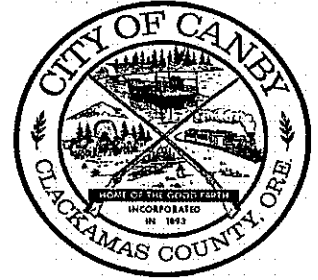


PLANNING COMMISSION AGENDA
Monday – January 8, 2007
7:00 PM - Regular Meeting

City Council Chambers - 155 NW 2nd Avenue



Chairman Jim Brown, Commissioners John Molamphy, Dan Ewert, Janet Milne, and Bruce Holte

I. CITIZEN INPUT ON NON-AGENDA ITEMS

II. PUBLIC HEARINGS

DR 06-10 – 1410 S Township Road - Site and Design Review approval for a two story warehouse building **Page 2**

CUP 06-03 – 505 N Baker - A conditional use application for a gravel parking lot in lieu of asphalt **Page 42**

SUB 06-05/ZC 06-04 – 1592 S Ivy Street - Zone change of R-1.5 (Medium Density Residential) from R-1 (Low Density). Develop a 22-lot subdivision with 8 lots for attached single family dwellings and 14 lots for detached single family dwellings. **Page 67**

DR 06-13 – 1300 N Maple Street and 1200 SE 13th Avenue - Site and Design Review approval for two restroom facilities **Page 110**

III. NEW BUSINESS

Election of Vice Chair

IV. FINDINGS Note: these are the final, written versions of previous oral decisions. No public testimony.

MOD 06-19 – Modification of SUB 00-01 Tofte Farms III **Page 137**

MOD 06-20 - Modification of MLP 06-12 – Condition 7 **Page 141**

V. MINUTES

December 11, 2006 **Page 146**

VI. DIRECTOR'S REPORT

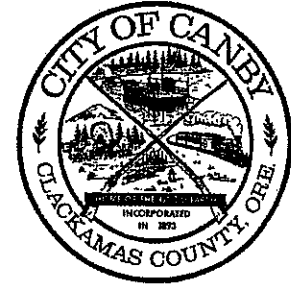
VII. ADJOURNMENT

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 -

APPLICANT:

Roderick J. Larios
26485 S. Harms Rd.
Canby, OR 97013

FILE NO.:

DR 06-10

OWNER:

Roderick J. Larios
26485 S. Harms Rd
Canby, OR 97013

STAFF:

Kevin C. Cook
Associate Planner

LEGAL DESCRIPTION:

Tax Lot 1819
of Map 3-1E-34C

DATE OF REPORT:

December 29, 2006

LOCATION:

1410 S Township Rd.

DATE OF HEARING:

December 29, 2006

COMP. PLAN DESIGNATION:

Light Industrial

ZONING DESIGNATION:

Light Industrial (M-1)

I. APPLICANT'S REQUEST:

The City has received DR 06-10, an application request to develop a new 10,200 sq. ft. warehouse building with office space. The proposed office area will total 3,600 sq. ft. and warehouse space will total 6,600 sq. ft. The warehouse space will be divided in two and there will be two distinct office spaces. The offices will be tied to one warehouse unit each as a rental package. One of the warehouses is intended to be used for a wholesale forest products business. There is an existing access to the site by way of a 20 foot wide easement over lots 1816 and 1817 to the south; evidence of which is required prior to permits (Condition 4).

II. APPLICABLE REGULATIONS

City of Canby General Ordinances:

- 16.10 Off-Street Parking and Loading
- 16.32 M-a Heavy Commercial/Manufacturing
- 16.42 Signs
- 16.49 Site and Design Review

III. MAJOR APPROVAL CRITERIA

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

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 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. 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.

DESIGN REVIEW MATRIX

Parking			
Screening of loading facilities from public ROW [not screened /partially screened / full screening]	0	1	2
Landscaping (breaking up of expanse of asphalt)	0	1	
Parking lot lighting [no / yes]	0	1	
Location (behind the building is best)[front / side / behind]	0	1	2
Number of parking spaces (% of min.) [x>120% / 100%-120% / x=100%]	0	1	2

Signs			
Dimensional size of sign (% of maximum permitted) [x>75% / 50% - 75% / x<50%]	0	1	2
Similarity of sign color to building color [no / some / yes]	0	1	2
Pole sign [yes / no]	0	1	
Location of sign [x>25' from driveway entrance / within 25' of entrance]	0	1	

Traffic			
Distance of access to intersection [x<70' / 70'-100' / x>100']	0	1	2
Access drive width (% of minimum) [x<120% or x>150% / 120%-150%]	0	1	
Pedestrian access from public sidewalk to bldg. [1 entrance connected / all entrances connected]	0		2
Pedestrian access from parking lot to building [No walkways / Walkway next to bldg / No more than one undesignated crossing of access drive and no need to traverse length of access drive]	0	1	2

Building Appearance			
Style (architecture) [not similar - similar to surrounding]	0	1	2
Color (subdued and similar is better) [neither/similar or subdued/similar & subdued]	0	1	2
Material [concrete or wood or brick is better]	0	1	
Size (smaller is better) [over 20,000 s.f. / under 20,000 s.f.]	0	1	

Tree Retention				
For trees outside of the building footprint and parking/access areas (3 or more trees) [No arborist report / follows <50% of arborist recommendation / follows 50%-75% of arborist rec. / follows 75% of arborist rec.]	0	1	2	3
Replacement of trees removed that were recommended for retention [x<50% / x>50%]	0	1		

Types of Landscaping			
# of non-required trees [x<1 per 500 sf of landscaping / 1 or more per 500 sf of landscaping]	0	1	
Amount of Grass [<25% / 25% - 50% / x>50%]	0	1	2
Location of shrubs [foreground / background]	0	1	
Automatic Irrigation) [no / yes]	0		4

Bonus Points		
2 or more trees at least 3" in caliper	1	2
Park/open space retention for public use	1	2
Trash receptacle screening	1	

IV. FINDINGS:

A. Background and Relationships:

The property is located on the north side of S Township Road. The property is zoned M-1 Light Industrial and has a Comprehensive Plan designation of Light Industrial as well. Surrounding properties are zoned Light Industrial.

B. Evaluation Regarding Site and Design Review Approval Criteria

Design Review Matrix Analysis

1. Parking

The applicant's site plan shows 13 parking spaces. However, Section 16.10.050 requires a total of 20 spaces (13 for the proposed office area and 7 for the warehouse area). Condition 5 requires the applicant to demonstrate compliance with the parking standards prior to the issuance of a building permit; the applicant may reduce the total office area, reduce the overall building footprint, produce an acceptable parking agreement with on an adjacent lot, or utilize any combination of the three options. Section 16.10.060 indicates one loading berth per an industrial use over 5000 square feet. Do area constraints, the applicant has not proposed a loading berth. The Planning Commission has in the past, allowed a waiver to this standard. Staff has recommended condition 21 in place of this requirement.

2. Traffic/Access

The City Transportation Engineer has commented that the site is expected to generate fewer than ten trips per day during the peak hour and would consequently have an insignificant impact on the local street system.

3. Signs

The site is allowed a **total of 306 square feet** of signage. No signage is proposed. Any future signs are subject to the City's sign permit application review.

4. Lot Landscaping standards and Tree Retention

The applicant's site plan shows areas that are proposed for landscaping. The proposed landscaping will meet the minimum 15% required. However, a more detailed landscaping/planting plan will be a requirement for the building permit (Condition 9).

5. Building Appearance

Building elevations show a basic corrugated metal building. Staff believes that although the proposed building is very basic it is, nevertheless, compatible with existing development in the area.

Compatibility Matrix

Four of the six sections of the Design Review Matrix apply to this application. The proposed application receives, in staff's determination, a total of 18 points out of a total possible of 27 points, or 66.6% percent. The minimum percentage required to be considered "compatible" is 65 percent, so this proposal is considered to be compatible. Following is staff's determination of the point totals.

<u>CRITERIA</u>	<u>PTS/ POSS</u>	<u>NOTES</u>
Parking		
Screening of loading facilities	2/2	Site is located far from ROW.
Parking lot landscaping	1/1	Landscaping softens parking area.
Parking lot lighting	1/1	Parking lot lighting required (Cond. 8)
Location of parking	0/2	Parking in front.
Number of parking spaces	2/2	Will be met with through condition 5.
Traffic		
Distance of access to intersection	N/A	Will use existing access.
Access drive width	1/1	Access width exceeds the minimum required.
Pedestrian access from public sidewalk	0/2	No pedestrian connection provided.
Pedestrian access from parking lot to building	2/2	Walkway is adjacent to building.
Signs		
Dimensional size of sign	N/A	Sign dimensions to be reviewed through sign permit application.
Similarity of sign to building	N/A	

Pole sign	N/A	
Location of sign	N/A	
Tree Retention		
Tree retention	N/A	No trees exist on site
Replacement of trees	N/A	
Building Appearance		
Style	2/2	Similar to nearby development.
Color	2/2	The colors are similar and subdued.
Material	0/1	Metal.
Size	1/1	Building is under 20,000 square feet.
Types of Landscaping		
# of non-required trees	0/1	Less than one additional tree per 500. square feet of landscaping.
Amount of grass	0/2	Less than 25% proposed.
Location of Shrubs	0/1	In the foreground.
Automatic Irrigation	4/4	Automatic irrigation provided.
Bonus Points		
2 or more trees 3" or more	0/2	None
Trash Receptacle Screening	0/1	No trash receptacle shown
Park/Open Space	0/0	No open space provided.

6. Availability of Adequate Public Facilities and Services

Service provider comments are shown in exhibit 2. CTA, Canby Utility (electric and water), the Wastewater Treatment Plant, The Police Department, The Fire Department, and NW Natural indicated that adequate public services are available, or will become available through the development.

7. Development Standards

There are no lot size, minimum width, or frontage requirements in the M-1 zone. Maximum lot coverage, building height, and vision clearance requirements have been met.

V. CONCLUSION

Staff concludes that, with conditions, the application will meet the requirements for site and design review approval. In direct response to the criteria for site and design review, staff has concluded the following:

- 1A. The proposed development of the site is consistent with the applicable standards and requirements of the Canby Municipal Code and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
- 1B. The proposed design of the development is compatible with the design of other development in the vicinity; and

- 1C. The location, design, size, color, and materials of the exteriors of structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity; and
- 1D. The proposal is deemed compatible given that staff allocated a percentage of 65.5% on the design review matrix when 65% is considered compatible; and
- 1E. All required public facilities and services exist or can be made available to adequately meet the needs of the proposed development.
- 2. Public utility and service providers have indicated that the existing proposal can be made to comply with applicable standards.
- 3. The proposed development will not increase the cost of housing in Canby.
- 4. The property owner is not applying to remove street trees.

VI. RECOMMENDATION:

Based upon the application, elevations, the site plan received by the City, the facts, findings and conclusions of this report, and without the benefit of a public hearing, staff recommends that the Planning Commission approve DR 06-10 with the following conditions:

- 1. Prior to the issuance of a building permit the design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider.
- 2. Prior to the issuance of a building permit a pre-construction conference shall be held prior to construction and issuance of any building permit. Twelve copies of the pre-construction plans shall be given to the City for review and approval by Canby Utility, Canby Telephone, Willamette Broadband, the City, and other required utility providers prior to the pre-construction conference. The construction plans shall include, as appropriate, the plans for street design, storm water, sewer, water, fire hydrants, electric, cable, telephone, natural gas, street lights, and mail boxes.
- 3. Prior to the issuance of a building permit a revised set of **all** full size development plans (including site plan, landscape plan, elevation, etc.) shall be submitted which depicts each of the written conditions to the satisfaction of the City Planning Department.
- 4. Prior to the issuance of a building permit, satisfactory evidence of a shared access easement shall be provided to the Planning Department.
- 5. Prior to the issuance of a building permit, the applicant shall submit a revised parking plan to the Planning Department. The revised plan shall comply with the parking standards set forth in Section 16.10.050 of the CMC.
- 6. A sign permit application shall be submitted for all proposed signs.

