

**PLANNING COMMISSION
Meeting Agenda
Monday – April 25, 2011
7:00 PM - Regular Meeting
City Council Chambers – 155 NW 2nd Avenue**

**Chair Dan Ewert – Vice Chair Janet Milne
Commissioners Sean Joyce, Charles Kocher, John Proctor, Misty Slagle and Randy Tessman**

1. **CALL TO ORDER**
2. **CITIZEN INPUT ON NON-AGENDA ITEMS**
3. **PUBLIC HEARINGS**

Pioneer Pump - The applicant is requesting a modification to an existing Site and Design Review approval to construct a new 34,500 square foot, warehouse to support Pioneer Pump's business needs. 310 S. Sequoia Parkway. **MOD 11-01/LLA 11-02 to DR 05-04** Markus Mead, Associate Planner

4. **NEW BUSINESS**

Upcoming Planning Projects

5. **FINAL DECISIONS**

Note: These are final, written versions of previous oral decisions. No public testimony.

Pioneer Pump – MOD 11-01/LLA 11-02 to DR 05-04

6. **MINUTES**

January 24, 2011

7. **ITEMS OF INTEREST/REPORT FROM STAFF**

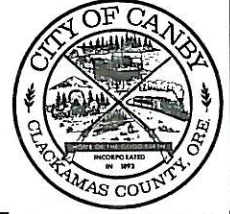
8. **ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION**

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 to Jill Thorn 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.*

**STAFF REPORT TO THE
PLANNING COMMISSION
FOR THE CITY OF CANBY, OREGON**



SECTION I. APPLICATION SUMMARY

CASE NAME: Pioneer Pump Modification

CASE NO.: MOD 11-01 (of previous Site & Design Review DR 05-04 HDN/Pioneer Pump and MOD 10-03/PLP 10-01), Lot Line Adjustment LLA 11-02

PROPOSAL: The proposal as illustrated on the applicant's plan and described would be to construct an additional 34,500sf warehouse building with 2,912 SF of mezzanine storage and 1,030 of office to support Pioneer Pump's business expansion needs. In addition, a 7,500sf covered outdoor storage area, and covered breeze way are also proposed. The site plan proposes 17.13% of the lot area and 3,263sf/30% of parking landscaping. Additionally, a lot line adjustment affecting the Pioneer Pump property on the north part of South Sequoia is proposed.

APPLICANT: Group Mackenzie 1515 SE Water Ave. Portland, OR 97214

OWNER: Jerry Turner - Pioneer Pump 310 S Sequoia Parkway Canby, OR 97013

LEGAL DESCRIPTION: Tax Lot 0450 of Tax Map 31E34 / 310 Sequoia Parkway

COMP. PLAN DESIGNATION:
Heavy Industrial (HI)

ZONING DESIGNATION:
Heavy Industrial (M-2); Canby Industrial Area Overlay (I-O) Zone

APPLICABLE REVIEW CRITERIA:	<u>Canby Municipal Code Chapters</u> 16.10 16.34 M-2 16.35 16.43 16.49 16.58. <u>16.89.090</u>	Off-Street Parking And Loading Heavy Industrial Zone Canby Industrial Area Overlay (I-O) Zone Outdoor Lighting Standards Site and Design Review Lot Line Adjustment Modifications
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STAFF:

Bryan Brown, Planning Director, City of Canby

Markus Mead, Associate Planner, City of Canby

SECTION II. STAFF RECOMMENDATION

Based upon the findings in this Staff Report, and without benefit of testimony at a public hearing, Staff recommends that the Planning Commission **APPROVE Modification 11-01 and Lot Line Adjustment LLA11-02** pursuant to the conditions presented in this Staff Report.

SECTION III. SUMMARY OF MAJOR CONSIDERATIONS

1. If the current owner holds on to both properties, no new sanitary sewer would be needed. If the property or warehouse is sold, then there would need to be an additional line ran to the warehouse.
2. Storm water would need to be addressed as well as access to the site should the property or warehouse be sold.
3. Another lot line adjustment (reconfiguration of the currently vacant northern tax lot (4505) around the new warehouse building) would be necessary should the owner desire to sell the warehouse separately from the remaining ownership in the future.

SECTION IV. BACKGROUND INFORMATION

Existing Conditions: The 3.48 acre site is located off of SE Sequoia Parkway, and is more specifically located on tax lot 4502 of map 3 1E 34. The site is currently used for the Pioneer Pump manufacturing facility. Taxlot 4505 is currently vacant. Prior land use approvals for the site include a September 12, 2005 Site and Design Review (DR 05-05 for the original development with an informal modification and a formal modification (MOD 10-03/PLP 10-01), a paving project to accommodate the outdoor storage of pumps and materials associated with the pump sales business.

Currently the site provides 62 parking spaces for the existing building on site:

	Use	Parking Ratio (per 1,000 SF)	Floor Area	Required Spaces
Pioneer Pump	Manufacturing	1.0	12,800 SF	13
	Office	3.5	7,795 SF	27
	Warehouse	1.0	23,231	23
Pioneer Pump Warehouse	Warehouse	1.0	34,500 SF	35
Totals:				97

SECTION V. PROCESS

Staff has concluded that the above project qualifies as an "Intermediate Modification" of a previously-approved Site & Design Review approval. According to CMC 16.89.090.B, intermediate modifications are those that do not fit the definition of a Minor Modification (those that have a negligible impact on an approved site plan, land use decision, or condition of approval) or a major modification (one that would result in a substantial impact to an approved site plan, land use decision, or condition of approval).

According to the Canby Municipal Code (CMC) 16.89.090.B: *the Planning Commission will review intermediate modifications as new business items. If the Commission approves a modification, notice of the decision will be distributed to individuals with standing and the owners and residents of the properties noticed during the original application review process. The Planning Director may waive the requirement to notice those with standing in cases when the final decision date on the original application was more than five years prior to the modification application date.* This application is being reviewed by the Planning Commission. Although the Planning Director may waive the notice requirement, it has not been waived and notice has been performed.

The Canby Municipal Code does not provide guidance for Intermediate Modification review procedures; although it does provide guidance for Minor and Major Modifications. Respectively, these are processed as a Type I and the original application procedure type. According to the Canby Municipal Code (CMC) 16.89.090.D, *Modification applications shall be evaluated based on the criteria pertaining to the original application being modified.* In this case, the original application was a Type III Site and Design Review. Staff has concluded that intermediate modifications originally processed through Type III procedures can satisfy due process notice requirements by performing a Type II review heard by the Planning commission in cases where there are clear and objective review criteria and no discretionary decisions. Discretionary review criteria and associated decisions are usually reviewed under a Type III Quasi-Judicial procedure. Applications with clear and objective review criteria can, according to State Statute, can be reviewed as a "limited land use action" with proper due process notice requirements that can be satisfied by the Type II notice procedures. Therefore, this application's modification process will follow the Site and Design Review Type II procedure in terms of notice and decision-making process and is reviewed against the Type III Site and Design Review criteria found in the review matrix used in the original application, satisfying CMC 16.89.090.D.

This Type II process is considered through a public hearing with a decision made by the Planning Commission. This application requires notice to property owners and residents within a 100 foot radius from property limits; no neighborhood meeting is required. A decision notice will then be sent out to those with standing (those who received notice,

and provided written or oral testimony at the hearing). The Type II review process is described in further detail in Canby Municipal Code (CMC) 16.89.040. The Planning Commission's decision on a Type II decision may be appealed to the City Council within 10 days of the date the Notice of Decision is mailed.

Notice of this application and this hearing was mailed to owners of lots within 100 feet of the subject properties on April 1, 2011. The comment period was 24 days. It was extended 10 days beyond the requirement to allow the Staff Report to be ready for public review. As of the date of this Staff Report, no public comments were received by City of Canby Planning Staff. Thus, Public notice in conformance with CMC 16.89.040 and .090 was provided for the public hearing.

Although not required, the applicant held a pre-application meeting with City Staff on Feb. 17 2011.

SECTION VI. STAFF REPORT APPROACH

This Staff Report includes the applicant's Design Review and Lot Line narratives as findings to describe compliance for applicable regulations found in Section VII: Review for Conformance With Applicable Approval Criteria. These narratives are found in Exhibit A for the Design Review and Exhibit B for the Lot Line Adjustment of this Staff Report.

SECTION VII. REVIEW FOR CONFORMANCE WITH APPLICABLE APPROVAL CRITERIA

Canby Municipal Code Chapters

- 16.10 Off-Street Parking And Loading
- 16.34 M-2 Heavy Industrial Zone
- 16.35 Canby Industrial Area Overlay (I-O) Zone
- 16.43 Outdoor Lighting Standards
- 16.49 Site and Design Review
- 16.58. Lot Line Adjustment
- 16.89.090 Modifications.

Chapter 16.49 is used as a decision guide for the Planning Commission. This is relevant because the initial application (DR 05-05) was reviewed against these criteria.

16.10 Off-Street Parking And Loading

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 criterion is met.

16.34 M-2 Heavy Industrial Zone

Findings: Per CMC 16.35.020.C, the standards of the Industrial overlay in 16.35 replace selected development standards contained in the C-M, M-1, and M-2 zones, for continuity and quality of site design within the Master Plan area. Applicable design standards of the M-2 district include use provisions only. The M-2 use section is a “stackable” section, referencing the use provisions of the M-1 zone 16.32.010. In this Section, subsection T allows “warehouse” uses outright. The parent use of manufacturing without specified impacts specified in 16.32.010.A.1-3 are permitted outright.

The DR 05-05 Staff Report findings determined that: “The proposed development is in keeping with the city’s economic development goals and will take advantage of infrastructure built by the Urban Renewal Agency in partnership with property owners. The development represents the initial returns to significant investment in the Industrial area. The applicant’s proposal is in compliance with Canby’s Municipal Code regarding Pioneer Industrial Park development and the Industrial Overlay (I-O) Zone.”

The I-O Overlay zone, in CMC16.35.030 states: *Unless limited by sections 16.35.040 or 16.35.045, uses permitted outright in the C-M zone, M-1 zone, and M-2 zone are permitted outright in the I-O zone, subject to the respective zone district boundaries.* The proposed and existing uses are not prohibited by 16.35.040 or .045

Therefore, the existing and proposed uses are permitted outright.

16.35.050 and .070 Canby Industrial Area Overlay (I-O) Zone Development standards

The following subsections indicate the required development standards of the I-O zone. These standards replace the standards of the C-M zone, M-1 zone, and M-2 zone, as follows:

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 criterion is met.

