin, and Beverly Gornich (see attached sign-in sheet for public sign in). Craig Gingerich, Executive Director of Hope Village and Robert Price, Consultant to Hope Village were also in attendance.

Craig opened the meeting at 7:05 PM by welcoming all six (6) visitors. Craig should a slide show of Hope Village, including several shots of the Pendell property which comprises the proposed 0.79 acre annexation area, plus the recently annexed 4.0 acre Scott parcel. Together, the two site total 4.79 acres and will be the basis of the future growth plans for Hope Village.

Bob Price then gave an overview of the Hope Village process to date, including the attempts at preparing a Development Concept Plan and the requests made of the Canby City Council to exempt Hope Village from the DCP requirement for both the 4.0 acre Scott parcel and the 0.79 acre Pendell property as part of the annexation process. Mr. Price showed the sketch plan prepared by Hope Village's architect illustrating the possible means by which the total 4.79 acre growth site might be developed with senior housing units. It was emphasized that senior housing is the only way that Hope Village will develop this site. There will be no commercial development.

Following Mr. Price's discussion several questions were raised.

1. Sandra McMartin asked if Hope Village needed to comply with the DCP process - Mr. Price explained that Hope Village had requested, and were granted exemptions from the city's DCP requirement for both of the annexation applications (4.0 acre Scott parcel in 2011 and 0.79 acre Pendell parcel in 2012). These exemptions were granted on the basis that the sites (4.0 acre Scott parcel in 2011 and 0.79 acre Pendell parcel in 2012) were relatively very small sites in the greater context of the 64 acre Southwest Canby DCP area;
2. Jerry Mootz asked if Ivy Street would need to be widened – Mr. Price explained that while Fir Street would be widened because the city made that a requirement of annexation, Ivy Street is under the jurisdiction of Clackamas County and no final input from the county on the widening/half street improvement requirement would be provided until an actual site development proposal is presented to the city subsequent to approved annexation;
3. Brenda Mootz asked is Canby Utilities plan to extend services down Fir Street – Mr. Price responded that Fir Street is the likely route for extended services to serve an expansion project proposed by Hope Village, but a decision would not

- be made until a site development proposal is presented by Hope Village. It may be possible that services and utilities could be extended along Ivy Street as well;
4. Sandra McMartin asked if the existing sanitary sewer system is larger enough to handle Hope Village's planned expansion – We believe it is based on preliminary reviews by Hope Village's consulting engineer and reviews by city engineering staff;
 5. Sandra McMartin asked if there will be a street along the south boundary of the 4.79 acre expansion site – Mr. Price responded that it is very unlikely such a street will be needed, or useful given the shape of the site and the fact that Hope Village's current campus utilizes an internal network of private streets to serve all units and functions. A street on the southerly border of the expansion site would probably not make much sense for Hope Village. Hope Village's existing streets will likely be adequate for the new facilities;
 6. Sandra McMartin asked about a proposed street bisecting their property between Fir and Ivy Streets – Mr. Price responded that Hope Village has no interest or concerns about such a through street to connect Fir and Ivy at about the alignment of a future 17th Street. That will be a decision to be made by the McMartins and the city;
 7. Sandra McMartin stated that the McMartin family was told they would have to add at least one sanitary sewer pump station somewhere in the area of their property when development takes place. Will the McMartin family have to pay that entire bill? Mr. Price responded that it is difficult to predict what the city might require. It was agreed that Hope Village would add the McMartins to their database and assist in providing notification when any discussion of sanitary sewers in the area would be publicly discussed. Craig Gingerich promised to make sure the city staff has Sandra's contact information on record. Her phone number is 702-202-6185 and he e-mail address is funsand@msn.com.

After some additional light and neighborly talk amongst the people in attendance, coffee and cookies were consumed and the meeting was adjourned at 7:55 PM.

Robert Price

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

3737 SE 8th Ave.

John McL. Middleton, P.E.

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HOPE Village 0.8 Ac. parcel Annexation

Infrastructure Availability and Needs

The 0.8 Ac. Annexation site at 1665 S. Ivy St., TL 1100 and 1101 map 4 1E 4D, will require sewer, water, power, communications and natural gas facilities to serve the parcel. These facilities are all available adjacent to the site.

Sewer: The existing residence is not connected to the public sewer since it is outside the City limits. There is a functioning septic tank, drainfield system but this will need to be abandoned in accordance with State regulations. Future development on the property, when annexed into the City of Canby, will require connection to the City of Canby public sewer system.

Public Sewer service is available near the NE corner of the property at the intersection of S. Ivy St. and SE 16th Ave. A new gravity sewer line can be installed from the existing 8.8' deep sewer manhole to provide sewer service to the 0.8 Ac. site.

An alternative sewer service route can be provided from the existing public sewer in S. Fir St. via the 4 Ac. parcel to the west owned by Hope Village and recently approved by the City of Canby to be voted on for annexation to the City in November 2011. The starting point for the sewer in S Fir St. is shallow and the on-site grades are not yet determined so it cannot be confirmed that gravity sewer service is available to the entire 4 Ac. site, but, if it is, the sewer can be extended to serve this 0.8 Ac. Parcel. If gravity service is not possible from S. Fir St. for the 4 Ac. parcel then a private sewage pump station will be required to provide service for the site. This station would be installed, owned and maintained by Hope Village. The station would be sized to accommodate the maximum development possible on the 4 Ac. annexation site based on the requested C-R, Commercial Residential Zoning. Service to this 0.8 Ac. site from the same pump station could easily be accommodated. The station capacity would simply be increased to serve 4.8 Ac instead of just 4 Ac at the C-R, Commercial Residential Zoning.

The annexation sites, both the 4Ac. parcel and this 0.8Ac. parcel, are a portion of the Southwest Canby Development Concept Plan (DCP) area. The future annexation plans for the DCP area will need to address how sewer service will be provided to the rest of the area. The proposed sewer connection to the S Fir St public sewer can serve both

the future development of the 4 Ac. annexation site and this 0.8Ac. parcel, or the parcels can have separate services to the S. Fir St. and the S. Ivy St. public sewers respectively. The connection or connections will not adversely impact service delivery to the rest of the DCP area. There are several sewer service options available to serve the rest of the DCP area: gravity sewer service in S. Fir St., S. Elm St. and S Ivy St., and a possible public sewage pump station associated with future annexation of property between S. Ivy St and S. Redwood St. A combination of these options could provide sewer service to the rest of the DCP.

Water : A public 10" water line is available in S. Ivy St. at the NE corner of the parcel. This line will need to be extended south across the street frontage of this parcel to the SE corner. In the future this line will extend through the rest of the DCP area to form a loop with the public water main in S. Fir St. The extension of water line across this parcel's frontage will provide a source for domestic and fire suppression water services to the property.

The existing residence on the site, 1665 S. Ivy St. has water service from a private on-site well. The well will need to be abandoned in accordance with State and County regulations or, possibly, retained for landscape irrigation service only, if desired by the property owner.

Power, Communications and Natural Gas: Power, communications and natural gas facilities are all available adjacent to the site.

Power and communications: Power and communications underground facilities are adjacent to the site on the north side. Currently service to the property is by overhead service. When the site is developed the overhead will services will be removed and underground facilities extended on the frontage to the south property line. Services to the buildings in the new development will all be underground.

Natural Gas: The existing residence is not connected to the natural gas line but there is a 4" line across the frontage that can be used for future development on the property. It is reasonable to assume there is sufficient capacity in the adjacent power communications and gas facilities to service this relatively small site. If additional facilities are required to meet the anticipated demand they can be provided by the utility company in conjunction with the property developer.

Storm Drainage: There is no public storm drainage collection system in the area. It is anticipated that on-site treatment and disposal facilities for storm water runoff will be included in the development plans for this site. Surface treatment swales and planters can be incorporated into the grading and landscape design to provide water quality treatment, storage and disposal. When required, filter catch basins and drywells can be part of the treatment and disposal system. Building roof runoff can be disposed of directly to onsite drywells. All drywells will need to be registered with the DEQ's UIC program.

Public Improvements: The frontage on S Ivy St. will need to be improved to City of Canby and Clackamas County standards for the west half of the right of way as part of the development of the annexation site. The improvements will probably include a roadside swale or planter for storm water treatment and disposal.

Exhibit "A"

Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL I:

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, 1 EAST, OF THE WILLAMETTE MERIDIAN, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, SAID POINT BEING THE SOUTHEAST CORNER OF THAT TRACT CONVEYED TO CHARLES C. AND MABEL L. FRAZIER BY DEED RECORDED JULY 23, 1969 AS FEE NO. 69 12642, DEED RECORDS. THENCE NORTH 0°28'21" EAST ALONG THE EAST LINE OF SAID TRACT, 79.00 FEET; THENCE NORTH 88°55'08" WEST PARALLEL WITH THE NORTH LINE OF SAID FRAZIER TRACT, 234.98 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE SOUTH 0°23'54" WEST ALONG SAID LINE, 88.00 FEET TO THE SOUTHWEST CORNER OF THAT TRACT AS DESCRIBED IN FEE NO. 84-1881, DEED RECORDS; THENCE SOUTH 89°24'26" EAST ALONG THE SOUTH LINE OF SAID TRACT, 234.84 FEET TO A POINT 7.00 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 0°28'21" EAST 7.00 FEET TO THE POINT OF BEGINNING.

PARCEL II:

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, 1 EAST, OF THE WILLAMETTE MERIDIAN, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, SAID POINT BEING THE SOUTHEAST CORNER OF THAT TRACT CONVEYED TO CHARLES C. AND MABEL L. FRAZIER BY DEED RECORDED JULY 23, 1969 AS FEE NO. 69 14642, DEED RECORDS. THENCE NORTH 0°28'21" EAST ALONG THE EAST LINE OF SAID TRACT, 79.00 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING NORTH 0°28'21" EAST ALONG SAID LINE, 86.00 FEET TO THE NORTHEAST CORNER OF SAID FRAZIER TRACT; THENCE NORTH 88°55'08" WEST 234.98 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 0°23'54" WEST ALONG THE WEST LINE OF SAID FRAZIER TRACT, 86.0 FEET; THENCE SOUTH 88° 55'08" EAST PARALLEL WITH THE NORTH LINE OF SAID FRAZIER TRACT, 234.98 FEET TO THE POINT OF BEGINNING.

NOTE: This legal description was created prior to January 01, 2008.