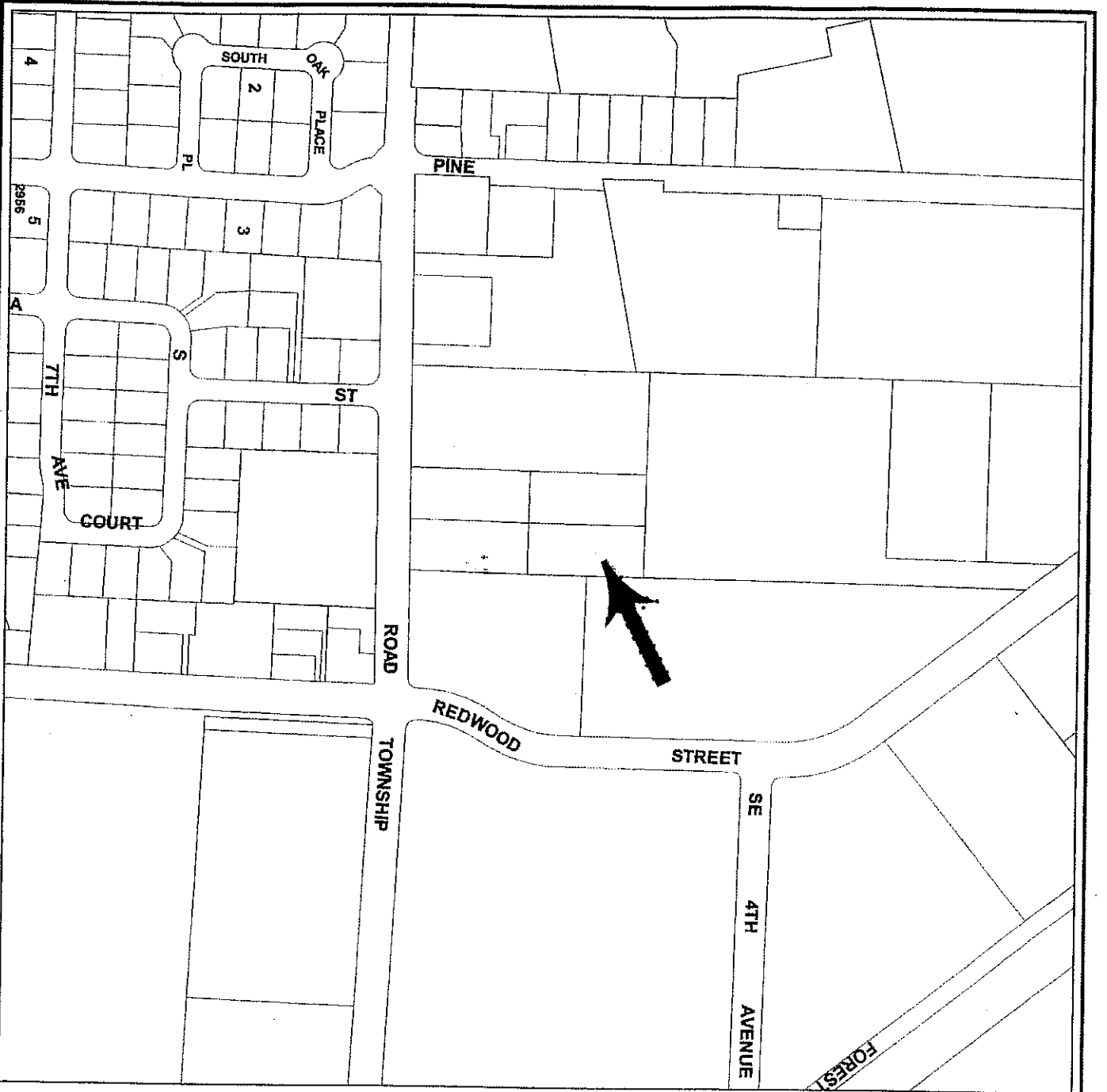
7. Fire lane access shall be maintained during and after construction of the office building; the site plan submitted for the building permit application shall indicate compliance the above.
8. Exterior lighting is required to provide a minimum of 0.5 footcandles with a 4:1 uniformity ratio on the pavement in the parking and circulation area. All site lighting shall be "hooded" or "cutoff" so as not to direct light skyward.
9. A detailed landscape construction plan shall be submitted to the Planning Department prior to the issuance of a building permit. The detailed landscape plan shall show: the number of plants, plant spacing/location of planting, the type of plants, the size of plants, the schedule of planting, and irrigation plans. All landscaped areas shall be irrigated by an automatic irrigation system as proposed. The landscape plan shall meet the minimum landscaping requirements set forth in Section 16.49 of the CMC.
10. The landscaping shall be planted at such a density so as to provide a minimum of 95% coverage of the landscape areas with vegetation, within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after the 3-year period. The plant spacing and starting plant sizes shall meet the ODOT plant spacing/starting size standards. Trees are to be a minimum of 2" caliper.
11. Wheel stops shall not be required in areas where sidewalks are at least 8 feet in width and in areas where landscaping within 2 feet of the curb is limited to ground cover and will not be damaged by vehicle overhangs. Wheel stops shall be provided for all parking spaces located adjacent to landscaping or walkways that do not meet the above criteria. The wheel stops shall be placed 2 feet in front of the end space.
12. All interior sidewalks and access-ways shall be a minimum of five (5) feet in width.
13. Bicycle parking shall be provided per the requirements of CMC 16.10.100.
14. An erosion control permit is required. All City erosion control regulations shall be followed during construction as specified by the Canby Municipal Code
15. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
16. All storm water shall be disposed of on-site. The design of storm water facilities shall be approved by the City Engineer and Public Works Supervisor. The applicant is responsible for obtaining approval from DEQ, if necessary, for private drywells.

17. ADA Ramps shall be provided as required by the Public Works Supervisor.
18. Commercial approach aprons shall be installed at the entrances to the parcel to the satisfaction of the Public Works Department.
19. "Staple" type bicycle racks shall be provided at the front of the proposed building. The racks shall accommodate a minimum of five bicycles.
20. The existing fire hydrant shall be upgraded according to the Canby Fire District's specifications.
21. Upon change of use, loading docks will be required unless exempted by the Planning Commission.

Exhibits:

1. Vicinity maps
2. Applicant's packet
3. Responses to request for comments
4. Pre-application meeting minutes + pre-app. comments

1410 S Townsh Road



Geographic Information Systems
121 Library Court
Oregon City, OR 97045

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

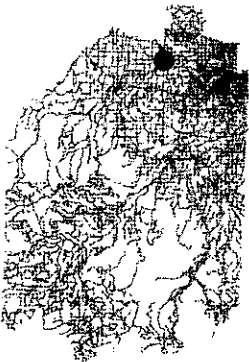
December 7, 2006 08:49 AM

EXHIBIT

11
+ 1

AS10092

City of Canby



*Clackamas
County*

Geographic Information Systems
121 Library Court
Oregon City, OR 97045

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

January 2, 2007 11:53 AM





© 2006 Europa Technologies
Image © 2006 Metro, Portland Oregon
© 2006 Navteq

Google

DATE: 08/18/2009
JOB NO.: 6.1078

A1.1

FLOOR PLAN

2 1 0 9 2 1 0
 2 1 0 9 2 1 0
 2 1 0 9 2 1 0

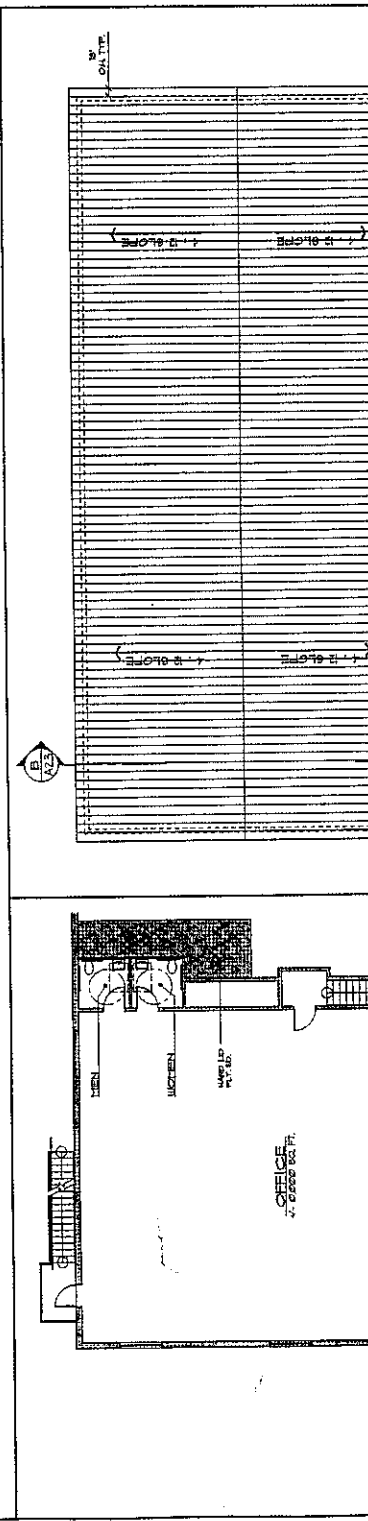
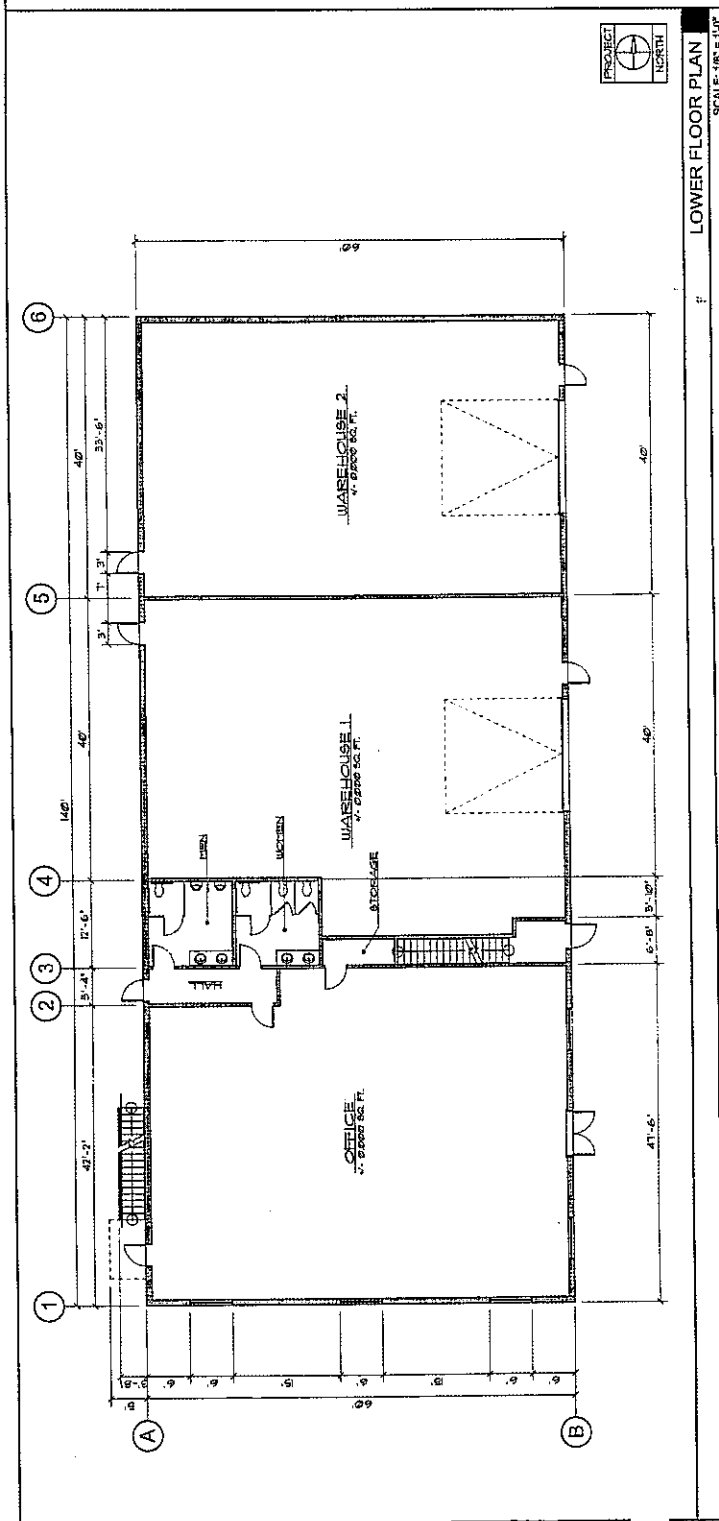
REVISIONS

NO.	DATE	DESCRIPTION

- FLOOR PLAN KEYED NOTES**
1. ALL CONCRETE SHALL BE 4000 PSI STRENGTH CONCRETE WITH 4% STEEL FIBERS. ALL REINFORCING SHALL BE #4 BARS.
 2. FLOOR FINISH SHALL BE 3/4" POLISHED CONCRETE.
 3. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 4. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 5. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 6. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 7. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 8. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 9. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 10. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 11. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 12. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 13. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 14. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 15. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 16. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 17. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 18. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 19. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 20. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 21. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 22. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 23. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 24. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 25. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 26. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 27. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 28. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 29. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.
 30. ALL INTERIOR PARTITIONS SHALL BE 5/8" THICK Gypsum Board on 2x4 Stud Wall.

- GENERAL NOTES** (NOT ALL USED REFER TO PLAN)
1. READ ALL DIMENSIONS AT THE EXTERIOR WALLS.
 2. FOR DOOR AND WINDOW SCHEDULE REFER TO SPECIFICATION.
 3. PROVIDE EGRESS / EXIT LIGHTS AS PER LOCAL CODES.
 4. ALL DIMENSIONS ARE TO FACE OF WED UNLESS NOTED OTHERWISE.
 5. HOLD ALL UTILITY LINES TO SURFACE OF ROOF OR BELOW FINISH FLOOR. ALL UTILITIES SHALL BE PROTECTED BY 2" MIN. CONCRETE.
 6. CONTINGENTLY APPROVED BY CITY OF MAX CHANGE IN ELEVATION SHALL BE 1/8" PER FOOT OF 40' RISE NOT EXCEEDING 2% SLOPE PER SECTION - TYPICAL.