The matrix of CMC TABLE 16.35.040 contains minimum acceptable scores. Being that this is a modification and not a complete site and design review, some criterions were found to be relevant to and scored for the entire site or the new construction area. There is no code guidance for allocating relevant standards to achieve the minimum acceptable score using the entire site versus the new construction area. Staff finds that the applicant, in conference with Staff, allocated appropriate criteria to the new development area and that the scores indicated in the applicant’s narrative are accurate and sufficient to meet the applicable criteria and standards and achieve a sufficient score to recommend approval. The minimum relevant score is met and the standards are met.

16.43 Outdoor Lighting Standards

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 criteria and standards are met.

16.49.040 Site and Design Review - Criteria and Standards

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 criteria and standards are met.

16.58. Lot Line Adjustment

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 criteria and standards are met.

16.89.090 Modifications.

Findings: This application is being processed through the provisions of the Intermediate Modification procedure, referencing 16.89.090.D, using the original Site and Design Review criteria through the notice procedures of the Type II process. Additionally, 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 criterion is met.

Conclusion Regarding Consistency With The Standards Of The Canby Municipal Code

Staff has reviewed the standards and intent of the applicable portions of the Canby Municipal Code and concludes that, with the proposed conditions, the applications are consistent with the applicable criteria of Canby's Municipal Code Standards.

SECTION VII PUBLIC TESTIMONY

As of the composition date of this Staff Report, no public comments have been received.

SECTION IX COMMENTS SUMMARY

Comments were received from the following agencies/departments:

City of Canby
Staff Report To The Planning Commission
MOD11-01/LLA11-02 Pioneer Pump
April 25, 2011

- City of Canby Public Works
- City of Canby Fire
- City Engineer
- Oregon Dept. Of Transportation (ODOT)
- Canby Utility

City Engineer Comment Summary:

1. For serving the newly created tax lot 4505 in the northeast corner, two options must be considered:
 - a. separate 6-inch diameter sanitary sewer lateral shall be extended from the existing sanitary sewer manhole at Sequoia Parkway to the newly created tax lot 4505.
 - b. upsize to 8-inches in diameter the existing sanitary line located between the existing sanitary sewer manhole at Sequoia Parkway and the existing manhole in the parking. In either option, a reciprocal private sanitary sewer easement will be needed from tax lot 4502 for cross over piping in favor of the newly created tax lot 4505. The reciprocal private sanitary sewer easement must be shown on the partition plat or a separate document must be submitted to the City for review, approval and recorded with Clackamas County. A joint maintenance agreement will also be required be submitted to the City for review, approval and recorded with Clackamas County.

2. The developer's engineer must submit to the City of Canby for review and approval a storm drainage plan and analysis for consolidating the storm water disposal from both buildings and the parking areas. The drainage analysis should conform to the City of Portland or Clean Water Services storm drainage design standards. The retention/ detention pond for water quantity must be sized to convey the runoff following the 25-year 24-hr storm event and attenuating the flow from the 100-year 24-hr storm event while water quality design must be based on 2-year 24-hr storm event recurrence.

3. Although it is not required as part of this application, the storm drainage for the newly created tax lot 4505 can be consolidated in the same detention/ retention facility on tax lot 4502. This will require the developer to submit to the City for review, approval and record with Clackamas County a storm drainage maintenance agreement and a reciprocal private storm drainage easement encompassing the entire storm drainage facility in favor of both tax lots. Another option would be for the newly created tax lot 4505 to deal with the storm drainage issue in the future when it develops.

4. The applicant will be required to obtain concurrence for access rights from the owner of TL 4501 to benefit the newly created tax lot 4505. The existing access easement and a reciprocal maintenance agreement must be modified and submitted to the City for review, approval and recorded with Clackamas County.

5. Upon completion of the new retention pond, the property owner shall decommission the other pond.

Canby Public Works Comment Summary

4. If the current owner holds on to both properties, no new sanitary sewer would be needed. If the property or warehouse is sold, then there would need to be an additional line ran to the warehouse.
5. Storm water would need to be addressed as well as access to the site should the property or warehouse be sold.

Canby Building Department Comment Summary

1. Removal of the property line through the proposed building separating the taxlots is accomplished by a replat that permanently removes the line, not just by a lot line adjustment.

ODOT Summary

1. The site is not close-enough or big enough to significantly impact OR 99E, and it is a use allowed in the zone; therefore, no comment.

Canby Utility Comments

1. There is an easement covering the existing electrical serving the existing property. Depending on the location of the new electrical service, new easements covering the installation may be required. There will not be any need to install from Sequoia. Electric can be served from the existing building.
2. Does not affect Canby Utility Water for potable water.
3. There is a water main in the street which is more than adequate to serve your needs.

City Traffic Engineer Comments

1. The proposed use would not represent an increase in site trip generation significant enough to warrant an off-site impact evaluation. In addition, the proposed site plan does not significantly alter the site access. Therefore, we have determined the following would be required:
2. Prepare a trip generation letter (stamped by an Oregon registered profession engineer) documenting the increase in site trip generation with the proposed

project (based on ITE Trip Generation Methodology), including both daily and peak hour trips.

SECTION X CONCLUSION

1. Staff concludes that the use is in conformance with the City's Comprehensive Plan and the Zoning Ordinance.
2. Staff concludes that the relevant site and design standards and minimum acceptable scores are met.
3. Staff concludes that no new lot is created as a result of the proposed lot line adjustment and that the lot line adjustment standards are met.
4. Staff concludes that public and private service and utility provision to the site is available or can be made available through future improvements.

SECTION XI 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 **APPROVE** Modification11-01 and LLA11-02 pursuant to the conditions presented in this Staff Report in Section XII.

SECTION XII CONDITIONS OF APPROVAL

Approval of this application is based on submitted application materials as indicated in Exhibits A, B, & C). Approval is strictly limited to the submitted proposal and is not extended to any other development of the property. Any modification of development plans not in conformance with the approval of application file no. MOD-11-01, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code.

Prior to Issuance of Building Permit the following must be completed:

1. The applicant may submit the civil construction drawings separate from the building permit submittal package for final preconstruction conference sign-off approval.
2. A Pre-Construction Conference with sign-off on all final plans is required.
3. The property owner's design engineer shall provide 3 copies of the final Storm Drainage Report detailing infiltration and drainage analysis to the 25-year storm event with the final construction plans submittal.
4. A Grading and Erosion Control Permits will be required from the City prior to

commencing site work.

5. A final plat (replat) as determined by the County in accordance with ORS Chapter 92, shall be approved by the City and filed of record in order to relocate the existing lot line through the proposed building. The applicant shall complete a City of Canby Plat Review application (\$100 fee.) Approval of the Lot Line Adjustment shall be null and void if its implementing "plat" is not recorded with Clackamas County within one (1) year of this approval. The Planning Director may approve a single one-year extension to the original one-year period. Applicants must file a request for such extension in writing, stating the reasons the request is needed. The Planning Director shall review such requests and may issue the extension after reviewing any changes that may have been made to the text of this title and any other pertinent factors, including public comment on the original
6. Applicants shall prepare and record new deeds and legal descriptions for the lots with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department upon recording with Clackamas County.

City Approval Disclaimer: In acting upon an application for a lot line adjustment, the City of Canby assumes no liability for the applicant's actions. Applicants for a lot line adjustment shall bear full responsibility for compliance with all applicable state and local regulations and for the following:

- A. Any public or private easements to be altered as a result of the lot line adjustment shall require the prior approval of the agency or individual having right to such easements.
- B. The Clackamas County Assessor shall be notified that the lot line adjustment is not to result in the creation of an additional tax lot. If a separate tax lot is created by the County Assessor, it is not considered to be a separately saleable or developable building site.
- C. Approval of all lienholders having an interest in properties affected by a lot line adjustment shall be obtained.

Exhibits:

- A. Applicant Site and Design Review Revision narrative
- B. Applicant Original Site and Design Review narrative
- C. Applicant Lot Line Adjustment narrative
- D. Vicinity Map
- E. Site Plan

Exhibit A: Applicant's Site and Design Review Narrative Revision

April 12, 2011

City of Canby

Attention: Markus Mead

170 NW 2nd Avenue

PO Box 930

Canby, OR 97013

Re: **Pioneer Pump Warehouse MOD 11-01 LLA 11-02**

Site and Design Review Application Revision

Project Number 2110031.00

Dear Markus:

The applicant is proposing several minor changes to the original Site and Design Review application. These changes include:

1. Adding 2,912 SF of mezzanine storage space in the new building
2. Decreasing original 1,100 SF of office to 1,030 SF
3. Relocating loading areas 15' to the north
4. Increasing parking spaces from 36 to 38 spaces
5. Relocating four parking stalls to the northeast corner of lot
6. Adding two clerestory windows on the south elevation
7. Removing one window from north elevation and rearranging remaining two windows
8. Decreasing adjusted Tax Lot 31E34 Map 04505 from 1.0-acre to 0.51-acre

The proposed changes do not impact the Site and Design Review matrix in terms of points as the modifications maintain the amount of points previously awarded. The Site and Design Review Landscaping Calculations form has been updated for your review. The table below includes the changes made to the development standards.

TABLE 1 – DEVELOPMENT STANDARDS SUMMARY			
Standard	IO Zone	Proposed	Revision
A. Minimum Building Setbacks	Street Yard: 20' for buildings 25' tall; 35' for buildings between 25' - 45' tall Interior Yard: 10'	Interior yard: 10'	None
B. Minimum Lot Width and Frontage	None	Not applicable	None
C. Minimum Yard Requirements 1. Street yard 2. Interior yard	20' for buildings up to 25' in height 10' except 20' where abutting Residential Zone	Not applicable Not applicable	None None
D. Maximum Height	45'	32'-6"	None
E. Maximum Lot Coverage	None	37.34% Building Coverage	None
Site Landscaping	15%	17.23%	17.13 %
Parking Lot Landscaping	15% of Combined Area of All Parking Spaces and Maneuvering Areas	2,077 SF (19.1%)	3,263 SF (30%)
Minimum Automobile Parking	Proposed Warehouse: Office (1,100 SF): 2.0/1,000 SF = 2 Warehouse (33,500 SF): 1.0/1,000 SF = 34 36 Spaces Required Revised Warehouse: Office (1,030 SF): 2.0/1,000 SF = 2 Warehouse (36,382 SF): 1.0/1,000 SF = 36 38 Spaces Required	Standard spaces 23 Compact spaces 11 Handicap spaces 2 Total new spaces 36 Total Spaces: 36	Standard spaces 34 Compact spaces 2 Handicap spaces 2 Total new spaces 38 Total Spaces: 38

TABLE 1 – DEVELOPMENT STANDARDS SUMMARY				
Standard	IO Zone		Proposed	Revision
Minimum Bicycle Parking	Warehouse:	2 or 0.1 space per 1,000 SF	3	4
	Office:	2 or 1 space per 1,000 SF	1	2
			Total Spaces: 4	Total Spaces: 6

TABLE 2 – LOT LINE ADJUSTMENT SUMMARY				
Tax Lot and Map	Existing Acreage	Proposed Acreage	Zoning	Ownership
TL31E34 Map 04502	3.48 AC (151,812 SF)	3.84 AC (167,089 SF)	I-O – Canby Industrial Area Overlay (M2 – Heavy Industrial)	Pioneer Pump, Inc.
TL31E34 Map 04505	1.0 AC (43,437 SF)	Proposed Acreage: 0.65 AC (28,160 SF) Revised Acreage: 0.51AC (22,215SF)	I-O – Canby Industrial Area Overlay (M2 – Heavy Industrial)	Pioneer Property, LLC

Please accept these revisions and include this information and revised plans with the staff report to the Planning Commission.