Tax Parcel Number: 01002569 and 04000262 and 01002578

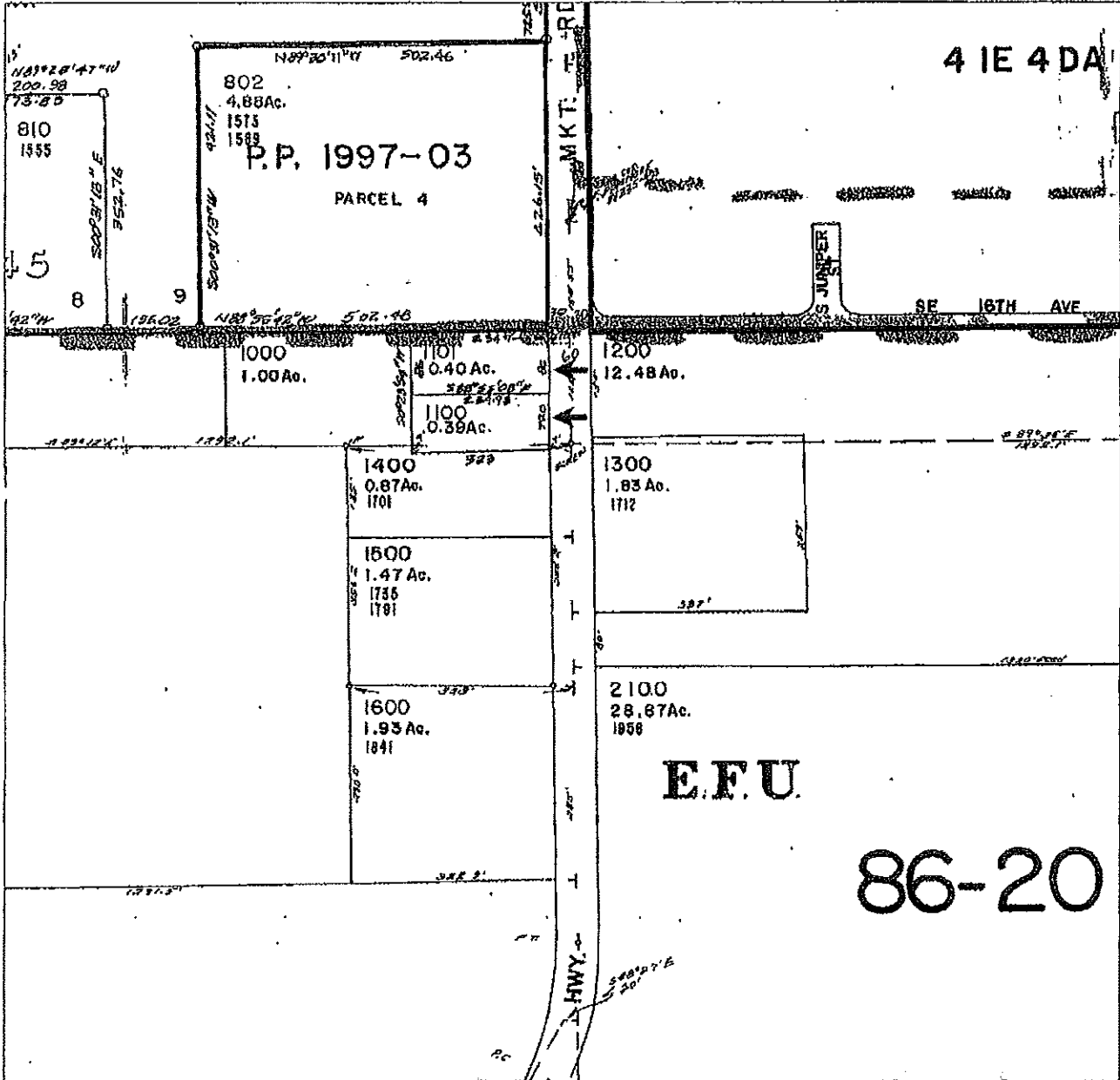


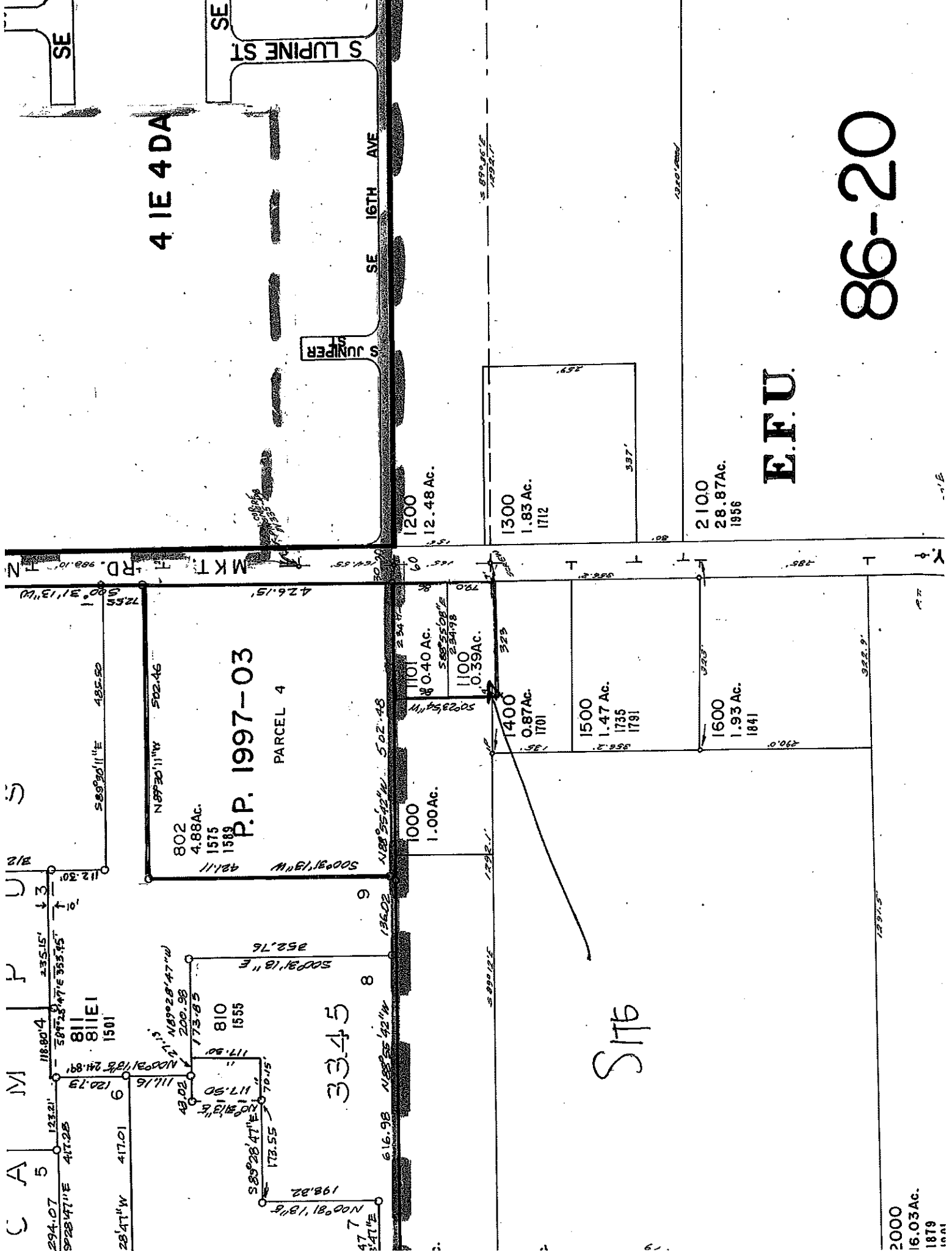
First American Title Insurance Company of Oregon

An assumed business name of TITLE INSURANCE COMPANY OF OREGON

This map is provided as a convenience in locating property
First American Title Insurance Company assumes no liability for any variations as may be disclosed by an actual survey

Reference Parcel Number 41E04D 01100





C A M P U S

4 IE 4 DA

P.P. 1997-03
PARCEL 4

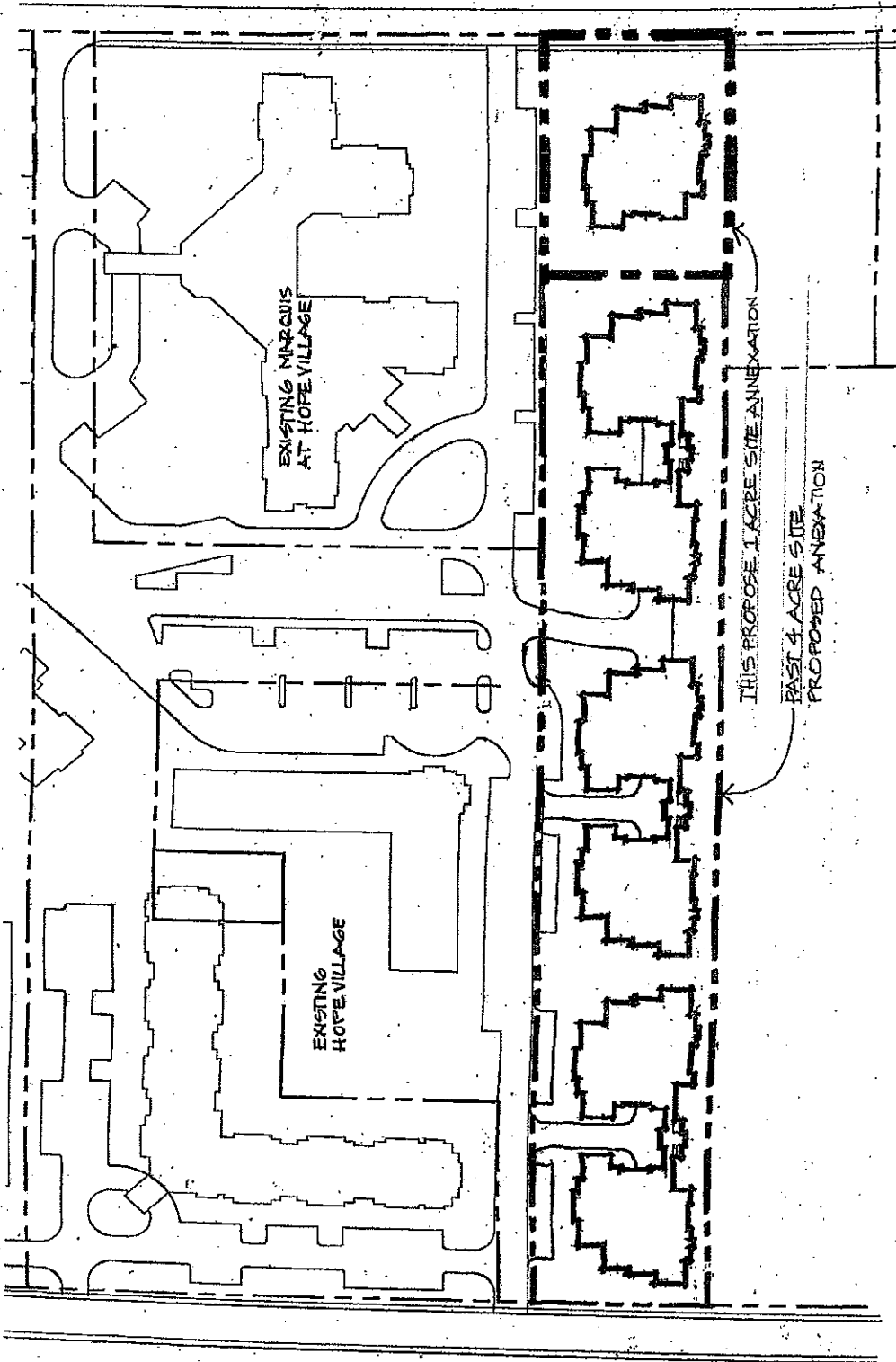
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SITE

E.F.U.