- LEGEND** (NOT ALL USED REFER TO PLAN)
- 2x4 WALLS
 - 2x6 WALLS
 - 2x8 WALLS



- KEYED NOTES**
- SYMBOL LEGEND**
- PROJECT
 - NORTH

UPPER FLOOR PLAN SCALE: 1/8" = 1'-0"

ROOF PLAN SCALE: 3/32" = 1'-0"

5

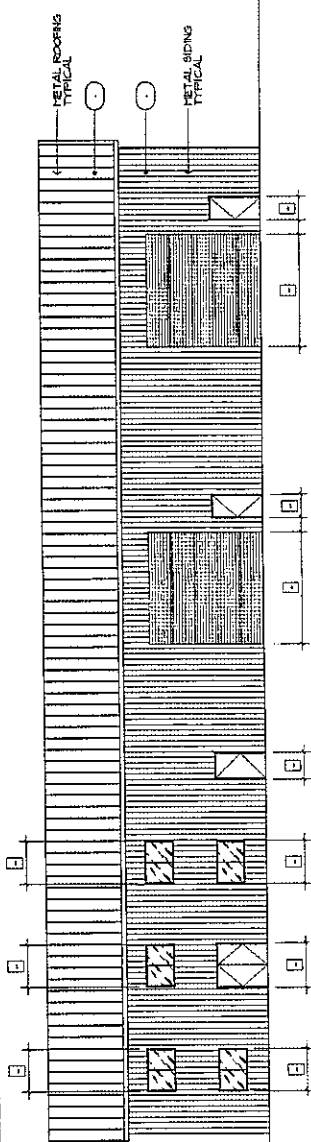
REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMITS
2	REVISED PER COMMENTS
3	REVISED PER COMMENTS
4	REVISED PER COMMENTS
5	REVISED PER COMMENTS
6	REVISED PER COMMENTS
7	REVISED PER COMMENTS
8	REVISED PER COMMENTS
9	REVISED PER COMMENTS
10	REVISED PER COMMENTS

RD 4 R LARLOS
 HWY 9 TOWNSHIP RD
 CANBY, OREGON 97013

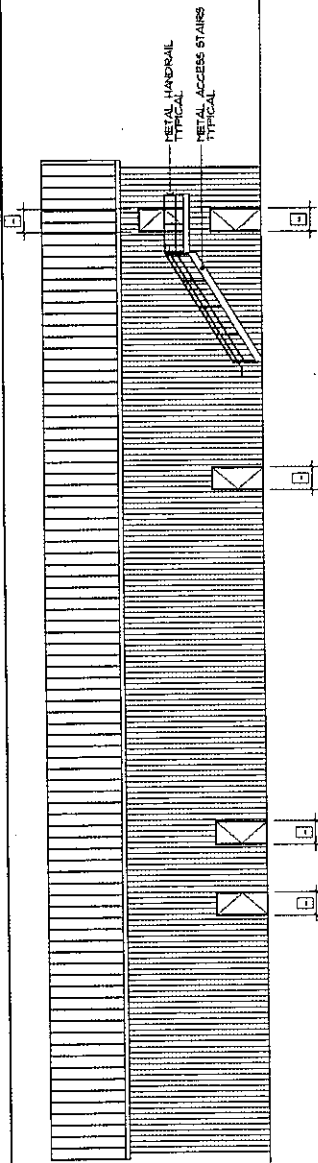
PROJECT NO. 20180808
 DATE: 08/15/2018
 JOB NO. 8_0113

A1.2

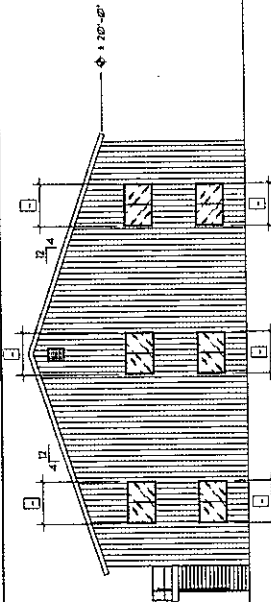
EAST ELEVATION SCALE: 1/8" = 1'-0" 1



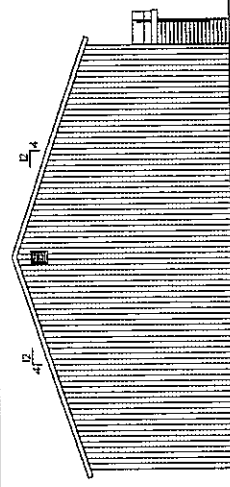
WEST ELEVATION SCALE: 1/8" = 1'-0" 2



SOUTH ELEVATION SCALE: 1/8" = 1'-0" 3



NORTH ELEVATION SCALE: 1/8" = 1'-0" 4



LEGEND

- METAL ROOF SYSTEM
- METAL SIDING
- WINDOW
- METAL DOOR AND FINISH
- METAL ROLL UP DOOR

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.
2. COLOR SHALL BE MATCHED TO THE COLOR OF THE ADJACENT BUILDING.
3. COLOR SHALL BE MATCHED TO THE COLOR OF THE ADJACENT BUILDING.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE COLOR OF THE ADJACENT BUILDING.

ELEVATION KEYED NOTES

1. ROOF ROLLS
2. ROOF VENTING COLLAR
3. NEW GYPSUM PLASTER
4. NEW LARGE PARQUET TOP CAP
5. NEW PARQUET TOP CAP
6. PATCH AND REPAIR TO MATCH EXISTING AS REQUIRED
7. NEW CONCRETE CURB TO MATCH EXISTING CONCRETE CURB
8. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED
9. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED
10. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED
11. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED
12. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED
13. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED
14. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED
15. REPAIR - REPAIR TO MATCH EXISTING AS REQUIRED

KEYED NOTES

SITE AND DESIGN REVIEW APPLICATION

FEE *See Fee Schedule Below
Process Type III

OWNERS

APPLICANT**

Name RODOLPH F./RODOLPH J. LARIOS

Name SAME

Address 26485 S. HARMS RD

Address _____

City CANBY State OR Zip 97013

City _____ State _____ Zip _____

Phone 503 263 3427 Fax 503 266 5458

Phone _____ Fax _____

E-mail CFPROS@YAHOO.COM

E-mail _____

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

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

OWNER'S SIGNATURE Rodolph J Larios

DESCRIPTION OF PROPERTY

Address 1410 S. TOWNSHIP RD CANBY OR 97013
31E34C

Tax Map SW 1/4 SEC 34 T3S R1E WM Tax Lot(s) 1819- Lot Size 21,658 Sq Ft
(Acres/Sq.Ft.)

Existing Use VACANT

Proposed Use INDUSTRIAL M1

Existing Structures NONE

Zoning INDUSTRIAL Comprehensive Plan Designation _____

Previous Land Use Action (if any) N/A

<p>Total Fee = Size Component (based on acreage) Public Improvement Component</p> <p>Size Component</p> <p>\$1,500 first 0.5 acres</p> <p>\$100 for each additional 0.1 acres from 0.5 acres up to 2.5 acres</p> <p>\$100 for each additional 0.5 acres from 2.5 acres up to 8.0 acres</p> <p>\$100 for each additional 1.0 acres from 8.0 acres up to 13 acres</p> <p>\$5,000 Maximum for 13 acres and above</p> <p>Public Improvements Component</p> <p>0.3% of total estimated public improvement cost (to be submitted with design review application). No Cap on cost</p>

FOR CITY USE ONLY

File # DR 06-10

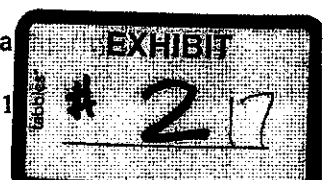
Date Received 10/18/06 By JT

Completeness _____

Pre-App Meeting _____

Hearing Date _____

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



Comprehensive Plan

Larios Project:

We are proposing to construct a building approximately 60' wide and 140' long. The building will consist of two office spaces of 60x30. One on the main level and one on a second story. The remainder of the building will be warehouse space divided into two warehouses of approximately 3600 square feet each. Each office will have the office space and one warehouse as a single rental unit. One of the units has already been spoken for. The use will be wholesale forest products and possibly some light manufacturing. The other space will be rented to a business that conforms with the local zoning.

At the pre application meeting it was confirmed that all applicable utilities were in close proximity to this project. We will be using three phase 440 in both of the warehouses and will use a 4" water service to supply the required sprinkler system. Other utilities will be of a regular nature.

The location of this project is 1410 S. Township Rd. Canby, Or

SITE AND DESIGN REVIEW APPLICATION: LANDSCAPING CALCULATIONS

Site Areas

1. Building area	8400 Sq Ft	☞ Square footage of building footprint
2. Parking/hardscape	8844 8844 Sq Ft	☞ Square footage of all sidewalks, parking, & maneuvering areas
3. Landscaped area	3367 3367 Sq Ft	☞ Square footage of all landscaped area
4. Total developed area	22,449	☞ Add lines 1, 2 and 3
5. Undeveloped area		☞ Square footage of any part of the site to be left undeveloped.
6. Total site area	22449	☞ Total square footage of site

Required Site Landscaping (Code 16.49.080)

7. Zone		☞ Fill in the Appropriate Zone and Percentages: R-1, R-1.5, R-2 Zones: 30% C-2, C-M, C-R, M-1, M-2 Zones: 15% C-1 Zone: 7.5%
8. Percent of required landscaping	15%	
9. Total developed area	22449	☞ Fill in value from line 4
10. Required square footage of landscaping	3367	☞ Multiply developed area by % of required landscaping
11. Proposed square footage of landscaping	3367	☞ Fill in value from line 3

Required Landscaping within a Parking Lot (Code 16.49.120(4))

Note: this section and the next apply only to projects with more than 10 parking spaces or 3,500 square feet of parking area

12. Zone		☞ Fill in the Appropriate Zone and Percentages: R-1, R-1.5, R-2, C-2, C-M, C-R, M-1, M-2 Zones: 15% C-1 Zone: 5%
13. Percent of required landscaping		
14. Area of parking lot & hardscape		☞ Fill in area of parking and maneuvering areas plus all paved surface within ten (10) feet of those areas.
15. Required square footage of landscaping within 10 feet of parking lot		☞ Multiply area of parking lot (line 14) by percent of required landscaping (line 13)
16. Proposed square footage of Landscaping within 10 feet of parking lot		☞ Calculate the amount of landscaping proposed within 10 feet of all parking and maneuvering areas.

SITE AND DESIGN REVIEW APPLICATION: LANDSCAPING CALCULATIONS

17. Number of parking spaces	13	☞ Total number of parking spaces
18. Area of parking lot & hardscape	8844	☞ Area from line 14
19. Number of parking spaces (line 17) divided by 8		☞ Round up to the nearest whole number
20. Area of parking lot (line 18) divided by 2,800	3.15	☞ Round up to the nearest whole number
21. Number of required trees in parking lot	2	☞ Take the larger of the previous two rows
22. Number of trees provided within 10 feet of parking lot	2	☞ Count the number of proposed trees within 10 feet of parking and maneuvering areas.

CITY OF CANBY DESIGN REVIEW MATRIX

Parking			
Screening of loading facilities from public ROW (not screened / partially screened / full screening)	0	1	2
Landscaping (breaking up of expanse of asphalt)	0	1	
Parking lot lighting [no / yes]	0	1	
Location (behind the building is best)[front / side / behind]	0	1	2
Number of parking spaces (% of min.) [x>120% / 100%-120% / x=100%]	0	1	2

Traffic			
Distance of access to intersection [x<70' / 70'-100' / x>100']	0	1	2
Access drive width (% of minimum) [x<120% or x>150% / 120%-150%]	0	1	
Pedestrian access from public sidewalk to bldg. [1 entrance connected / all entrances connected]	0		2
Pedestrian access from parking lot to building [No walkways / Walkway next to bldg / No more than one undesignated crossing of access drive and no need to traverse length of access drive]	0	1	2

Tree Retention				
For trees outside of the building footprint and parking/access areas (3 or more trees) [No arborist report / follows <50% of arborist recommendation / follows 50%-75% of arborist rec. / follows 75% of arborist rec.]	0	1	2	3
Replacement of trees removed that were recommended for retention [x<50% / x>50%]	0	1		

Bonus Points		
2 or more trees at least 3" in caliper	1	2
Park/open space retention for public use	1	2
Trash receptacle screening	1	

Signs			
Dimensional size of sign (% of maximum permitted) [x>75% / 50% - 75% / x<50%]	0	1	2
Similarity of sign color to building color [no / some / yes]	0	1	2
Pole sign [yes / no]	0	1	
Location of sign [x>25' from driveway entrance / within 25' of entrance]	0	1	

Building Appearance			
Style (architecture) [not similar - similar to surrounding]	0	1	2
Color (subdued and similar is better) [neither/similar or subdued/similar & subdued]	0	1	2
Material [concrete or wood or brick is better]	0	1	
Size (smaller is better) [over 20,000 s.f. / under 20,000 s.f.]	0	1	

Types of Landscaping			
# of non-required trees [x<1 per 500 sf of landscaping / 1 or more per 500 sf of landscaping]	0	1	
Amount of Grass [<25% / 25% - 50% / x>50%]	0	1	2
Location of shrubs [foreground / background]	0	1	
Automatic Irrigation. [no / yes]	0		4

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: October 25, 2006

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTTP
 - Jeff Crowther - WTTP
 - CITY ENGINEER
 - CTA
 - NW NATURAL
 - WILLAMETTE BROADBAND
 - CANBY DISPOSAL
 - CITY ATTORNEY
 - BIKE AND PEDESTRIAN COMM.
 - PGE
 - CANBY POST OFFICE
 - CLACKAMAS COUNTY ASSESSOR
 - CLACKAMAS COUNTY 911
 - CLACKAMAS COUNTY TRANSPORTATION
 - TRAFFIC SAFETY COMMITTEE
 - CLACKAMAS COUNTY
 - CANBY SCHOOL DISTRICT
 - OREGON DEPT. TRANSPORTATION
 - ODOT/REGION 1/DIST 2B
 - STATE OF OREGON/REVENUE
 - CANBY BUSINESS REVITALIZATION
 - PARKS AND RECREATION
 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL
 - OTHER _____

The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

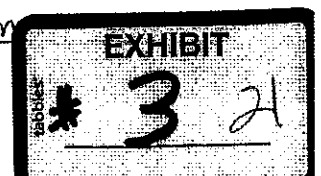
The Traffic Safety Commission's one concern is the possibility of increased traffic at the intersection of S. Township & S. Redwood

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Maureen Elmer Date: 11-2-06

Title: Chairman Agency: Traffic Safety Com



CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: October 25, 2006

- | | |
|--|--|
| <p>TO:</p> <ul style="list-style-type: none"> <input type="checkbox"/> FIRE <input type="checkbox"/> POLICE <input type="checkbox"/> PUBLIC WORKS <input type="checkbox"/> CANBY ELECTRIC <input type="checkbox"/> CANBY WATER <input type="checkbox"/> Darvin Tramel - WTPP <input type="checkbox"/> Jeff Crowther - WTPP <input type="checkbox"/> CITY ENGINEER <input type="checkbox"/> CTA <input type="checkbox"/> NW NATURAL <input type="checkbox"/> WILLAMETTE BROADBAND <input type="checkbox"/> CANBY DISPOSAL <input type="checkbox"/> CITY ATTORNEY <input type="checkbox"/> BIKE AND PEDESTRIAN COMM. <input type="checkbox"/> PGE | <p>RECEIVED
NOV 17 2006
CITY OF CANBY</p> <ul style="list-style-type: none"> <input type="checkbox"/> CANBY POST OFFICE <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR <input type="checkbox"/> CLACKAMAS COUNTY 911 <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE <input type="checkbox"/> CLACKAMAS COUNTY <input type="checkbox"/> CANBY SCHOOL DISTRICT <input type="checkbox"/> OREGON DEPT. TRANSPORTATION <input type="checkbox"/> ODOT/REGION 1/DIST 2B <input type="checkbox"/> STATE OF OREGON/REVENUE <input type="checkbox"/> CANBY BUSINESS REVITALIZATION <input type="checkbox"/> PARKS AND RECREATION <input type="checkbox"/> CITY TRANSPORTATION ENGINEER <input type="checkbox"/> BUILDING OFFICIAL <input type="checkbox"/> OTHER _____ |
|--|--|

The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Bicycle parking rack not in evidence on plan.

