

**PLANNING COMMISSION  
Meeting Agenda  
Monday – March 22, 2010  
7:00 PM - Regular Meeting  
City Council Chambers – 155 NW 2<sup>nd</sup> Avenue**

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

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**1. CALL TO ORDER**

**2. CITIZEN INPUT ON NON-AGENDA ITEMS**

**3. PUBLIC HEARINGS**

**4. NEW BUSINESS**

a. Request from the City of Canby for an Intermediate Modification of a previous Site and Design Review (DR-02-01) and Conditional Use Permit (CUP-02-02) approval, to construct the following improvements to the Canby Public Works Operation Center and Wastewater Treatment Plant located north of N.E. Territorial Road, at 1470/1480 N.E. Territorial Road: a 193 sq. ft. UV disinfection building, a 1,120 sq. ft. sanitary sewer solids receiving building, and two asphaltic concrete (AC) drive pads approximately 2,800 and 3,800 sq. ft. each. **MOD 10-01** – Staff: Melissa Hardy, Associate Planner **Page 2**

**5. FINAL DECISIONS**

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

a. MOD 10-01 – Wastewater Treatment Plant **Page 24**

**6. MINUTES**

February 8, 2010 **Page 28**

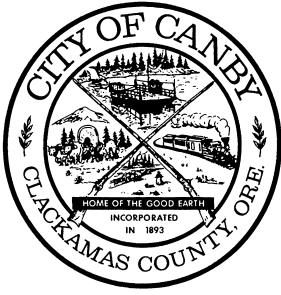
**7. ITEMS OF INTEREST/REPORT FROM STAFF**

**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](http://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**

**APPLICANT:**

Curran-McLeod, Inc.  
6655 S.W. Hampton Street, Ste. 210  
Portland, OR 97223

**FILE NO.:**

MOD 10-01

**OWNER:**

City of Canby  
P.O. Box 930  
Canby, OR 97013

**STAFF:**

Melissa Hardy  
Associate Planner

**LEGAL DESCRIPTION:**

Deeded lot(s) identified by Clackamas County Map  
and Tax Lot Numbers 31E27-00600 and 00601

**DATE OF REPORT:**

February 26, 2010

**LOCATION:**

1470 and 1480 N.E. Territorial Road

**DATE OF HEARING:**

No Public Hearing

**COMP. PLAN DESIGNATION:**

Public (P)

**ZONING DESIGNATION:**

Low Density Residential (R-1)

**I. APPLICANT'S REQUEST:**

The applicant is requesting an Intermediate Modification of Site and Design Review and Conditional Use Permit approval 'DR-02-01 / CUP-02-02', in order to construct improvements to the Canby Utility Board / Canby Public Works Operation Center and Wastewater Treatment Plant located north of N.E. Territorial Road, at 1470/1480 N.E. Territorial Road. The proposed improvements include construction of a 193 sq.ft. UV disinfection building, a 1,120 sq.ft. sanitary sewer solids receiving building, and two asphaltic concrete (AC) pads approximately 2,800 and 3,800 sq.ft. each. (*see Applicant's Plans - Attachment C*)

**II. APPLICABLE REGULATIONS:**

**Canby Municipal Code (CMC) Title 16:**

- 16.30 C-M Heavy Commercial Manufacturing Zone
- 16.49 Site and Design Review
- 16.50 Conditional Uses
- 16.89 Modifications

### **III. LAND USE HISTORY:**

CUP-80-02 – Planning Commission approved a Conditional Use Permit to construct additional buildings at the sewage treatment plant, a Utility Board Shop building, a mechanic’s shop, a public works shop building, a covered parking area, an office building, and employee parking lot.

Conditions of Approval:

- Access road to be surfaced to a minimum width of twenty (20) feet.
- Paved parking area to be provided for all employees and guests, and for areas where equipment is to be parked.
- Landscaping to be provided on perimeters of site to obscure vision from adjoining properties.
- Grading to follow essentially the same contours as have been established at the sewage treatment plant.
- Fire hydrant locations to meet the requirements of the Canby Fire Marshal.

DR-91-02 / CUP-91-01 – Application for construction of an elementary school, approval appealed to LUBA, remanded back to City, and application thereafter denied.

DR-93-03 – Planning Commission approved a Site and Design Review to construct an expansion of the wastewater treatment facility, including two new buildings and two new clarifiers.

Conditions of Approval:

- The general proposal for a landscape plan is accepted for this project with the following provisions: The ground cover shall be planted so as to completely cover the landscaped areas within three (3) years. The detailed landscaping bordering the buildings shall be reviewed and approved by the City Planner. Trees and shrubs shall be placed in a pleasing layout near the new buildings and parking lots and a row of trees shall be planted along the western edge of the site.
- All landscaping shall be planted prior to the issuance of certificate of occupancy for the buildings.

DR-98-07 / CUP-98-02 – Planning Commission approved a Site and Design Review and Conditional Use Permit to construct a new aeration basin and associated buildings to house equipment at the wastewater treatment facility.

Conditions of Approval:

- Erosion-control during construction shall be provided by following Clackamas County’s Erosion Control measures.
- The City will produce a site-screening plan which meets the needs of the Willamette Valley Country Club. The site screening plan will be submitted to City Planning staff.
- The City will produce an operations plan which precludes the on-site storage of sludge at the Wastewater Treatment Plant.

DR-02-01 / CUP-02-02 – Planning Commission approved a Site and Design Review and Conditional Use Permit to construct three wastewater treatment facility buildings.

Conditions of Approval:

- Erosion-control during construction shall be provided by following Clackamas County’s Erosion Control measures.

#### **IV. FINDINGS:**

CMC Section 16.89.090 states that Modification Applications shall be evaluated based on the criteria pertaining to the original application being modified (DR-02-01/CUP-02-02). Therefore, the applicant's requested modification has been evaluated based on the Site and Design Review and Conditional Use Permit approval criteria, and staff recommends that Planning Commission find that all of the applicable criteria are either met or can be met by observance of conditions, as detailed below in the following draft findings:

#### ***SITE AND DESIGN REVIEW ANALYSIS (FINDINGS):***

CMC Section 16.49.040 sets forth the approval criteria which the Planning Commission must use to determine whether or not a Site and Design Review application shall be approved or denied. The Planning Commission shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

#### **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.** *Staff recommends Planning Commission find that the application, as proposed, is in compliance with Criteria 1.A based on the following:*

- The two proposed buildings will not displace any vehicle or bicycle parking areas. The buildings are being built to house equipment and result in no additional employees; therefore no additional vehicle or bicycle parking spaces are required.
- The property is zoned R-1 (Low Density Residential). The two proposed buildings meet the minimum 7-foot side yard setback and 15-foot rear yard setback requirements. The buildings do not exceed the maximum 35-foot building height allowance. And there is no maximum lot coverage limitation for buildings on this property.
- The minimum landscape requirement set forth in CMC Chapter 16.49 for a lot in a residential zone is 30 percent. The entire site owned by the City is approximately 43 acres in size, and the wastewater treatment facility and CUB/City operations center occupy only about 12 acres of the total site, with the remaining 31 acres heavily wooded. Therefore, the percentage of landscaping on site far exceeds the minimum 30 percent requirement.

**B. The proposed design of the development is compatible with the design of other developments in the same general vicinity.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria 1.B based on the following:*

- The proposed design of the development is considered to be compatible with the design of other developments in the same general vicinity because the application, as detailed below under Criteria 1D, has achieved a minimum acceptable score on the applicable Site and Design Review matrix.

**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.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria 1.C based on the following:*

- The location, design, size, color and materials of the exterior of all structures and signs are considered compatible with the proposed development and appropriate to the design character of other structures in the same vicinity because the application, as detailed below under Criteria 1D, has achieved a minimum acceptable score on the applicable Site and Design Review matrix.

**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 and C above, if a minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria 1.D based on the following design matrix analysis:*

**TABLE 16.49.040**

<b>CRITERIA</b>	<b>SCORE ACHIEVED</b>
<b>Parking</b>	
Screening of loading facilities from public ROW: not screened = 0; partially screened = 1; full screening = 2.	<b>2 of 2</b>
Analysis: The new solids receiving station building has 3 bays for offloading sewer pump trucks and storing the sewer solids. The building is fully screened from N.E. Territorial Road, and furthermore the 3 bay openings are oriented to face north away from the access driveway.	
Landscaping (breaking up of expanse of asphalt).	NA
Analysis: No new parking lot area is proposed; therefore this benchmark is not applicable.	
Parking lot lighting: No = 0; Yes = 1.	NA
Analysis: No new parking lot area is proposed; therefore this benchmark is not applicable.	
Location (behind the building is best): front = 0; side = 1; behind = 2.	NA
Analysis: No new parking lot area is proposed; therefore this benchmark is not applicable.	
Number of parking spaces (% of min) 0=120%; 1=100%-120%; 2=100%.	NA
Analysis: No new parking lot area is proposed, and no existing parking lot area is impacted by proposed development; therefore this benchmark is not applicable.	
<b>2 points out of 2 possible</b>	
<b>Traffic</b>	
Distance of access to intersection: 0<70'; 1=70'-100'; 2>100'.	NA
Analysis: No new access to N.E. Territorial Rd is proposed; applicant is going to use existing driveway; therefore this benchmark is not applicable.	

Access drive width (% of minimum): 0<120% or >150%; 1=120%-150%.	NA
Analysis: No new access proposed; therefore this benchmark is not applicable.	
Pedestrian access from public sidewalk to building: 1 entrance connected = 0; all entrances connected = 2.	NA
Analysis: There is no existing pedestrian access from the public sidewalk on N.E. Territorial, and no new pedestrian access is proposed at this time. The construction of 2 equipment buildings, which will not be occupied by any persons and will not result in any additional visitors to the complex, does not warrant requiring pedestrian access from the public sidewalk; therefore this benchmark is not applicable.	
Pedestrian access from parking lot to building: No walkways = 0; Walkway next to building = 1; no more than one undesignated crossing of access drive and no need to traverse length of access drive = 2.	NA
Analysis: The 2 equipment buildings are proposed such that personnel will be able to access them via abutting asphalt paving. Due to the nature of the complex and use of the proposed buildings, pedestrian accessways are not warranted; therefore this benchmark is not applicable.	

**NA Points**

<b>Tree Retention</b>	
For trees outside of the building footprint and parking/access areas (3 or more trees): No arborist report = 0; follows <50% of arborist recommendation = 1; follows 50%-75% of arborist report = 3.	NA
Analysis: There are 7 existing trees in the vicinity of the proposed solids receiving station building; the applicant plans to remove 3 of the trees to accommodate the new building. There are many existing trees in the vicinity of the proposed 3,800 s.f. asphalt pad next to the biosolids drying building; the applicant plans to remove one of the trees to accommodate the new paving. No arborist report was done at the time of the 2002 Site and Design Review application; therefore this benchmark is not applicable to this modification.	
Replacement of trees removed that were recommended for retention: x<50% = 0; x>50% = 1.	NA
Analysis: There was no arborist report done, so no trees were recommended for retention; therefore this benchmark is not applicable.	

**NA Points**

<b>Signs</b>	
Dimensional size of sign (% of maximum permitted): x>75% = 0; x=50%-75% = 1; x<50% = 2.	NA
Analysis: No signs are proposed; therefore this benchmark is not applicable.	
Similarity of sign color to building color: No=0; Some=1; Yes=2.	NA
Analysis: No signs are proposed; therefore this benchmark is not applicable.	
Pole sign: Yes=0; No=1.	NA
Analysis: No signs are proposed; therefore this benchmark is not applicable.	
Location of sign: x>25' from driveway entrance = 0; within 25' of entrance = 1.	NA
Analysis: No signs are proposed; therefore this benchmark is not applicable.	

**NA points**

<b>Building Appearance</b>	
Style (architecture): not similar = 0; similar to surrounding = 1 or 2.	2 of 2
Analysis: The architecture of the new buildings, constructed of CMU and metal roofing, is similar to the existing buildings located on the site.	

Color (subdued and similar is better): Neither = 0; similar or subdued = 1; similar and subdued = 2.	<b>2 of 2</b>
Analysis: Applicant has provided elevations, but has not provided a material sheet to determine what color the buildings might be. Therefore, in order to meet this criteria, approval shall include a condition that the color of the exterior walls of the buildings and roofing be a subdued color that is similar to the exterior treatments on the other buildings in the complex. With this condition, 2 points are awarded.	
Material: concrete or wood or brick is better.	<b>1 of 1</b>
Analysis: The applicant is proposing masonry exterior finishes; therefore 1 point is awarded.	
Size (smaller is better): over 20,000 sq ft = 0; under 20,000 sq ft = 1.	<b>1 of 1</b>
Analysis: The proposed buildings are both less than 20,000 square feet; therefore 1 point is awarded.	