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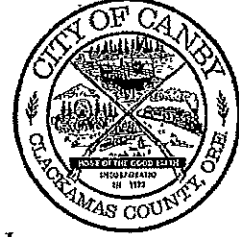


CONCEPTUAL
HOPE VILLAGE SITE
1" = 100'



LRS ARCHITECTS 8/22/11

MEMORANDUM



TO: *Honorable Mayor Carson and City Council*
FROM: *Bryan C. Brown, Planning Director*
DATE: *December 14, 2011 for January 4, 2012 Council Agenda*
THROUGH: *Greg Ellis, City Administrator*
SUBJECT: *Development Concept Plan Exception for Hope Village Annexation*

Issue/Objective:

The applicant is requesting an exception from CMC 16.84.040 which requires that a property located within the boundaries of a designated Development Concept Plan area, as shown on the City of Canby Annexation Development Map, prepare and gain Council adoption of a DCP for the larger defined area prior to a change of zoning being granted. This request is authorized for Council consideration by CMC 16.84.090.

Synopsis/Rationale:

Hope Village is in the process of preparing an additional annexation application and request for a ballot vote for the November, 2012 general election. They recently purchased two additional tax lots at 1665 S. Ivy Street adjacent to and southeast of the Hope Village campus. This 0.79 acre property aligns with the 4 acre tract recently approved for annexation by Canby voters in November, 2011.

Hope village successfully made a case for an exception for the adjacent 4 acre tract with a similar request in January, 2011. Negotiations for this property had not progressed enough to allow them to include this parcel in the previous annexation and exception application. The reasoning for this request as identified in the applicant's attached letter is identical to that presented with the previous request

Staff supported the findings presented by the applicant with the previous request and continues to support the same findings associated with this request. The Development Concept Plan requirement has value but its development by the applicant and adoption by the Council can present a burden and present significant difficulties in certain situations such as this Hope Village annexation request.

Recommendation: *Staff recommends Option #1 with the following suggested motion: Based on the findings submitted, I move to exempt Hope Village's newly acquired 0.79 acre site area (Tax Lots 1100 and 1101 in T4S, R1E, SE ¼ of Section 4) from the requirements of Chapter 16.84 requiring a Development Concept Plan prior to possible action by the City Council to move the associated annexation forward to a future ballot before the citizens of Canby.*

Options:

1. Approve Hope Village's request for an exception from the Development Concept Plan requirements of CMC 16.84.040.

2. Deny the request and instruct Hope Village to prepare a Development Concept Plan for adoption with their proposed annexation application.

Attachments:

1. Hope Village letter dated 11.20.2011 with findings to support exception request.
2. Vicinity Map
3. Conceptual Site Development

Received Dec. 8, 2011

Robert Price

Planning Consultant

3935 N.E. 72nd Avenue
Portland, OR 97213-5711

503-281-1037
rprice5956@comcast.net
Fax 503-281-1447

HVI-02

November 29, 2011

Honorable Randy Carson,
Mayor of the City of Canby
and Canby City Councilors
% Bryan Brown, Planning Director
182 N. Holly St.
P.O. Box 930
Canby, OR 97013

**Subject: Hope Village Expansion and Annexation - Request for Exemption
from the Development Concept Plan (DCP) Requirement**

Dear Mayor Carson and members of the City Council:

As a representative of Hope Village, Inc., through this letter we request an exemption to the requirement for a "Development Concept Plan" (DCP) for specific property to be proposed for annexation to the City of Canby. Under Title 16 of the Canby Municipal Code, Chapter 16.84 would require annexation to the City by a vote of the people. Prior to a vote of the people, Section 16.84.040.A.1.b requires a "Development Concept Plan" be prepared illustrating all of the elements identified in 16.84.040.A.1.b, 1 through 8, with review and approval by the Canby Planning Commission and Canby City Council.

Over the past 3 years, Hope Village has been working on a future plan for the Hope Village campus, with the idea that properties which Hope Village would acquire would be annexed to the City of Canby. Originally, Hope Village was looking at a considerably larger area for annexation. However, Hope Village's goals have changed to the point where the land needs have been significantly reduced. At this point in time, Hope Village is anticipating the annexation of Tax Lots 1100 and 1101 (T4S, R1E, Section 4, SE ¼) which are directly adjacent to and on the southeasterly corner of the existing Hope Village campus. These two tax lots are 0.79 acre in total size and both have a Comprehensive Plan designation of "RC", or "Residential-Commercial". The address of this developed site is 1665 S. Ivy. Hope Village recently purchased this property from Mr. and Mrs. Bob Rendell.

Geographically, this small parcel completes the connection between Fir Street on the west and Ivy Street on the east. As can be seen on the accompanying map and sketch

plan, it fits perfectly with the recent 4-acre annexation of property purchased from the Scott family. Unfortunately, this purchase from the Pendells was not as timely as the purchase from the Scott family, and we were unable to complete the transaction by the annexation petition deadline this past year, as we had hoped to do.

Because this less-than-one-acre site area is small in comparison to the overall 60+ acre DCP that would be required; and because the site is contiguous to and will be served by the existing Hope Village campus, Hope Village seeks an exemption to the requirements of Section 16.84.040 through an exemption under the provisions of Section 16.84.090 of the Municipal Code. Section 16.84.090 states:

The City Council may authorize an exception to any of the requirements of this chapter. An exception shall require a statement of findings that indicates the basis for the exception. Exceptions may be granted for reasons including, but not limited to: identified health hazards, limited development potential, or administrative error. An exception to referring an annexation application that meets the approved criteria to an election cannot be granted except as provided in the Oregon Revised Statutes.

Section 16.84.040 requires that the first to annex property into the City that is within a DCP area complete a plan for the entire DCP. We believe this is overly burdensome given the limited site area and the limited development potential of the proposed annexation that makes up only 1.3% of the entire 60+ acre DCP area. Therefore, we request an exemption under the provisions of Section 16.84.090 of the Canby Municipal Code. The specific reasons or findings for this exemption request are as follows:

1. This less-than-one-acre site area is of limited development potential because it is limited in size and access, and has limited serviceability based on sanitary sewer and surface water drainage capacities. It may be possible, depending on the scale of development proposed by Hope Village, that a sanitary sewer connection to the east across Ivy Street may be the best alternative for servicing this property. However, when combined with the previous 4-acre annexed area in a single development plan for Hope Village, services and facilities may be made to work together because of the unified development scheme. In addition, since there is no public storm drainage system in the area, all storm drainage will be through on-site disposal systems;
2. This site area is directly adjacent to and at the southeasterly corner of the existing Hope Village campus, meaning that Hope Village is able to propose a very specific site development plan that will involve only the uses appropriate to Hope Village on this 0.80-acre site;
3. While Hope Village had numerous discussions regarding a sale with the McMartin family, owners of the 32 +/- acre property to the south of the Scott property, no suitable sale agreement was reached;
4. The McMartin family already has a master plan for their approximately 32 acres to the south of the Hope Village site area, and are not willing to see that plan changed. While no city approval has been given to the McMartins for their master plan, this would make Hope Village responsible for the DCP that would include all of the McMartin property, a situation that neither Hope Village nor the McMartin family are comfortable with;
5. Further, the McMartin family does not want its properties included in a DCP over which they have little to no control.

Based on these findings, Hope Village requests that the Canby City Council exempt Hope Village's newly acquired 0.79 acre site area (Tax Lots 1100 and 1101 in T4S, R1E, SE ¼ of Section 4) from the requirements of Chapter 16.84 requiring a Development Concept Plan prior to approval by the City Council that this proposed annexation be moved forward to a future ballot before the citizens of Canby.

We would be happy to answer any questions, or have any discussion with city staff regarding this request. Thank you for your consideration.