Unable to determine bicycle & pedestrian amenities: sidewalk, bike lane, curb cuts, storm grates perpendicular to tire track.

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Liz B. Templeman Date: 11/15/06

Title: Bike & Ped. Com. Agency: committee member

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: October 25, 2006

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTTP
 - Jeff Crowther - WTTP
 - CITY ENGINEER
 - CTA
 - NW NATURAL
 - WILLAMETTE BROADBAND
 - CANBY DISPOSAL
 - CITY ATTORNEY
 - BIKE AND PEDESTRIAN COMM
 - PGE
 - CANBY POST OFFICE
 - CLACKAMAS COUNTY ASSESSOR
 - CLACKAMAS COUNTY 911
 - CLACKAMAS COUNTY TRANSPORTATION
 - TRAFFIC SAFETY COMMITTEE
 - CLACKAMAS COUNTY
 - CANBY SCHOOL DISTRICT
 - OREGON DEPT. TRANSPORTATION
 - ODOT/REGION 1/DIST 2B
 - STATE OF OREGON/REVENUE
 - CANBY BUSINESS REVITALIZATION
 - PARKS AND RECREATION
 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL
 - OTHER _____

The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Due to the location of the point of contact for power service locations will be limited to the East Side of Building

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: *Gary Kordenat* Date: 10-30-06

Title: Line Foreman Agency: → Gary Kordenat
Canby Electric
City Shops

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-7001

FAX 266-1574

DATE: October 25, 2006

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTPP ..
 - Jeff Crowther - WTPP
 - CITY ENGINEER
 - CTA
 - NW NATURAL
 - WILLAMETTE BROADBAND
 - CANBY DISPOSAL
 - CITY ATTORNEY
 - BIKE AND PEDESTRIAN COMM
 - PGE
 - CANBY POST OFFICE
 - CLACKAMAS COUNTY ASSESSOR
 - CLACKAMAS COUNTY 911
 - CLACKAMAS COUNTY TRANSPORTATION
 - TRAFFIC SAFETY COMMITTEE
 - CLACKAMAS COUNTY
 - CANBY SCHOOL DISTRICT
 - OREGON DEPT. TRANSPORTATION
 - ODOT/REGION 1/DIST 2B
 - STATE OF OREGON/REVENUE
 - CANBY BUSINESS REVITALIZATION
 - PARKS AND RECREATION
 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL
 - OTHER _____

The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

WATER SVC BACK OF SIDEWALK @ CURB ON NORTHSIDE
OF S.E. TOWNSHIP.

MAIN TO METAL =	725 ⁰⁰	5/8 x 3/4" METAL
SVC	= \$3,026 ⁰⁰	NON-RESIDENTIAL
TOTAL	\$3,751 ⁰³	for WATER SVC.

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Petrick J. [Signature] Date: 10/30/06

Title: Water Dept Foreman Agency: Canby Water CUB

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: October 25, 2006

- TO:**
- | | |
|--|--|
| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input type="checkbox"/> POLICE | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR |
| <input type="checkbox"/> PUBLIC WORKS | <input type="checkbox"/> CLACKAMAS COUNTY 911 |
| <input type="checkbox"/> CANBY ELECTRIC | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE |
| <input type="checkbox"/> Darwin Tramel - WTPP | <input type="checkbox"/> CLACKAMAS COUNTY |
| <input type="checkbox"/> Jeff Crowther - WTPP | <input type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input type="checkbox"/> CITY ENGINEER | <input type="checkbox"/> OREGON DEPT. TRANSPORTATION |
| <input type="checkbox"/> CTA | <input type="checkbox"/> ODOT/REGION 1/DIST 2B |
| <input type="checkbox"/> NW NATURAL | <input type="checkbox"/> STATE OF OREGON/REVENUE |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION |
| <input type="checkbox"/> CANBY DISPOSAL | <input type="checkbox"/> PARKS AND RECREATION |
| <input type="checkbox"/> CITY ATTORNEY | <input type="checkbox"/> CITY TRANSPORTATION ENGINEER |
| <input type="checkbox"/> BIKE AND PEDESTRIAN COMM. | <input type="checkbox"/> BUILDING OFFICIAL |
| <input type="checkbox"/> PGE | <input type="checkbox"/> OTHER _____ |


The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to **Kevin Cook** by **Friday, November 03, 2006**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature:  **Date:** 11-3-06

Title: Chief of Police - Canby, Oregon **Agency:** Lt. Jorge Tro Canby Police Dept

25

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

(503) 266-7001

FAX 266-1574

DATE: October 25, 2006

- TO:
- | | |
|---|--|
| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input type="checkbox"/> POLICE | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR |
| <input type="checkbox"/> PUBLIC WORKS | <input type="checkbox"/> CLACKAMAS COUNTY 911 |
| <input type="checkbox"/> CANBY ELECTRIC | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE |
| <input type="checkbox"/> Darwin Tramel - WTPP | <input type="checkbox"/> CLACKAMAS COUNTY |
| <input type="checkbox"/> Jeff Crowther - WTPP | <input type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input type="checkbox"/> CITY ENGINEER | <input type="checkbox"/> OREGON DEPT. TRANSPORTATION |
| <input type="checkbox"/> CTA | <input type="checkbox"/> ODOT/REGION 1/DIST 2B |
| <input type="checkbox"/> NW NATURAL | <input type="checkbox"/> STATE OF OREGON/REVENUE |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION |
| <input type="checkbox"/> CANBY DISPOSAL | <input type="checkbox"/> PARKS AND RECREATION |
| <input type="checkbox"/> CITY ATTORNEY | <input type="checkbox"/> CITY TRANSPORTATION ENGINEER |
| <input type="checkbox"/> BIKE AND PEDESTRIAN COMM | <input type="checkbox"/> BUILDING OFFICIAL |
| <input type="checkbox"/> PGE | <input type="checkbox"/> OTHER _____ |

The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Brian Van Zeebroeck Date: 10-27-06

Title: NW Natural Supervisor Agency: NW Natural

26

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

RECEIVED

DATE: October 25, 2006

OCT 27 2006

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTTP
 - Jeff Crowther - WTTP
 - CITY ENGINEER
 - CTA
 - NW NATURAL
 - WILLAMETTE BROADBAND
 - CANBY DISPOSAL
 - CITY ATTORNEY
 - BIKE AND PEDESTRIAN COMM
 - PGE
 - CANBY POST OFFICE
 - CLACKAMAS COUNTY ASSESSOR
 - CLACKAMAS COUNTY 911
 - CLACKAMAS COUNTY TRANSPORTATION
 - TRAFFIC SAFETY COMMITTEE
 - CLACKAMAS COUNTY
 - CANBY SCHOOL DISTRICT
 - OREGON DEPT. TRANSPORTATION
 - ODOT/REGION 1/DIST 2B
 - STATE OF OREGON/REVENUE
 - CANBY BUSINESS REVITALIZATION
 - PARKS AND RECREATION
 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL
 - OTHER _____

The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

No civil drawings for existing or proposed conditions were submitted. Plans should be submitted for review & approval.

Onsite storm water disposal is required. Developer should provide analysis to city. UIC systems should be approved by DEQ.

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: *[Handwritten Signature]* Date: October 31, 2006

Title: Project Engineer Agency: Curran-McLeod, Inc

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: October 25, 2006

- | | |
|---|---|
| <p>TO:</p> <ul style="list-style-type: none"> <input type="checkbox"/> FIRE <input type="checkbox"/> POLICE <input type="checkbox"/> PUBLIC WORKS <input type="checkbox"/> CANBY ELECTRIC <input type="checkbox"/> CANBY WATER <input type="checkbox"/> Darwin Tramel - WTTP <input type="checkbox"/> Jeff Crowther - WTTP <input type="checkbox"/> CITY ENGINEER <input type="checkbox"/> CTA <input type="checkbox"/> NW NATURAL <input type="checkbox"/> WILLAMETTE BROADBAND <input type="checkbox"/> CANBY DISPOSAL <input type="checkbox"/> CITY ATTORNEY <input type="checkbox"/> BIKE AND PEDESTRIAN COMM <input type="checkbox"/> PGE | <ul style="list-style-type: none"> <input type="checkbox"/> CANBY POST OFFICE <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR <input type="checkbox"/> CLACKAMAS COUNTY 911 <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE <input type="checkbox"/> CLACKAMAS COUNTY <input type="checkbox"/> CANBY SCHOOL DISTRICT <input type="checkbox"/> OREGON DEPT. TRANSPORTATION <input type="checkbox"/> ODOT/REGION 1/DIST 2B <input type="checkbox"/> STATE OF OREGON/REVENUE <input type="checkbox"/> CANBY BUSINESS REVITALIZATION <input type="checkbox"/> PARKS AND RECREATION <input type="checkbox"/> CITY TRANSPORTATION ENGINEER <input type="checkbox"/> BUILDING OFFICIAL <input type="checkbox"/> OTHER _____ |
|---|---|

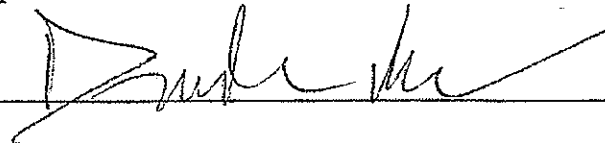
The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature:  Date: 11-01-06

Title: ASSOCIATE ENGR Agency: CANBY TELCOM

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

(503) 266-7001

FAX 266-1574

P.O. Box 930, Canby, OR 97013

DATE: October 25, 2006

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darvin Tramel - WTPP
 - Jeff Crowther - WTPP
 - CITY ENGINEER
 - CTA
 - NWNATURAL
 - WILLAMETTE BROADBAND
 - CANBY DISPOSAL
 - CITY ATTORNEY
 - BIKE AND PEDESTRIAN COMM
 - PGE
 - CANBY POST OFFICE
 - CLACKAMAS COUNTY ASSESSOR
 - CLACKAMAS COUNTY 911
 - CLACKAMAS COUNTY TRANSPORTATION
 - TRAFFIC SAFETY COMMITTEE
 - CLACKAMAS COUNTY
 - CANBY SCHOOL DISTRICT
 - OREGON DEPT. TRANSPORTATION
 - ODOT/REGION 1/DIST 2B
 - STATE OF OREGON/REVENUE
 - CANBY BUSINESS REVITALIZATION
 - PARKS AND RECREATION
 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL
 - OTHER _____

The City has received DR 06-10 (Larios Project), an application from Roderick Larios requesting a site and design review application to construct two offices and a warehouse. The property is zoned M-1 (Light Industrial). The property is located at 1410 S Township.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 03, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

** We have been in contact owners they are aware of fire Districts requirements*

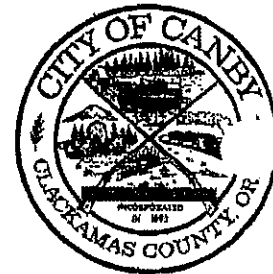
Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: *[Signature]* Date: 11-2-06

Title: DFM Agency: Canby Fire Dept

29



Pre-Application Meeting

1410 S Township Road/Larios Building

September 12, 2006

10:30 am

Attended by:

Todd Gary, Canby Fire Department, 503-266-5851
 Pat Thurston, CU Water Distribution Dept, 503-263-4309
 Rod Larios, Larios Building, 503-266-8660
 Gary Stockwell, CU Electric Dept, 503-263-4307

Kevin Cook, Planning Department, 503-266-7001
 RJ Larios, Larios Building, 503-997-3006
 Dan Mickelsen, Public Works Dept, 503-266-4021
 Dinh Vu, Canby Telecom, 503-266-8201

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

DEVELOPER, Rod Larios

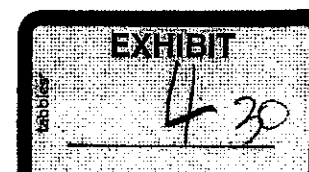
- We plan on putting a large warehouse and an office on the site. This will be a two story warehouse with offices on both levels. We plan on leasing out part of the warehouse and utilizing the other half for a lumber consulting business.

CANBY UTILITY, WATER DISTRIBUTION DEPARTMENT, Pat Thurston

- Your water will be out at the sidewalk, relatively close to Rust Busters and storage facility water meters. I don't know what size of water meter you plan on using so I will give you the information on a 1" meter. The System Development Charges for a 1" meter are \$6,328 and to put the water meter in is an additional cost of \$775. The \$775 is the cost from main to meter, which will be placed after the sidewalk. You will take it from the meter to your building.
- I don't know if are going to need any fire protection and that is a completely different issue and it would be up to you to secure any easements or right-of-ways that may be needed for a fire service line. You would have to have someone come in and tap the line for whatever fire service you need to have and then if your comfortable we would run your water service line (only main to meter). You would have to have someone come in and trench from the meter to the building, I suggest a 1" line, to your building.

CANBY FIRE DEPARTMENT, DEPUTY FIRE MARSHALL, Todd Gary

- My comments I sent you deal with what type of building, because it is a wood building we classify it as a Type 5. We have an appendix that we preview and this determines the differences in hydrants, which your site will need (3). If you went to a metal building that would change the criteria for the amount of hydrants for your site. You can come to the Fire Station and we can look at the different alternatives for your building types. There are (2) hydrants available, but you will need to have a third.
- If you are thinking of sprinkling there are different alternative such as high pile storage over 12' which put you into different categories. You will want to check all your choices because it may be cheaper for you do put in a hydrant versus putting in a fire sprinkler system. It depends on what Fire, Life and Safety may change in your plans, so I would check this very carefully.



CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- I need to know what your electrical requirements will be. I have a break down of what you are responsible for and what Canby Utility is responsible for, Gary handed the information to Mr. Larios.
- After you give me your electrical information I can develop a cost sheet for you. You will provide the trenching, backfill, staking and grade.
- There is an existing transformer that serves the cabinet shop adjacent to you on the east side and I have a primary source to that transformer which can be extended into your parcel.

CITY OF CANBY, PUBLIC WORKS DEPARTMENT, Dan Mickelsen

- Your storm water has to stay on site. I didn't see anything depicting what you plan on using whether a swale, etc. Some of your on site storm will have to go through DEQ for approval. Your parking lot and roof storm water will have to go through some type of treatment, like a sedimentation manhole, swales, etc.
- You will need to bring your sanitary to the manhole. I need to make sure you understand that if you sell the other part of the warehouse you will need to have separate sewer line for the sanitary. We will need approved drawings of your sanitary and that is through DEQ also.
- When you start your grading you will need to have an Erosion Control Permit through the City of Canby and I will inspect the process. Like having a rocked construction entrance, we do not want dirt brought out onto the road.

CITY OF CANBY, PLANNING DEPARTMENT, Kevin Cook

- I want to make sure there is an access easement already existing to get to your parcel. The answer was yes.
- Your parking spacing looks good.
- The Planning Commission likes to see what you have planned for site/parking lot lighting.
- You are required to have 15% landscaping for your lot. Our requirements are 1 tree per 8 parking spots.
- The next step will be the Site and Design Review process.
- You will need to put all the information discussed today on a set of construction plans and when we do a pre-construction meeting, like this one, we will sign them. Ronda can either fax or email you the signature block for the cover page of your construction plans. This set of plans need to be completed before you start your construction.
- The Planning Commission meets every 2nd and 4th Monday of each month.
- I will give you a copy of the Design Review Matrix and you need to meet a minimum of 65% of the total points, they are broken up in chapters.

CANBY TELCOM, Dinh Vu

- We design our plan with the power and it will depend on the route Gary takes if we follow him. If we need any trenching we ask you to provide it.
- How many phone lines do you want? The answer was 15-20 phone lines. We will be a lumber consulting company and we will need the phone lines for the sales people.

City of Canby Pre-Application Meeting Notice

PO Box 930, Canby, OR 97013
City Shops 1470 NE Territorial Road

503-266-4021 ext.: 298
503-266-7238

TO:	Canby Planning, Kevin Cook	503-266-9404	Canby Public Works, Roy Hester	503-266-4021 x 359
	CUB Water Dist., Pat Thurston	503-263-4309	Canby Telephone, Dinh Vu	503-266-8271
	CUB Electric Dept., Gary Stockwell	503-263-4307	NW Natural Gas, Colleen O'Brien	503-385-6611 x8142
	CUB Operation Superint, Larry Hepler	503-266-1156	Curtan-McLeod, Curt McLeod	503-684-3478
	Fire District #62, Todd Gary	503-266-5851	Canby Building Inspector, Bob Gordon	503-266-9404
	Clackamas Co., Wayne Siefert	503-353-4777	Willamette Broadband, Mike Mance	503-982-1253
	Planning/Parks, Matilda Deas	503-266-9404	Cal Sunrain, Lancaster Engineering	503-248-0313
cc:	Steve Mayer, Oregonian	503-294-5915		
	Dorna Bequet, Canby Utility	503-266-1156		

From: Shop Complex, Ronda Rozzell

Date: August 29, 2006

Subject: Pre-Application Meeting for 1410 S Township Road

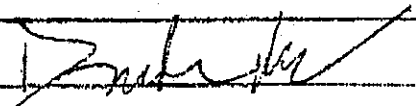
Attached is a request for a pre-application meeting.

A meeting with the applicant has been scheduled for **Tuesday, September 12, 2006 at 10:30 am** at the City Shops Conference Room, 1470 NE Territorial Road, Canby.

Please come prepared to discuss any issues that the applicant will need to address when submitting a site and design review application.

If you are unable to attend the meeting, but have comments please submit them in writing or call Ronda at 266-4021 ext. 298. They will be forwarded to the applicant.

Comments: PLEASE SEE ATTACHMENT


 Signature _____
 Title ASSOCIATE ENGINEER _____

Date SEPT. 5, 06 _____
 Company CANBY TELCOM _____

32



faster higher farther

Comments from Canby Telcom for Office warehouse at 1410 SE Township Rd :

- The Developer/Owner is required to provide all trenches for placing telephone service facilities to new building. Canby Telcom will provide all necessary materials to bring services to Walgreens.
- CT will follow the power design as much as possible to minimize trenching.
- If the D-marc is required to be placed in a communication / power room, the requirements are :
 - 1- 4" schedule 40 PVC from the telephone connection point outside, into the communication / power room with a 36" sweep (minimum).
 - 2- Minimum of 4'x4' 3/4" plywood backboard.
 - 3- #6 stranded ground (MGN) provided at the backboard.
 - 4- One 15 Amp electrical outlet located next to / or on backboard.
- There is no construction fee for this project.
- There will be a relocation fee if any existing telephone facilities must be moved, please see " Development/Construction Fees " for information.

Dave Hill
Engineering Manager
503 266 8204

Dinh Vu
Associate Engineer
503 266-8201



faster higher farther

DEVELOPMENT/CONSTRUCTION FEES

~~On January 1, 2001 Canby Telephone implemented development fees. Development fees are charged on a per address basis and are to be paid by the developer prior to the commencement of work. Single family homes and duplexes are charged at \$120.00 per address and multiple dwelling units are billed at \$60.00 per address.~~

Payment of development fees can be made at our office at 190 S.E. 2nd Street, Canby or mailed to P.O. Box 880, Canby, Or 97013.

Fees for relocating existing facilities are billed at our hourly rate of \$65.00 per hour for labor, plus the cost of materials. The requestor is required to complete and sign a Request to Relocate Facilities form.

For temporary service (job shack), contact our Customer Care Center to place an order.

Contact Information

To avoid delays, it is important to contact Canby Telephone as soon as possible.

Inquiries or questions should be referred to:

Engineering Manager	Dave Hill	503 266-8204
Associate Engineer	Dinh Vu	503 266-8201
Construction Inspector	Ron Stenger	503 266-8290
Customer Care Center		503 266-8111

City of Canby Pre-Application Meeting Notice

PO Box 930, Canby, OR 97013
City Shops 1470 NE Territorial Road

503-266-4021 ext. 298
503-266-7738

TO:	Canby Planning, Kevin Cook	503-266-9404	Canby Public Works, Roy Heister	503-266-4021 x 250
	CLW Water Dist., Pat Thurston	503-263-4309	Canby Telephone, Dina Ya	503-266-8201
	CLW Electric Dept., Gary Stockwell	503-263-4397	NW Natural Gas, Colleen C'Brien	503-585-6611 x3143
	CLW, Operation Superin, Larry Hepler	503-266-1136	<u>Curran-McLeod, Curt McLeod</u>	503-684-3478
	Fire District #02, Todd Gary	503-266-2831	Canby Building Inspector, Bob Gordon	503-266-9404
	Clackamas Co., Wayne Siefert	503-381-4777	Williamette Broadband, Mike Mance	503-992-1253
	Planning/Perms, Marilda Diaz	503-266-9404	Car Sierain, Lancaster Engineering	503-248-0313

cc:

Steve Mayer, Oregon.a1	503-294-5915
Donna Bocquet, Canby Utility	503-266-1158

From: Shop Complex, Ronda Rozzell

Date: August 29, 2006

Subject: Pre-Application Meeting for 1410 S. Township Road

RECEIVED
AUG 30 2006
CURRAN-MCLEOD

Attached is a request for a pre-application meeting.

A meeting with the applicant has been scheduled for Tuesday, September 12, 2006 at 10:30 am at the City Shops Conference Room, 1470 NE Territorial Road, Canby.

Please come prepared to discuss any issues that the applicant will need to address when submitting a site and design review application.

If you are unable to attend the meeting, but have comments please submit them in writing or call Ronda at 266-4021 ext. 298. They will be forwarded to the applicant.

Comments: 1) On site storm disposal is required Analysis should be submitted to the City for review and approval.

2) Civil drawings were not submitted with this application the developer should submit plans to the City plus to construction

Signature: [Handwritten Signature]
Title: Project Engineer

Date: Sept 5, 2006
Company: Curran-McLeod, Inc

From: "Todd Gary" <tgary@canbyfire.org>
To: "Ronda Rozzell" <RozzellR@ci.canby.or.us>
Date: 9/5/2006 2:20:28 PM

Canby Fire District comments for 1410 S Township Pre-application meeting

* Hydrant on Township and the private hydrant next to the mini storage will have to be upgraded with a 5" storz fitting.

* Fire flow for 8000 sqft is 2500 gpm for 2 hrs with out fire sprinklers this will require a additional hydrant with in 225' of the building. With the addition of fire sprinklers the fire flow would be reduced by 50% and the current hydrants will be adequate.(2003 IFC appendix B & C)

* Storage method and quantity of stored product will dictate the need for fire sprinkler system.

* Canby Fire District recommends the use of fire sprinklers

* Access and fire lanes must stay clear during and after construction

* Clackamas County will do fire and life safety review

Todd Gary
Deputy Fire Marshal
Canby Fire District
tgary@canbyfire.org
Office: 503-266-5851
Cell: 971-563-7359
Pager: 503-938-1405

CC: "Troy Buzalsky" <TBuzalsky@canbyfire.org>

City of Canby Pre-Application Meeting Notice

PO Box 930, Canby, OR 97013
City Shops 1470 NE Territorial Road

503-266-4021 ext: 298
503-266-7238

TO:	Canby Planning, Kevin Cook	503-266-9404	Canby Public Works, Roy Hester	503-266-4021 x 259
	CLUB Water Dist., Pat Thurston	503-263-4309	Canby Telephone, Dinh Vu	503-266-8201
	CLUB Electric Dept., Gary Stockwell	503-263-4307	NW Natural Gas, Colleen O'Brien	503-585-6611 x8142
	CLUB, Operation Superint, Larry Hepler	503-266-1156	Curran-McLeod, Curt McLeod	503-684-3478
	Fire District #62, Todd Gary	503-266-5851	Canby Building Inspector, Bob Godon	503-266-9404
	Clackamas Co., Wayne Siefert	503-353-4777	Willamette Broadband, Mike Mance	503-982-1253
	Planning/Parks, Madisa Deas	503-266-9404	Car Sumrall, Lancaster Engineering	503-248-0315
cc:	Steve Mays, Oregonian	503-294-3915		
	Dunne Bequet, Canby Utility	503-266-1156		

From: Shop Complex, Ronda Rozzell

Date: August 29, 2006

Subject: Pre-Application Meeting for 1410 S Township Road

Attached is a request for a pre-application meeting.

A meeting with the applicant has been scheduled for Tuesday, September 12, 2006 at 10:30 am at the City Shops Conference Room, 1470 NE Territorial Road, Canby.

Please come prepared to discuss any issues that the applicant will need to address when submitting a site and design review application.

If you are unable to attend the meeting, but have comments please submit them in writing or call Ronda at 266-4021 ext. 298. They will be forwarded to the applicant.

Comments: See ATTACHED INFO

Bob Godon
Signature
Building official
Title

9.8.06
Date

Company

City of Canby
170 NW 2nd Ave.
Canby, OR 97013
(503)266-9404
Fax:(503)266-1574

**COMMERCIAL/INDUSTRIAL
PERMIT SUBMITTAL INFORMATION**

BUILDING AND MECHANICAL PERMIT APPLICATION

Submit building and mechanical application forms, commercial/ industrial checklist, special inspection agreement and matrix, three (3) sets of plans and specifications including engineering, ICBO reports and U.L. listings to the City. Plumbing and Electrical permits are issued by Clackamas County, (503)353-4400.

FIRE AND LIFE SAFETY REVIEW

Submit plans for Fire and Life Safety Review directly to Clackamas County, (503) 353-4400. See OSSSC section 106.3.5 for occupancies to be reviewed by the County. County approved plans are to be picked up at the County and delivered to the City by the applicant.

GRADING PERMITS

See 1997 UBC appendix chapter 33 for submittal requirements; engineered plans showing amounts in cubic yards, soils engineering report, engineering geology report, liquefaction study (unconsolidated sandy alluvium), etc.. The grading permit plan review time frame is the same as a building permit.

DEFERRED SUBMITTALS

Deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official prior to the issue of the permit. Any items not submitted for review prior to the issuance of the building permit shall be governed by OSSSC Section 106.3.4.2 and listed on the plans, allow three weeks for review. The deferred submittal processing fee is 100 percent of a building permit fee calculated for the valuation of the particular deferred portion of the project, with a set minimum fee of \$250.00.

PHASED OR PARTIAL PERMITS

Submit the Tri-County phased permit matrix with the application. The phasing fee is \$250.00 plus 10% of the total project building permit fee not to exceed \$1,500.00 for each phase in addition to the regular permit fees.

FIRE SPRINKLER and ALARM SYSTEMS

For submittal requirements see chapter NFPA 13. Clackamas County Fire and Life Safety review required. Installation inspected by the Canby building department, observation of tests by Fire Marshal, Canby Fire Department, (503) 266-5851.

RACK STORAGE:

Submit plans, engineering and fire sprinkler plans if necessary.