**6 points out of 6 possible**

<b>Types of Landscaping</b>	
# of non-required trees: $x < 1$ per 500 sq ft of landscaping = 0; 10 or more per 500 sq ft of landscaping = 1.	<b>1 of 1</b>
Analysis: Approximately 31 acres of the site is heavily wooded. The proposed removal of 4 trees to accommodate the new buildings will not impact the # of trees on the property in any significant way; and therefore a score of 1 is awarded.	
Amount of grass: $< 25\%$ = 0; $25\% - 50\%$ = 1; $x > 50\%$ = 2.	NA
Analysis: The development will displace approximately 3,900 square feet of existing grass. However, the majority of landscaping on the site is 31 acres of heavily wooded natural vegetation, and therefore there is a relatively small percentage of manicured lawn area; therefore the proposed development does not significantly change the amount of grass on site, and this benchmark is not applicable.	
Location of shrubs: foreground = 0; background = 1.	NA
Analysis: There is no new landscaping proposed with this development; therefore this benchmark is not applicable.	
Automatic irrigation: No = 0; Yes = 4.	NA
Analysis: There is no new landscaping proposed with this development; therefore this benchmark is not applicable.	

**1 point out of 1 possible**

<b>Bonus Points</b>	
2 or more trees at least 3" in caliper.	NA
Analysis: There is no new landscaping proposed with this development; therefore this benchmark is not applicable.	
Park/open space retention for public use.	NA
Analysis: The proposed development does not impact any park/open space area; therefore this benchmark is not applicable.	
Trash receptacle screening.	NA
Analysis: No new trash receptacles are proposed; therefore this benchmark is not applicable.	

**TOTAL: 9 points out of 9 possible**

As detailed in the above design matrix analysis, the "Traffic", "Tree Retention" and "Signs" categories are not deemed applicable to the proposed development. The remaining categories, or portions thereof, are applicable to this modification application. With the recommended condition of approval concerning the exterior treatment of the proposed buildings, out of a total of 9 possible points, the application as proposed and conditioned achieves a total of 9

points (100%), which exceeds the minimum 65% required to meet the approval criteria. The following condition of approval is recommended concerning the exterior colors of the proposed buildings:

**Condition of Approval required to meet Criteria 1B, 1C, and 1D –**

- The color of the exterior walls and roofing materials on the buildings shall be subdued and similar to the colors of other buildings on the site. Exterior of building shall meet this condition prior to the City issuing a final occupancy permit. (*condition #3*)

**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.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria 1.E based on the following:*

The 2002 Site and Design Review application was reviewed by public facility and service providers, and it was found at that time 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. The proposed construction of two new buildings and additional paving is not anticipated to result in the need for any additional public facilities or services.

**2. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria 2 based on the following:*

The application is in compliance with Criteria 2 based on the Criteria 1E findings detailed in the paragraph above.

**3. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria 3 based on the following:*

The application does not involve development of any dwelling units, and there is no evidence that approval of the proposed development will affect availability or cost of any needed housing.

**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 Section 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.** *Staff recommends Planning Commission find that the application is in compliance with Criteria 4 based on the following:*

The applicant has not proposed removal of any existing street trees in the right-of-way abutting the subject property (N.E. Territorial Rd). Therefore this criteria concerning removal of street trees is not applicable to consideration of this application.

**Additional Conditions** to ensure that the public is protected from the potentially deleterious effects of the proposal, that the need for services created, increased or in part attributable to the proposal is fulfilled, and to further implementation of CMC requirements.

Staff recommends Planning Commission find that the following conditions protect the public from the potentially deleterious effects of the proposal, ensure that the need for services created, increased or in part attributable to the proposal is fulfilled, and further implementation of CMC requirements:

- Approval of this application is based on submitted application materials (a reduced copy of which are attached to the February 26, 2010 staff report as Exhibit C) and other relevant application materials. 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-10-01, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code. *(condition #1)*
- At the time of building permit application, the applicant shall submit a full size set of all development plans (including site plan, elevations, etc.) that is consistent with the development approved herein, including all conditions of approval and revisions required to meet conditions, to the satisfaction of the City's Planning & Building Department and Public Works Department. All conditions of approval must be met prior to final occupancy of the buildings unless otherwise noted. *(condition #2)*
- Prior to issuance of building permits, applicant shall meet all fire & life safety requirements of Canby Fire. *(condition #4)*

***CONDITIONAL USE PERMIT ANALYSIS (FINDINGS):***

CMC Section 16.50.010 sets forth the approval criteria which the Planning Commission must use to determine whether or not a Conditional Use Permit application shall be approved or denied. The Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the location proposed and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

**A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the City.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria A based on the following:*

Oregon Revised Statutes (ORS) Section 197.195(1) provides that consistency with the comprehensive plan shall be achieved by incorporating all plan standards into land use regulations. Therefore, the application is deemed consistent with the policies of the Comprehensive Plan because it meets all applicable requirements of Canby's land use regulations (Title 16), as detailed under Finding 1A on Page 3 of this staff report.

**B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria B based on the following:*

The proposed addition of two equipment buildings and approximately 6,600 square feet of asphalt pavement to the previously approved Canby Utility Board / Canby Public Works Operation Center and Wastewater Treatment Plant is not a significant expansion of the approved use. The total area of the proposed buildings and pavement represents a less than 1 percent expansion to the 12 acre complex. Therefore, the characteristics of the site are still considered suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.

**C. All required public facilities and services exist to adequately meet the needs of the proposed development.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria C based on the following:*

As detailed under Finding 1E on Page 7 of this staff report, all required public facilities and services exist to adequately meet the needs of the proposed development.

**D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits or precludes the use of surrounding properties for the uses listed as permitted in the zone.** *Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria D based on the following:*

The proposed addition of two equipment buildings and approximately 6,600 square feet of asphalt pavement to the previously approved Canby Utility Board / Canby Public Works Operation Center and Wastewater Treatment Plant is not a significant expansion of the approved use. The total area of the proposed buildings and pavement represents a less than 1 percent expansion to the 12 acre complex. Therefore, the proposed expansion of the use will not alter the character of the surrounding areas in a manner which substantially limits or precludes the use of surrounding properties for the uses listed as permitted in the zone.

## V. **RECOMMENDATION:**

Based upon the application materials received by the City, the facts and findings detailed herein this staff report, including all attachments hereto, and without the benefit of a public hearing, staff recommends that the Planning Commission find that, with conditions of approval ...

- This application meets all approval criteria for Modification of Site and Design Review No. DR-02-01;

- This application meets all approval criteria for Modification of Conditional Use Permit No. CUP-02-02; and
- The following Conditions of Approval are appropriate to ensure that the proposal is in conformance with all required approval criteria:
  1. Approval of this application is based on submitted application materials (a reduced copy of which are attached to the February 26, 2010 staff report as Exhibit C) and other relevant application materials. 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-10-01, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code.
  2. At the time of building permit application, the applicant shall submit a full size set of all development plans (including site plan, elevations, etc.) that is consistent with the development approved herein, including all conditions of approval and revisions required to meet conditions, to the satisfaction of the City's Planning & Building Department and Public Works Department. All conditions of approval must be met prior to final occupancy of the buildings unless otherwise noted.
  3. The color of the exterior walls and roofing materials on the buildings shall be subdued and similar to the colors of other buildings on the site. Exterior of building shall meet this condition prior to the City issuing a final occupancy permit.
  4. Prior to issuance of building permits, applicant shall meet all fire & life safety requirements of Canby Fire.




Exhibits:

- A. Vicinity Map
- B. Site Photos
- C. Applicant's Plans



## SITE PHOTOS

The following photographs were taken by City Staff on February 25, 2010

	<p>① Location of proposed 1,120 s.f. 'Solids Receiving Station' building, just inside and to the right of the security gate. The purpose of the building is to provide covered truck bays for offloading sewer pump trucks, like the truck in the photo. Three of the conifer trees shown in this picture will need to be removed to make way for the new building.</p>
	<p>② Another view of this same spot, showing neighboring property (zoned County EFU), which is currently used for agricultural purposes. There will be an approx. 2,800 s.f. concrete driveway extension poured in front of the receiving station building for the trucks to drive on.</p>
	<p>③ Location of proposed 193 s.f. 'U.V. Disinfection' building, which will sit between these two existing buildings on this little grassy patch.</p>
	<p>④ Location of proposed 3,800 s.f. paved AC pad behind the existing 'Biosolids Drying' building at the north end of the complex. The applicant estimates that only one of the adjacent conifer trees shown in this picture will need to be removed to make way for the new asphalt pad.</p>

**SITE PHOTOS (cont.)**

**Aerial view of the existing Canby Utility Board / Canby Public Works Operation Center and Wastewater Treatment Plant located at 1470/1480 N.E. Territorial Road:**



**APPLICANT'S PLANS**

Applicant's Plans are Attached (see following 8 pages).

COORDINATE REFERENCE POINT  
 NORTHING, 5,000.0  
 EASTING, 5,000.0

SOLIDS RECEIVING STATION  
 SEE "R" DRAWINGS

New 1,120 s.f. building

New 193 s.f. building

UV DISINFECTION SYSTEM  
 SEE "U" DRAWINGS

EFFLUENT FILTRATION SYSTEM  
 SEE "E" DRAWINGS

~2,800 s.f. of new pavement

LEGEND

- PROPOSED GRAVEL SURFACE
- PROPOSED AC PAVEMENT
- EXISTING STRUCTURE
- PROPOSED IMPROVEMENTS
- EXISTING EDGE OF PAVEMENT/SIDEWALK
- PROPOSED PAVEMENT/SIDEWALK

NIC - NOT IN CONTRACT

STRUCTURE COORDINATES	NORTHING	EASTING
SE PROPERTY CORNER	5000.00	5000.00
UV DISINFECTION BUILDING		
NE CORNER	5331.67	4765.08
SE CORNER	5322.33	4765.08
NW CORNER	5331.67	4746.42
SW CORNER	5322.33	4746.42
DRIED BIOSOLIDS BUILDING		
NE CORNER	5621.85	4610.00
SE CORNER	5578.35	4610.00
NW CORNER	5621.85	4564.00
SW CORNER	5578.35	4564.00
SOLIDS RECEIVING STATION		
NE CORNER	4709.33	4941.33
SE CORNER	4675.83	4940.33
NW CORNER	4709.33	4898.67
SW CORNER	4675.83	4898.67

NOTES:

- ASPHALT CONCRETE REMOVED FOR EXCAVATING OR GRADING SHALL BE SAWCUT TO CLEAN EDGE AND REPLACED AS SHOWN IN TYPICAL SURFACING SECTIONS.
- REMOVE AND REPLACE ALL ASPHALT CONCRETE DAMAGED DURING CONSTRUCTION. ASPHALT CONCRETE SAWCUT AND REPAIR FOR PIPE TRENCHES NOT SHOWN.
- AC SURFACINT SHALL BE 3" OF 1/2" DENSE MIX OVER 10" OF 1" MINUS ON COMPACTED SUBGRADE.

CANBY WASTEWATER TREATMENT PLANT

BIOSOLIDS DRYING BUILDING  
 SEE "D" DRAWINGS

EXISTING ODOR SCRUBBER

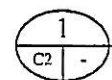
CITY SHOPS  
 OFFICE/CONFERENCE ROOM

CITY SHOPS

NEW GRAVEL SURFACE  
 NEW AC SURFACE  
 EDGE OF EXISTING ASPHALT

A.C. SURFACE WITHIN FENCE AT EXHAUST DUCT

~3,800 s.f. of new pavement



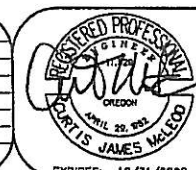
1 SITE IMPROVEMENTS PLAN

SCALE: 1" = 40'

BAR IS ONE INCH ON ORIGINAL DRAWING.  
 ADJUST SCALE AS SHOWN ACCORDINGLY.