Do not hesitate to contact me with any questions.

Sincerely,

Rhys Konrad

Enclosures: Site Plan

Architecture Plan

Landscape Plan

Landscape Calculations Form

c: Jerry Turner – Pioneer Pump

Bob Thompson, Erica Jankowski – Group Mackenzie

Exhibit B: Applicant Original Site and Design Review Narrative

2. Introduction

Pioneer Pump is proposing to build a 34,500 SF warehouse on their current property for additional storage needs. This site and design review application is for tax lot 4502 and 4505 of map 3S1E34 as is shown on the attached tax map (Exhibit A).

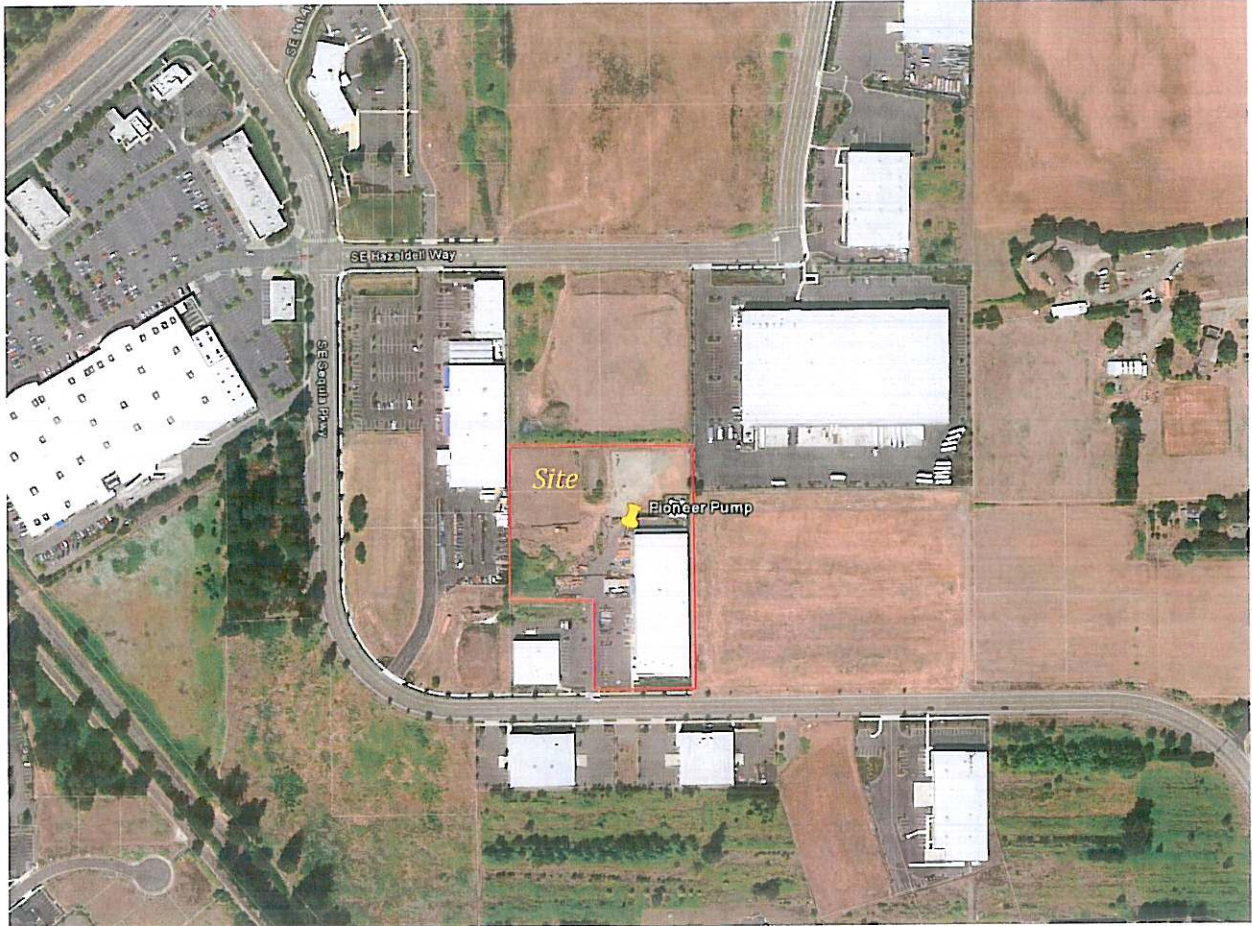
The purpose of this application is to request site and design review approval for a 34,500 SF warehouse. The proposed building is intended to serve Pioneer Pump's business to accommodate storage needs. This new warehouse also includes 1,100 SF of office and 7,500 SF of covered outdoor storage area, and a covered breezeway that connects to the existing building.

Pioneer Pump currently operates its business on site and has an increase in warehouse needs. The primary function of Pioneer Pump's business includes manufacturing large water pumps for various mining/drilling purposes. Pioneer Pump's business currently employs 72 people, working in two shifts approximately 5:30 a.m. to 3:30 p.m. and 4:00 p.m. to 2:00 a.m. Pioneer Pump anticipates an increase of eight employees once the new warehouse is constructed by yearend.

As is shown below, the subject site is located adjacent to South Sequoia Parkway. The subject site is zoned M2 – Heavy Industrial Zone and contains an I-O – Canby Industrial Area Overlay as is shown on the attached zoning map (Exhibit B). The site is currently developed with Pioneer Pump's manufacturing facility. All surrounding parcels are similarly zoned for industrial purposes, and are vacant on the north and east. Existing industrial developments currently exist to the west and south.

Prior land use approvals for the site include a September 12, 2005 site and design review (DR 05-04) for the original development with a minor modification (DR05-04) dated February 24, 2006, and another minor modification (MOD 10-03/PLP 10-01) dated June 14, 2010. The most recent modification was a paving project to accommodate the outdoor storage of pumps and materials associated with the pump

sales business. According to confirmation at the pre-application conference held on February 17, 2011, this application qualifies as an "Intermediate Modification" to the previous approvals.



Aerial Photo of Site

3. Proposed Development

This application requests approval of a site and design review for a new 34,500 SF warehouse. A pre-application conference with City staff was held on February 17, 2011 (see notes included as Exhibit C). The proposed warehouse is intended to serve Pioneer Pump's business.

The proposed building is oriented facing east toward the existing Pioneer Pump building, with parking south of the proposed building. The site will have 36 new off-street parking spaces. The disturbed construction area is 1.83 acres of the entire 4.48-acre site. All development standards provided herein are based on this disturbed area. The site plan proposes 33,645 SF of landscape area for the entire site, 17.23% of the lot area. The parking area for the disturbed construction area is 10,854 SF with 2,077 SF of parking lot landscaping, 19.1% of new parking lot area.

On-Site Development

Building

The proposed building will utilize concrete tilt-up construction with open-web steel joists and girders with a plywood roof diaphragm. The exterior will include storefront window systems at the southeast corner with steel to emphasize the main entrance to be used as a shipping and receiving office. In addition, scored reliefs in the panels, stepped parapet for articulation, and additional windows on upper building area will be provided to break up the scale and articulate the façade.

Landscaping

The landscape design for the proposed development meets or exceeds all City of Canby landscape standards. The proposed development complies with the minimum percentages for both site and parking lot landscaping. All planting areas will be irrigated with current irrigation technology to conserve water resources. The planting design is also coordinated with circulation and site utilities. The site plan proposes 33,645 SF of landscape area for the entire site, 17.23% of the lot area. The parking area for the disturbed construction area is 10,854 SF with 2,077 SF of parking lot landscaping, 19.1% of new parking lot area.

Utilities

Storm

The stormwater will be treated and infiltrated on site. We are relocating the existing infiltration pond to north side of the site. The pond is sized to infiltrate new and existing impervious areas. The infiltration pond is also intended for water quality and meets the water quality requirements.

Sanitary

We are proposing to connect the new warehouse building with 6" sanitary service that goes through a sampling manhole. This connects to the existing 6" sanitary sewer line on site.

Water

Fire water service will come off of an existing 8" line on site with a 6" service line to the proposed building. The existing fire fault, domestic water meter, and backflow are located in the southeast corner of the site. One fire hydrant is being relocated and two are added to cover the proposed building. A 2" domestic water line will be connected to the new building from the existing 2" water line on site.

4. Intermediate Modification

CHAPTER 16.89.090 Application and Review Procedures – Modifications

Any proposed modification to previously approved land use applications, including site plans, elevations, or conditions of approval, shall be reviewed by the Planning Director to determine if they are minor, intermediate, or major. Factors to be considered in this determination include the date of the original application, the impact on neighboring properties, and the impact on public service provision. Modifications shall be processed as indicated in subsections A through D below. Modification applications shall be made on forms provided for the purpose by the Planning Director.

- B. Intermediate Modification. Intermediate modifications are those that do not fit the definitions in 16.89.090(A) or (C). The Planning Commission will review intermediate modifications as new business items. If the Commission approves a modification, notice of the decision will be distributed to individuals with standing and the owners and residents of the properties noticed during the original application review process. The Planning Director may waive the requirement to notice those with standing in cases when the final decision date on the original application was more than five years prior to the modification application date. The individuals noticed may obtain a public hearing on the issue by filing a request in writing within ten days of the notice mailing date. Any additional costs of such hearings shall be paid by the modification applicant. Hearing notice shall follow the requirements of the procedure type of the original application. The Planning Commission may require any Intermediate Modification to be processed as a Major Modification, using the decision criteria in section 16.89.090.*

Response: After meeting with City staff during the pre-application conference, staff determined the above project qualifies as an “Intermediate Modification” of the previous site and design review approval. Therefore, the modification process will follow the site and design review Type II procedure, as the original application was processed as such.

- D. Modification criteria. Modification applications shall be evaluated based on the criteria pertaining to the original application being modified. (Ord. 1111, 2003; Ord 1237, 2007)*

Response: Following prior approval, this intermediate modification application will address the criteria below and follow the site and design review Type II procedure in terms of notice and decision-making process.