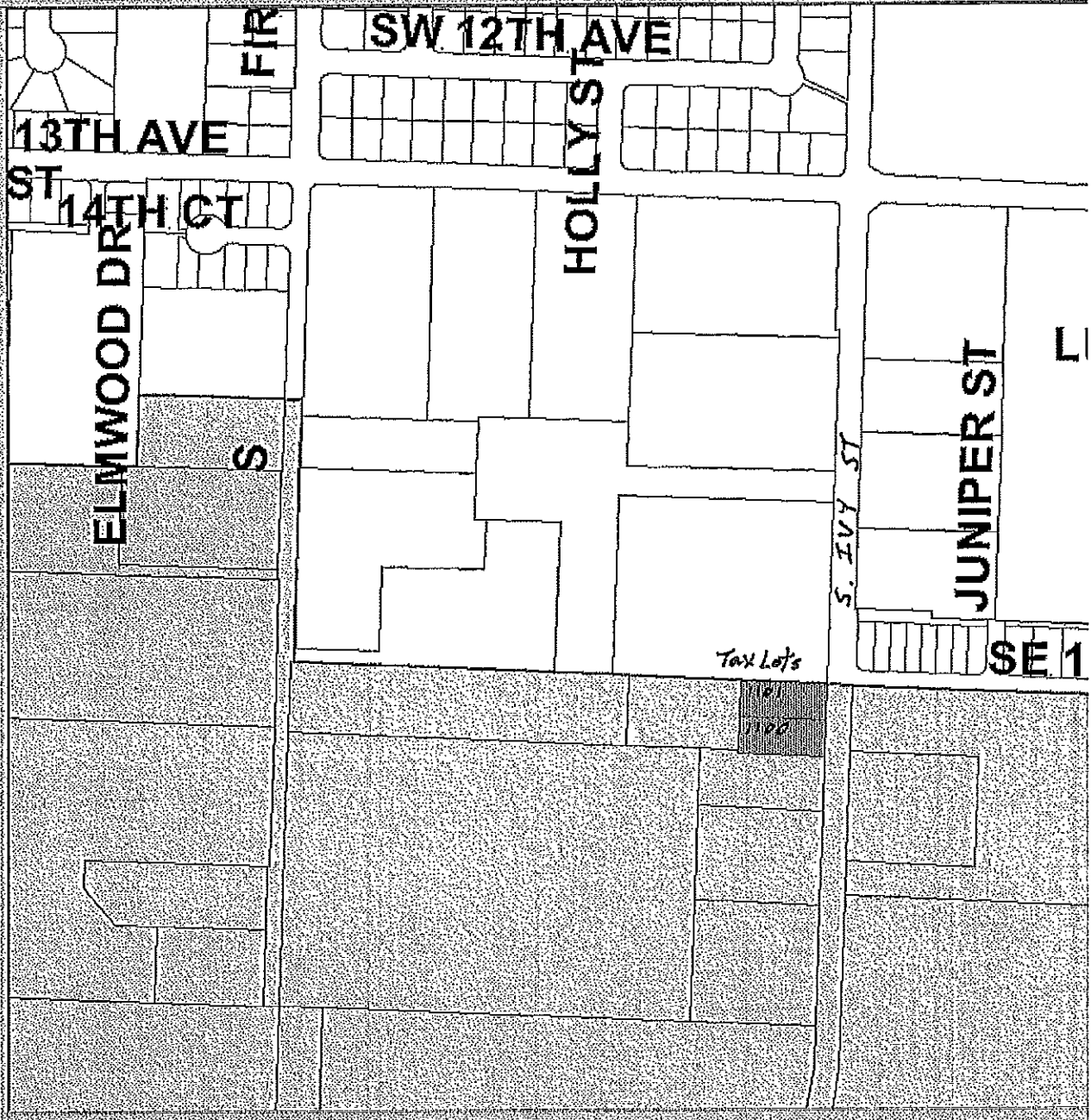
Sincerely,

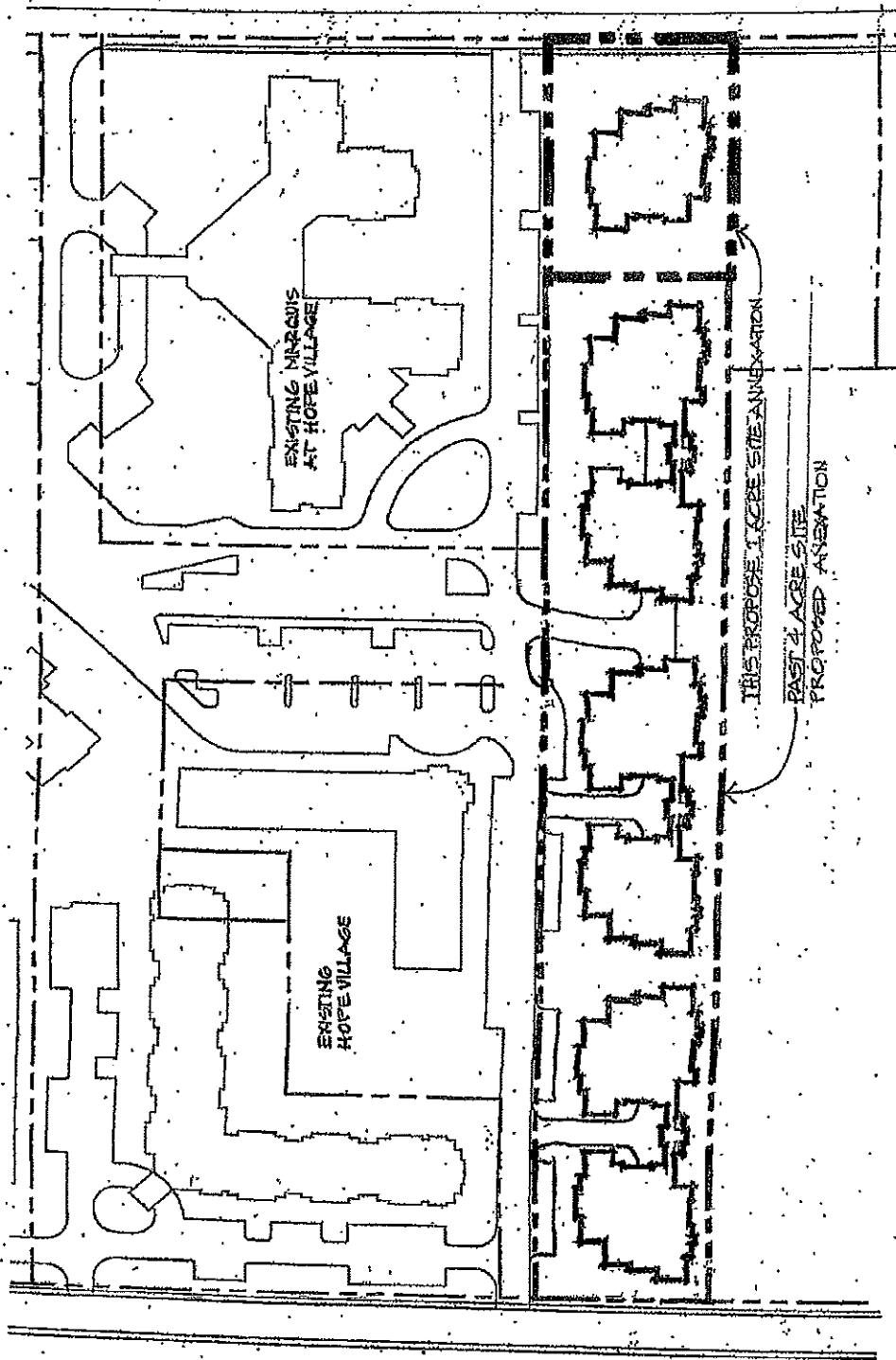


Robert Price

ERT R & DIANA L

Flood Plain: UGB
No In
and Recreation
(Canby) Canby Telephone
Address
VY ST 41
US 41





**CONCEPTUAL
HOPE VILLAGE SITE**

1" = 100'



LOS ARCHITECTS 8/25/11

ANNEXATION ANALYSIS

Criteria 16.84.040.A.2 Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning – low density residential, light industrial, etc.) Currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient.

Findings: This criterion has essentially three analysis elements:

1. Developable land supply (within the same class of zoning)
2. Rate of development
3. Proposal effects.

Analysis Element 1: amount of developable land (within the same class of zoning within the City Limits. The three data sources for this data are the City's Comprehensive Plan and the 1999 Land Needs Analysis which describe land supply for the UGB and subdivision tracking spreadsheets used for land consumption that are updated with each relevant staff report.

UGB Land Supply

The Comprehensive Plan has not been updated to include any development projections for any subsequent period of time. Although portions of the Comprehensive Plan have been updated in 2007, the buildable lands analysis has not been substantially updated since approximately 2000. Thus, the Land Needs Analysis is used to reference land supply within the UGB. This is used as a reference for projected land need and available supply. According to Table 14 of the Land Needs Analysis below, there are 43.53 gross acres of buildable (vacant and underdeveloped) High Density Residential (R-2) designated land within the Urban Growth Boundary (UGB). (The number of acres within the city limits is described below.)

Table 14
Summary of Gross Buildable Residential Lands ^{1/}
Canby Urban Growth Boundary

	Low Density Residential (R-1)	Medium Density Residential (R-1.5)	Medium Density Residential Commercial (RC)	High Density Residential (R-2)	Total
Vacant	193.56	2.3	1.19	17.72	214.77
Underdeveloped ^{2/}	588.65	4.35	3.19	25.81	622.0
Total Buildable Acres	782.21	7.25	4.38	43.53	837.37

Notes:
^{1/} Derived from Appendix C. Gross buildable land area is net of steep slopes and wetland/floodplains.
^{2/} Reflects estimate of underdeveloped parcels with more than 1/2 acre in buildable lands.

According to Table 15 of the Land Needs Analysis below, there is a 56.2 acre deficiency between the UGB supply and the demand within the planning period (to 2020).

Table 15
Summary of Residential Land Needs
Canby Urban Growth Boundary
Year 1999 through 2020

	Gross Vacant Supply (Acres) 1/	Gross Underdeveloped Supply (Acres) 1/	Less Public Facility Requirements 2/	Remaining Gross Developable Acres
Low Density (R-1)	193.66	688.65	(101.60)	680.51
Med. Density (R-1.5 & RC)	3.40	8.14		11.63
High Density (HDR)	17.72	26.81		43.53
Total	214.77	622.6	(101.60)	735.77

	Most Likely Demand 3/	Land Supply Overage (Deficiency)
Low Density (R-1)	267.8	312.8
Med. Density (R-1.5 & RC)	148.5	(134.8)
High Density (HDR)	99.7	(58.2)
Total	614.0	121.7

Notes:
 1/ derived from city of Canby supply inventory dated March 13, 1999.
 2/ derived from city of Canby estimate of public facilities requirements; assumes 25 acres needed for parks, 35 acres for schools, 24 acres for wetlands, and 17.6 acres for planned water and sewer facilities.
 3/ reflects net demand after accounting for 69 units of infill housing, which is 37% of 65 potential infill opportunities.

Three-Year Land Supply

Canby generally considers a 3-year supply of buildable lands (for each residential zoning district) to be sufficient; The City Council has determined that only platted lots and/or approved units should be included in the calculations; annexed land that has not been subdivided will not be included in the analysis. The Council has also determined that annexations that will significantly exceed the 3-year supply would not meet the annexation criteria for need.

The latest figures available from the most recent R-2 annexation staff report in 2006 indicate there are 137 units of un-used capacity in high density residential, or a projected 2.66 years of land inventory in this category. This supply is less than the three year supply desired by Council and less than the five years cited in ORS 197.296(5(b)) This analysis identified no unplatted lots. The only high density residential that has been realized since the May 2006 Buildable Lands Analysis is in a 2008 annexation proposal ANN08-03 for 2 acres of land developing 22 dwelling units maximum. The subdivision has not been platted. Although this staff report found very similar figures to those of the 2006 staff report, data was not cited and confirmation of its numerical inputs could not be found. Thus, the 2006 data was used because of the relatively small number of dwelling units of the 2008 annexation and the inability to confirm the 2008 data as well as the unplatted status of this annexation. The 2006 supply is analyzed and the 22 units are added to the final calculations as they have not been platted.

The 2.66 year supply as of May 2006 would have, in theory and on average been consumed by approximately the end of the 2008 calendar year; which was approximately 2.5 years ago. Although the housing market has significantly decreased by nearly every metric, there is still housing demand and it is likely that some of the available/constructed units have been occupied. This is seen in Figure 1 below which shows 38 available R-2 zoned units which is a 0.73-year supply at the average consumption rate of 51.6 units/acre. Thus, the 2006 2.66 year supply below would have been exhausted and replaced with a 0-year supply approximately 2.5 years ago. With no new supply (platted parcels) in the interim, there would be approximately a 2.5-year need, combined with the existing supply would yield a -1.75-year (2.5 year supply + 0.73 year capacity) supply deficit of R-2-zoned land.

Platted Lots:

**Buildable Lands Inventory May 29, 2006
R-2 High Density Residential**

Property Owner	Tax Map	Tax Lot	Size (acres)	Zoning	Units	Units Built	Units Available
Marnella - Garden Crossing	3 1E 34B	200	4.67	R-2	55	55	0
Valentine Meadows				R-2	16	16	0
Apollo Homes	4 1E 05	401	14.21	R-2	136	32	104
Pine Place				R-2	4	0	4
Bristol			0.3	R-2	4	0	4
Pine Station			0.97	R-2	11	0	11
Territorial Road Townhomes			0.91	R-2	14	0	14
R-2 Total Lots			21.06		240	103	137

5 year average 51.6 units/year = 2.66 years

Figure 1: Source City of Canby Density 2011 (Updated from 2010)

Year	Pre-Existing	Units		Percent Built	
		Existing	Built		
Approved Developments					
Single Family Attached					
1995	Marion on the Green	0	30	24	80%
1996	T&J Meadows	1	8	8	100%
1997	Forsythe Field	1	18	16	94%
1997	Edgemoor Acres	2	6	6	100%
2001	Redwood Corner	0	12	10	83%
2002	Ivy Gardens (Row Houses)	0	5	5	100%
2003	Valentine Meadows	0	16	16	100%
2004	Apollo Homes (Townhomes)	0	62	38	61%
2004	Knotty Pine - R2	0	4	4	100%
2005	Pine Station - R2	0	11	11	100%
2005	Brown Bark Estates - R2	0	14	14	100%
2005	Knott Commons - R2	0	10	5	50%
2005	Woody - R2	1	4	1	50%
	Apollo (Darcy's County) R2 - Attached and detached houses see file	0	136	112	97%
2004	Subtotal	4	316	310	92%
	Units Available				76
Multifamily					
1969	H. Knott Apartments	0	10	10	100%
1990	Maple Terrace Apartments	0	20	38	100%
1992	Redwood Terrace Apartments	0	57	37	100%
1994	Marion South Apartments	0	92	32	100%
1995	Pine Terrace Apartments	0	40	10	100%
1995	Canby Apartments	0	76	76	100%
1997	Walt West Apartment	0	8	8	100%
1999	Casa Verde Apartments	0	26	26	100%
2000	Meyer	12	12	0	100%
2001	Canby Grove Apartments	0	86	36	100%
2003	Ivy Gardens (I.F. - Complete)	0	2	2	100%
	Subtotal	12	437	415	97%
	Units Available				12

Units Available: 38

5 year average 51.6 units/year = 0.73 years

Supply conclusions from the 1999 Land Needs Analysis:

- There are 43.53 gross acres of buildable (vacant and underdeveloped) High Density Residential (R-2) designated land within the Urban Growth Boundary (UGB).
- There is an anticipated 56.2 acre deficiency in High Density Residential land within the City's Urban Growth Boundary.
- At the time of the Land Needs Analysis, the proposal area was designated Residential-Commercial. CPA03-03 added this four acres and an additional parcel of 11 acres to the HDR designation. Including the ANN08-03 two acres, the deficiency is $(56.2 - (11+4+2))=38.2$ acres of deficiency within the UGB.