NO.	DESCRIPTION	REVISED BY	DATE

REVISIONS



CURRAN-McLEOD, INC.  
 CONSULTING ENGINEERS

6655 SW HAMPTON ST., SUITE 210  
 PORTLAND, OREGON 97223  
 PHONE (503) 684-3478

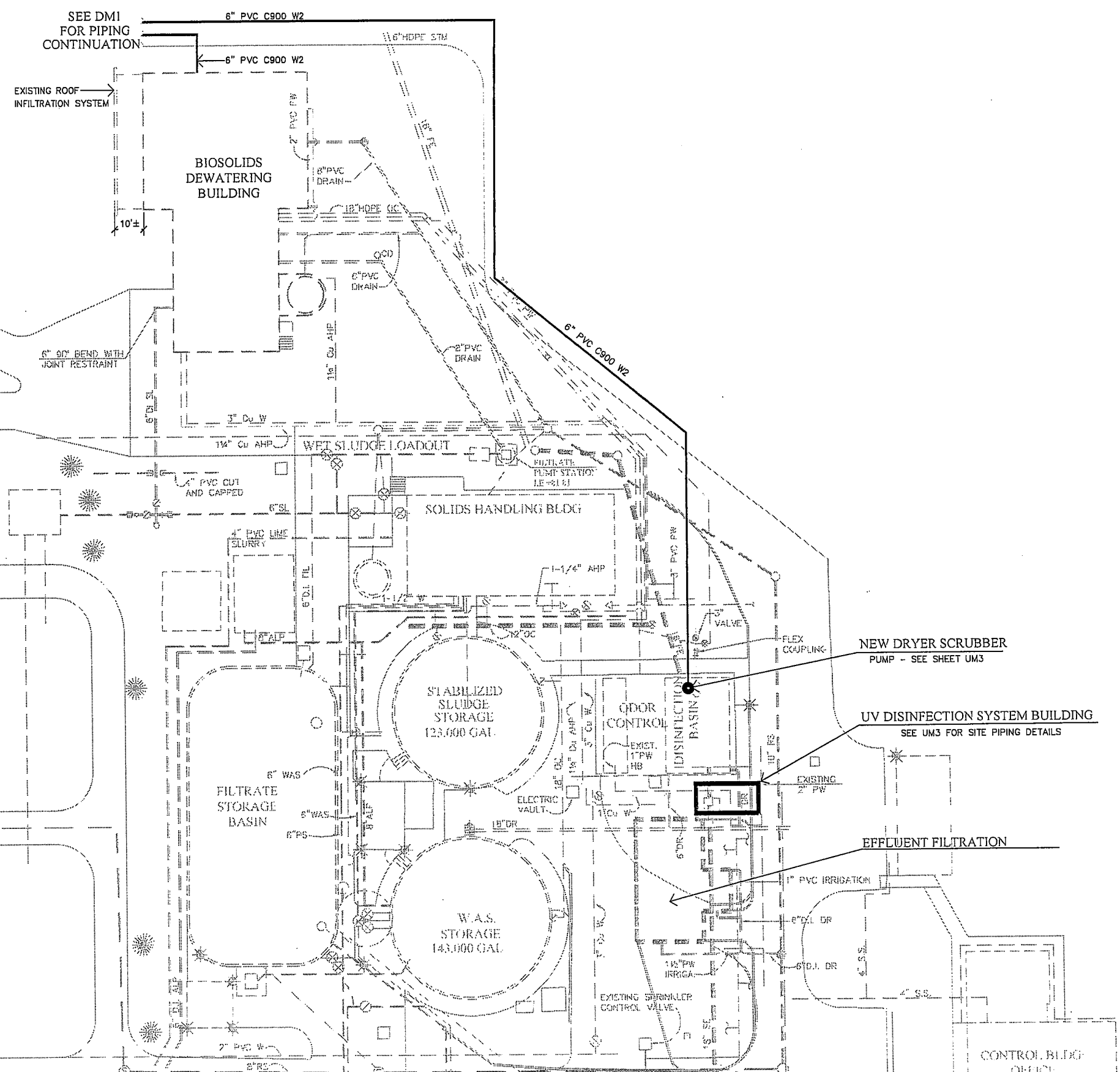
CITY OF CANBY  
 SITE IMPROVEMENTS PLAN  
 WASTEWATER TREATMENT FACILITY IMPROVEMENTS  
 CLACKAMAS COUNTY, OREGON

DATE	NOV. 2009
REV	1446
DWG	CJM
CHKD	AMK/JMF
APPD	1446-C01

C1 OF 2

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- NOTES:**
- EXISTING PIPE LOCATIONS AND ELEVATIONS SHOWN ARE APPROXIMATE. SEE SITE ELECTRICAL PLAN FOR APPROXIMATE LOCATION OF ELECTRICAL UTILITIES. CONTRACTOR SHALL POTHOLE ALL EXISTING UTILITIES IN CONSTRUCTION AREAS TO VERIFY LOCATION AND ELEVATION. NOTIFY ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.
  - PROPOSED PIPE ROUTING IS APPROXIMATE. CONTRACTOR SHALL INSTALL FITTINGS AS REQUIRED, HORIZONTAL AND VERTICAL, FOR FINAL ROUTE AND TO AVOID EXISTING UTILITIES.
  - EXISTING IRRIGATION SYSTEM IN VICINITY OF UV BUILDING TO BE MODIFIED TO PROVIDE SPRINKLER COVERAGE TO REMAINING GRASSY AREA

**PIPE SERVICE ABBREVIATIONS:**

AHP	AIR HIGH PRESSURE	PS	PRIMARY SLUDGE
ALP	AIR LOW PRESSURE	PW	PLANT WATER
DR	DRAIN	RAS	RETURN ACTIVATED SLUDGE
FE	FINAL EFFLUENT	RS	RAW SEWAGE
FIL	FILTRATE	SE	SECONDARY EFFLUENT
IRR	IRRIGATION WATER	SL	SLUDGE
LS	LIME SLURRY	STM	STORM
OC	ODOR CONTROL	W	DOMESTIC WATER
PE	PRIMARY EFFLUENT	W2	PROCESS WATER
		WAS	WASTE ACTIVATED SLUDGE

**LEGEND:**

--- EXISTING STRUCTURES  
 --- PROPOSED STRUCTURES  
 --- EXISTING PIPE  
 --- PROPOSED PIPE

ALL PIPING 4" AND LARGER SHALL BE PVC C900  
 ALL PIPING 3" AND SMALLER SHALL BE SCH 40

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1 SITE PIPING PLAN  
 SCALE: 1" = 20'



BAR IS ONE INCH ON ORIGINAL DRAWING.  
 ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

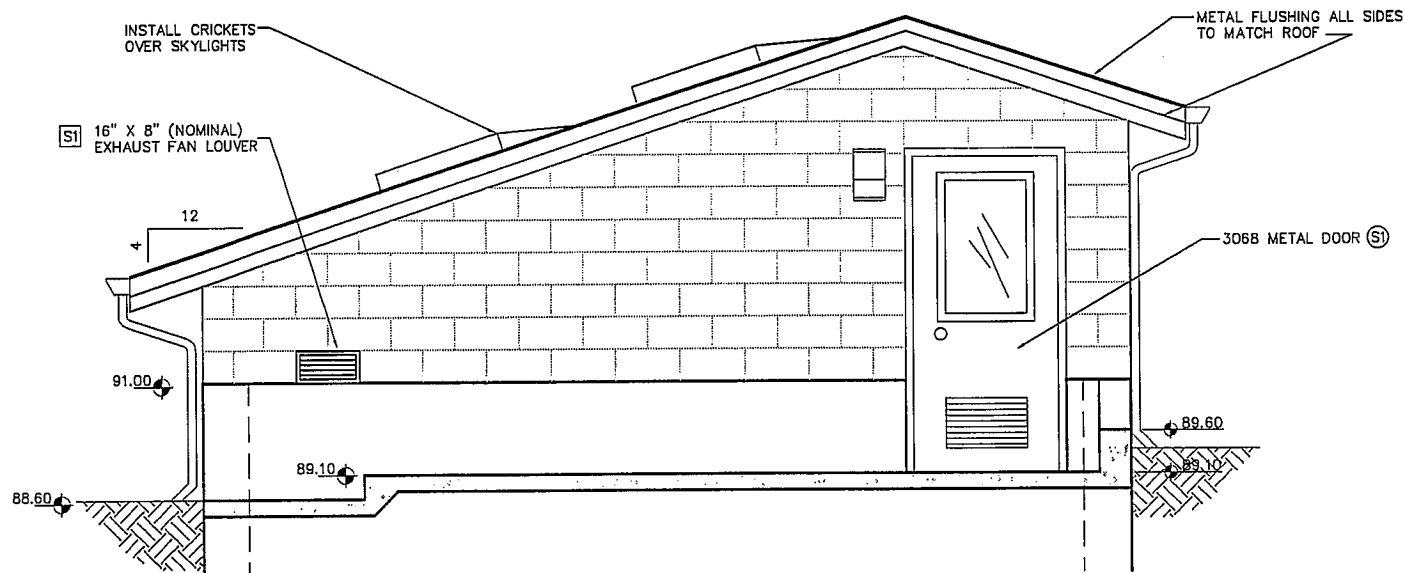


**CURRAN-McLEOD, INC.**  
 CONSULTING ENGINEERS  
 6655 SW HAMPTON ST, SUITE 210  
 PORTLAND, OREGON 97223  
 PHONE (503) 684-3478

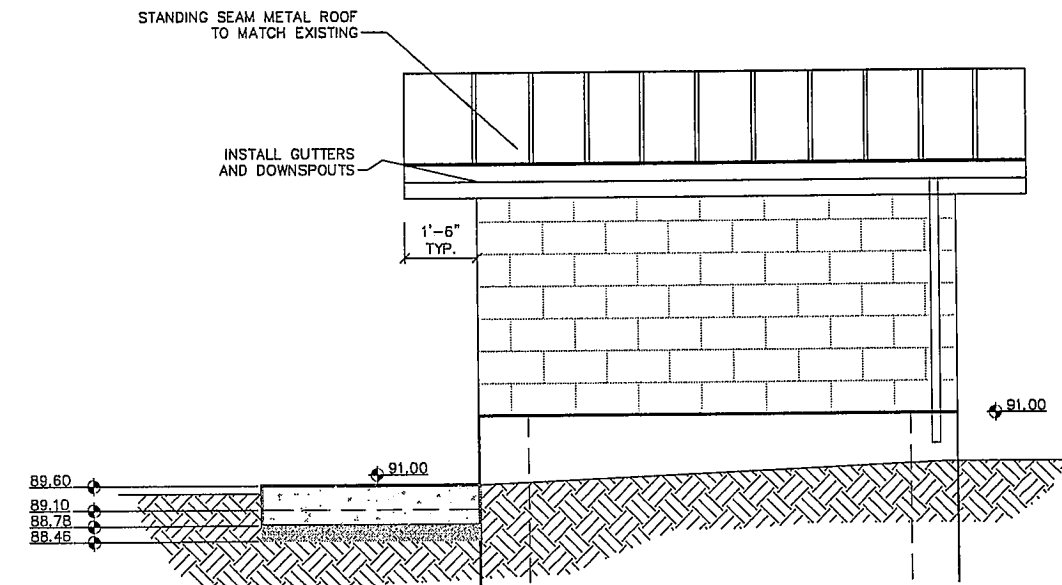
**CITY OF CANBY**  
**SITE PIPING PLAN**  
 WASTEWATER TREATMENT FACILITY IMPROVEMENTS  
 CLACKAMAS COUNTY, OREGON

DATE	NOV 2009
PNR	1446
D/P	CJM
DS	JMF
CDN	1446-C01

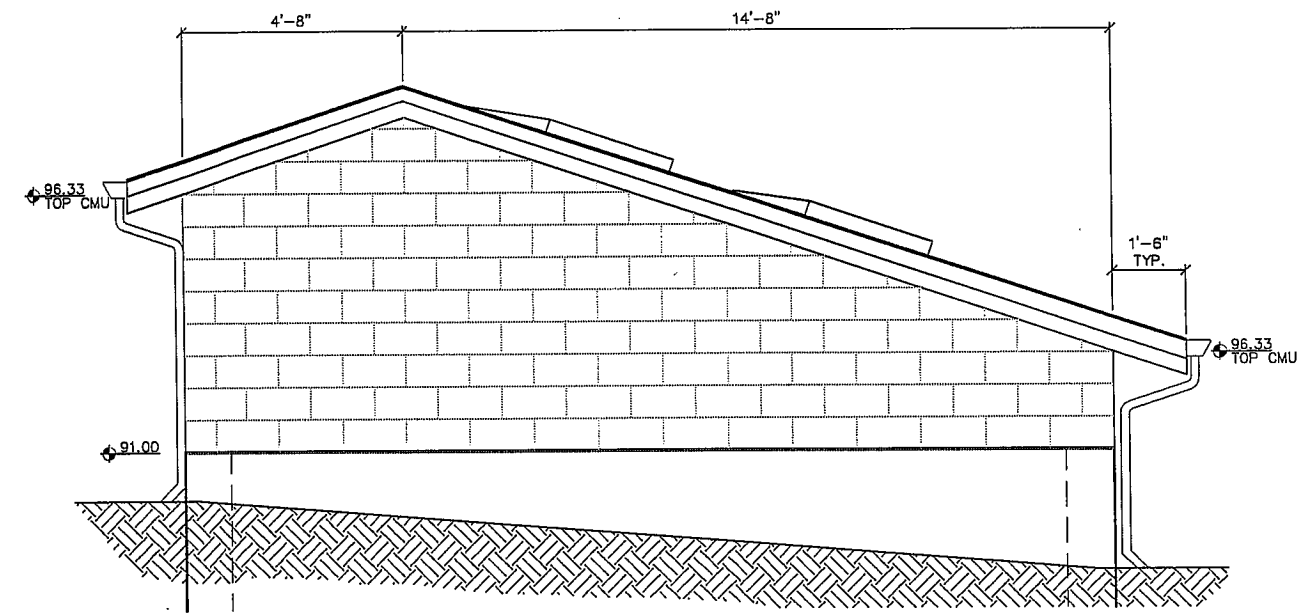
C2  
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 2