Chapter 16.35 CANBY INDUSTRIAL AREA OVERLAY (I-O) ZONE

16.35.030 Uses Permitted Outright

Unless limited by sections 16.35.040 or 16.35.045, uses permitted outright in the C-M zone, M-1 zone, and M-2 zone are permitted outright in the I-O zone, subject to the respective zone district boundaries.

Response: The proposed building is intended for the current tenant's warehouse use. The use most closely relates to, "wholesale distribution, including warehousing and storage" as described in 16.32.010 for the M-2 zone. The current tenant space is assumed to fall under the, "manufacturing, fabricating, processing, compounding, assembling or packaging of products made from previously prepared materials such as cloth, plastic, paper, metal, wood" use, which is allowed outright under the M-2 zone.

16.35.040 Conditional Uses

A. *Any proposed site development, change in use, land division, or other action that results in any of the following requires conditional use approval in the I-O zone:*

1. *Less than 12 employees per developed acre.*

Response: The combined estimated employees for both buildings serving Pioneer Pump are approximately 72 employees for the site. The total site area is 4.48 acres and the total number of employees per acre is approximately 16. This standard is met and, therefore, a conditional use is not required.

2. *More than 60 acres total in I-O zoning that is occupied by a single use or business. For the purposes of this section, businesses classified in the same NAICS industry group (four-digit code) are considered to be in the same use. This section is intended to apply cumulatively to all properties in the zone;*

Response: The proposed development is no more than 60 acres in total. This standard does not apply.

3. *Utilization of any public service or utility to such an extent that the utility would not be able to supply all other uses projected in its current long-range plans;*

Response: The proposed development does not utilize any public service or utility to such an extent that the utility would not be able to supply all other uses projected in its current long-range plans. This standard does not apply.

4. *Uses requiring an H occupancy classification under the Oregon Structural Specialty Code;*

Response: The proposed development does not require an H occupancy classification under the Oregon Structural Specialty Code. This standard does not apply.

5. *In any C-M zoning overlain by I-O zoning, any retail or commercial use with a building footprint exceeding 50,000 square feet;*

Response: The proposed development is zoned M-2. This standard does not apply.

6. *In any M-1 or M-2 zoning overlain by I-O zoning, any retail or commercial use not related to or supportive of the primary industrial use of the park; or*

Response: The proposed development does not include any retail or commercial use unrelated to or supportive of the primary industrial use of the park. This standard does not apply.

7. *In any M-1 or M-2 zoning overlain by I-O zoning, retail areas occupying more than 15% of the building footprint or more than 3,000 square feet.*

Response: The proposed development does not include any retail areas. This standard does not apply.

B. *To approve a conditional use in the I-O zone, the Planning Commission shall find that each of the following additional criteria are either met, or can be met by observance of conditions, unless it is not applicable:*

1. *The proposed use is compatible with the industrial nature of the park and will have minimal negative impact on the development and use of surrounding properties;*

Response: The proposed development is compatible with the industrial nature of the park, and will have minimal impacts on the development and use of surrounding properties. This standard is met.

2. *The proposed use does not pose a threat to public health or safety; and*

Response: The proposed use does not pose a threat to public health or safety. This standard is met.

3. *The proposed use is beneficial to the overall economic diversity and vitality of the City.*

Response: The proposed use is beneficial to the overall economic diversity and vitality of the City as it will serve Pioneer Pump's growing needs. This standard is met.

16.35.050 Development Standards

Response: The proposed use is permitted outright in the M-2 zone and is also in the I-O zone. The proposed development satisfies the development standards of the I-O zone as shown in Table 1 below. As this application is a modification of the prior approval, several of these standards do not apply (such as street yard setback) or are met for the entire site (such as site landscaping). In addition, some development standards are met for only the new area (such as minimum parking and parking lot landscaping). The attached site plan demonstrates compliance with several of the requirements listed below.

TABLE 1 – DEVELOPMENT STANDARDS SUMMARY			
Standard	IO Zone	Proposed	Revision

TABLE 1 – DEVELOPMENT STANDARDS SUMMARY			
Standard	IO Zone	Proposed	Revision
A. Minimum Building Setbacks	Street Yard: 20' for buildings 25' tall; 35' for buildings between 25' - 45' tall Interior Yard: 10'	Interior yard: 10'	None
B. Minimum Lot Width and Frontage	None	Not applicable	None
C. Minimum Yard Requirements 1. Street yard 2. Interior yard	20' for buildings up to 25' in height 10' except 20' where abutting Residential Zone	Not applicable Not applicable	None None
D. Maximum Height	45'	32'-6"	None
E. Maximum Lot Coverage	None	37.34% Building Coverage	None
Site Landscaping	15%	17.23%	17.13 %
Parking Lot Landscaping	15% of Combined Area of All Parking Spaces and Maneuvering Areas	2,077 SF (19.1%)	3,263 SF (30%)
Minimum Automobile Parking	Proposed Warehouse: Office (1,100 SF): 2.0/1,000 SF = 2 Warehouse (33,500 SF): 1.0/1,000 SF = 34 36 Spaces Required Revised Warehouse: Office (1,030 SF): 2.0/1,000 SF = 2 Warehouse (36,382 SF): 1.0/1,000 SF = 36 38 Spaces Required	Standard spaces 23 Compact spaces 11 Handicap spaces 2 Total new spaces 36 Total Spaces: 36	Standard spaces 34 Compact spaces 2 Handicap spaces 2 Total new spaces 38 Total Spaces: 38
Minimum Bicycle Parking	Warehouse: 2 or 0.1 space per 1,000 SF Office: 2 or 1 space per 1,000 SF	3 1 Total Spaces: 4	4 2 Total Spaces: 6

F. *Street access (curb cuts) spacing shall be a minimum of 200 feet on designated parkway and collector streets.*

Response: The proposed development has a single existing 30' driveway onto South Sequoia Parkway and the site is more than 300' from the curve in Sequoia; therefore, site distance is not a concern. This standard is met.

G. *Street right-of-way improvements shall be made in accordance with the circulation plan, and streetscape/street section standards of the Industrial Area Master Plan.*

Response: The required street right-of-way improvements were provided with previous development on site. This standard does not apply.

H. *Building orientation standards. The following standards are intended to ensure direct, clear, and convenient pedestrian access:*

1. *Development in the M-1 zone and M-2 zone shall provide at least one public entrance facing the street. A direct pedestrian connection shall be provided between the primary building entrance and public sidewalk.*

Response: As is shown on the attached site plan, the existing building provides a direct pedestrian connection to South Sequoia Parkway. The proposed development connects to this system and provides a continuous connection to the new building by way of the covered breezeway. This standard is met.

2. *Developments within the C-M zone shall provide continuous, straight-line pedestrian connections between the street(s), buildings, and parking areas.*

Response: The proposed development is not within the C-M zone. This standard does not apply.

I. *Right of way plantings: Street trees and ground cover plantings shall be installed with development, as approved by the City. Shrubs are prohibited within the public right-of-way.*

Response: Street trees and groundcover plantings were installed on South Sequoia Parkway with prior site development. This standard is met.

J. *Metal building exteriors are prohibited, except that the Planning Commission may approve architectural metal elements that accent and enhance the aesthetics of building entrances and office areas.*

Response: The proposed building will utilize tilt-up concrete construction and will contain no exterior metal building components. Please see the attached elevations for more detail. This standard is met.

K. *Lighting shall be required for all streets, sidewalks, and pedestrian ways. Applications for land division approval and site plan review shall include photometric plans.*

Response: Lighting has been provided for the proposed development as is shown on the attached lighting plan and cut sheets (See Exhibits E and F). This standard is met.

- L. *Shared access: The City may require the provision of shared access drives through the land division review process.*

Response: The existing access from South Sequoia Parkway is shared with the Vata Development to the west. However, this application does not propose any land division; therefore, this standard does not apply.

- M. *All landscaped areas shall be irrigated.*

Response: All proposed landscape areas will be irrigated by an automatic system. This standard is met.

- N. *Other regulations: The C-M zone, M-1 zone, and M-2 zone provide other applicable regulations related to vision clearance, Highway 99E sidewalk width, setback measurement, outside storage, and wireless/cellular tower certification. (Ord. 1008 section 1[part], 1998; Ord. 1237, 2007; Ord. 1299, 2008)*

Response: The M-2 zone does not provide other applicable regulations related to vision clearance, Highway 99E sidewalk width, setback measurement, outdoor storage, and wireless/cellular tower certification. This standard does not apply.

16.35.060 Design Guidelines

The Industrial Area Master Plan provides design guidelines for reviewing development applications. The guidelines, which are incorporated into Table 16.35.000, encourage:

- A. *Flexibility to align local streets based on parcelization and development requirements;*
- B. *Tree retention, planting of large (3-inch) caliper trees, and use of lawn/ground cover planting in front yard setbacks;*
- C. *Placement of buildings at or near the setback line*
- D. *Placement of parking areas to the side or rear of buildings*
- E. *Placements of smaller commercial buildings at or near the street*
- F. *Building entries visible from the street with direct pedestrian connections*
- G. *Use of quality building materials*
- H. *Architectural detail to break up and articulate large surfaces and columns, and to accentuate building entries*
- I. *Open space retention and trail connections, as designated by the Master Plan*

Response: Please see the following discussion regarding the design review matrix, as the guidelines have been incorporated into those criteria.

16.35.070 I-O Design Review Matrix

The City uses the following matrix to evaluate compliance with the I-O design guidelines. The matrix substitutes for the general design review matrix provided in Chapter 16.49.

Response: As noted in the design review matrix, some provisions may not apply to every project. For the Pioneer Pump warehouse project, proposed local street alignments, building orientation, groundcover treatment, tree retention, open space conservation, and trail connections do not apply. The disturbed construction area is 1.83 acres of the entire 4.48-acre site. All development standards provided herein are based on this disturbed area. Therefore, the maximum number of points applicable to the proposed project is 17 points, of which 13 points (76%) are met.