Supply conclusions from the Buildable Lands Inventory May 29, 2006

- There was a 2.66 year supply of high density residential units that have been platted within the City limits that equates to 137 units or 18.88 acres.
- There is one unplatted lot remaining within Canby's City Limits which is approximately 2 acres and 22 units. Thus, nearly all remaining High Density Land available to be platted is outside the City Limits and within the UGB.

Supply conclusions from City of Canby Density 2011; Subdivision tracking

- There are 38 Units currently Available within the City Limits. This equates to 0.73 years of high density residential units available.
- Using an average consumption rate stated in the Comprehensive Plan, and adjusting for interim time interval, there is a deficiency of 1.77 years of residential units.

There is less than a three-year supply of High Density Residential (R-2) zoned land as desired by the Canby City Council. There is a High Density Residential (R-2) zone deficiency within the City Limits and a long-term High Density Residential (HDR) designation deficiency within the UGB. Therefore, the supply does not exceed a three-year supply and there is a "need" for high density residential land.

**Criterion 2: Approximate Rate of Development and
Criterion 3: How The Proposed Annexation Will Affect The Supply Of Developable Land
Within The City Limits**

Two rates are described in two documents; a previous measured rate in Staff's subdivision tracking sheet and a forecasted rate in the Land Needs Analysis. The documented rate is shown above and is 51.6 units/year. The current housing market is an anomalous situation and the years since 2006 have not been added to this to reduce the consumption. In table 11 below, the Land Needs Analysis forecasted annual need of 44 units of consumption per year.

Based on the number of vacant platted lots in the R-2 zoning district, the total supply of buildable lands available for high density residential development equals a -1.77 year supply. There are 38 Units currently Available within the City Limits and no R-2-zoned unplatted land within the UGB. The proposed annexation would at a minimum add 56 and potentially add 66 new units and 4.0 acres into the City Limits. This 66-unit addition to the 38 units equals 104 available units within the City Limits. This equates to a 2.015-year supply at 51.6 units per year of average consumption. Thus, this addition would bring the buildable lands supply total to a 0.25-year supply; which is still less than the desired three years.

The Land Needs Analysis forecasted annual need of 44 units of consumption per year. This consumption demand would yield a -0.02-year existing supply and with the proposed 66-units, yield a 1.27-year supply. (demand: 44 units * 3 years = 132 units; and supply: (38 existing + 66 proposed) = 104 = 132/104 = 1.27). Although this would gain a larger land supply, there would still be a need for R-2 land as it is less than the desired three-year supply.

Table 11
Projected Net New Housing Demand
County Urban Growth Area
1993 to 2029
Most Likely State-Share Population Forecast

Demographic and Housing Factors 11	Pop.	
	Est. 1998	1998-2029
Population	15,118	4,522
Households	4,347	1,252
Existing Units	2,414	7,643
Units to be Approved and Built		274
Projected Net New Platted Dwellings 1998-2029		3,369

Sensitivity Analysis of Demand	Recent Market Scenario 21	Most Likely Scenario 31	Lower Density Scenario 41
	5. Low Density (11 units, detached)	24%	43%
Number of Platted Dwellings	613	1,348	1,752
Annual Average Demand	13	31	33
10. Low Density (2-3 units, townhomes)	15%	15%	7%
Number of Platted Dwellings	424	322	236
Annual Average Demand	19	15	11
15. Medium Density (3-4 units in structure)	24%	22%	15%
Number of Platted Dwellings	626	549	392
Annual Average Demand	31	25	18
20. High Density (5+ units in structure)	37%	20%	22%
Number of Platted Dwellings	1,215	917	741
Annual Average Demand	63	44	37
All Platted Dwellings	1,591	1,655	1,065
Number of Platted Dwellings	3,369	3,369	3,369
Annual Average Demand 1993 to 2029	163	153	153

Notes:
 11. Adapted from Table 10.
 21. Based on model approved, existing population from 1998 and 1998.
 31. Represents a population scenario that is high density by scenario.
 41. A low density scenario is most consistent with existing density mix.

Criteria 16.84.040.A.3 *Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.*

Findings: This Staff Report incorporates the relevant Section of the applicant's narrative as findings. The applicant's narrative describes the potential impacts and mitigation measures. Staff does not identify any significant impacts that are not described in the applicant's narrative and agree that the physical aesthetic and related social effects of annexation and zoning R2 are not significant. Additionally, the neighborhood meetings are described in other sections of this report. Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria are or can be met.

Criteria 16.84.040.A.4 *Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities.*

Findings: This Staff Report incorporates the relevant Section of the applicant's narrative as findings. The applicant's narrative describes the potential impacts and mitigation measures. Staff does not identify any significant impacts that are not described in the applicant's narrative and agree that, according to utility provider statements, utility capacity is available, drainage and transportation are sufficiently available and that park and school facilities would not significantly impacted if developed as senior housing. However, if developed as medium or high-density residential units, there would be school enrollment impacts. Staff has considered the potential for this annexation to develop as non-senior housing and determined the possibility to be insignificant. A condition of approval has been proposed that should non-senior housing be developed that this criterion be re-evaluated.

Transportation capacity is the service for which there was any possible limitation. With the R-C Comp. Plan designation and a commercial use, there would have been many more trips than with high density residential and many more than with high density senior-specific housing (see Exhibit B). The City's Traffic Engineer proposed a 60-trip "cap" to limit potential commercial trips within existing system capacity. However, under R-2 zoning, even at likely maximum development of 80 apartment units, the total PM Peak trips would only be 50 trips; under the trip-cap threshold. The City's Traffic Engineer performed a Transportation Impact Study (TIS) for the R-C designation, but revised the trip estimations in subsequent correspondence (see Exhibit C). The TIS is still valid because the potential trips generated by maximum R-C commercial development intensity would be greater than the minimum residential intensity under R-2. Additionally, the R-2 likely maximum density would not break that cap threshold. Lastly, other components of the TIS that reviewed adequacy of the public facilities to serve the site (sight access and connectivity) are still valid.

Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria are or can be met.

Criteria 16.84.040.A.5 *Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time.*

Findings: This Staff Report incorporates the relevant Section of the applicant's narrative as findings. The applicant narrative describes the facility demand by proposed development. However, this application is not for concurrent development and the minimum and likely development should be considered for the purposes of this report. The applicant describes the need for high density housing in Canby and also specifically for senior housing. Criterion A.2 describes there is a need for high-density residential development. Thus, there is a demand for high-density housing and, as the applicant states, for this specific type of housing. Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria are or can be met.

Criteria 16.84.040.A.6 *Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand.*

Findings: This Staff Report incorporates the relevant section of the applicant's narrative as findings. According to utility provider statements, utility capacity is available, no facilities need increasing as a result of this proposal. Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria are or can be met.

Criteria 16.84.040.A.7 *Statement outlining method and source of financing required to provide additional facilities, if any.*

Findings: This Staff Report incorporates the relevant Section of the applicant's narrative as findings. No financing is needed. Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria are not applicable or can be met.

Criteria 16.84.040.A.8 *Statement indicating the type and nature of any comprehensive plan text or map amendments or zoning text or map amendments that may be required to complete the proposed development.*

Findings: This Staff Report incorporates the relevant Section of the applicant's narrative as findings. Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria can be met.

Criteria 16.84.040.A.9 *Compliance with other applicable city ordinances or policies.*

Findings: This Staff Report incorporates the relevant Section of the applicant's narrative as findings. As stated in the conclusions section of this report, this application complies with all applicable city ordinances and policies. Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria can be met.

Criteria 16.84.040.A.10 *Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222.*

Findings: This Staff Report incorporates the relevant Section of the applicant's narrative as findings. As stated in the conclusions section of this report, this application complies with all applicable Oregon Revised Statutes. Staff finds that the applicant narrative is sufficient for the purposes of this staff report and the applicable criteria can be met.

MEMORANDUM

DATE: March 14, 2012
TO: Bryan Brown, City of Canby
FROM: Chris Maciejewski, PE, PTOE
Steve Boice, EIT



SUBJECT: Hope Village Phase II Rezone Traffic Impact Study

P11010-014

This memorandum evaluates the transportation impacts associated with the proposed Comprehensive Plan Amendment and land use rezone of the 0.79 acre Hope Village site (consisting of tax lots 1100 & 1101 in T4S, R1E, Sec. 4, SE/4) in Canby, Oregon. Our understanding is that the applicant does not intend to obtain land use development approval for a specific development at this time. Therefore, this evaluation is focused on evaluating the adequacy of existing public facilities to satisfy Oregon Transportation Planning Rule (TPR) requirements for the Comprehensive Plan Amendment and rezone (OAR 660-12-0060) based on consistency with the City's Transportation System Plan (TSP) in the future horizon year. This analysis does not satisfy City of Canby regulations for a specific development under a near-term year of opening. Land use approval for a specific development would be addressed through subsequent applications and may require additional traffic impact evaluation depending on the proposed use and its unique site plan.

The following sections summarize the project site, proposed Comprehensive Plan Amendment, proposed rezone, and site access and connectivity review.

Project Site

The project site consists of two parcels (approximately 0.79 acre) located on the southwest quadrant of the intersection at South Ivy Street/Southeast 16th Street as shown in Figure 1. This site is immediately south of the existing Hope Village development and is adjacent to the four-acre parcel to the west that was recently approved for annexation and rezoning (Exclusive Farm Use to R-2 High Density Residential)¹. The site is located outside of the current City limits, but within the City's Urban

¹ *Hope Village Rezone Traffic Impact Study*, DKS Associates, March 2011, amended via email June 29, 2011.

Growth Boundary (UGB). The City's current Comprehensive Plan designation of the site is Residential Commercial (RC)². The current zoning of the site is EFU (Exclusive Farm Use) by Clackamas County³. Currently the site has one residential unit.