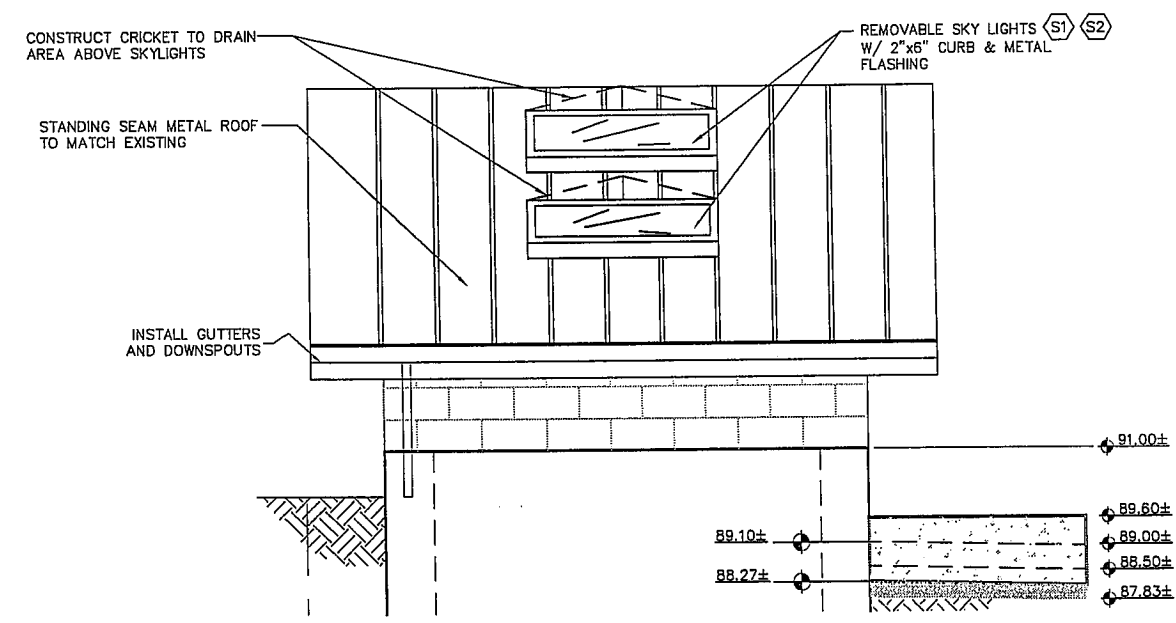
1 UV DISINFECTION BLDG. NORTH ELEVATION  
SCALE: 1/2" = 1'-0"



2 UV DISINFECTION BLDG. WEST ELEVATION  
SCALE: 1/2" = 1'-0"



3 UV DISINFECTION BLDG. SOUTH ELEVATION  
SCALE: 1/2" = 1'-0"



4 UV DISINFECTION BLDG. EAST ELEVATION  
SCALE: 1/2" = 1'-0"

NOTES: SEE S1 FOR CMU REINFORCING

INTERIOR FINISH SCHEDULE					
FLOOR		WALLS		CEILING	
MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH
CONCRETE	NONE	CMU	PAINT	SIDING	PAINT

LOUVER SCHEDULE			
No.	ROUGH OPENING SIZE	SILL ELEV.	COMMENTS
S1	8" x 16"	91.0	FIXED BRICK VENT WITH INSECT SCREEN

SKYLIGHT SCHEDULE	
No.	NOMINAL SIZE
S1	30" x 46" VELUX FCM OR EQUAL
S2	30" x 46" VELUX FCM OR EQUAL

DOOR SCHEDULE				
No.	SIZE	OPEN	HARDWARE	COMMENTS
S1	3-0 x 6-8	RHRB	CLOSER, LOCK	W/ GLASS (T) AND LOUVER

BAR IS ONE INCH ON ORIGINAL DRAWING.  
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

REVISIONS

CURRAN-MCLEOD, INC.  
CONSULTING ENGINEERS

6655 SW HAMPTON ST., SUITE 210  
PORTLAND, OREGON 97223  
PHONE (503) 684-3478

REGISTERED PROFESSIONAL ENGINEER  
CURTIS JAMES MCLEOD  
EXPIRES: 12/31/2010

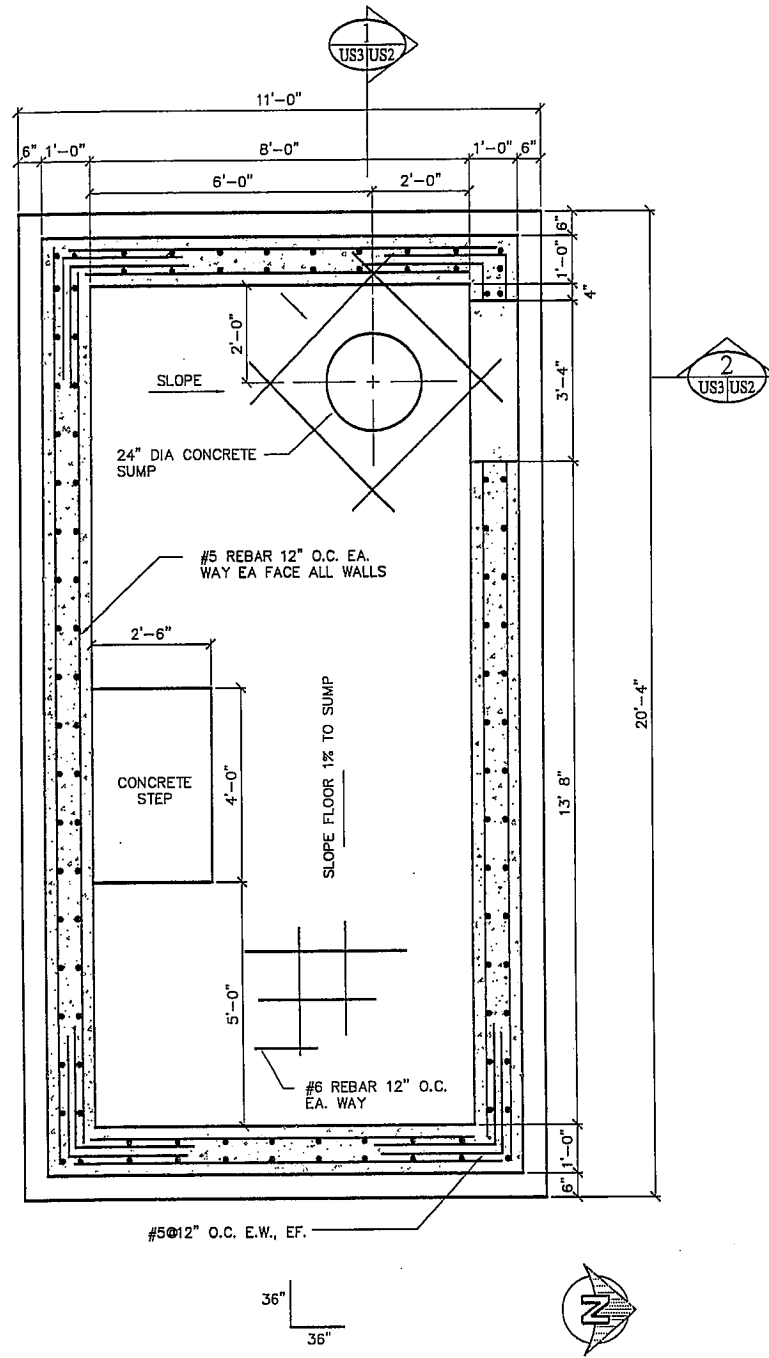
CITY OF CANBY  
UV DISINFECTION SYSTEM  
BUILDING ELEVATIONS

WASTEWATER TREATMENT FACILITY IMPROVEMENTS  
CLACKAMAS COUNTY, OREGON

DATE	NDV 2009
PROJ.	1446
DES.	CJM
DVS	XW/JMF
CAD	1435-US1

US1 OF 6

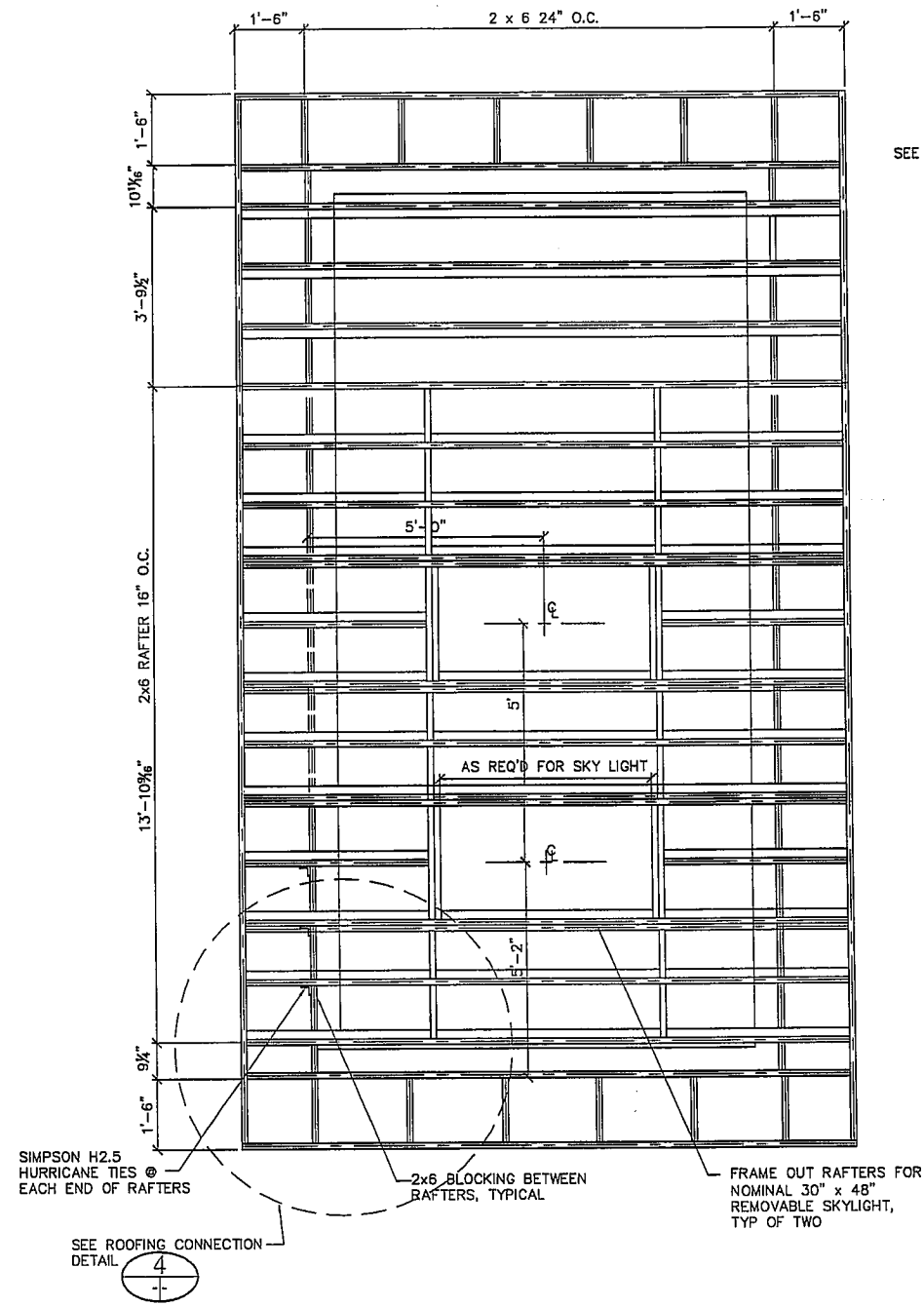
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UV DISINFECTION BUILDING CONCRETE PLAN  
SCALE: 1/2" = 1'-0"

NOTE:  
SKYLIGHTS TO BE LOCATED OVER UV DISINFECTION CHAMBERS SHOWN ON MECHANICAL PLANS. SEE MECHANICAL PLAN FOR LOCATION OF CHAMBERS.

ROOF NAILING SCHEDULE	
BLOCKING	NAILING
PROVIDE 2x BLOCKING ON ALL EDGES OF 5/8" CDX PLYWOOD AND AS SHOWN	10d @ 6" O.C. PERIMETER OF PLYWOOD 10d @ 12" O.C. INTERIOR



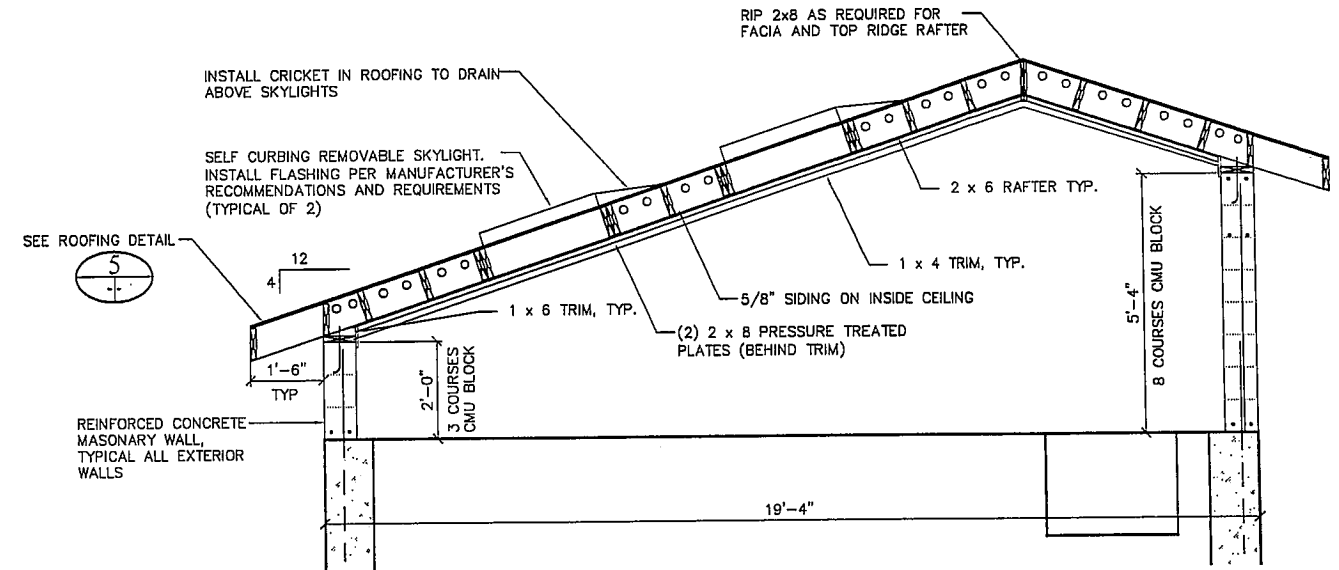
UV DISINFECTION BUILDING ROOF FRAMING  
SCALE: 1/2" = 1'-0"

GENERAL NOTES:  
1. ALL BLOCK CELLS TO BE FULLY GROUTED  
2. INSULATE CEILING WITH R19 FOIL RACED BATT INSULATIONS.