- Parking: The minimum required parking for the proposed development is 36 stalls. We are proposing 36 stalls which is 100% of the minimum. A total of 34 (94%) parking stalls are located to the side of the building and screened from view by the existing Vata Building. A total of 10,854 SF of interior parking area exists of which 2,077 SF (19.1%) is proposed to be landscaped. The total number of trees required for this project, based upon the higher amount between the parking stall or parking area method, is 5. We are proposing 10 parking lot trees which are all planted within 10' of the parking lot area. In addition, we are proposing trees to be planted at 1 per 40' on average within the parking lot area. Therefore, the subject project earns 7 points.
- Transportation/Circulation: The proposed development does not required new streets or modifications to adopted master plans. It should be noted since no street alignment modifications are needed, this point does not apply and should be removed from the matrix for this project. The existing building provides a pedestrian connection to the street. A pedestrian connection will be provided between the existing and proposed building with a 6'-wide scored concrete path under the covered breezeway. Therefore, the subject project earns 2 points.
- Landscaping: We are proposing 28 new trees of which 14 (50%) are 3" caliper. In addition, we are proposing to plant trees along parking areas at an average distance of 1 per 40'. An outdoor picnic area is provided on site as part of the new development. The amount of grass used for groundcover treatment also is not appropriate for this project. The project proposes landscaping in excess of the minimum requirements. Based upon the description above, the project earns 3 points.
- Tree Retention, Open Space Conservation, and Trail Connections: There are no identified trees existing on the subject site. In addition, no existing trail system exists surrounding the property nor has one been identified by the City. Based upon the description above, none of these points apply.
- Building Appearance and Orientation: The proposed project utilizes tilt-up concrete, which is similar to the existing building on site. A similar horizontal paint band will be provided along with elevated window areas to provide natural light within the proposed warehouse space. A new storefront window system is proposed at the southeast corner as this area and is intended to be used as a shipping/receiving office. The proposed building is set back far from the street; therefore, the building orientation or proximity to the street does not apply. The existing building is in compliance with the building orientation. Based on the description above, the project earns 1 point.

Chapter 16.49

16.49.040 Site and Design Approval Criteria and Standards

1. *The Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:*
 - A. *The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and*

Response: As is shown on Table 1 (see Section 4 of this narrative), the proposed development is in conformance with the development standards of the I-O overlay zone. The proposed development conforms with all applicable standards as is demonstrated in this application and on the attached plans. This standard is met.

- B. *The proposed design of the development is compatible with the design of other developments in the same general vicinity; and*

Response: The proposed design, as is shown on the attached elevations, is compatible with the design and character of existing developments (mainly the existing building on site). This standard is met.

- C. *The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.*

Response: The proposed development is located to the rear of the existing site and is oriented toward the existing building to the east. The design, size, color, and materials are all compatible with the existing developments (mainly the existing building on site). This standard is met.

- D. *The Board shall, in making its determination of compliance with subsections B and C above, use the following matrix to determine "compatibility." An application is considered to be "compatible," in regards to subsections B, C, and D above, if a minimum of 65 percent of the total possible number of points (not including bonuses) are accumulated for the whole development.*

Response: As this site contains the I-O overlay, the proposed development was designed in accordance with the I-O matrix to ensure compliance with I-O zoning. Please see the discussion above.

- E. *It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.*

Response: Adequate public facilities and services are available for the proposed development. This standard is met.

4. *As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Chapter 12.32, the city Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.32. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review. (Ord. 848, Part III, section 2, 1991; Ord. 955 section 24 & 25, 1996; Ord 1237, 2007)*

Response: The proposed development does not propose the cutting of trees on site; and therefore, this standard does not apply.

16.49.065 Bicycle and Pedestrian Facilities

1. *Developments coming under design review shall meet the following standards:*
 - A. *The internal walkway system shall be extended to the boundaries of the property to adjoining properties developed or zoned for commercial, public, or multi-family uses . . .*

Response: The subject site is developed as an industrial property; therefore, this standard does not apply. The internal walkways included with the proposed development are intended to provide safe employee access for Pioneer Pump's use. The connection crosses the access drive and parking area and is proposed to be constructed of scored concrete. This standard is met.

- B. *On-site facilities shall be provided to accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers, and commercial districts, and connecting to adjacent residential areas and neighborhood centers. Residential developments shall include streets with sidewalks and access ways.*

Response: The proposed development is an industrial project; therefore, this standard does not apply.

- C. *For new office parks and commercial development:*
 1. *At least one sidewalk connection between the proposed development and each abutting commercial or office property shall be provided. One connection shall also be provided to each neighborhood.*
 2. *Walkways shall be provided to the street for every 300 feet of developed frontage.*
 3. *Walkways shall be direct with minimal driveway crossings.*
 4. *Walkways shall be linked to the internal circulation of the building.*

5. *Walkways shall be at least five feet wide and shall be raised, have curbing, or have different paving materials when crossing driveways. (Ord. 1043 section 3, 2000)*

Response: The proposed development is an industrial project; therefore, this standard does not apply.

Section 16.49.080 General Provisions for Landscaping

1. *The standards set forth in this section are minimum standards for landscaping.*
2. *The minimum area requirement for landscaping for developments coming under design review shall be the percentage of the total land area to be developed as follows:*
 - A. *Fifteen (15) percent for all industrial and commercial zones (except the Downtown-Commercial zone, but including the Commercial-Residential zone).*
 - B. *Seven and one-half (7.5) percent for the Downtown-Commercial zone.*
 - C. *Thirty (30) percent for all residential zones.*

Response: This site is in an industrial zone; therefore, is subject to 15% of the total land area to be landscaped. As shown on the site plan, the proposed project has 33,645 SF, or 17.23% of the total site area landscaped, which meets the requirement.

3. *Trees and other plant materials to be retained shall be identified on the landscape plan. The Site and Design Review Board encourages the retention, to the extent practicable, of existing healthy trees.*

Response: The site does not contain any existing trees or other plant materials proposed for retention. This standard does not apply.

4. *During the construction process:*
 - A. *The owner or the owner's agent shall provide above and below ground protection for existing trees and plant materials identified to remain.*
 - B. *Trees and plant materials identified for preservation shall be protected by chain link fencing placed around the tree, at the drip line.*
 - C. *If it is necessary to fence within the drip line, such fencing shall be specified by a qualified arborists, nurseryman or landscape architect.*
 - D. *Neither top soil storage nor construction material storage shall be located within the drip line of trees designated to be preserved.*

E. *Where site conditions make necessary grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip line area, such grading, building, paving, trenching, boring, digging, or other similar encroachment shall only be permitted under the direction of a qualified arborist, nurseryman or landscape architect. Such direction must assure that the health needs of trees within the preserved area can be met.*

F. *Tree root ends shall not remain exposed.*

Response: The owner will abide by these regulations during the construction process. This standard is met.

5. *Landscaping under preserved trees shall be compatible with the retention and health of said trees.*

Response: The site does not contain any existing trees or other plan materials proposed for retention. This standard does not apply.

6. *When it is necessary for a preserved tree to be moved in accordance with the Tree Ordinance, the landscaped area surrounding said tree or trees shall be maintained and replanted with trees which relate to the present landscape plan, or if there is no landscaping plan, then trees which are complimentary with existing, nearby landscape materials.*

Response: The site does not contain any existing trees or other plan materials proposed for retention. This standard does not apply

7. *Any required landscaped area shall be designed, constructed, installed and maintained so that within three (3) years, the ground shall be covered by living grass or other plant material. . .*

Response: All required and proposed landscaping will be in place within the maximum timeframe of three years. As shown on the landscape plan, various materials are proposed for the landscaping of this development to ensure that maximum percentages are not exceeded for materials used in the development. This standard is met.

8. *All trees and plant materials shall be healthy, disease-free, damage-free, well-branched stock, characteristic of the species.*

Response: All trees chosen for the landscaping are specified to comply with this section's requirements. This standard is met.

9. *Landscaping shall be installed in accordance with the provisions of Sunset New Western Garden Book, 1979 edition, Lane Publishing Company, Menlo Park, California.*

Response: All landscaping to be installed will follow the provisions of the Sunset New Western Garden Book. This standard is met.

10. *The following guidelines are suggested to insure the longevity and continued vigor of plant materials:*
- A. *Select and site permanent landscape materials in such a manner as to produce a hardy and drought-resistant landscaped area.*
 - B. *Consider soil type and depth, spacing, exposure to sun and wind, slope and contours of the site, building walls and overhangs, and compatibility with existing native vegetation preserved on the site or in the vicinity.*

Response: The existing site conditions, including soil types and exposure to natural elements, were taken into consideration when deciding which species to include to ensure a long-lasting landscape. This standard is met.

11. *All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise, so that:*
- A. *It will not interfere with designated pedestrian or vehicular access; and*
 - B. *It will not constitute a traffic hazard because of reduced visibility.*
 - C. *It will not hinder solar access considerations.*

Response: The landscaped elements were selected to be compatible with industrial uses. Maintenance will occur in a manner that will not negatively affect pedestrian or vehicular access. This standard is met.

12. *After completion of site grading, topsoil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.*

Response: The grading associated with the site preparation for the proposed development will replace topsoil in the identified landscaped areas on the site. Any additional topsoil will be adequately replaced to provide the landscaping with a suitable base. This standard is met.

13. *All planting areas shall be graded to provide positive drainage.*

Response: As shown on the grading plan, the proposed planting areas are graded in order to provide positive drainage. This standard is met.

14. *Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.*

Response: Maintenance of the property will ensure the spread of the above elements are not foreseen to be a problem with the proposed development. This standard is met.

16.49.100 Landscaping Installation and Maintenance

Response: Please see the attached landscape plan for specifications of proposed landscape materials.

1. *Except as allowed by subsection (2), all landscaping and exterior improvements required as part of the site and design review approval shall be completed prior to the issuance of any certificate of occupancy.*

Response: All landscaping and other elements associated with the site and design review will be in place before occupancy of the buildings. This standard is met.

2. *A temporary certificate of occupancy may be issued prior to the complete installation of all required landscaping and exterior improvements if security equal to 110 percent of the cost of the landscaping and exterior improvements . . .*

Response: It is not anticipated a temporary occupancy permit will be required. However, if necessary, the requirements of this section will be met.

3. *All landscaping approved through the site and design review process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved by the Site and Design Review Board, unless later altered with Board approval.*

Response: The landscaping that is approved with this application will continue to be maintained. Parking lot landscaping is designed to enhance the visual environment of the parking area by breaking up large areas of asphalt, and providing shade and relief from large heat islands. This standard is met.

16.49.120 Parking Lot Landscaping Standards

1. *General Provisions. In addition to the objectives stated in section 2 of this ordinance, goals of parking lot standards are to create shaded areas in parking lots to reduce glare and to enhance the visual environment. The design of the parking area shall be the responsibility of the developer and should consider visibility of signage, traffic circulation, comfortable pedestrian access, and aesthetics. Trees shall not be cited as a reason for applying for or granting a variance on placements of signs.*

Response: Larger trees are proposed to be located at various locations throughout the site, which will provide shaded areas for vehicular parking. Smaller shrubs and landscaping materials are specified in order to make signage visible and pedestrian access safe within the site.