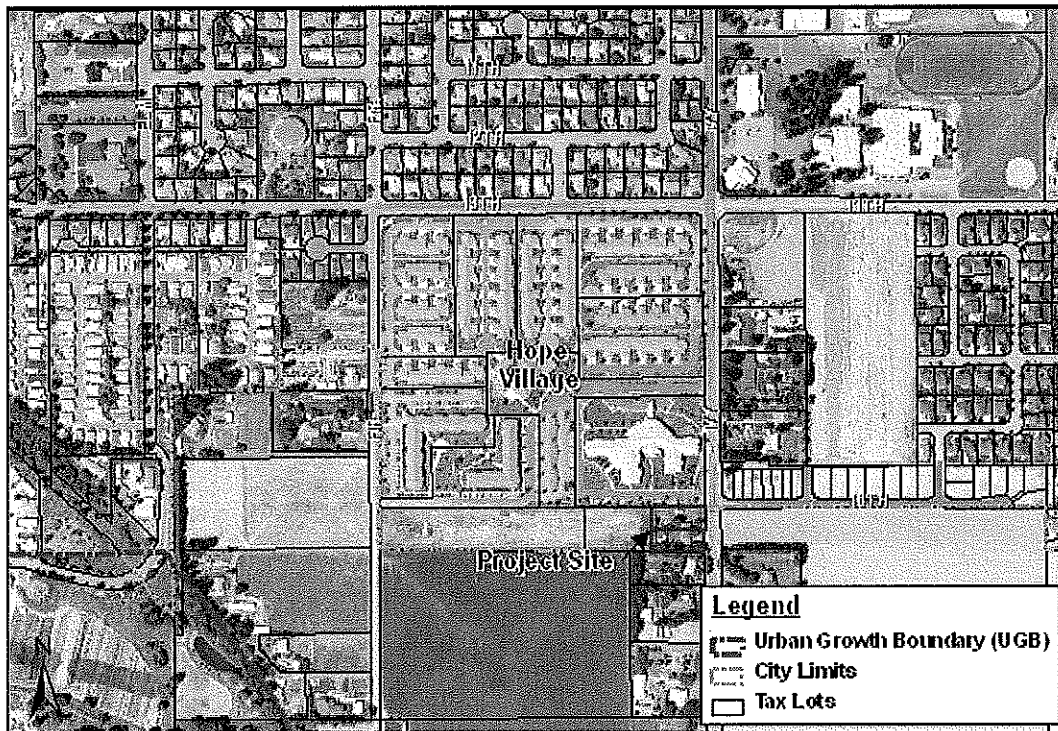


Figure 1: Proposed Project Site

Proposed Comprehensive Plan Amendment

The proposed land use action would annex the two properties into the City of Canby and change the Comprehensive Plan designation from RC (Residential-Commercial) to HDR (High Density Residential). A change to the Comprehensive Plan designation is required due to the proposed zone change of the properties from EFU to R-2 (High Density Residential), as the rezone land use needs to be compliant with Comprehensive Plan zoning. The proposed Comprehensive Plan designation and zoning would be consistent with the four-acre parcel located to the west that was recently annexed into the City. Transportation Planning Rule (TPR) evaluation is needed for the proposed Comprehensive Plan amendment and the zone change to determine if there is significant effect on the surrounding transportation network.

² Email from Byran Brown, City of Canby, November 30, 2011.

³ Clackamas County Comprehensive Plan, Map IV-07 Non-Urban Area Land Use Plan, www.co.clackamas.or.us, accessed February 29, 2012.

To determine the potential transportation impacts associated with the Comprehensive Plan Amendment, trip generation estimates were performed for reasonable worst case developments assuming the existing and proposed Comprehensive Plan designation. If the site developed consistent with existing Residential-Commercial (RC) Comprehensive Plan designation, a reasonable worst-case development would be a 13,000 square-foot office building. Under the proposed High Density Residential (HDR) Comprehensive designation, a reasonable worst-case development could be 20 apartment units. Trip generation rates published by the Institute of Transportation Engineers (ITE) for each respective development type were used to estimate potential trips for the site during the P.M. peak hour.⁴ The comparison is listed in Table 1.

Table 1: Comprehensive Plan Designation Change Trip Generation Comparison

Trip Generation Description	Reasonable Worst Case Development (ITE Code)	P.M. Peak Hour Trips
Existing Comprehensive Plan Designation		
Residential-Commercial (RC)	13,000 ft ² Office (ITE 710)	45
Proposed Comprehensive Plan Designation		
High Density Residential (HDR)	20 Apartment Units (ITE 210)	12

As listed, the proposed Comprehensive Plan Amendment would reduce the reasonable worst-case trip potential for the site during the P.M. peak hour. Therefore, the proposed Comprehensive Plan Amendment would have no adverse impact on the surrounding transportation system and no mitigation measures would be required to satisfy TPR requirements.

Proposed Rezone

Assuming the approval of the proposed Comprehensive Plan Amendment, the two parcels could then potentially be rezoned from EFU to R-2 consistent with the four-acre parcel located to the west. The proposed rezone would allow more intense uses to develop on the site compared to the existing zoning. Therefore, TPR evaluation is required to determine if this increase creates significant effect.

Trip generation estimates for reasonable worst-case development assuming the proposed land use zoning were compared to trip generation estimates under the existing zoning. Trip generation rates developed by the Institute of Transportation Engineers (ITE) were used to estimate trips for the site during the P.M. peak hour.⁵ A single family detached dwelling unit was assumed to be a reasonable worst-case development scenario under the existing zoning (EFU). Under the proposed zoning, 20

⁴ *Trip Generation, 8th Edition*, Institute of Transportation Engineers, 2008

⁵ *Ibid*

apartment units were assumed to be a reasonable worst-case development scenario. The comparison is listed in Table 2.

Table 2: Land Use Zone Change Trip Generation Comparison

Trip Generation Description	Land Use (ITE Code)	P.M. Peak Hour Trips
Existing Zoning Scenario		
Exclusive Farm Use (EFU) Zoning	1 Single-Family Detached Dwelling Unit (ITE 210)	1
Proposed Zoning Scenario		
Reasonable Worst-Case Development of Proposed High Density Residential (R-2) Zoning	20 Apartment Units (ITE 210)	12

As listed in Table 2, the proposed zone change has the potential to increase P.M. peak hour trip generation of the site by approximately 11 trips. This level of trip generation increase is below impact thresholds established by ODOT⁶ and would not likely create significant effect at nearby City intersections. Furthermore, under the original Comprehensive Plan designation, the site was assumed to develop under RC conforming zoning as part of the City's adopted Transportation System Plan (TSP), which based on average rates allocated approximately 14 trips for the site. Therefore, the proposed zone change would not significantly affect the surrounding transportation system and no mitigation measures would be required to satisfy TPR requirements.

Site Access and Connectivity

South Ivy Street along the project site frontage consists of two 12-foot travel lanes with a four-foot shoulder. The roadway is under the jurisdiction of Clackamas County and is classified as a major arterial⁷. It has a posted speed of 40 miles-per-hour (mph) in the area. The speed reduces to 30 mph approximately 850 feet to the north and increases to 55 mph approximately 175 feet to the south. There is also a school zone located directly to the north. Along the north project frontage is the existing parking lot serving the existing Hope Village site.

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

⁶ *Oregon Highway Plan - Policy Intent Statements*, Matthew Garret, ODOT Director, May 25, 2011. The impact threshold is identified as 400 daily trips. Applying ITE Trip Generation Daily rates, a 20 unit development would generate approximately 133 daily trips.

⁷ Clackamas County Comprehensive Plan, Map V-2b Function Classification, <http://www.clackamas.us>, accessed March 8, 2012.

Site Access

The existing site currently features two accesses onto South Ivy Street, which serve as loop around for the existing single family household. Based on the site’s location there are three potential site access options:

- Providing a new consolidated access onto South Ivy Street (combining the two existing access points into one).
- Connecting to the existing Hope Village network and sharing the existing Hope Village access to South Ivy Street (inbound only) and South Fir Street (full access).
- Connecting to the existing Hope Village network, revising the existing Hope Village access to South Ivy Street for full access, and sharing the Hope Village accesses to South Ivy Street and South Fir Street

The last two options assume that the proposed site be developed as part of Hope Village⁸. Importantly, the County’s access spacing requirement for major arterial roadways (e.g., South Ivy Street) is 400 feet to the nearest intersection⁹. The spacing between the existing Hope Village access (Southeast 16th Avenue) and the existing two access locations at the proposed site are listed in Table 3. The distances shown are from access center to center.

Table 3: Existing Access Spacing from Existing Access (Southeast 16th Avenue)

Criteria	Distance to Access	
	Access Point #1	Access Point #2
Field Measurement (feet)	120	170
Clackamas County Standard (feet)	400	400
Standard Met?	NO	NO

⁸ It is our understanding that the proposed site would be combined with the four acre parcel to the west and be developed as part of Hope Village.

⁹ Clackamas County Comprehensive Plan, Table V-05, Clackamas County Access Requirements by Functional Classification.

The County's access spacing requirement would not be met as indicated in the table; therefore a shared access driveway to the existing Hope Village site to the north would be recommended.

By closing the existing site access points to South Ivy Street, it is likely that the existing entrance-only driveway to Hope Village could be modified to provide full access. This could be accomplished by removing the existing curb extension shown in Figure 2 and modifying the driveway width to meet Clackamas County standards.



Figure 2: Existing Hope Village Access to South Ivy Street

Intersection Sight Distance

As mentioned in the previous section, access spacing standards would not be met along South Ivy Street if the proposed project sought to provide access from the proposed site directly to South Ivy Street. It is therefore recommended that the proposed site share the access driveway to the existing Hope Village site directly to the north. Since this existing driveway currently serves entering vehicles only, intersection sight distance was reviewed to ensure that adequate sight distance would be provided for exiting vehicles. The existing intersection sight distance measurements are provided in Table 4 and are compared to the American Association of State Highway and Transportation Officials (AASHTO) requirement based on the posted speed of 40 mph¹⁰.

Table 4: Intersection Sight Distance Summary for Existing Access Point - South Ivy Road

Criteria	Intersection Sight Distance	
	Looking North	Looking South
Field Measurement (feet)	>445	>385
Clackamas County Standard (feet)	445	385
Standard Met?	YES	YES

As indicated in the table, intersection sight distance would be met at the existing Hope Village access across from Southeast 16th Street. Although sight distance is currently met, the existing vegetation on the west side of South Ivy Street on the proposed property sight should be kept trimmed back or removed to keep sight lines to the south clear (see Figure 3).

¹⁰ 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.



Figure 3: Intersection Sight Distance (Looking North and South from Existing Hope Village Access)

Multi-Modal Connectivity

There are currently no sidewalks on South Ivy Street south of Southeast 16th Street (along the site frontage). To the north of Southeast 16th Street there are existing sidewalks along the west side of South Ivy Street (existing Hope Village site frontage). On the east side sidewalks exist north of Southeast 16th Street for approximately 150 feet. There are currently striped bike lanes along South Ivy Street north of Southeast 16th Street. To the south there is a four-foot shoulder on both sides of the roadway. Southeast 16th Street has no sidewalks no bike lanes. The existing Hope Village site to the north has sidewalks along its south frontage between South Ivy Street and South Fir Street.

Along the site's east frontage to South Ivy Street, development would need to provide half-street roadway improvements including curb, sidewalks, and possibly set-back for bike lanes in the future. These improvements should be coordinated with City staff, and may include half-street improvements to County standards. The pedestrian and bicycle improvement plans provided in the City's TSP¹¹ do not identify any high-priority (i.e., Financially Constrained Scenario) pedestrian or bicycle projects in the site vicinity. However, internal connectivity should be provided when the site develops, and external connections to the existing Hope Village sidewalk network would allow for good pedestrian and bicycle connectivity to both South Fir Street and South Ivy Street.

Findings

Based upon the analysis presented in this memorandum, the proposed Comprehensive Plan designation change would reduce the potential number of trips to the project site during the P.M. peak hour assuming reasonable worst case development. Similarly, the reasonable worst case development of the site under the proposed rezone was found to generate a small increase in P.M. peak hour trips

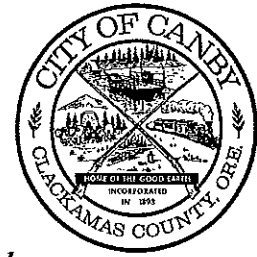
¹¹ *Canby Transportation System Plan (TSP)*, December 2010; Figure 5-1 (Pedestrian Improvements) and Figure 6-1 (Bicycle Improvements).