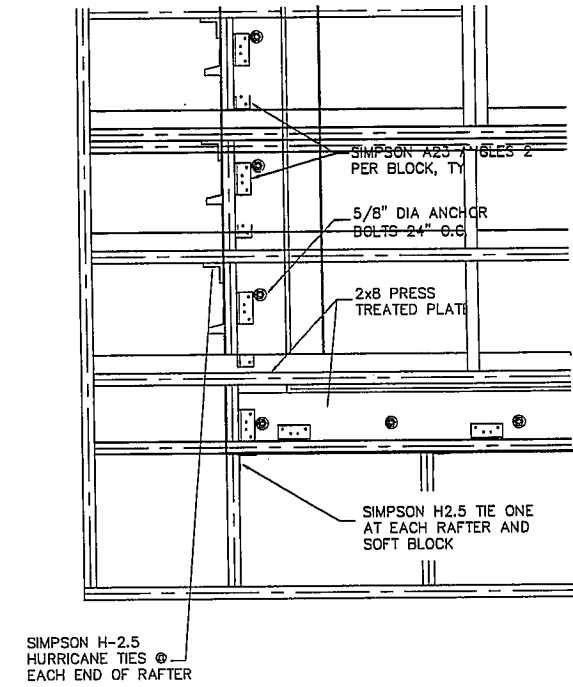
BAR IS ONE INCH ON ORIGINAL DRAWING.  
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV	DESCRIPTION	REVISED BY	DATE

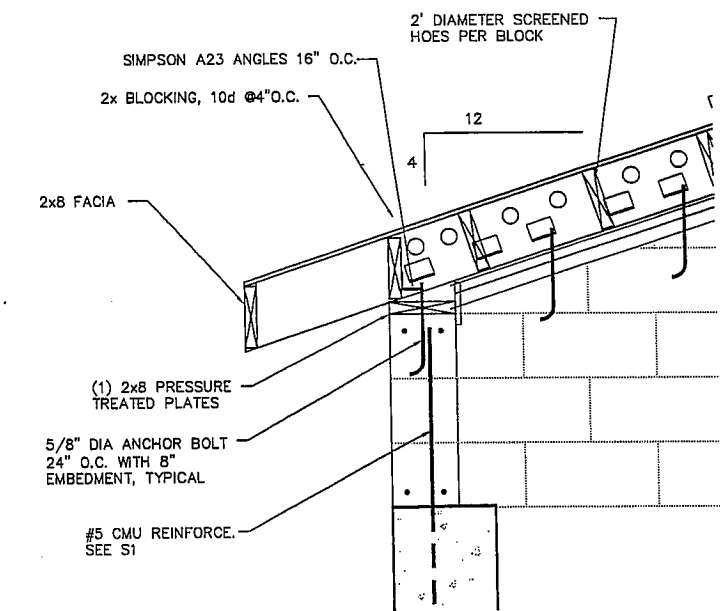
REVISIONS



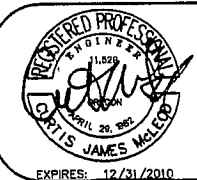
UV DISINFECTION BUILDING ROOF DETAILS  
SCALE: 1/2" = 1'-0"



ROOF CONNECTION DETAIL  
SCALE: 1" = 1'-0"



TYPICAL ROOF DETAIL  
SCALE: 1" = 1'-0"



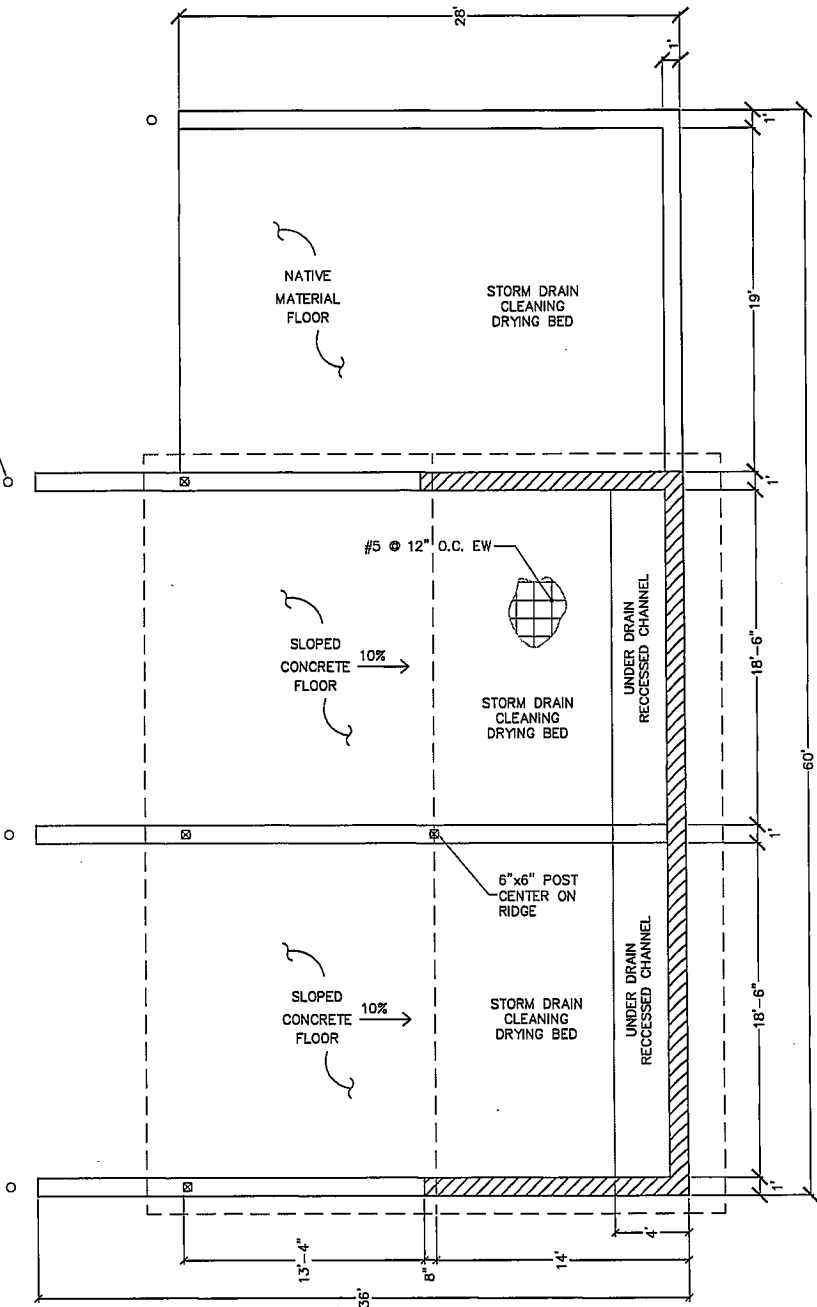
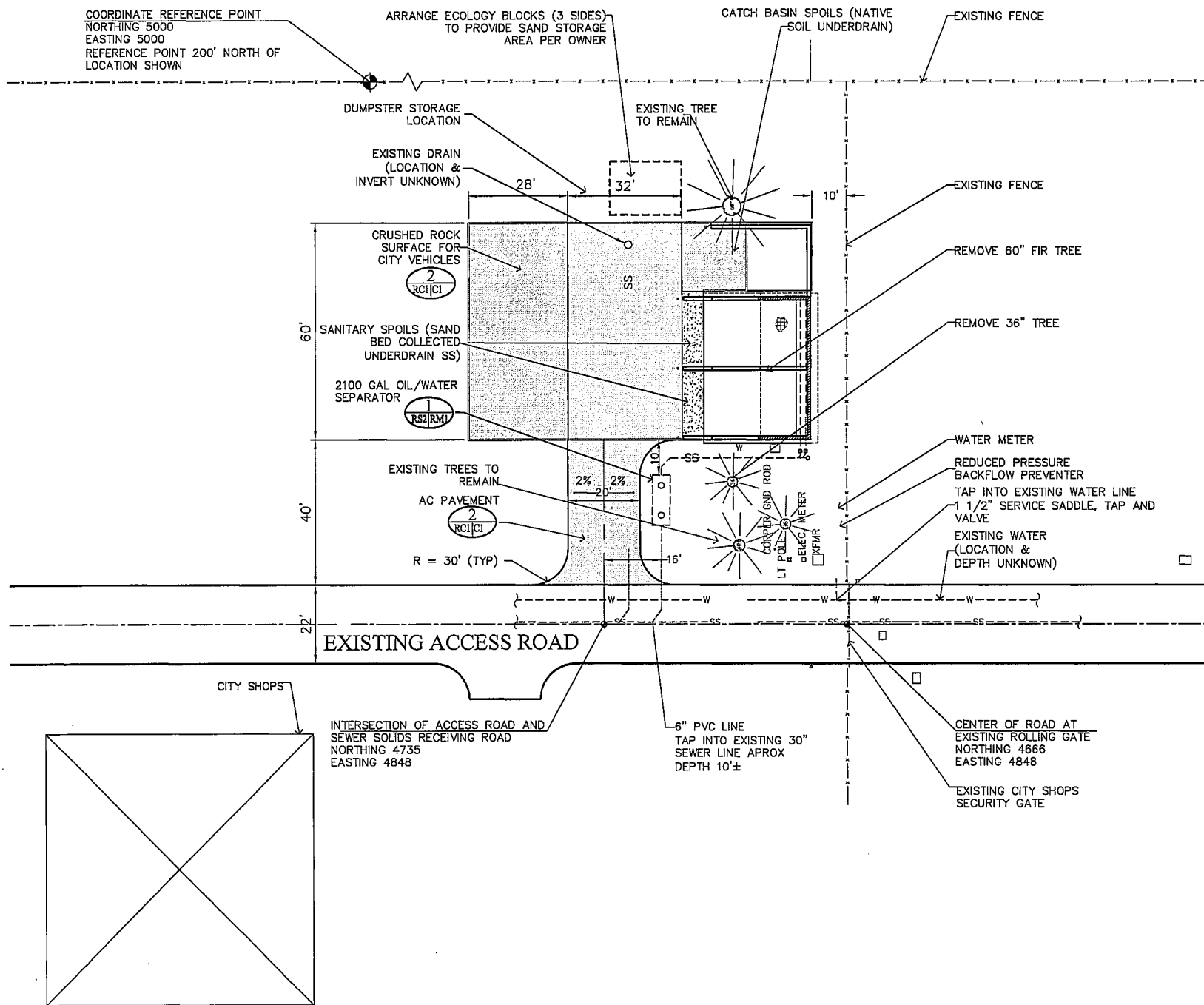
CURRAN-MCLEOD, INC.  
CONSULTING ENGINEERS  
6655 SW HAMPTON ST, SUITE 210  
PORTLAND, OREGON 97223  
PHONE (503) 684-3478  
EXPIRES: 12/31/2010

CITY OF CANBY  
UV DISINFECTION SYSTEM  
BUILDING STRUCTURAL PLAN  
AND DETAILS  
WASTEWATER TREATMENT FACILITY IMPROVEMENTS  
CLACKAMAS COUNTY, OREGON

DATE	NOV 2009
NO.	1446
D.R.	REF
D.P.	TWS
CAD	1446-US2

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COORDINATE REFERENCE POINT  
NORTHING 5000  
EASTING 5000  
REFERENCE POINT 200' NORTH OF  
LOCATION SHOWN



**RCI SOLIDS RECEIVING STATION SITE PLAN**  
SCALE: 1" = 20'

**RCI SOLIDS RECEIVING STATION-FLOOR PLAN**  
MASONRY WALLS SHOWN SHADED  
SCALE: 3/16" = 1'

- NOTES
1. COORDINATE REFERENCES ARE BASED UPON THE POINT WHERE THE ACCESS GATE AND CENTER OF THE ROAD INTERSECT. ALL COORDINATES ARE BASED UPON ROUGH FIELD MEASUREMENTS FROM THAT POINT. GROSS DISPARITIES SHALL BE BROUGHT TO THE ENGINEERS AND OWNERS ATTENTION TO CONFIRM LOCATIONS.
  2. CONTRACTOR SHALL LOCATE SEWER PIPELINES AND INVERTS PRIOR TO ANY CONSTRUCTION TO CONFIRM RELATIVE LOCATION OF CONSTRUCTION PLAN ELEMENTS. MEASUREMENTS THAT RESULT IN RELOCATION OF PLAN ELEMENTS MORE THAN FIVE FEET SHALL BE BROUGHT TO THE ENGINEERS ATTENTION FOR CONFIRMATION AND APPROVAL.
  3. ROUGH GRASS SEED ALL AREAS DISTURBED DURING CONSTRUCTION THAT ARE NOT TO BE PAVED OR GRAVEL SURFACED.
  4. PAVEMENT SHALL SLOPE MINIMUM 2% TOWARDS THE EDGE OF PAVEMENT AND AWAY FROM BUILDING AND STRUCTURES.
  5. ROOF DRAINAGE SHALL BE DIRECTED AWAY FROM PAVED AREAS ONTO NATIVE SOIL.
- NOVEMBER 2007