2. *Application. Parking lot landscaping standards shall apply to any surface passenger vehicle parking area of ten (10) spaces or more, or to any paved vehicular use area 3,500 square feet or larger on the same tax lot or on contiguous tax lots under common ownership. Any paved vehicular area which is used specifically as a utility storage lot or a truck loading area shall be exempt from landscaping requirements within a parking lot.*

3. *Landscaping Within a Parking Lot. Area within a parking lot shall include the paved parking and maneuvering area, as well as any paved area within ten (10) feet of any exterior face of curb surrounding the paved parking and maneuvering area.*
4. *Computing Minimum Area Required to be Landscaped Within a Parking Lot.*
 - A. *Fifteen (15) percent for all residential, industrial, and commercial zones (except the Downtown-Commercial Zone, but including the Commercial-Residential Zone).*

Response: Parking lot landscaping standards apply to this site as there are 36 parking spaces proposed. 10,854 SF of parking lot area are associated with the proposed site. As shown on the site plan, a total of 2,077 SF (19.1%) of landscaping are provided, which exceeds the requirement.

5. *Trees Required Within Parking Lots. Deciduous, evergreen and/or shade trees shall be planted within all parking lots and shall be distributed on the basis of one (1) tree for each eight (8) parking spaces or 2,800 square feet of paved vehicular-use area, whichever is greater. The Site and Design Review Board explicitly encourages the use of planter islands with trees for landscaping parking lots.*

Response: As shown on the landscape plan, 5 deciduous parking lot trees in planter islands are proposed. This standard is met.

6. *Criteria for Trees in Parking Lots. Deciduous, evergreen and /or shade trees shall meet the following criteria:*

Response: All trees included with the proposed development comply with the standards in this subsection.

7. *Size of Landscape Planter Islands:*
 - A. *Landscape planter islands containing trees shall have a minimum planting area or twenty-five (25) square feet; shall have a minimum width of forty-eight (48) inches measured from back of curb; and shall be designed so as to prevent vehicular damage to trees. (Curb height to be six (6) inches minimum.)*
 - B. *Sidewalks shall not encroach upon the minimum planting width.*

Response: While the size of the landscape planter islands that contain trees as shown on the site plan vary, all planter islands meet the minimum standards listed above.

8. *Perimeter of Parking and Loading Areas:*
 - A. *Screening of parking and loading areas is required. Within three (3) years of planting, screening shall be of such height and density as to shield vehicle headlights from head-on visibility.*

- B. *In addition, one (1) deciduous, evergreen and/or shade tree shall be planted every forty (40) feet, minimum, along the required setback of the vehicular use area.*

Response: The use of trees and other landscaping is proposed to screen all parking areas on the site. There is a landscape tree located every 40' along vehicle areas.

9. *Irrigation System or Available Water Supply Required. Landscaped areas shall be provided with automatic irrigation systems or a readily available water supply with at least one (1) outlet located within 150 feet of all plant materials to be maintained.*

Response: An automatic irrigation system is proposed to be installed with the landscaping to encourage the longevity and health of all landscape material areas. This standard is met.

16.49.150 Parking Lots or Paving Projects

All new paving or parking lot projects which create over 2,500 square feet of impervious surface and any new paving added to existing paving areas which creates a total of more than 2,500 square feet of impervious surface must meet City storm drainage requirements, parking lot landscaping standards and the drainage and access standards of the Oregon Department of Transportation (if applicable).

Response: The site is currently partially developed. As shown on the enclosed plans, the drainage system has been designed to meet City storm drainage requirements and parking lot landscaping standards for the entire site.

Chapter 16.43

16.43.030 Outdoor Lighting Applicability

The outdoor lighting standards in this section apply to the following:

- A. *New uses, buildings, and major additions or modifications:*
- For all proposed new land uses, developments, buildings, and structures that require a building permit, all outdoor lighting fixtures shall meet the requirements of this Code.*
 - All building additions or modifications of fifty (50) percent or greater in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or cumulative additions subsequent to the effective date of this provision, shall invoke the requirements of this Code for the entire property, including previously installed and any new outdoor lighting.*
- B. *Minor additions. Additions or modifications of less than fifty (50) percent to existing uses, as defined in Section A(2) above, and that require a building permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site shall meet the requirements of this Code with regard to shielding*

and lamp type. The total outdoor light output after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Code, whichever is larger.

Response: The proposed new building requires a building permit; therefore, outdoor lighting standards apply.

16.43.060 Prohibited Light and Lighting

- A. *All outdoor light sources, except street lights, shall be shielded or installed so that there is no direct line of sight between the light source or its reflection at a point 3 feet or higher above the ground at the property line of the source. Light that does not meet this requirement constitutes light trespass. Streetlights shall be fully shielded.*
- B. *The following lighting systems are prohibited from being installed or used except by special use permit:*
 - 1. *Aerial Lasers.*
 - 2. *“Searchlight” style lights.*
 - 3. *Other very intense lighting, defined as having a light source exceeding 300 watts.*

Response: All outdoor light sources will be shielded so there is no direct line of sight between the light source or its reflection at a point 3' or higher above the ground at the property line of the source. Aerial lasers, “searchlight” style lights, or other very intense lighting will not be utilized. This standard is met.

16.43.060 Luminaire Lamp Wattage, Shielding, and Installation Requirements

- A. *All outdoor lighting shall comply with the limits to lamp wattage and the shielding requirements in Table 16.43.070 per the applicable Lighting Zone. These limits are the upper limits. Good lighting design will usually result in lower limits.*
- B. *The city may accept a photometric test report, demonstration or sample, or other satisfactory confirmation that the luminaire meets the requirements of the shielding classification.*
- C. *Such shielded fixtures must be constructed and installed in such a manner that all light emitted by the fixture complies with the specification given. This includes all the light emitted by the fixture, either directly from the lamp or by a diffusing element, or indirectly by reflection or refraction from any part of the fixture. Any structural part of the fixture providing this shielding must be permanently affixed.*
- D. *All canopy lighting must be fully shielded. However, indirect upward light is permitted under an opaque canopy provided that no lamp or vertical element of a lens or diffuser is visible from beyond the canopy and such that no direct upward light is emitted beyond the opaque canopy.*

Landscape features shall be used to block vehicle headlight trespass while vehicles are at an external point of service (i.e. drive-thru aisle).

- E. All facade lighting must be restricted to the facade surface. The margins of the facade shall not be illuminated. Light trespass is prohibited. The sides of commercial buildings without a customer entrance shall not be lit.*

Response: The proposed development will be in compliance with all lighting standards. See the attached photometric plan and lighting cut sheets (see Exhibits E and F). This standard is met.

16.43.080 Height Limits

Pole and surface-mounted luminaires under this section must conform with Section 16.43.070.

- A. Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of 40% of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 16.43.080, whichever is lower. The following exceptions apply:*
- 1. Lighting for residential sports courts and pools shall not exceed 15 feet above court or pool deck surface.*
 - 2. Lights specifically for driveways, and then only at the intersection of the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 16.43.080.*
 - 3. Mounting heights greater than 40% of the horizontal distance to the property line but no greater than permitted by Table 16.43.080 may be used provided that the luminaire is side-shielded toward the property line.*
 - 4. Landscape lighting installed in a tree. See the Definitions section.*
 - 5. Street and bicycle path lights.*
- B. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than 4 feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less. The following exceptions apply:*
- 1. Lighting attached to single family residences shall not exceed the height of the eave. Lighting for driveways shall conform to Table 16.43.080.*
 - 2. Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to property line.*

3. *For buildings less than 40 feet to the property line, including canopies or overhangs onto the sidewalk or public right of way, luminaires may be mounted to the vertical facade or the underside of canopies at 16 feet or less.*
4. *The top exterior deck of parking garages should be treated as normal pole mounted lighting rather than as lights mounted to buildings. The lights on the outside edges of such a deck must be side shielded to the property line.*

Response: The proposed development will be in compliance with all lighting standards. See the attached photometric plan and lighting cut sheets (see Exhibits E and F). This standard is met.

16.43.090 Lighting Controls

The city strongly recommends the use of timers and/or motion detectors on outdoor lighting, and that motion detectors be set to minimize unnecessary activation. For example, motion detectors for entryway or driveway lights should not activate for off-site pedestrians or cars.

Response: It is not anticipated the proposed development will utilize timers and/or motion detectors on outdoor lighting. This standard does not apply.

16.43.110 Lighting Plan Required

A lighting plan shall be submitted with the development or building permit application and shall include:

- A. *A site plan showing the location of all buildings and building heights, parking, and pedestrian areas.*
- B. *The location and height (above grade) of all proposed and existing luminaires on the subject property.*
- C. *Luminaire details including type and wattage of each lamp, shielding and cutoff information, and a copy of the manufacturer's specification sheet for each luminaire.*
- D. *Control descriptions including type of control (time, motion sensor, etc.), the luminaire to be controlled by each control type, and the control schedule when applicable.*
- E. *Any additional information necessary to demonstrate compliance with the standards in this section. (Ord.1338, 2010)*

Response: The proposed development will be in compliance with all lighting standards. See the attached photometric plan and lighting cut sheets (see Exhibits E and F). This standard is met.

Exhibit C: Lot Line Adjustment Narrative

This lot line adjustment request is a supplement to the materials submitted previously for an intermediate modification. The two lots associated with this request are listed below and can be found on the attached preliminary plan:

TABLE 2 – LOT LINE ADJUSTMENT SUMMARY				
Tax Lot and Map	Existing Acreage	Proposed Acreage	Zoning	Ownership
TL31E34 Map 04502	3.48 AC (151,812 SF)	3.84 AC (167,089 SF)	I-O – Canby Industrial Area Overlay (M2 – Heavy Industrial)	Pioneer Pump, Inc.
TL31E34 Map 04505	1.0 AC (43,437 SF)	Proposed Acreage: 0.65 AC (28,160 SF) Revised Acreage: 0.51AC (22,215SF)	I-O – Canby Industrial Area Overlay (M2 – Heavy Industrial)	Pioneer Property, LLC

16.58.030 REVIEW BY PLANNER AND ENGINEER

The City Planner and City Engineer shall review the proposed lot line adjustment and shall determine whether the following criteria have been met:

- A. *Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III. Except, however, that lot line adjustments are permitted on nonconforming lots and lots with nonconforming structures provided that the nonconforming lots and structures will be no less in conformity as a result of the lot line adjustment.*

Response: Both remaining parcels and existing and proposed structures will be in full compliance with City regulations, including the setback standards in Chapter 16.35.050 of 10 feet. This standard is met.

- B. *No new lots or parcels will be created as a result of the lot line adjustment without receiving approval as a partition or subdivision.*

Response: This lot line adjustment application does not result in the creation of a new lot or parcel. This standard does not apply.