(i.e., unlikely to impact the surrounding transportation network) and less trips than was assumed for the site in the City's TSP. The proposed Comprehensive Plan Amendment and rezone therefore was found to have no significant impact on the surrounding transportation network.

Corresponding with future development of the site, frontage improvements and multi-modal connectivity can feasibly be provided to adequately serve the site. No additional mitigations are recommended to assure adequate public facilities.

If you have any questions, please feel free to call or email.

MEMORANDUM



TO: *Honorable Mayor Carson and City Council*
FROM: *Bryan C. Brown, Planning Director*
DATE: *December 14, 2011 for January 4, 2012 Council Agenda*
THROUGH: *Greg Ellis, City Administrator*
SUBJECT: *Development Concept Plan Exception for Hope Village Annexation*

Issue/Objective:

The applicant is requesting an exception from CMC 16.84.040 which requires that a property located within the boundaries of a designated Development Concept Plan area, as shown on the City of Canby Annexation Development Map, prepare and gain Council adoption of a DCP for the larger defined area prior to a change of zoning being granted. This request is authorized for Council consideration by CMC 16.84.090.

Synopsis/Rationale:

Hope Village is in the process of preparing an additional annexation application and request for a ballot vote for the November, 2012 general election. They recently purchased two additional tax lots at 1665 S. Ivy Street adjacent to and southeast of the Hope Village campus. This 0.79 acre property aligns with the 4 acre tract recently approved for annexation by Canby voters in November, 2011.

Hope village successfully made a case for an exception for the adjacent 4 acre tract with a similar request in January, 2011. Negotiations for this property had not progressed enough to allow them to include this parcel in the previous annexation and exception application. The reasoning for this request as identified in the applicant's attached letter is identical to that presented with the previous request

Staff supported the findings presented by the applicant with the previous request and continues to support the same findings associated with this request. The Development Concept Plan requirement has value but its development by the applicant and adoption by the Council can present a burden and present significant difficulties in certain situations such as this Hope Village annexation request.

Recommendation: *Staff recommends Option #1 with the following suggested motion: Based on the findings submitted, I move to exempt Hope Village's newly acquired 0.79 acre site area (Tax Lots 1100 and 1101 in T4S, R1E, SE ¼ of Section 4) from the requirements of Chapter 16.84 requiring a Development Concept Plan prior to possible action by the City Council to move the associated annexation forward to a future ballot before the citizens of Canby.*

Options:

1. Approve Hope Village's request for an exception from the Development Concept Plan requirements of CMC 16.84.040.

2. Deny the request and instruct Hope Village to prepare a Development Concept Plan for adoption with their proposed annexation application.

Attachments:

1. Hope Village letter dated 11.20.2011 with findings to support exception request.
2. Vicinity Map
3. Conceptual Site Development

June 1, 2012

**Subject: Application/Petition for Annexation and related Zone Change by
Hope Village, Inc. (Case File No. ANN 12-01/CPA 12-01/ZC12-01)**

Chair Dan Ewert and Members of the Canby Planning Commission:

I am writing this letter on behalf of my wife and I who have been resident of Hope Village for 15 years now. We find Hope Village is a great place to live in a park like atmosphere with lots of sidewalks free of bicycle riding, skateboarding and rollerblading with benches to rest on throughout the campus. In the beginning, I was the Project Manager of this development. I have visited Indiana, Florida, Arizona and other retirement communities here in Oregon and have concluded that Hope Village is one of the best with its openness and park like setting. Almost daily I see people moving around in wheelchairs, walkers and some using canes to view the garden plots, beautiful flowers, well-manicured lawns and maybe take a break on a park bench in front of our beautiful waterfall.

Some years ago, I heard someone make a statement that Hope Village was a crown jewel of Canby. My dreams and hope are that Hope Village will become a continuum of care in my life time. Hope Village has a motto "To add years to life and life to years".

In closing, please support this application/petition by recommending approval to the Canby City Council.

Thank you for your consideration.

Sincerely yours,



**Bob Kauffman
1441 S. Ivy #102
Canby, OR 97013**

June 3, 2012

**Subject: Application/Petition for Annexation and related Zone
Change by Hope Village, Inc.
(Case File No. ANN 12-01/CPA 12-01/ZC12-01)**

Chair Dan Ewert and
Canby Planning Commission:

We understand that Hope Village has applied to the City of Canby for approval of an application/petition to the Canby community for annexation of an additional .79 acre parcel, located just south of the existing Hope Village campus. We are in support of this proposed annexation.

We have been residents of Hope Village for 12 years and feel that Hope Village's plan for this expansion will be an asset to the community. Hope Village is a stable, well-respected, well-run, caring establishment for seniors. Hope Village residents contribute to the community not only economically but also by volunteering for many community organizations.

We request that the Canby Planning Commission support this application/petition by recommending approval to the Canby City Council in order that it be placed on the ballot for the November general election.

Thank you very much for your consideration.

Sincerely,


Clayton & Jean Metzger
1441 S. Ivy St., #408
Canby, OR 97013

June 1, 2012

Subject: Application/Petition for Annexation and related Zone Change by Hope Village, Inc. (Case File No. ANN 12-01/CPA 12-01/ZC12-01)

Chair Dan Ewert and Members of the Canby Planning Commission:

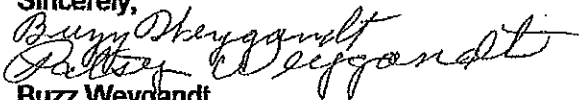
We understand that Hope Village has applied to the City of Canby for approval of an application/petition to the Canby community for annexation of an additional .79 acre of land, located just south of the existing campus. We are both in support of this proposed annexation and urge the Canby Planning Commission to recommend to the Canby City Council approval of the application/petition in order that it is placed on the ballot for the November general election.

We live at Hope Village and find it a secure and comforting community. Hope Village's plans for a modest expansion to the south of the existing campus will be an asset to the community and will bring more stable residents to the city. The people of Hope Village contribute to the community in more than economic and social ways, making Canby a better community in every way.

We request that the Canby Planning Commission support this application/petition by recommending approval to the Canby City Council.

Thank you very much for your consideration.

Sincerely,



Buzz Weyandt

Patsy Weyandt

1441 S. Ivy Street #1201

Canby, OR 97013

May 31, 2012

City of Canby
Attn: Planning Commission
Canby, OR 97013

RECEIVED
JUN 05 2012
CITY OF CANBY

**Subject: Application/Petition for Annexation and related Zone Change
by Hope Village, Inc. (Case File No. ANN 12-01/CPA 12-01/ZC12-01)**

Canby Planning Commission:

I understand that Hope Village has applied to the City of Canby for approval of an application/petition to the Canby community for annexation of an additional .79 acre, located just south of the existing Hope Village campus. I am in support of this proposed annexation and urge the Canby Planning Commission to recommend to the Canby City Council approval of the application/petition in order that it is placed on the ballot for the November general election.

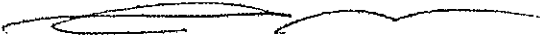
Hope Village is an integral part of the senior and larger Canby Community. We are in need of more residential options in Canby like those offered at Hope Village. Hope Village's plans for a modest expansion to the south of the existing campus will be an asset to the community and will bring more stable residents to the city. The people of Hope Village contribute to the community in more than economic and social ways, making Canby a better community in every way.

The Hope Village campus has a proven track record of keeping its facilities in top shape and this pride of ownership is a nice visual presentation entering Canby from the Southeast. A slightly larger Campus helped along by this approval will be a nice addition.

I request the Canby Planning Commission support this application/petition by recommending approval to the Canby City Council.

Thank you very much for your consideration.

Sincerely,



Scott Gustafson

Robert & Miriam Kinder
1441 S. Ivy #506
Canby, OR 97013

RECEIVED
MAY 31 2012
CITY OF CANBY

Subject: Application/Petition for Annexation and related Zone Change by Hope Village, Inc (Case File No. ANN 11-01/ZC 11-01)

Chair Dan Ewert and Members of the Canby Planning Commission:

Hope Village has applied to the City of Canby for approval of an application/petition to the Canby community for an annexation of four (4) acres, located just south of the existing Hope Village campus. We are in support of this proposed annexation and urge the Canby Planning Commission/petition be placed on the ballot for the November general election.

Hope Village is a wonderful member of the Canby community. We are in need of more residents in Canby like those at Hope Village. Hope Village's plan for a modest expansion to the south of the existing campus will be an asset to the community and bring more residents to the city. The people of Hope Village contribute to the community in economic and social ways.

We ask that the Canby Planning Commission support this application/petition by recommending approval to the Canby City Council.

Sincerely

Robert Kinder and Miriam Kinder

Gardenhome residents at Hope Village for 11 years.

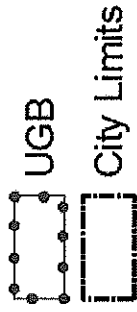
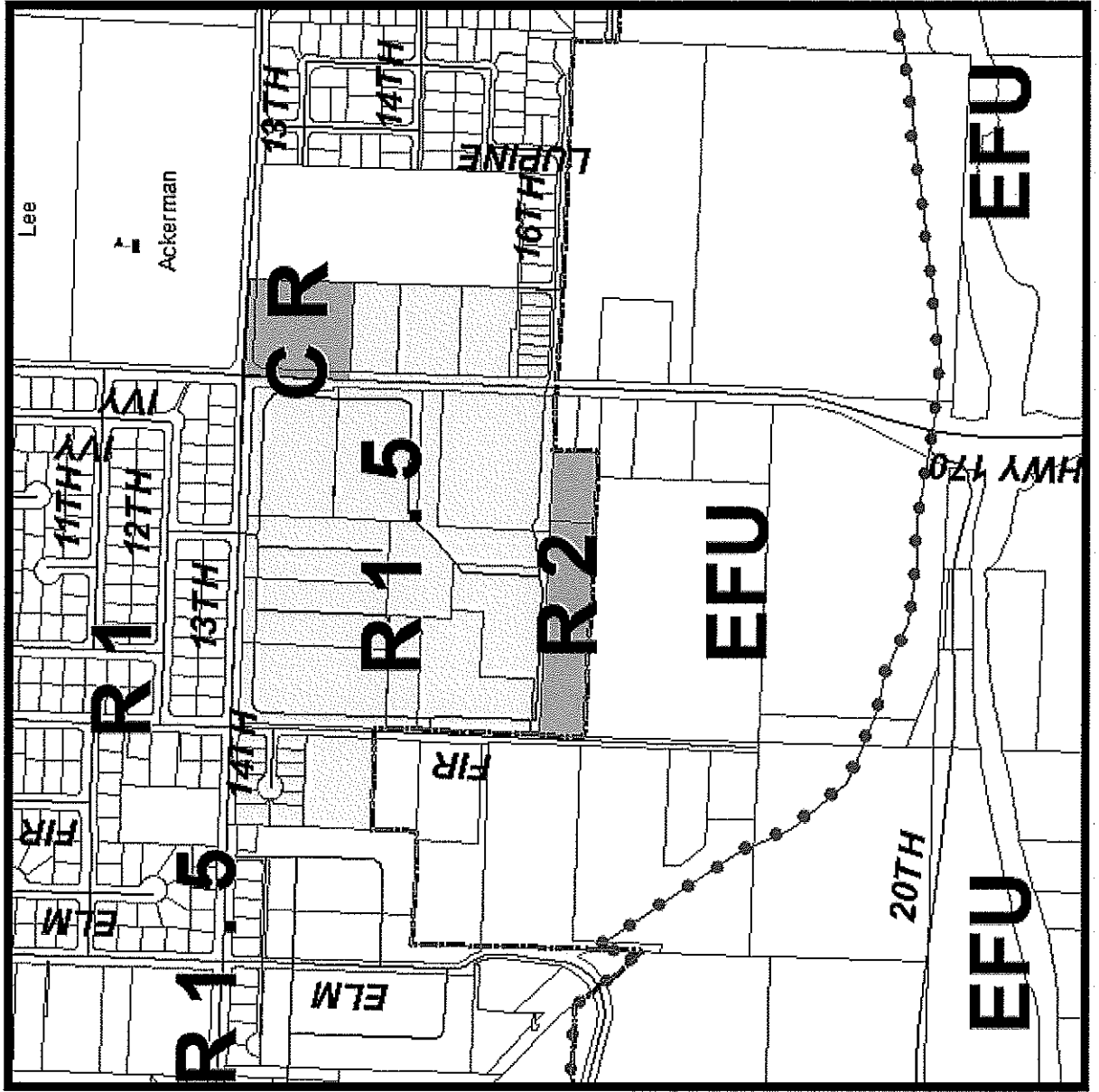
Canby Comprehensive Plan Map: Before Annexation & Comprehensive Plan Map Change
(Zoomed into subject properties)