FINISHING SCHEDULE	
MASONRY WALLS	PRIMER/PLANT AS SPECIFIED
CONCRETE WALLS	SACK FINISH
CONCRETE FLOORS	ROUGH TEXTURED BROOM FINISH
WOOD CEILING	PRIME/PAINT AS SPECIFIED
SOFFITS	FACIA

BAR IS ONE INCH ON ORIGINAL DRAWING.  
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

REVISIONS

**CURRAN-McLEOD, INC.**  
CONSULTING ENGINEERS

6655 SW HAMPTON ST., SUITE 210  
PORTLAND, OREGON 97223  
PHONE (503) 684-3478

REGISTERED PROFESSIONAL ENGINEER  
COURTIS JAMES McLEOD  
APRIL 28, 1993  
EXPIRES: 12/31/2008

**CITY OF CANBY**

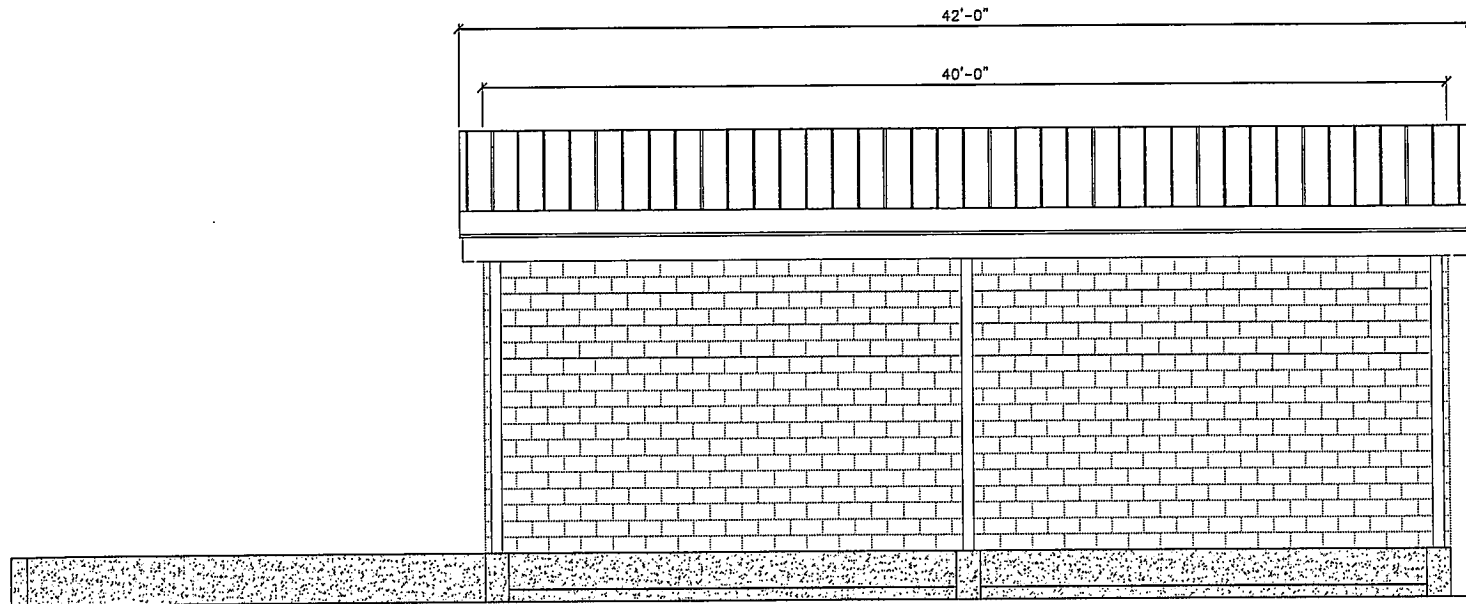
**SANITARY SEWER SOLIDS RECEIVING STATION SITE PLAN**

WASTEWATER TREATMENT FACILITY IMPROVEMENTS  
CLACKAMAS COUNTY, OREGON

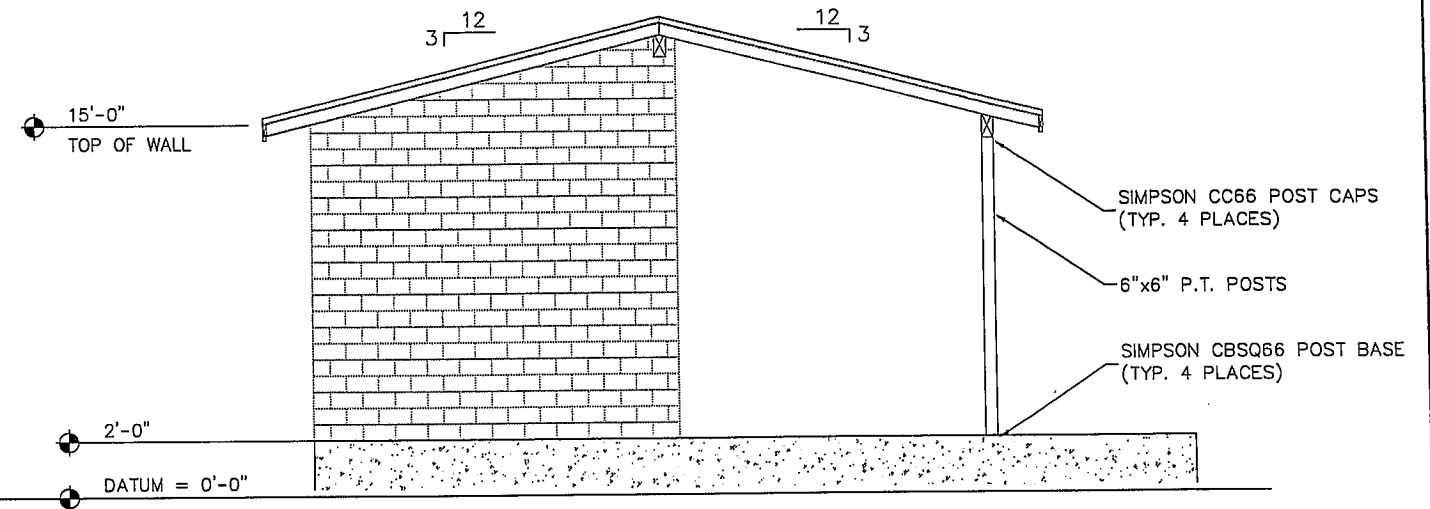
DATE	NOV 2009
REV	1446
DES	CJM
CHK	JMF
CDN	1446-RC01

RC1 OF 1

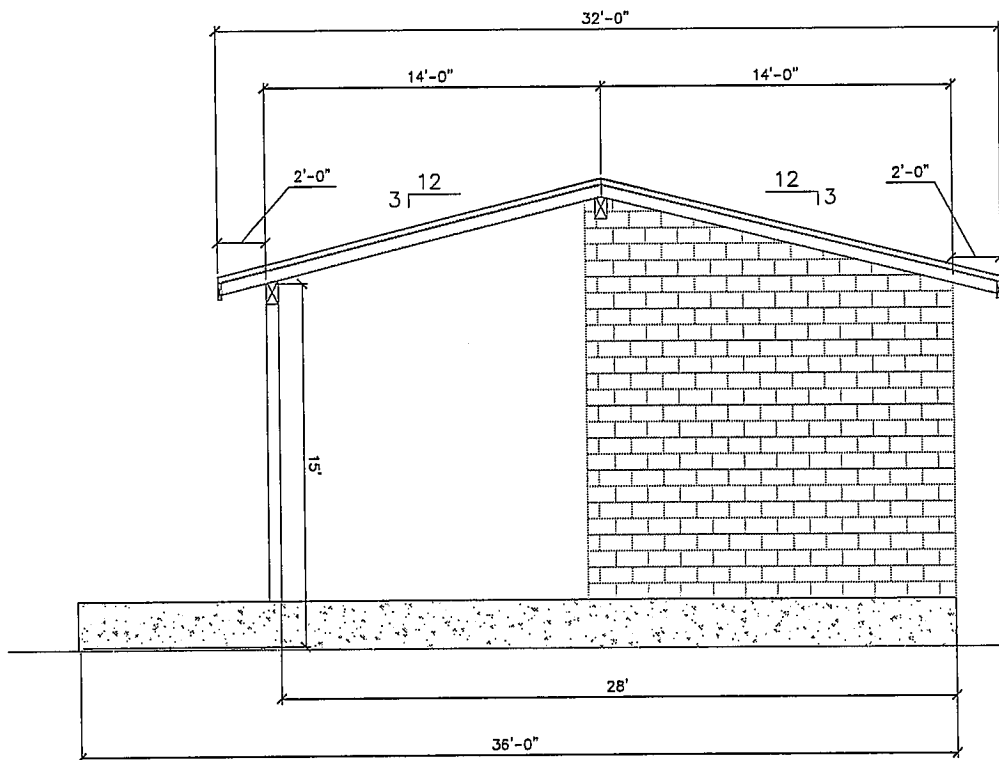
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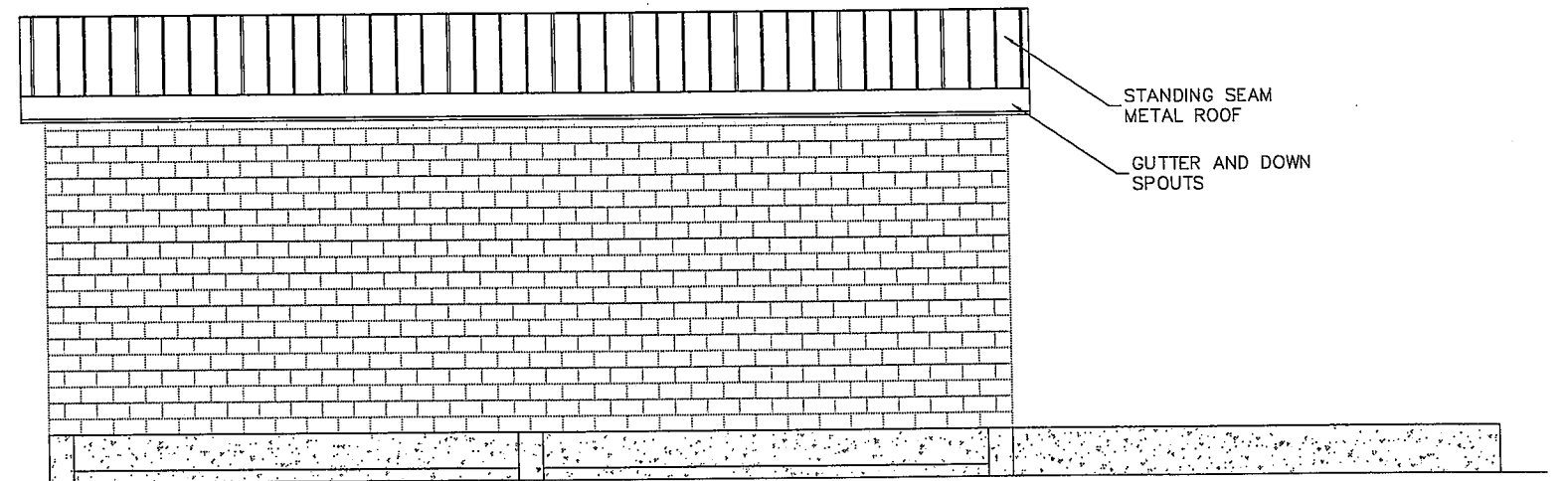
1 SANITARY SEWER SOLIDS RECEIVING STATION - NORTH ELEVATION  
RS1 | 1/4" = 1'-0"



2 SANITARY SEWER SOLIDS RECEIVING STATION - EAST ELEVATION  
RS1 | 1/4" = 1'-0"



3 SANITARY SEWER SOLIDS RECEIVING STATION - WEST ELEVATION  
RS1 | 1/4" = 1'-0"



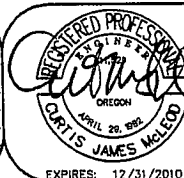
4 SANITARY SEWER SOLIDS RECEIVING STATION - SOUTH ELEVATION  
RS1 | 1/4" = 1'-0"

NOTE: GUTTERS & DOWNSPOUTS NOT SHOWN

BAR IS ONE INCH ON ORIGINAL DRAWING.  
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV	DESCRIPTION	REVISED BY	DATE