- C. *If the City Planner or city engineer deems it necessary to assure the accuracy of recorded information, a survey may be required of the applicant. Such a survey will be at the applicant's cost.*

Response: This lot line adjustment application is being submitted concurrently with the intermediate modification request for the new warehouse building. The information shown on the attached preliminary plan is based upon a preliminary survey. Final survey information will be provided along with copies of new legal descriptions for the new parcels, prior to occupancy of the new building. This standard is met.

- D. *Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result. (Ord. 740 section 10.4.20(B), 1984)*

Response: This lot line adjustment application does not result in the creation of additional building sites in known hazardous locations. Appropriate development or the extension of public facilities will not be impaired as a result of this lot line adjustment. This standard does not apply.

16.35.050 CANBY INDUSTRIAL AREA OVERLAY (I-O) ZONE

The following subsections indicate the required development standards of the I-O zone. These standards replace the standards of the C-M zone, M-1 zone, and M-2 zone, as follows:

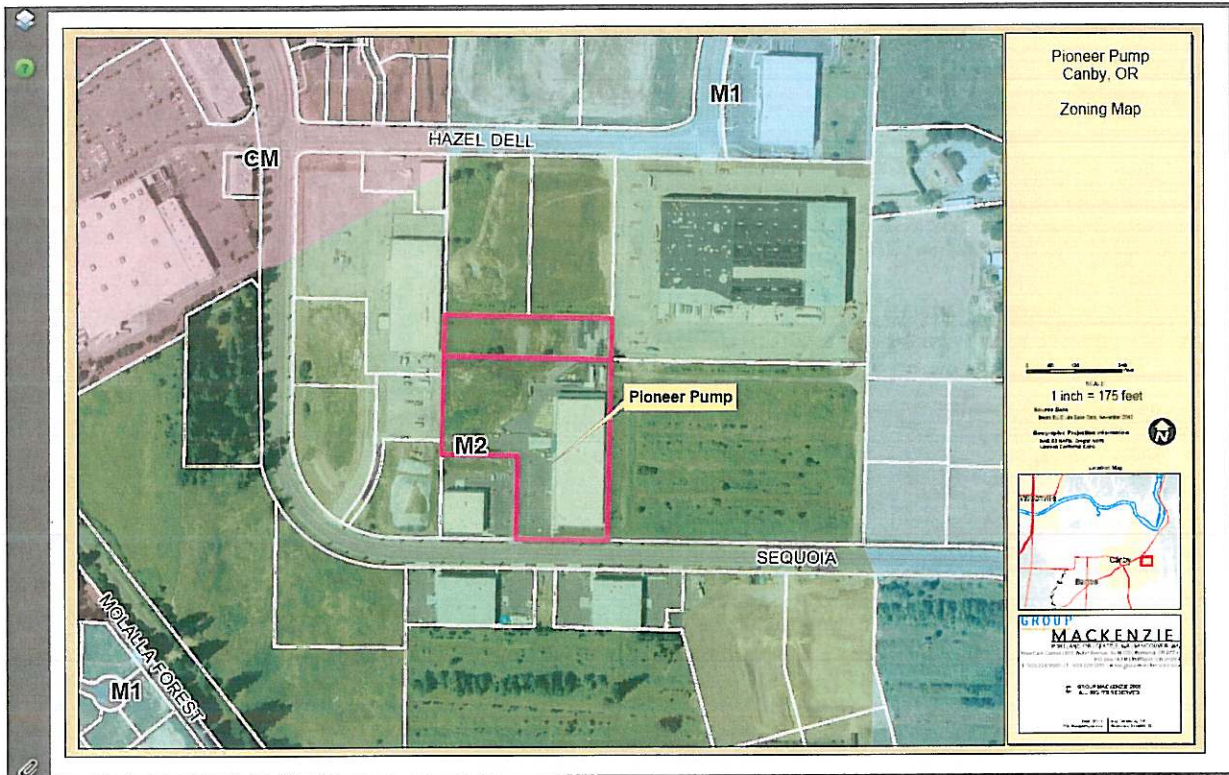
- A. *Minimum lot area: none.*

Response: The I-O zone does not have a minimum lot area requirement; therefore, this standard does not apply.

- B. *Minimum lot width and frontage: none.*

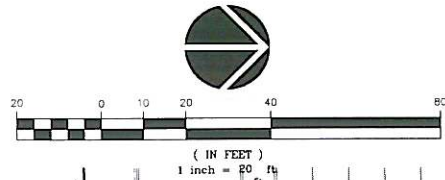
Response: The I-O zone does not have minimum lot width of frontage requirements; therefore, this standard does not apply.

Exhibit D: Vicinity Map

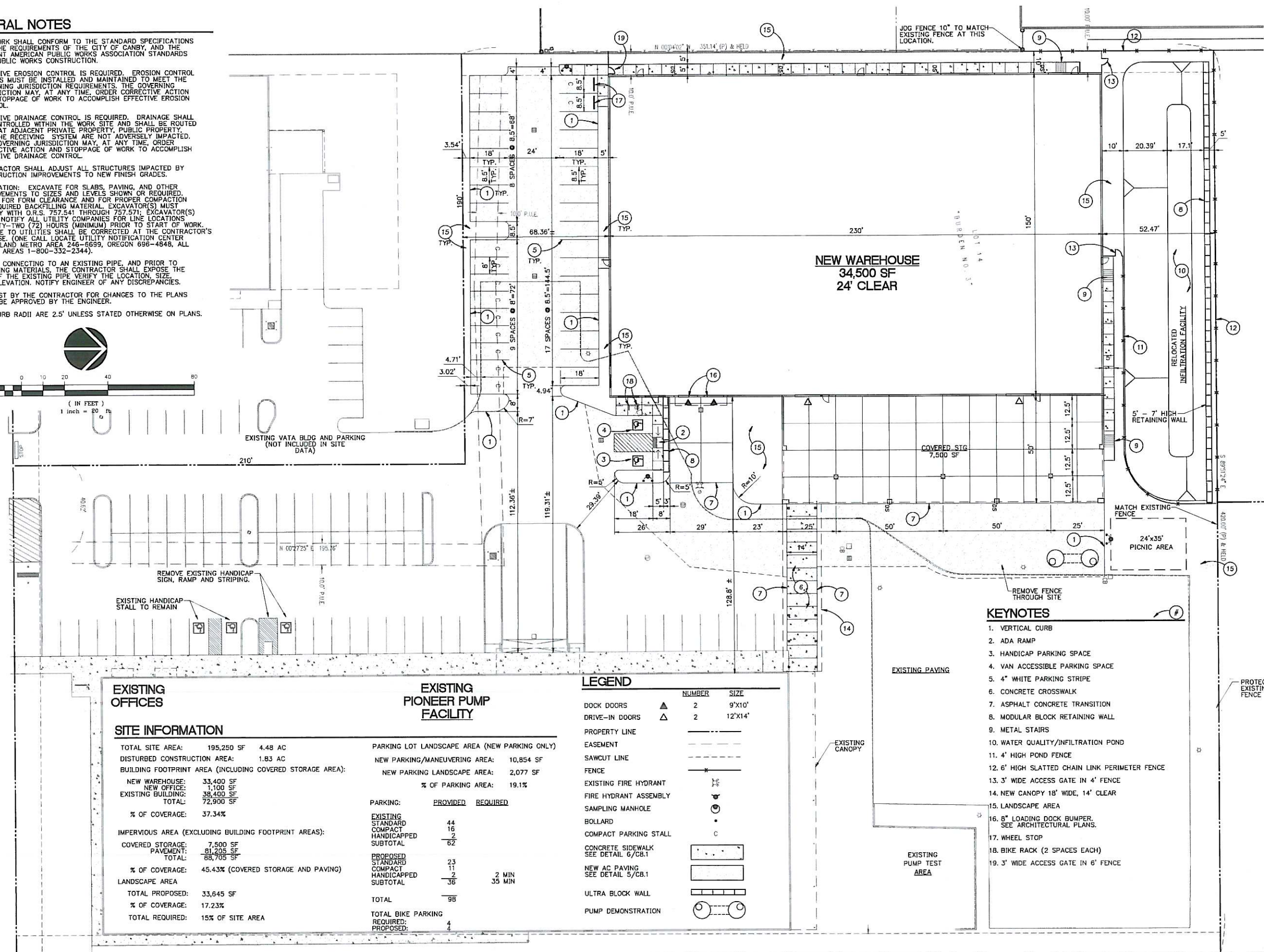


GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE STANDARD SPECIFICATIONS AND THE REQUIREMENTS OF THE CITY OF CANBY, AND THE CURRENT AMERICAN PUBLIC WORKS ASSOCIATION STANDARDS FOR PUBLIC WORKS CONSTRUCTION.
- EFFECTIVE EROSION CONTROL IS REQUIRED. EROSION CONTROL DEVICES MUST BE INSTALLED AND MAINTAINED TO MEET THE GOVERNING JURISDICTION REQUIREMENTS. THE GOVERNING JURISDICTION MAY, AT ANY TIME, ORDER CORRECTIVE ACTION AND STOPPAGE OF WORK TO ACCOMPLISH EFFECTIVE EROSION CONTROL.
- EFFECTIVE DRAINAGE CONTROL IS REQUIRED. DRAINAGE SHALL BE CONTROLLED WITHIN THE WORK SITE AND SHALL BE ROUTED SO THAT ADJACENT PRIVATE PROPERTY, PUBLIC PROPERTY, AND THE RECEIVING SYSTEM ARE NOT ADVERSELY IMPACTED. THE GOVERNING JURISDICTION MAY, AT ANY TIME, ORDER CORRECTIVE ACTION AND STOPPAGE OF WORK TO ACCOMPLISH EFFECTIVE DRAINAGE CONTROL.
- CONTRACTOR SHALL ADJUST ALL STRUCTURES IMPACTED BY CONSTRUCTION IMPROVEMENTS TO NEW FINISH GRADES.
- EXCAVATION: EXCAVATE FOR SLABS, PAVING, AND OTHER IMPROVEMENTS TO SIZES AND LEVELS SHOWN OR REQUIRED. ALLOW FOR FORM CLEARANCE AND FOR PROPER COMPACTION OF REQUIRED BACKFILLING MATERIAL. EXCAVATOR(S) MUST COMPLY WITH O.R.S. 757.541 THROUGH 757.571; EXCAVATOR(S) SHALL NOTIFY ALL UTILITY COMPANIES FOR LINE LOCATIONS SEVENTY-TWO (72) HOURS (MINIMUM) PRIOR TO START OF WORK. DAMAGE TO UTILITIES SHALL BE CORRECTED AT THE CONTRACTOR'S EXPENSE. (ONE CALL LOCATE UTILITY NOTIFICATION CENTER - PORTLAND METRO AREA 246-6699, OREGON 696-4848, ALL OTHER AREAS 1-800-332-2344).
- WHERE CONNECTING TO AN EXISTING PIPE, AND PRIOR TO ORDERING MATERIALS, THE CONTRACTOR SHALL EXPOSE THE END OF THE EXISTING PIPE VERIFY THE LOCATION, SIZE, AND ELEVATION. NOTIFY ENGINEER OF ANY DISCREPANCIES.
- REQUEST BY THE CONTRACTOR FOR CHANGES TO THE PLANS MUST BE APPROVED BY THE ENGINEER.
- ALL CURB RADII ARE 2.5' UNLESS STATED OTHERWISE ON PLANS.