City of Canby Pre-Application Meeting Notice

PO Box 930, Canby, OR 97013
City Shops 1470 NE Territorial Road

503-266-4021 ext.: 298
503-266-7238

TO:	Canby Planning, Kevin Cook	503-266-9404	Canby Public Works, Roy Hester	503-266-4021 x 259
	CUB Water Dist., Pat Thurston	503-263-4309	Canby Telephone, Dinh Vu	503-266-8201
	CUB Electric Dept., Gary Stockwell	503-263-4307	NW Natural Gas, Colleen O'Brien	503-585-6611 x8142
	CUB, Operation Superint, Larry Hepler	503-266-1156	Curran-McLeod, Curt McLeod	503-684-3478
	Fire District #62, Todd Gary	503-266-5851	Canby Building Inspector, Bob Godon	503-266-9404
	Clackamas Co., Wayne Siefert	503-353-4777	Willamette Broadband, Mike Mance	503-982-1253
	Planning/Parks, Matilda Deas	503-266-9404	Cat Sumrain, Lancaster Engineering	503-248-0313

cc:

Steve Mayes, Oregonian	503-294-5915
Donna Bequet, Canby Utility	503-266-1156

From: Shop Complex, Ronda Rozzell

Date: August 29, 2006

Subject: Pre-Application Meeting for 1410 S Township Road

Attached is a request for a pre-application meeting.

A meeting with the applicant has been scheduled for **Tuesday, September 12, 2006 at 10:30 am** at the City Shops Conference Room, 1470 NE Territorial Road, Canby.

Please come prepared to discuss any issues that the applicant will need to address when submitting a site and design review application.

If you are unable to attend the meeting, but have comments please submit them in writing or call Ronda at 266-4021 ext. 298. They will be forwarded to the applicant.

Comments: utilities ARE AVAILABLE FROM S. TOWNSHIP Rd. All utilities would be located on S. TOWNSHIP Rd.

Peter J. Foreman
 Signature
Water Dept Foreman
 Title

9/5/06
 Date
Canby Utility
 Company

Commercial and Industrial Development Electrical Service

CUB Provides:

Customer Provides:

1. Commercial and industrial quotes on a case by case basis at the time of request for service. *
2. Service from an existing distribution line by the most direct route at the least expense
3. All equipment, vaults, transformers, conduit** and wire.
4. Line built, owned, operated and maintained by CUB

1. All service requirements to CUB before quotes can be completed.
2. All trenching¹, excavating, staking and grade.
3. A permanent easement if not already established.
4. Conduit from the interior of the building to five feet outside the building.
5. Payment² in advance of construction, the total amount of CUB's estimated cost to provide the base system to serve the development (or the cost to provide that portion of a development requiring service under a phased development program)

*Quotes cannot be completed until CUB is provided with all service requirements.
 **To within five feet of the building.

¹ Trenching can be joint with telecommunications and gas.
² All Fees must be paid before work can be scheduled.

High Voltage Service

CUB will provide high voltage service (over 600 volts) under certain conditions. These will be negotiated with the customer.

Services of 800 amp and lower require an external CT meter can

With services greater than 800 amps internal gear "CT" is allowed.

Temporary construction service is quoted at the time of request and placement is established by mutual agreement.

Note: In all cases where service requires additional construction in excess of that normally provided by CUB, the customer will contribute in advance.

City of Canby Pre-Application Meeting Notice

PO Box 930, Canby, OR 97013 503-266-4021 ext.: 298
 City Shops 1470 NE Territorial Road 503-266-7238

TO: Canby Planning, Kevin Cook	503-266-9404	Canby Public Works, Roy Hester	503-266-4021 x 259
CUB Water Dist., Pat Thurston	503-263-4309	Canby Telephone, Dinh Vu	503-266-8201
CUB Electric Dept., Gary Stockwell	503-263-4307	NW Natural Gas, Colleen O'Brien	503-585-6611 x8142
CUB, Operation Superint, Larry Hepler	503-266-1156	Curran-McLeod, Curt McLeod	503-684-3478
Fire District #62, Todd Gary	503-266-5851	Canby Building Inspector, Bob Godon	503-266-9404
Clackamas Co., Wayne Siefert	503-353-4777	Willamette Broadband, Mike Mance	503-982-1253
Planning/Parks, Matilda Deas	503-266-9404	Cat Sumrain, Lancaster Engineering	503-248-0313

cc: Steve Mayes, Oregonian 503-294-5915
 Donna Becquet, Canby Utility 503-266-1156

Post-it® Fax Note		7671	Date	9/5/06	# of pages	1
To	KEVIN COOK		From	CAT SUMRAIN		
Co./Dept.	CANBY		Co.	LANCASTER		
Phone #	(503) 266-9404	Phone #	(503) 248-0813			
Fax #	(503) 266-1574	Fax #	(503) 248-9251			

From: Shop Complex, Ronda Rozzell

Date: August 29, 2006

Subject: Pre-Application Meeting for 1410 S Township Road

Attached is a request for a pre-application meeting.

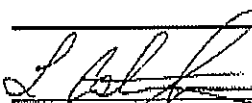
A meeting with the applicant has been scheduled for **Tuesday, September 12, 2006 at 10:30 am** at the City Shops Conference Room, 1470 NE Territorial Road, Canby.

Please come prepared to discuss any issues that the applicant will need to address when submitting a site and design review application.

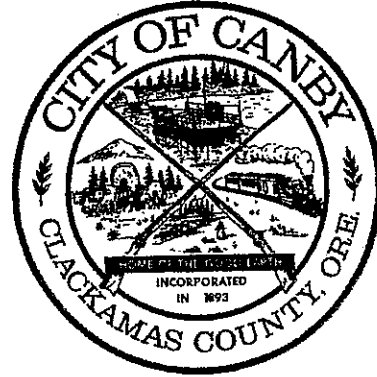
If you are unable to attend the meeting, but have comments please submit them in writing or call Ronda at 266-4021 ext. 298. They will be forwarded to the applicant.

Comments: THIS PROJECT IS EXPECTED TO GENERATE FEWER THAN TEN TRIPS DURING THE PEAK HOUR, WHICH WOULD NOT HAVE A SIGNIFICANT IMPACT TO THE NEARBY STREETS

THE SITE IS LAND-LOCKED AND ACCESS IS PRESUMABLY SHARED WITH AN ADJACENT PROPERTY. IN ORDER TO COMMENT ON THE SAFETY AND CIRCULATION OF THE PROPOSED PROJECT, WE WOULD NEED THE SITE PLAN TO SPECIFY THE LOCATION OF ACCESS


 Signature
 TRANSPORTATION ANALYST
 Title

9/5/06
 Date
 LANCASTER ENGINEERING
 Company



- STAFF REPORT -

APPLICANT:

Margaret Ward
10605 SW 14th Dr
Portland, OR 97219

FILE NO.:

CUP 06-03

OWNER:

Ward Baker Properties
10605 SW 14th Dr.
Portland, OR 97219

STAFF:

Kevin Cook
Associate Planner

LEGAL DESCRIPTION:

Tax Lot 200 of Tax Map 3-1E-32DC

DATE OF REPORT:

December 29, 2006

LOCATION:

505 N Baker Dr.

DATE OF HEARING:

January 8, 2006

COMPREHENSIVE PLAN DESIGNATION:

Light Industrial (LI)

ZONING DESIGNATION:

Light Industrial (M-1)

I. APPLICANT'S REQUEST:

The applicant is requesting permission to maintain a gravel parking lot over the entire site. In August of 2006, the Commission approved a site plan for a new building to serve the existing construction yard operation. A condition of approval for site plan (Condition 20) requires that the parking and circulation area of the site be paved unless otherwise approved by the Commission through a Conditional Use Permit. Section 16.10.070(A)(3) requires parking and maneuvering areas to be paved unless the Planning Commission approves the use of an engineered aggregate system.

II. APPLICABLE CRITERIA:

1. 16.50.010 Authorization to Grant or Deny Conditional Uses

In judging whether or not a conditional use permit 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.
- B. The characteristics of the site are 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.
- 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.

2. 16.10.070(A)(3) (Exception to paving requirement)

Areas used for standing or maneuvering of vehicles shall have paved asphalt, concrete, or solid concrete paver surfaces maintained adequately for all weather use and so drained as to avoid the flow of water across sidewalks except the Planning Commission may approve the use of an engineered aggregate system for outdoor parking areas as part of a Conditional Use Permit provided that the applicant can demonstrate that City Standards related to:

- A. minimizing dust generation,
- B. minimizing transportation of aggregate to City streets, and
- C. minimizing infiltration of environmental contaminants including, but not limited to, motor oils, fuels, volatile organic compounds (e.g. benzene, toluene, ethylbenzene, xylene), and ethylene glycol are met. The Planning Commission may impose conditions as necessary to meet City Standards.

3. Other Applicable Criteria:

- A. 16.16.010 Off Street Parking and Loading
- B. 16.32 M-1 Light Industrial Zone

III. FINDINGS:

1. Location and Background

The property is located on the West side of N Baker Drive. The site currently contains construction equipment, and modular offices. A recently approved Site and Design Review has permitted the future construction of an office building to serve as the headquarters of the business. The office building will also feature attached shop/garage space.

2. Comprehensive Plan Consistency Analysis

LAND USE ELEMENT

GOAL: TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.

Applicable Policies:

Policy #1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

Analysis: The site is zoned Light Industrial (M-1) as are surrounding properties. The request to continue to utilize gravel surface as part of a construction business does not appear to conflict with surrounding uses.

Policy #3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

Analysis: Gravel surfacing is not expected to create a burden on public facilities. In order to protect Baker Drive from the potential of tracked gravel, the City Engineer recommends that the required concrete driveway approaches at the two existing access points should include an extended 'tongue' of concrete that would protrude into the gravel area (Condition 2).

Policy #4: Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.

Analysis: No natural hazards have been identified on the subject property.

Policy #5: Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.

Analysis: The parcel is currently zoned Light Industrial (M-1) and is surrounded by other M-1 zoned properties.

Policy #6: Canby shall recognize the unique character of certain areas and will utilize the following special requirements, in conjunction with the requirements of the land development and planning ordinance, in guiding the use and development of these unique areas.

Analysis: The property is not located in an "area of special concern" designated in the Canby Comprehensive Plan.

ENVIRONMENTAL CONCERNS ELEMENT

GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION.

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

No undue impacts to historical and/or natural resources has been identified. It is the applicant's responsibility to obtain any required DEQ approvals (Condition 3).

TRANSPORTATION ELEMENT

GOAL: TO DEVELOP AND MAINTAIN A TRANSPORTATION SYSTEM WHICH IS SAFE, CONVENIENT AND ECONOMICAL.

Applicable Policies:

Policy #1: Canby shall provide the necessary improvements to City streets, and will encourage the County to make the same commitment to local County roads in an effort to keep pace with growth.

Policy #4: Canby shall work to provide an adequate sidewalk and pedestrian pathway system to serve all residents.

Analysis: The previously approved Site and Design Review has adequately addressed the above concerns.

Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.

Analysis: The Police Department did not express concern with access to the site. The Canby Fire District indicates that the parking area must be capable of supporting 12,500 lbs wheel load and 75,000 lbs GVW (Condition 4). The District may request documentation by an engineer that the above requirement is met.

PUBLIC FACILITIES AND SERVICES ELEMENT

GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.

Applicable Policies:

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

Analysis: Police, Fire, and the City Engineer's comments have been discussed above under the Land Use Element and the Transportation Element. Public Works did not express concern with the proposal. The applicant is responsible for obtaining any required DEQ permits (Condition 3).

CONCLUSION REGARDING CONSISTENCY WITH THE POLICIES OF THE CANBY COMPREHENSIVE PLAN:

Review of the goals, policies, and implementation measures of the Comprehensive Plan indicates that the proposed conditional use is consistent with Canby's Comprehensive Plan.

3. Evaluation Regarding Conditional Use Approval Criteria

- 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.

With the conditions noted below, this application meets the requirements of the Comprehensive Plan, this title, and other applicable city policies.

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

The proposed use of gravel is suitable for the use as a construction business.

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

Needed services already exist or will installed as development occurs.

- 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.

The impact on surrounding properties will be negligible.

4. Evaluation Regarding 16.10.070(A)(3) - Exception to paving requirement

- A. ...the Planning Commission may approve the use of an engineered aggregate system for outdoor parking areas as part of a Conditional Use Permit provided that the applicant can demonstrate that City Standards related to:

1. minimizing dust generation,
2. minimizing transportation of aggregate to City streets, and

With the use of engineered aggregate, and extended approach aprons dust generation and the transport of material onto city streets will be minimal.

3. minimizing infiltration of environmental contaminants including, but not limited to, motor oils, fuels, volatile organic compounds (e.g. benzene, toluene, ethylbenzene, xylene), and ethylene glycol are met. The Planning Commission may impose conditions as necessary to meet City Standards.

The City Engineer indicates that the use of gravel does not pose a significant difference in the risk of ground contamination versus impervious surface. If the area were paved with impervious surface unwanted contaminants may still be introduced into the ground by way of surface runoff.

3. Evaluation Regarding 16.10 Off-Street Parking and Loading

As previously determined in the approved Site and Design Review, the site shall utilize 15 parking stalls including one handicap accessible parking stall. In order to facilitate the proper striping and/or demarcation of the proposed stalls staff feels that it is appropriate to require that the parking stalls be located on concrete, asphalt, or pavers (Condition 5).

IV. PUBLIC TESTIMONY

One citizen comment form has been received as of the date of this report. The concern is regards to the potential for ground contamination. See the discussion in the above section.

V. CONCLUSION

1. Staff concludes that the conditional use is in conformance with the City's Comprehensive Plan and the Zoning Ordinance.
2. Staff concludes that the site can accommodate the proposed use.
3. Staff concludes that public service and utility provision to the site is available or can be made available through future improvements.
4. Staff concludes that the conditional 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.
5. Staff concludes with the recommended conditions, the introduction of dust into the air, and of gravel onto the adjacent roadway will be minimal.
6. Staff concludes that with the use of engineered aggregate, the risk of ground contamination is likely similar to the risk associated with impervious surfaces.