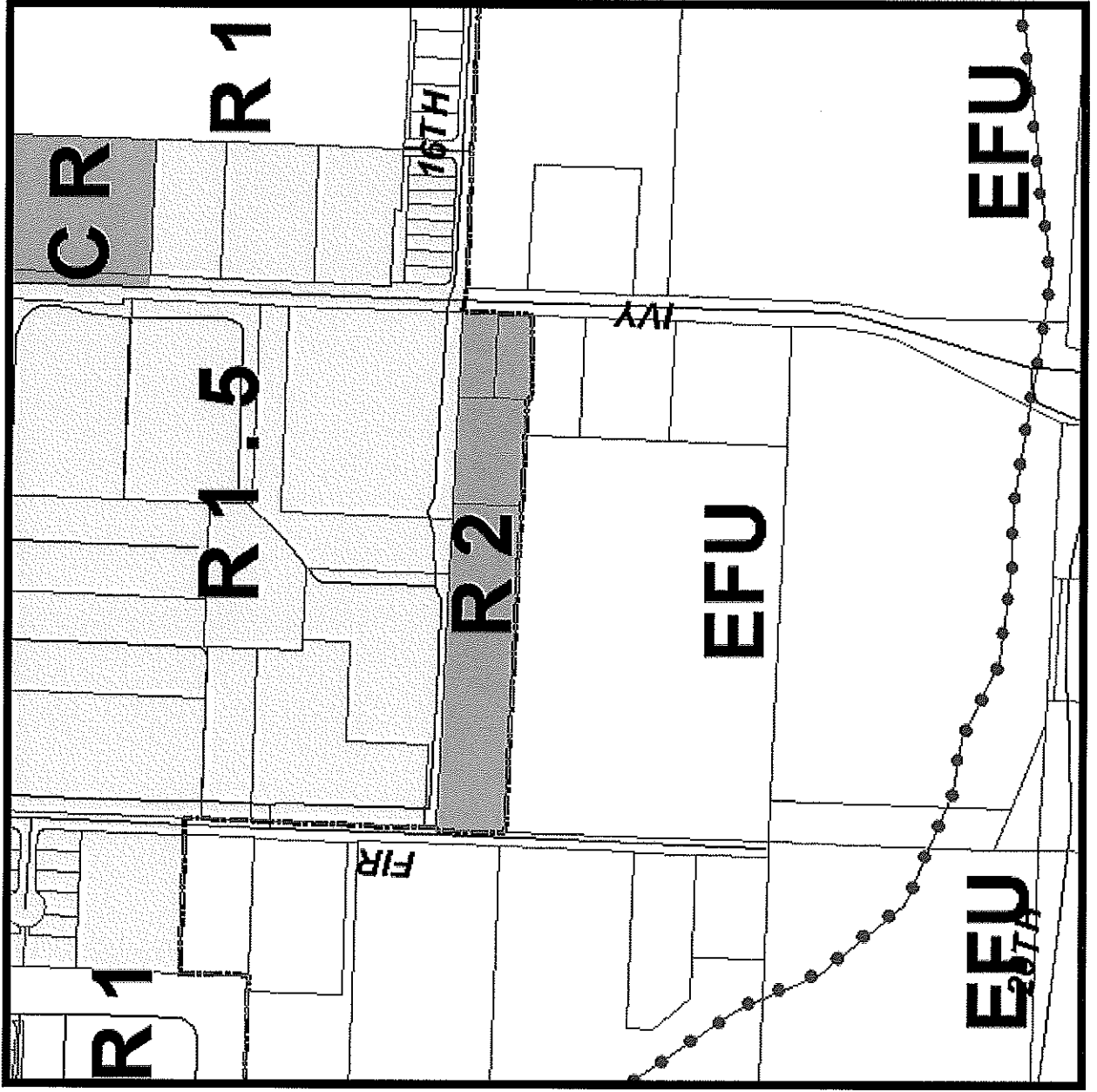
Canby Comprehensive Plan Map: After Annexation & Comprehensive Plan Map Change, if approved (Zoomed into subject properties)



Canby Zoning Map: Before Annexation & Zoning Map Change (Zoomed into subject properties)



Canby Zoning Map: After Annexation & Zoning Map Change, if approved (Zoomed into subject properties)



MINUTES
SPECIAL PLANNING COMMISSION

June 4, 2012
City Council Chambers – 155 NW 2nd Avenue

- PRESENT:** Vice Chair Randy Tessman, Commissioners Sean Joyce, Charles Kocher, John Proctor and Tyler Smith
- ABSENT:** Commissioners Dan Ewert and Misty Slagle
- STAFF:** Bryan Brown, Planning Director, Angie Lehnert, Associate Planner and Laney Fouse, Planning Staff
- OTHERS:** Brian Hodson, City Councilor, Jerry Ambris, Carl Menkel, Aaron L. Huddart, Ken Spiegle, Connie Farrier, Keri D. Morris, Rick Davis, Bruce Broetje, Paul Tanzer, Katherine Bilyeu

1. CALL TO ORDER

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

2. CITIZEN INPUT ON NON-AGENDA ITEMS: None

3. PUBLIC HEARING:

- a. Consider approval of a Conditional Use Application from the North Willamette Valley Habitat for Humanity to locate a ReStore business in a portion of an existing building located at 411 S. Redwood Street (**CUP-12-02**).
Staff: Angie Lehnert

Vice Chair Tessman read the public hearing format. Commissioners stated they had no conflict of interest. Commissioners Joyce, Proctor and Smith stated they had no exparte contact. Commissioner Kocher stated he had exparte contact because he had been involved with Habitat for Humanity for several years. Commissioner Proctor stated he had exparte contact because a coworker had questioned him about it.

Associate Planner Angie Lehnert entered her staff report into the record regarding the approval of a Conditional Use Application from the North Willamette Valley Habitat for Humanity to locate a ReStore business in a portion of an existing building located at 411 S. Redwood Street.

Ms. Lehnert stated no Traffic Study was required as determined by the Planning Director because the streets are sufficient to handle minimal increases in this use. The Church has enough parking with a total of 15 spaces and this meets code requirements. Ms. Lehnert stated the building does have a loading door and if it is non-conforming with the loading space dimension standards then they are allowed to exist as a non-conformance. Ms. Lehnert said the application does not include information regarding bicycle parking but did not list it as a condition of approval.

Ms. Lehnert explained that in the conditional use analysis it was determined the applicant's use will not impact surrounding businesses.

Ms. Lehnert explained the conditions of approval: If new outdoor lights are installed they, must comply with the code; the applicant must obtain a sign permit if they plan on installing a new sign; applicant must obtain a City Business license prior to operation; if interior remodeling is to be done, the applicant is required to obtain structural, mechanical, fire and life safety, plumbing, and electrical permits from Clackamas County prior to construction and fire and life safety approval must also be obtained from the Canby Fire District.

Ms. Lehnert said staff recommends the Planning Commission approve the Conditional Use application including the conditions of approval.

There were no questions from Commissioners.

APPLICANT:

Jerry Ambris, Executive Director stated they had built six homes here in Canby and is looking forward to having a ReStore here in Canby.

Commissioner Kocher said he thinks the work done by Habitat for Humanity is a great thing.

Vice Chair Tessman asked what type of merchandise will they be selling.

Mr. Ambris said, a lot of home improvement materials, lumber, sheetrock, furniture, and appliances. He said, they will be taking in material and putting it back into use instead of into a landfill.

Commissioner Smith asked if there would be an outside storage yard.

Mr. Ambris said, all storage would be internal and there would be no outside storage.

PROPONENTS:

Carl Menkel, Board Chair thanked the Planning staff for giving time to help their staff through the application process.

Ken Speigle, Board member thanked the Planning staff and said the ReStore is a good place to bring building material which would otherwise end up in a landfill.

Aaron Huddart, Vice Chair said the Habitat for Humanity was a great way to give back to the community and he looks forward to establishing a relationship with Canby.

Keri Morris, board member said she agrees with everything that has been said by the others.

Connie Ferrier, Mt. Angel Store Manager thanked staff and said she concurs with everything Jerry said.

OPPONENTS – none

Vice Chair Tessman closed the public hearing at 7:25 pm.

DISCUSSION:

Commissioner Smith said it appears all criteria have been met and he concurs with the conditions of approval. He also said, the Habitat for Humanity does a great job of filling a need.

Commissioner Joyce said, he agreed and that the ReStore's use is similar to Canby Builders who is located in the same type of area.

Commissioner Proctor said, it looks good to him and he agrees with their mission.

Commissioner Smith moved to approve the Conditional Use Permit (CUP 12-02) as recommended by staff including the conditions of approval. Motion was seconded by Commissioner Joyce. The motion passed 5/0.

4. NEW BUSINESS - None

5. FINAL DECISIONS (Note: Final written version of previous oral decision).

- a. Conditional Use for Habitat for Humanity ReStore business at 411 S. Redwood Street. **(CUP 12-02)**

Commissioner Smith moved to adopt the written findings of CUP 12-02. The motion was seconded Commissioner Joyce. The motion passed 5/0.

6. MINUTES

- a. Approval of May 14, 2012 Regular Planning Commission Minutes

Commissioner Kocher moved to adopt the May 14, 2012 minutes as submitted. The motion was seconded by Commissioner Joyce. The motion passed 5/0.

7. ITEMS OF INTEREST/REPORT FROM STAFF

- New Main Street Manager Jamie Stickel started work today.
- June 11, 2012 Planning Commission meeting is cancelled due to lack of items.
- June 25, 2012 Planning Commission will be held and on the agenda is the Hope Village annexation application.

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

9. ADJOURNMENT: 7:39 p.m.