S. SEQUOIA PARKWAY



EXISTING OFFICES

SITE INFORMATION

TOTAL SITE AREA:	195,250 SF	4.48 AC
DISTURBED CONSTRUCTION AREA:	1.83 AC	
BUILDING FOOTPRINT AREA (INCLUDING COVERED STORAGE AREA):		
NEW WAREHOUSE:	33,400 SF	
NEW OFFICE:	1,100 SF	
EXISTING BUILDING:	38,400 SF	
TOTAL:	72,900 SF	
% OF COVERAGE:	37.34%	
IMPERVIOUS AREA (EXCLUDING BUILDING FOOTPRINT AREAS):		
COVERED STORAGE:	7,500 SF	
PAVEMENT:	81,205 SF	
TOTAL:	88,705 SF	
% OF COVERAGE:	45.43% (COVERED STORAGE AND PAVING)	
LANDSCAPE AREA		
TOTAL PROPOSED:	33,645 SF	
% OF COVERAGE:	17.23%	
TOTAL REQUIRED:	15% OF SITE AREA	

EXISTING PIONEER PUMP FACILITY

PARKING LOT LANDSCAPE AREA (NEW PARKING ONLY)		
NEW PARKING/MANEUVERING AREA:	10,854 SF	
NEW PARKING LANDSCAPE AREA:	2,077 SF	
% OF PARKING AREA:	19.1%	
PARKING:	PROVIDED	REQUIRED
EXISTING STANDARD	44	
COMPACT	16	
HANDICAPPED	2	
SUBTOTAL	62	
PROPOSED STANDARD	23	
COMPACT	11	
HANDICAPPED	2	2 MIN
SUBTOTAL	36	35 MIN
TOTAL	98	
TOTAL BIKE PARKING		
REQUIRED:	4	
PROPOSED:	4	

LEGEND

	NUMBER	SIZE
DOCK DOORS	2	9'X10'
DRIVE-IN DOORS	2	12'X14'
PROPERTY LINE		
EASEMENT		
SAWCUT LINE		
FENCE		
EXISTING FIRE HYDRANT		
FIRE HYDRANT ASSEMBLY		
SAMPLING MANHOLE		
BOLLARD		
COMPACT PARKING STALL		
CONCRETE SIDEWALK		SEE DETAIL 6/CB.1
NEW AC PAVING		SEE DETAIL 5/CB.1
ULTRA BLOCK WALL		
PUMP DEMONSTRATION		

KEYNOTES

- VERTICAL CURB
- ADA RAMP
- HANDICAP PARKING SPACE
- VAN ACCESSIBLE PARKING SPACE
- 4" WHITE PARKING STRIPE
- CONCRETE CROSSWALK
- ASPHALT CONCRETE TRANSITION
- MODULAR BLOCK RETAINING WALL
- METAL STAIRS
- WATER QUALITY/INFILTRATION POND
- 4' HIGH POND FENCE
- 6' HIGH SLATTED CHAIN LINK PERIMETER FENCE
- 3' WIDE ACCESS GATE IN 4' FENCE
- NEW CANOPY 18' WIDE, 14' CLEAR
- LANDSCAPE AREA
- 8" LOADING DOCK BUMPER. SEE ARCHITECTURAL PLANS.
- WHEEL STOP
- BIKE RACK (2 SPACES EACH)
- 3' WIDE ACCESS GATE IN 6' FENCE

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 Land Use Planning
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 Structural Engineering
 Transportation Planning
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Project
WAREHOUSE BUILDING PIONEER PUMP

GROUP MACKENZIE 2011
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REVISIONS:

NO.	REVISIONS THIS SHEET	REVISION DATE	DELTA CLOSING DATE

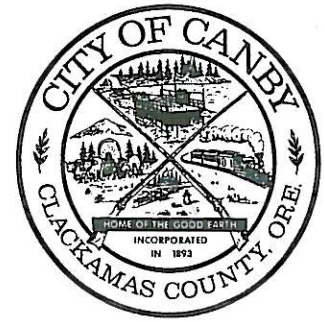
SHEET TITLE:
SITE PLAN

DRAWN BY: MAC
 CHECKED BY: RJH
 SHEET:

C21

JOB NO. **2110031.00**

THE SURVEY INFORMATION SHOWN AS A BACKGROUND SCREEN ON THIS SHEET IS SHOWN FOR REFERENCE ONLY AND IS BASED ON A SURVEY BY ZTECH ENGINEERS DATE: 2/18/11



MEMORANDUM

TO: *Planning Commission*

RE: *Upcoming Projects*

FROM: *Markus Mead, Associate Planner, Planning & Building Dept.*

DATE: *April 25, 2011*

Current applications

LLA11-01 – Thelma’s Place/Countryside Living (Type II)
MOD 11-02 Potter Industries Paving/EC permit (Type I)
DR 11-01 O’Rielly’s Auto Parts Store Highway 99E/Ivy (Type II)
LLA11-03 NW 9th/Ivy (Type II)

Future PC applications (submitted)

Hope Village Annexation (Type IV)

Upcoming (Not yet submitted, but likely)

Shimadzu Modification (Type I)
Village On The Lochs Additional Units (Type III)
Police Station (Type III)
Withdrawal of Territory Withdrawal (Type IV)

Pre-application Conferences to date this calendar year

PRA 11-01- Village On The Lochs Expansion Triangle
PRA 11-02 - Hope Village
PRA 11-03 - Pioneer Pump Warehouse
PRA 11-04 - Wild Hare-D Monen
PRA 11-05 - STJ-O’Reilly Auto
PRA 11-06 - Canby Police Station
PRA 11-07 - Darren Monen-Dance Studio
PRA 11-08 - Shimadzu Expansion
PRA 11-09 - Product Mfgr
PRA 11-10 - Hale-Tyler Withdrawal from Canby

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – January 24, 2011
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Dan Ewert, Vice Chair Jan Milne, Commissioners Sean Joyce, Chuck Kocher, and Misty Slagle

ABSENT: Commissioners John Proctor and Randy Tessman

STAFF: Bryan Brown, Planning Director; Matilda Deas, AICP, Senior Planner; Markus Mead, Associate Planner; and Jill Thorn, Planning Staff

OTHERS PRESENT: Roger Skoe, Craig Lewelling, Paul Snegirev and Brian Hodson

1. CALL TO ORDER

2. CITIZEN INPUT None

3. PUBLIC HEARINGS

a. Canby Municipal Code Amendment TA 11-01 – Recommendation to City Council on an application that proposes a new chapter in Title 2 of the Canby Municipal Code, and amends specific sections of chapter 16 of the Canby Municipal Code to create and implement a Public Art Mural Program for murals located within Canby's Urban Renewal District. The Public Art Mural Program will be administered by the Director of the Canby Urban Renewal Agency. Mural Projects are managed by the City of Canby's Senior Planner.

Chair Ewert read the public hearing format.

Matilda Deas, AICP, Senior Planner entered the January 14, 2011 staff report into the record.

Commissioner Milne commended the staff for doing their homework on this project and said that public art enriches the community.

Commissioner Joyce asked how the program will be funded and what the minimum threshold was for a mural.

Ms Deas said the Urban Renewal Agency had budget \$15,000 in this year's budget and there was no minimum threshold. She also said that the agency would probably fund the first mural.

Chair Ewert opened the public hearing.

Proponents: None

Opponents: None

Neutral: None

Rebuttal: None

Chair Ewert closed the public hearing.

Commissioner Slagle added her support to the program and felt it was well focused.

Commissioner Kocher thought it was a great idea.

Commissioner Ewert said the program was well put together.

Commissioner Milne moved to recommend to the Canby City Council the adoption of TA 11-01 creating a Public art Mural Program. It was seconded by Commissioner Slagle. The motion passed 5-0.

4. NEW BUSINESS Extension of Development Agreements and Decisions -
Request by Staff to extend six existing land use approvals (including one Development Agreement) for three years (respective to their current status) or when substantial code changes occur. Economic conditions outside the control of the applicants have caused these projects to be delayed.

Markus Mead, Associate Planner entered the January 24, 2011 staff report into the record and noted that correspondence had been received from Craig Harris, Terry Tolls, Allen Patterson and Amy Nguyen all favoring this decision.

Commissioner Ewert asked about DR 08-01 and would any decision change the subdivision approval that had been given.

Mr. Brown responded that the original application had included a subdivision for four lots, but since the applicant had decided to build a four-plex on one lot, thus the subdivision was not needed and had expired.

Commissioner Milne asked what the options were for extending and/or collapsing the dates.

Mr. Mead said that this action would be to extend for three years from the meeting tonight.

Commissioner Milne said the process was very much one of common sense.

Commissioner Ewert asked how other jurisdictions were handling situations like this.

Mr. Brown said they were doing a variety of things. Most were changing their code to extend the timeline. However, after discussion by staff it was felt that this way would benefit Canby better.

Craig Lewelling thanked the staff and Commission. He felt this one of the best things the City could do to help property owners.

Commissioner Ewert felt the action would be prudent and flexible.

Commissioner Kocher moved that the Planning Commission approve extending existing land use approvals (including one Development Agreement and one 180 day fee extension) SUB 05-12, MLP 08-05, DR 08-01/SUB 08-01, CPA 08-01/ZC 08-01, SUB 08-03 and DR 09-02 for an additional three years or when substantial code or other applicable regulatory changes occur. It was seconded by Commissioner Milne. The motion passed 5-0.

FINAL DECISIONS

a. **TA 11-01 – Municipal Code Amendment** - It was moved by Commissioner Milne to approve the written findings for TA 11-01 – Municipal Code Amendment – as presented. It was seconded by Commissioner Slagle. The motion passed 5-0.

5. MINUTES

November 29, 2010 - Commissioner Slagle moved to approve minutes of November 29, 2010 as presented. Motion seconded by Commissioner Milne and passed 6-0.

6. ITEMS OF INTEREST FROM STAFF Mr. Brown updated the Commission on several pre-applications the staff was working with applicants.

Ms Deas gave an update of several grants received and the upcoming development of the park in the Northwood subdivision.

7. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION **None**

8. ADJOURNMENT at 7:45 PM.