VI. 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** CUP 06-03 with the following conditions:

1. This Conditional Use Permit approves the use gravel over the majority of the site. No other approvals or modifications to previous approvals are implied. All conditions of approval set forth in the approved Site and Design Review (File DR 06-06) remain in effect so long as said approval remains valid.
2. All accesses onto public streets shall have a concrete approach apron with an extended tongue. The required approach apron is subject to review and approval by the Public Works Department and the City Engineer.
3. The applicant is responsible for obtaining any required DEQ approvals associated with the proposal.
4. The gravel area shall be capable of supporting 12,500 lbs wheel load and 75,000 lbs GVW. This requirement is subject to the review and approval the Canby Fire District.
5. All required parking stalls shall be located on concrete, asphalt, or pavers and shall be striped in accordance with the requirements set forth in Table 16.10.070 of the Canby Municipal Code.

Exhibits:

1. Application and narrative
2. Site plan and vicinity map
3. Agency comments
4. Citizen comments
5. Findings, Conclusions, and Final Order – DR 06-06

CONDITIONAL USE PERMIT APPLICATION

Fee \$2,040

Process Type III

OWNER
Name WARD BAKER PROPERTIES

Address 10605 SW 14TH DR

City PORTLAND State OR Zip 97219

APPLICANT
Name MARGARET WARD

Address 10605 SW 14TH DR

City PORTLAND State OR Zip 97219

OWNER'S SIGNATURE *Margaret Ward* PHONE 503-245-4173

DESCRIPTION OF PROPERTY

Address 505 N. BAKER

Tax Map 3-E-32DC Tax Lot (s) 4100 & 4200 Lot Size 2.87 ACRES
(Acres/Sq. Ft.)

PROPERTY OWNER LIST

Attach a list of the names and addresses of the owners of properties located within 500 feet of the subject property (if the address of the property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be typed onto an 8-1/2" x 11" sheet of mailing labels (1" x 2-5/8"), just as you would address an envelope.

Existing Use OFFICE / CONSTRUCTION YARD

Proposed Use OFFICE / CONSTRUCTION YARD

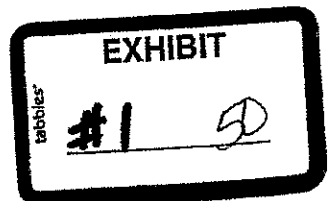
Existing Structures TRAILER OFFICE & CONCRETE PAD

Zoning M-1, LT INDUSTRIAL Comprehensive Plan Designation _____

Previous Action (if any) _____

FOR CITY USE ONLY	
File #	<u>CUP 06-03</u>
Date Received	<u>10/25/06</u> By <u>KC</u>
Completeness Date	_____
Pre-App Meeting	_____

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



CONDITIONAL USE PERMIT

GRAVEL PARKING LOT

OCT 20, 2006

The site plan and preliminary building design for our new office building has been approved by Design Review by the City of Canby. With this Conditional Use Permit Application we are seeking approval of a gravel parking lot in lieu of asphalt.

We purchased the property in 1985, at which time we prepared the property with 6" of compacted ¾ minus rock in all areas of travel to ensure a solid working surface for storage and movement of heavy equipment. This has worked well for us and provides good drainage with no mud during the winter months.

Ward-Henshaw Construction has used the property from 1985 to the present and the proposed building is for their continued use. Currently, we have two gates with concrete aprons and the remainder of the travel area is graveled. The surface has served us well. We have a Link Belt 78 crane for loading and off-loading our equipment. It has tracks and would do damage to the paving. In addition, there is other equipment that is frequently moved in and out of our yard that will do damage to the paving.

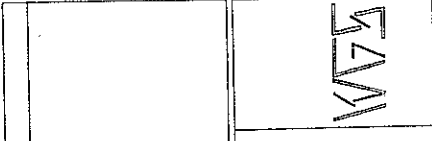
We feel that using gravel for the parking lot will be more environmentally friendly as it will provide a pervious surfaceresulting in less pollutants in the storm water. The less asphalt and concrete that is added to the property the more naturally it will drain.

We plan on sloping the parking lot away from the building towards the construction yard, which has excellent natural drainage.

We also plan on separating each parking space with contrasting rows of pavers and wheel stops to mark each gravel parking place.

Please consider our option to gravel the parking lot, as it will provide a more functional property for its intended use and a more environmentally friendly solution to the surface run off.

The remainder of the construction yard is capable of supporting a 12,500 lb wheel load and 75,000 lbs live load as it is, as evident from the last 20 years use of the property.



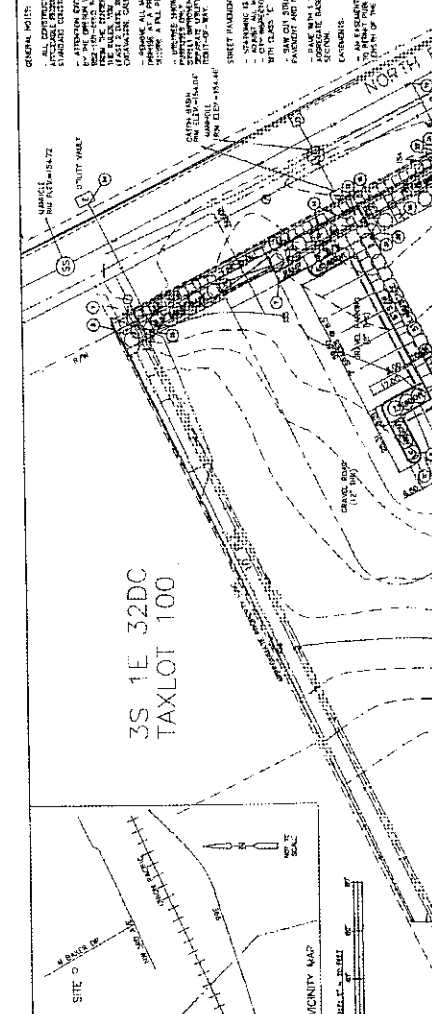
CONTRACT NO. 00000.00
 AS NOTED
 DESIGNED BY EEA ARCHITECTS
 DATE 01/28/2024
 DRAWN BY
 CHECKED BY
 SCALE
 PROJECT PERMIT #
 SITE PLAN
 EEA ARCHITECTS

CANBY, OR 97013
 505 N. BAKER DR
 WARD-HENSHAW

- ITEMS TO BE SUBMITTED:**
1. FILING OF THIS PLAN WITH THE CITY OF CANBY.
 2. PRELIMINARY ASSESSMENT OF THE SITE TO BE CONDUCTED BY THE CONSULTANT TO DETERMINE THE NATURE AND EXTENT OF ANY NECESSARY ENGINEERING AND ARCHITECTURAL WORK.
 3. PRELIMINARY ESTIMATION OF THE COST OF THE WORK TO BE CONDUCTED BY THE CONSULTANT.
 4. PRELIMINARY SCHEDULE OF WORK AND PROGRESS REPORTS TO BE SUBMITTED TO THE CITY OF CANBY.
 5. PRELIMINARY SPECIFICATIONS FOR THE WORK TO BE CONDUCTED BY THE CONSULTANT.
 6. PRELIMINARY CONTRACT DOCUMENTS FOR THE WORK TO BE CONDUCTED BY THE CONSULTANT.

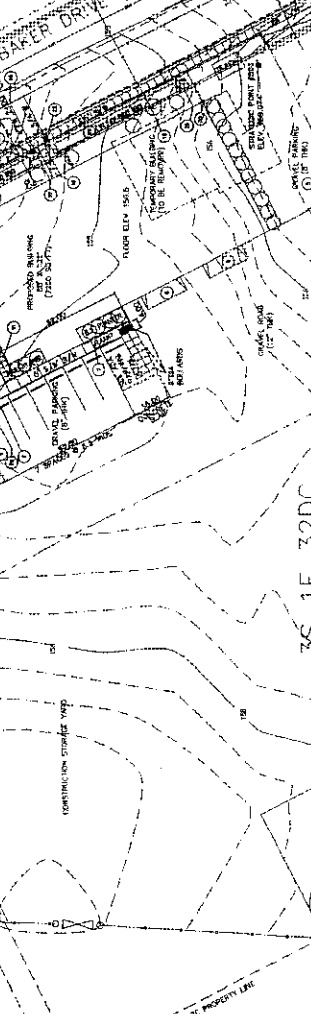
GENERAL NOTES:

1. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CANBY AND THE STATE OF OREGON.
2. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF CANBY AND THE STATE OF OREGON.
3. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF CANBY AND THE STATE OF OREGON.
4. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF CANBY AND THE STATE OF OREGON.
5. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF CANBY AND THE STATE OF OREGON.
6. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF CANBY AND THE STATE OF OREGON.



STREET FINDER:

3S 1E 32DC TAXLOT 200 (2.88 ACRES)



- DRIVEWAY LOCATIONS:**
1. DRIVEWAY LOCATIONS TO BE CONSIDERED FOR THE PROJECT.
 2. DRIVEWAY LOCATIONS TO BE CONSIDERED FOR THE PROJECT.
 3. DRIVEWAY LOCATIONS TO BE CONSIDERED FOR THE PROJECT.
 4. DRIVEWAY LOCATIONS TO BE CONSIDERED FOR THE PROJECT.
 5. DRIVEWAY LOCATIONS TO BE CONSIDERED FOR THE PROJECT.
 6. DRIVEWAY LOCATIONS TO BE CONSIDERED FOR THE PROJECT.

SYMBOL	DESCRIPTION	EXIST.	NEW	REMARKS
1	UTILITY WALK	1	2	NEW UTILITY WALK
2	WATER MAIN	3	4	NEW WATER MAIN
3	SEWER	5	6	NEW SEWER
4	CONCRETE DRIVEWAY AREA	7	8	NEW DRIVEWAY
5	UTILITY TRENCH	9	10	NEW UTILITY TRENCH

ABBREVIATION	REMARKS
1"	4" (PLUMBED)
1.5"	4" (PLUMBED)
2"	4" (PLUMBED)
3"	4" (PLUMBED)
4"	4" (PLUMBED)
5"	4" (PLUMBED)

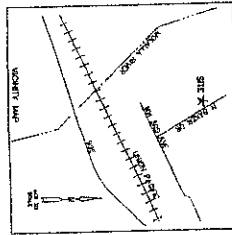
SYMBOL	DESCRIPTION	EXIST.	NEW
1	UTILITY WALK	1	2
2	WATER MAIN	3	4
3	SEWER	5	6
4	CONCRETE DRIVEWAY AREA	7	8
5	UTILITY TRENCH	9	10

SYMBOL	DESCRIPTION	EXIST.	NEW
1	UTILITY WALK	1	2
2	WATER MAIN	3	4
3	SEWER	5	6
4	CONCRETE DRIVEWAY AREA	7	8
5	UTILITY TRENCH	9	10

SYMBOL	DESCRIPTION	EXIST.	NEW
1	UTILITY WALK	1	2
2	WATER MAIN	3	4
3	SEWER	5	6
4	CONCRETE DRIVEWAY AREA	7	8
5	UTILITY TRENCH	9	10



52

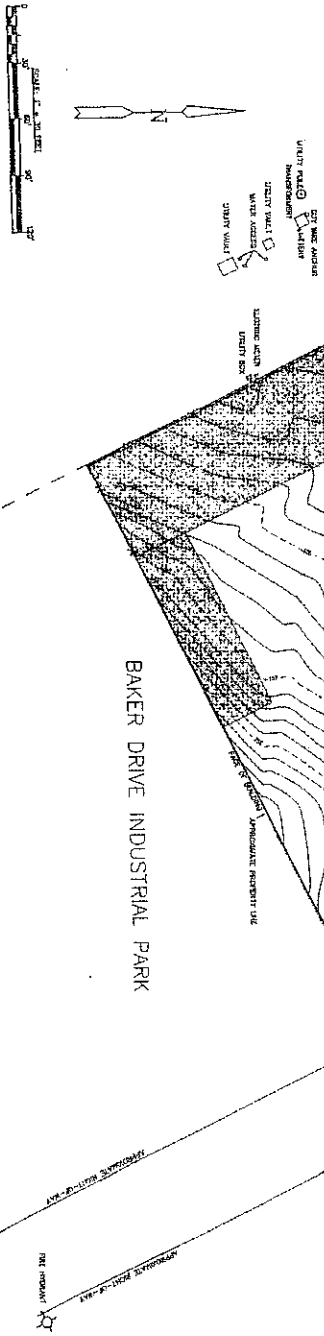


3S 1E 32D
TAXLOT 300

3S 1E 32DC
TAXLOT 100

3S 1E 32DC
TAXLOT 200
(2.88 ACRES)

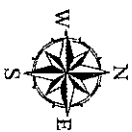
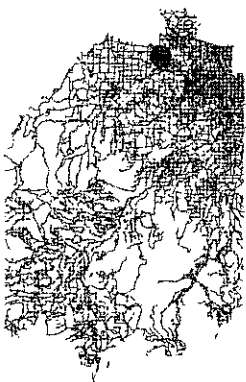
BAKER DRIVE INDUSTRIAL PARK



DRAFT

		500 N BAKER ST. CANNON, OREGON OFFICE/SHOP
project no. 0 scale 1/8" = 1'-0" drawn by JYJ checked by JYJ drawing issue number description by date	SITE PLAN drawing number 02	

505 N Baker



Jackson County

Geographic Information Systems
121 Library Court
Oregon City, OR 97045

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

November 20, 2006 02:18 PM



54

PO Box 909
Canby, OR 97013
503.266.5851
503.266.1320 - FAX



CONFIDENTIALITY NOTICE

The information contained in this facsimile message is privileged and confidential information included only for the individual or entry below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you received this telecopy in error, please immediately notify us by telephone and return the original message to us. Thank you.