REVISIONS



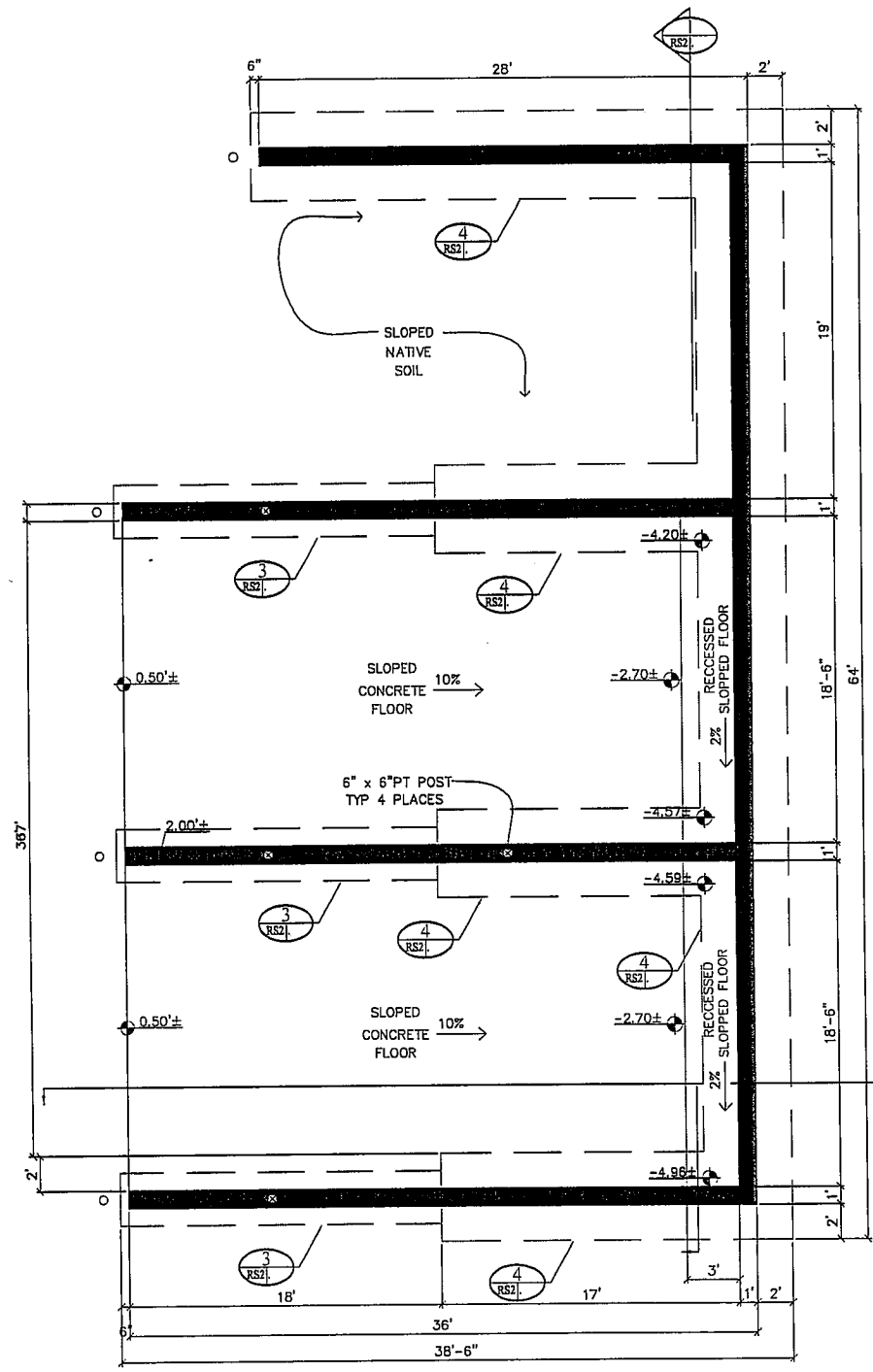
CURRAN-MCLEOD, INC.  
CONSULTING ENGINEERS  
6655 SW. HAMPTON ST., SUITE 210  
PORTLAND, OREGON 97223  
PHONE (503) 684-3478

CITY OF CANBY  
SANITARY SEWER SOLIDS  
RECEIVING STATION  
BUILDING ELEVATIONS  
WASTEWATER IMPROVEMENTS TREATMENT FACILITY  
CLACKAMAS COUNTY, OREGON

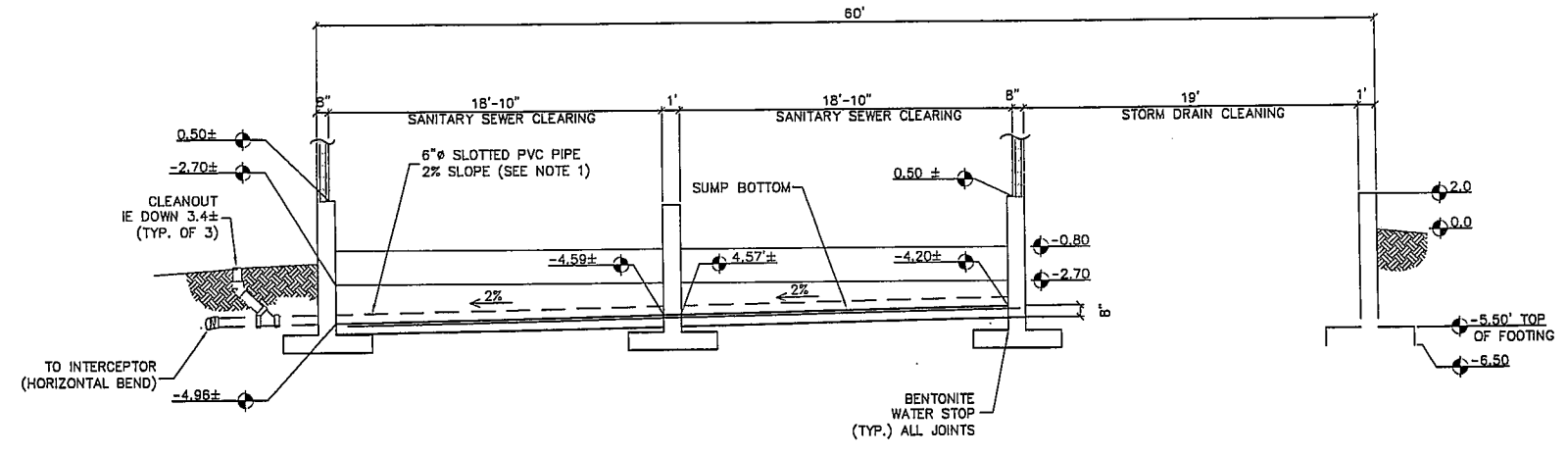
DATE	NOV 2009
PN	1446
D/E	CJM
D/S	JMF
C/D	1446-RS1

RS1  
OF  
4

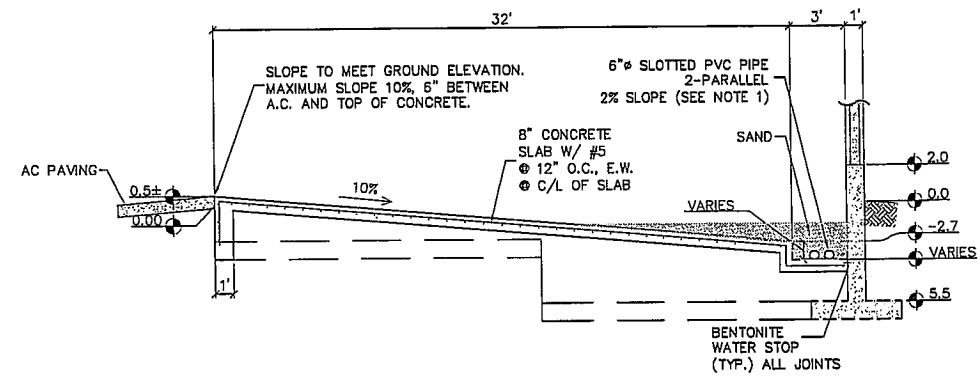
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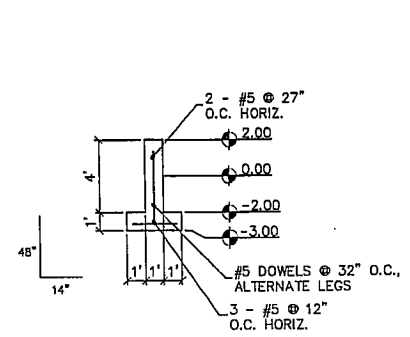
**1** SOLIDS RECEIVING STATION-FOUNDATION PLAN  
 RS2 3/16" = 1"



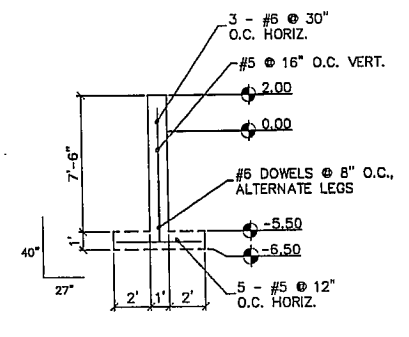
**1** SOLIDS DRYING BED FOUNDATION SECTION  
 RS2 3/16" = 1'-0"



**2** SOLIDS DRYING BED FOUNDATION SECTION  
 RS2 3/16" = 1'-0"



**3** FOOTING AND STEM WALL - TYPE #1  
 RS2 3/16" = 1'-0"



**4** FOOTING AND STEM WALL - TYPE #3  
 RS2 3/16" = 1'-0"

**PIPE NOTES:**

- SEWER PIPE MUST BE A 2% MINIMUM CONSTANT SLOPE, PIPE LOCATION RELATIVE TO THE FLOOR IN THE DRAWINGS SHALL DICTATE FLOOR ELEVATIONS.

**GENERAL NOTES:**

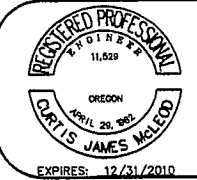
- BOLLARDS TO BE 6" G.I.P. MIN 42" ABOVE GRADE AND 54" BELOW GRADE, FILLED W/CONCRETE AND ENCASED MINIMUM 8" ON ALL SIDES AGAINST UNDISTURBED DIRT.

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BAR IS ONE INCH ON ORIGINAL DRAWING.  
 ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

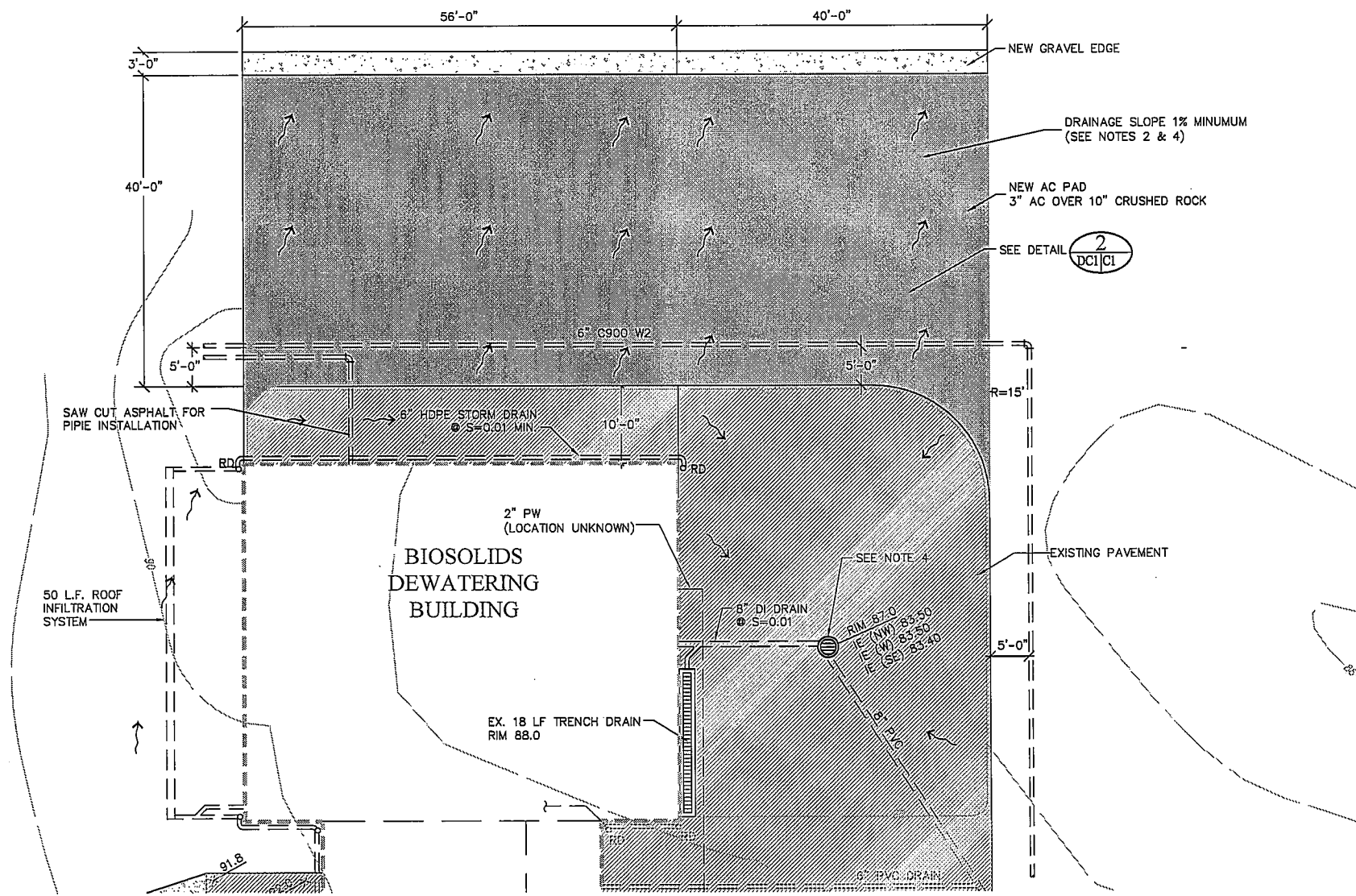


**CURRAN-MCLEOD, INC.**  
 CONSULTING ENGINEERS  
 6655 SW HAMPTON ST. SUITE 210  
 PORTLAND, OREGON 97223  
 PHONE (503) 684-3478

**CITY OF CANBY**  
**SANITARY SEWER SOLIDS RECEIVING STATION BUILDING PLAN**  
 WASTEWATER IMPROVEMENTS TREATMENT FACILITY  
 CLACKAMAS COUNTY, OREGON

DATE	NOV 2009
PROJ	1446
DIST	MLP
DWG	KSW/JMF
CADD	1446-RS2

RS2 OF 4



**BIOSOLIDS DEWATERING BUILDING GRADING PLAN**  
SCALE: 1" = 10'

**NOTES:**

- SEED ALL DISTURBED AREAS AROUND BIOSOLID DEWATERING BUILDING.
- SURFACE SHALL SLOPE MINIMUM 1% TO DRAIN AWAY FROM BUILDINGS. CONTRACTOR SHALL MODIFY EXISTING GRADING OUTSIDE OF AC AREAS USING A MAXIMUM 1:4 SLOPE.
- SAWCUT, REMOVE, AND REPLACE AC PAVEMENT FOR PLACEMENT OF PIPE.
- CLEAR & GRADE AREA NORTH OF EXISTING BIOSOLIDS DRYING BUILDING TO PREVENT PONDING WATER. EXTEND GROUND SLOPE MINIMUM 10 FEET PAST EDGE OF AS THEN SLOPE MA 4:1 TO MATCH EXISTING.

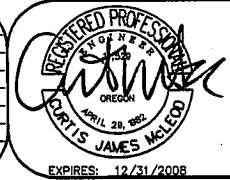
**LEGEND**

GRAVEL	
EXISTING PAVEMENT	
EXISTING STRUCTURE	
PROPOSED STRUCTURE	
EXISTING CONTOUR	
PROPOSED CONTOUR	
EXISTING SPOT ELEV.	
PROPOSED SPOT ELEV.	
CLEANOUT	
ROOF DRAIN	

BAR IS ONE INCH ON ORIGINAL DRAWING.  
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

REVISIONS



**CURRAN-McLEOD, INC.**  
CONSULTING ENGINEERS

6655 SW HAMPTON ST. SUITE 210  
PORTLAND, OREGON 97223  
PHONE (503) 684-3478

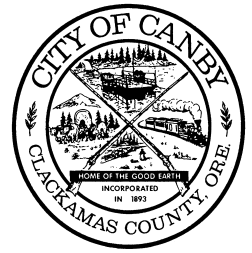
CITY OF CANBY  
**BIOSOLIDS DRYING BUILDING  
SITE PLAN**  
WASTEWATER TREATMENT FACILITY IMPROVEMENTS  
CLACKMAS COUNTY, OREGON

DATE	JUNE 2008
DRAWN	1446
DESIGNED	CJM
CHECKED	XW
DATE	1448-DC1

DC1  
OF  
1

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



**A REQUEST FOR MODIFICATION OF ) FINDINGS, CONCLUSION & FINAL ORDER  
CONDITIONAL USE PERMIT AND ) MOD 10-01  
SITE AND DESIGN REVIEW APPROVAL) Curran-McLeod, Inc.  
DR-02-01 / CUP-02-02, IN ORDER TO )  
CONSTRUCT IMPROVEMENTS TO THE) CANBY UTILITY BOARD / CANBY )  
PUBLIC WORKS OPERATION CENTER )  
AND WASTEWATER TREATMENT )  
PLANT )**

**NATURE OF APPLICATION**

The City has received MOD 10-01, a request for an Intermediate Modification of DR-02-01/CUP-02-02 in order to construct a 193 sq.ft. UV disinfection building, a 1,120 sq.ft. sanitary sewer solids receiving building, and two asphaltic concrete (AC) pads approximately 2,800 and 3,800 sq.ft. each, at the Canby Utility Board / Canby Public Works Operation Center and Wastewater Treatment Plant, located north of N.E. Territorial Road at 1470/1480 N.E. Territorial Road.

**CRITERIA AND STANDARDS**

In judging whether or not this Intermediate Modification application shall be approved, the Planning Commission considered the findings contained in the February 26, 2010, staff report, including all attachments thereto, and made the following additional findings:

- Xxxx
- Xxxx

In summary, the Planning Commission concluded that, with four conditions of approval, this Modification application meets all approval criteria. The Commission adopted the findings contained in the February 26, 2010, staff report, together with the additional findings detailed above, and approved MOD 10-01 as reflected in the written Order below:

**CONCLUSION**

The Planning Commission concludes that, with the application of certain conditions:

*Site and Design Review Findings:*

16.49.040.1.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

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

16.49.040.1.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; and

16.49.040.1.D. The proposal is deemed compatible with regards to criteria B and C above because the development achieves a score which exceeds the minimum 65% required to meet the approval criteria; and

16.49.040.4. All required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development; and

16.49.040.5. The proposal has no impact on the availability and cost of needed housing; and

16.49.040.6. The proposal does not involve cutting down any street trees.

*Conditional Use Permit Findings:*

16.50.010.A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title (Title 16) and other applicable policies of the City; and

16.50.010.B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features; and

16.50.010.C. All required public facilities and services exist to adequately meet the needs of the proposed development; and

16.50.010.D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits or precludes the use of surrounding properties for the uses listed as permitted in the zone.

**ORDER**

**IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **MOD 10-01** is approved, subject to the following conditions:

1. Approval of this application is based on submitted application materials (a reduced copy of which are attached to the Feb. 26, 2010 staff report as Exhibit C) and other relevant application materials. 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-10-01, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code.
2. At the time of building permit application, the applicant shall submit a full size set of all development plans (including site plan, elevations, etc.) that is consistent with the development approved herein, including all conditions of approval and revisions required to meet

conditions, to the satisfaction of the City's Planning & Building Department and Public Works Department. All conditions of approval must be met prior to final occupancy of the buildings unless otherwise noted.

3. The color of the exterior walls and roofing materials on the buildings shall be subdued and similar to the colors of other buildings on the site. Exterior of building shall meet this condition prior to the City issuing a final occupancy permit.
4. Prior to issuance of building permits, applicant shall meet all fire & life safety requirements of Canby Fire.

Proposed

**I CERTIFY THAT THIS ORDER** approving **MOD 10-01** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

**DATED** this 22<sup>nd</sup> day of March 2010.

---

Daniel K. Ewert, Chairman  
Canby Planning Commission

---

Melissa Hardy  
Associate Planner

**ATTEST:**

**ORAL DECISION – March 22, 2010**

AYES:

NOES:

ABSTAIN:

ABSENT:

**WRITTEN DECISION – March 22, 2010**

AYES:

NOES:

ABSTAIN:

ABSENT:

**MINUTES**  
**CANBY PLANNING COMMISSION**  
7:00 PM – February 8, 2010  
City Council Chambers – 155 NW 2<sup>nd</sup> Avenue

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**PRESENT:** Vice Chair Jan Milne, Commissioners Sean Joyce, Chuck Kocher, and John Proctor,

**ABSENT:** Chair Dan Ewert, Commissioners Misty Slagle and Randy Tessman

**STAFF:** Bryan Brown, Planning Director; Melissa Hardy, Associate Planner; Catherine Comer, Economic Development Manager and Jill Thorn, Planning Staff

**OTHERS PRESENT:** David Karr, Charles Burden, David Hyman, Steve Shapiro, Chris Sturgin, Curt McLeod and Amy Nguyen

**1. CALL TO ORDER**

**2. WELCOME OF NEW COMMISSIONER** Vice Chair Milne welcomed John Proctor to the Planning Commission and asked him to tell the public about himself.

**3. CITIZEN INPUT** None

**4. PUBLIC HEARINGS**

**a. Site and Design Review** to build a 14,458 square foot commercial building and an accessory parking lot on a 2-acre site in the 300 Block of S. Walnut Street (a 2-acre portion of Clackamas County Assessor Map & Tax Lot Nos. 31E34-01805 and 01710). The application includes a requested parking space exception, requested variance from CMC 16.35.050.M and 16.49.120.9 to waive the requirement for automatic irrigation or water spigots for the lawn-portion of the landscaping area, and requested variance from CMC 16.35.050.G to allow different street improvements on S. Walnut Street than required by code. – Dragonberry – DR 09-02.

Vice Chair Milne read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. When asked about site visits; Commissioner Kocher stated he had visited the site and had reached no conclusion and Commissioner Milne stated she had visited the site, but reach no conclusions. Commissioners Joyce and Proctor stated they had not visited the site. No questions were asked of the Commissioners.

Melissa Hardy, Associate Planner, presented a PowerPoint presentation and February 1, 2010, staff report for the record.

Commissioner Joyce asked for clarification on the shifting of the right-of-way. Ms Hardy explained the effect that shifting the right-of-way would have on reducing required street setbacks, and recommended condition #5 so that setbacks for all structures and buildings, other than the building currently proposed, be measured from the edge of the sidewalk where the right-of-way line would normally be located.

Commissioner Milne asked if the new setback would apply to all sites. Ms Hardy stated this Design Review decision only applies to this site, and any future requests to vary the required right-of-way would be on a case by case basis.

Commissioner Joyce said that he would like for the Commission to review this issue each time.

Commissioner Joyce asked about the landscaping plan and the three trees located in the transportation engineer's line of sight. Ms Hardy stated that Condition 14 would require an alternative plant material less than 42-inches-high be planted there instead of the three trees.

Commissioner Kocher asked for clarification on the number of parking spaces as he counted only 25 and not 26. Ms Hardy pointed out the spaces which did total 26.

**Applicant:** **Steve Shapiro**, a landscape architect, spoke for the applicant. He said that the proposed landscaping is intended to be sustainable and to reflect the sustainability of the proposed building, and that not irrigating the drought-tolerant lawn area will save 240 gallons of water per week.

Commissioner Milne offered her appreciation for the ethic of sustainable landscaping.

**David Hyman**, an architect from DECA, spoke for the applicant. He said that they are targeting LEED silver or gold certification.

Commissioner Kocher asked where the proposed restaurant area was located. Mr. Hyman stated it would be in the southwest corner of the building.

**Amy Nguyen**, property owner, spoke for the applicant. She said her company is a specialty wholesale produce distributor.

Commissioner Milne asked how many employees would be working at the site. Ms Nguyen stated there would be between 10 to 15.

Commissioner Joyce asked how the storm drain would work on the site.

**David Karr**, an engineer from DK & Associates, spoke for the applicant, and talked about how they plan to handle storm drainage on site with swales.

**Proponents:** **Catherine Comer**, Canby Economic Development Manager, said she felt this building is good for the industrial park and fits well with Canby's new "The Garden Spot" theme.

**Opponents:** **None**

**Neutral:** **None**

**Rebuttal:** **None**

Vice Chair Milne closed the public hearing.

Commissioner Kocher liked the sustainable concept and felt the street variance should follow all along Walnut Street.

Commissioner Joyce felt the City Engineer's Walnut Street design should be maintained but would like to have the Planning Commission see all applications. He expressed some concern about the lack of a buffer between the project site and the single family home on the neighboring property. He stated he was impressed with the landscape plan.

Commissioner Milne stated there was a row of trees between the house and where the Dragonberry building would be and she felt that was adequate buffering. She stated she agreed with Commissioner Joyce about the landscape plan and was excited to see the applicant seeking a LEED gold or silver classification.

Commissioner Kocher moved to approve Site and Design Review application no. DR-09-02 with the 28 conditions of approval detailed in the staff report, including approval of the parking space exception and two variance requests, based on the findings in the February 1st staff report and the findings from tonight's public hearing. It was seconded by Commissioner Joyce. The motion passed 4-0.

## **5. NEW BUSINESS**

### **a. Adoption of Planning Commission Policies and Procedures -**

Commissioner Joyce moved to approve the Planning Commission Policies and Procedures. Motion seconded by Commissioner Kocher and passed 4-0.

## **6. FINAL DECISIONS**

**a. DR 09-02 – Dragonberry -** It was moved by Commissioner Joyce to approve the written findings for DR 09-02 – Dragonberry – as presented - correcting Condition 6 stating the sidewalk would be 6 feet instead of 16 feet wide. It was seconded by Commissioner Kocher. The motion passed 4-0.

*It was subsequently determined by Planning staff that Condition #6 was intended to direct the property owner to dedicate a 16-foot-wide 'sidewalk, storm drainage and public utility easement ', and was not intended to describe the width of the sidewalk. Therefore Condition #6 was not changed, and the width of the easement dedication remains 16 feet.*

## **7. MINUTES**

**a. January 11, 2010 -** Commissioner Kocher moved to approve minutes of January 11, 2010 as presented. Motion seconded by Commissioner Joyce and passed 3-0 with Commissioners Proctor abstaining.

**8. ITEMS OF INTEREST FROM STAFF** Bryan Brown, Planning Director, gave an update on the Reserves designation process how changes were impacting Canby. He announced that the Beck Annexation would be on the February 17<sup>th</sup> City Council Agenda should Commissioners want to see how this item is handled.

**9. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION - None**

## **10. ADJOURNMENT**