Fax

To: Kevin Cook **From:** Todd

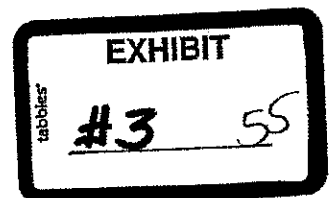
Fax: _____ **Pages:** (including cover sheet) 2

Phone: _____ **Date:** 11-10-06

Re: _____ **cc:** _____

- Urgent For Review Please Comment Please Reply Please Recycle

• **Comments:**



CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

(503) 266-7001

FAX 266-1574

P.O. Box 930, Canby, OR 97013

DATE: November 7, 2006

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - WWTP - Darwin Trammel
 - WWTP - Jeff Crowther
 - CITY ENGINEER
 - CTA
 - NW NATURAL
 - WILLAMETTE BROADBAND
 - CANBY DISPOSAL
 - CITY ATTORNEY
 - BIKE AND PEDESTRIAN COMM
 - PGE
 - CANBY POST OFFICE
 - CLACKAMAS COUNTY ASSESSOR
 - CLACKAMAS COUNTY 911
 - CLACKAMAS COUNTY TRANSPORTATION
 - TRAFFIC SAFETY COMMITTEE
 - CLACKAMAS COUNTY
 - CANBY SCHOOL DISTRICT
 - OREGON DEPT. TRANSPORTATION
 - ODOT/REGION 1/DIST 2B
 - STATE OF OREGON/REVENUE
 - CANBY BUSINESS REVITALIZATION
 - PARKS AND RECREATION
 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL
 - OTHER _____

The City has received CUP 06-03 (505 N Baker), an application from Ward Baker Properties requesting a conditional use permit for a gravel parking lot. The property is zoned M-1 (Light Industrial). The property is located at 505 N Baker.

Please review the enclosed application and return comments to Kevin Cook by Friday, November 17, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

* Parking area must be capable of supporting 12,500 lbs wheel load and 25,000 lbs GVW Documentation from an engineer that the finished construction in accordance may be requested (OFC D102.1)

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: [Handwritten Signature] Date: 11-10-06

Title: DFM Agency: Canby Fire Dist.


CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

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

November 8, 2006

MEMORANDUM

TO: Mr. Kevin Cook

FROM: Hassan Ibrahim, PE 

RE: **CITY OF CANBY**
CUP 06-03 AT 505 N BAKER

We have reviewed the submitted application and preliminary sketch pertaining to the above mentioned project and have the following comments:

We have no concerns with the proposed gravel surface as opposed to asphalt surface for the parking lot.

From: "Curt McLeod" <cjm@curran-mcleod.com>
To: "Kevin Cook" <CookK@ci.canby.or.us>
Date: 12/28/06 4:56PM
Subject: ADA Surfacing

Codes are pretty generic on ADA acceptable surfacing. Code requires "stable, firm, and slip resistant" and comply with maximum force to maneuver guideline. They do state that sand and pea gravel do not meet this requirement. Crushed rock would meet this spec.

Curt McLeod
CURRAN-McLEOD, INC.
6655 SW Hampton St., Suite 210
Portland, Oregon 97223
cell: 503-475-0431
office: 503-684-3478
toll-free: 877-684-3478
fax: 503-624-8247

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: November 7, 2006

- TO:**
- | | |
|--|--|
| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input type="checkbox"/> POLICE - Lt. Tro | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR |
| <input type="checkbox"/> PUBLIC WORKS | <input type="checkbox"/> CLACKAMAS COUNTY 911 |
| <input type="checkbox"/> CANBY ELECTRIC | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE |
| <input type="checkbox"/> WWTP - Darvin Trammel | <input type="checkbox"/> CLACKAMAS COUNTY |
| <input type="checkbox"/> WWTP - Jeff Crowther | <input type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input type="checkbox"/> CITY ENGINEER | <input type="checkbox"/> OREGON DEPT. TRANSPORTATION |
| <input type="checkbox"/> CTA | <input type="checkbox"/> ODOT/REGION 1/DIST 2B |
| <input type="checkbox"/> NW NATURAL | <input type="checkbox"/> STATE OF OREGON/REVENUE |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION |
| <input type="checkbox"/> CANBY DISPOSAL | <input type="checkbox"/> PARKS AND RECREATION |
| <input type="checkbox"/> CITY ATTORNEY | <input type="checkbox"/> CITY TRANSPORTATION ENGINEER |
| <input type="checkbox"/> BIKE AND PEDESTRIAN COMM. | <input type="checkbox"/> BUILDING OFFICIAL |
| <input type="checkbox"/> PGE | <input type="checkbox"/> OTHER _____ |

The City has received CUP 06-03 (505 N Baker), an application from Ward Baker Properties requesting a conditional use permit for a gravel parking lot. The property is zoned M-1 (Light Industrial). The property is located at 505 N Baker.

Please review the enclosed application and return comments to **Kevin Cook** by **Friday, November 17, 2006**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

LOOKS OKAY.

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: _____ Date: 11-13-06

Title: LT. Agency: Police



CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission hearing of this application, you may submit written comments on this form or in a letter to the Planning Commission.
Please send comments to the City of Canby Planning Department.

By mail: Planning Department, PO Box 930, Canby, OR 97013
In person: Planning Department at 170 NW Second Street
E-mail: cookk@ci.canby.or.us

Written comments must be received prior to the hearing at 7:00 PM January 8, 2007.

APPLICATION: Conditional Use Permit

APPLICANT: Margaret Ward

CITY FILE No.: CUP 06-03

COMMENTS: WE WOULD LIKE THE PLAN COMMISSION TO
CAREFULLY CONSIDER THE POTENTIAL IMPACT OF
GROUNDWATER CONTAMINATION RISK DUE TO A
GRAVEL PARKING LOT

YOUR NAME: RICK McCAIN

ORGANIZATION or BUSINESS (if any): MOG LLC

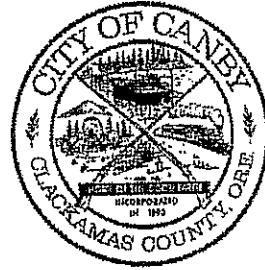
ADDRESS: 1140 NW THIRD AVE. CANBY, OR 97013

PHONE # (optional): _____

DATE: 12/27/06

Thank you!

EXHIBIT
4



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

A REQUEST FOR SITE AND DESIGN) FINDINGS, CONCLUSION & FINAL ORDER
REVIEW APPROVAL FOR AN) DR 06-06
OFFICE BUILDING) (Ward-Henshaw)

NATURE OF APPLICATION

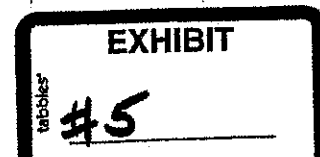
The City has received DR 06-06, an application request to develop a new 7,200 sq. ft. office building for the existing Ward-Henshaw Construction Company grounds. Ward-Henshaw stores pond inserts and equipment as part of their construction operation. The applicant requests a gravel over the entire site. City Ordinance number 1079 requires a conditional use permit application for parking and circulation areas; the proposed parking and circulation area surrounding the building (area demarcated by rectangular box around the building on the applicant's site plan) shall be asphalt. There are two existing accesses to the site; both are required to have approach aprons constructed to City standards.

CRITERIA AND STANDARDS

In judging whether or not a Site and Design Review application shall be approved, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the proposed location and, to approve such use, shall find that the following criteria are either met, can be met by the application 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; and

Findings, Conclusion, & Final Order
DR 06-06
page 1 of 6



lol

- B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - 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.
 - D. The Board shall, in making its determination of compliance with subsections B and C above, use the Design Review matrix outlined in Section 16.35 to determine "compatibility". An application is considered to be "compatible", regarding subsections B and C above, if the minimum score in each category is met for the entire development.
 - 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.
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.
 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.
 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 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. 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.

FINDINGS AND REASONS

The Planning Commission, after holding a public hearing on August 28, 2006 and considering the August 18, 2006 staff report deliberated and reached a decision approving the applicant's request for design review. The Commission adopted the findings and conclusions contained in the August 18, 2006 staff report, with the conditions of approval as modified below:

62

CONCLUSION

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

- 1A. The proposed development of the site is consistent with the applicable standards and requirements of the Canby Municipal Code and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
 - 1B. The proposed design of the development is compatible with the design of other development in the vicinity; and
 - 1C. The location, design, size, color, and materials of the exteriors of structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity; and
 - 1D. The proposal is deemed compatible given that staff allocated a minimum or higher number of points per category on the design review matrix; and
 - 1E. All required public facilities and services exist or can be made available to adequately meet the needs of the proposed development.
2. Public utility and service providers have indicated that the existing proposal can be made to comply with applicable standards.
 3. The proposed development will not increase the cost of housing in Canby.
 4. The property owner is not applying to remove street trees.

ORDER

IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that DR 06-06 is approved, subject to the following conditions:

Prior to construction:

For the Building Permit Application:

1. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider.
2. A pre-construction conference shall be held prior to construction and issuance of any building permit. Twelve copies of the pre-construction plans shall be given to the City for review and approval by Canby Utility, Canby Telephone, Willamette Broadband, the City, and other required utility providers prior to the pre-construction conference. The construction plans shall include, as appropriate, the plans for street design, storm water, sewer, water, fire hydrants, electric, cable, telephone, natural gas, street lights, and mail boxes.
3. A revised set of all full size development plans (including site plan, landscape plan, elevation, etc.) shall be submitted which depicts each of the written conditions to the satisfaction of the City Planning Department.
4. The converted cargo container shall be brought into compliance with the current Circuit Court Order regarding the structure prior to the issuance of any permits.

Prior to issuance of a Building Permit:

5. The proposed parking and circulation area (as demarcated on the applicant's submitted site plan) shall be impervious concrete and/or asphalt; unless non-pervious surface for the parking and circulation area is otherwise approved through an approved Conditional Use Permit. The remainder of the site (construction yard) shall utilize engineered gravel capable of supporting at least 12,500 lbs wheel load and 75,000 lbs live load which, shall be documented by a registered engineer. The proposed use of gravel within the parking and circulation area is subject to the Conditional Use Permit application process.
6. The site is allowed a total of 250 square feet of signage including building signs, pylon signs, and monument signs. A sign permit application shall be submitted for all proposed signs.
7. Fire lane access shall be maintained during and after construction of the office building; the site plan submitted for the building permit application shall indicate compliance the above.
8. Exterior lighting is required to provide a minimum of 0.5 footcandles with a 4:1 uniformity ratio on the pavement in the parking and circulation area. All site lighting shall be "hooded" or "cutoff" so as not to direct light skyward.
9. A detailed landscape construction plan shall be submitted with the building permit application. The detailed landscape plan shall show: the number of plants, plant spacing/location of planting, the type of plants, the size of plants, the schedule of planting, and irrigation plans. The landscape plan shall reflect the approved landscape plan submitted with the Design Review application.
10. The landscaping shall be planted at such a density so as to provide a minimum of 95% coverage of the landscape areas with vegetation, within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after the 3-year period. The plant spacing and starting plant sizes shall meet the ODOT plant spacing/starting size standards. Trees are to be a minimum of 2" caliper.
11. Wheel stops shall not be required in areas where sidewalks are at least 8 feet in width and in areas where landscaping within 2 feet of the curb is limited to ground cover and will not be damaged by vehicle overhangs. Wheel stops shall be provided for all parking spaces located adjacent to landscaping or walkways that do not meet the above criteria. The wheel stops shall be placed 2 feet in front of the end space.
12. All interior sidewalks and access-ways shall be a minimum of five (5) feet in width.
13. Bicycle parking shall be provided per the requirements of CMC 16.10.100.
14. The illegally converted cargo containers shall be decommissioned in accordance with the International Building Code to the satisfaction of the City Building Official.

During Construction

15. An erosion control permit is required. All City erosion control regulations shall be followed during construction as specified by the Canby Municipal Code
16. A five (5) foot sidewalk inclusive of curb shall be constructed for the full frontage of the parcel along N Baker St. Where mailboxes, fire hydrants or other obstructions are located at the curb, sidewalks shall swing away from the curb in order to remain unobstructed for a full five-foot width. Construction of the sidewalk shall be reviewed and approved by the Canby Public Works Department.

64

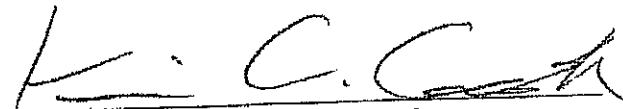
17. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
18. All storm water shall be disposed of on-site. The design of storm water facilities shall be approved by the City Engineer and Public Works Supervisor. The applicant is responsible for obtaining approval from DEQ, if necessary, for private drywells.
19. ADA Ramps shall be provided as required by the Public Works Supervisor.
20. Commercial approach aprons shall be installed at the entrances to the parcel to the satisfaction of the Public Works Department.
21. "Staple" type bicycle racks shall be provided at the front of the proposed building. The racks shall accommodate a minimum of five bicycles.
22. The existing fire hydrant shall be upgraded according to the Canby Fire District's specifications.

I CERTIFY THAT THIS ORDER approving DR 06-06 was presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 11th day of September, 2006.



James Brown
Chairman, Canby Planning Commission



Kevin C. Cook
Associate Planner

ATTEST:

ORAL DECISION – August 28, 2006

AYES: Brown, Manley, Tessman, Molamphy, Milne, Holte

NOES: None

ABSTAIN: None

ABSENT: Ewert

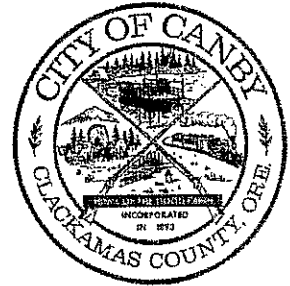
WRITTEN DECISION – September 11, 2006

AYES: Brown, Molamphy, Tessman, Manley, Milne, Holte

NOES: None

ABSTAIN: None

ABSENT: Ewert



- STAFF REPORT

APPLICANT:

Willow Creek Estates, Inc.
334 SE 10th Avenue
Canby, OR 97013

OWNER:

Wayne & Marlene Scott
1988 NE 19th Avenue
Canby, OR 97013

LEGAL DESCRIPTION:

Tax Map 4-1E-4DA, Tax Lot 5200

LOCATION:

1592 S Ivy St.
East side of S. Ivy Street
South of SE 13th Avenue

COMPREHENSIVE PLAN DESIGNATION:

Low Density Residential/Med. Density Residential

FILE NUMBER:

SUB 06-05/ ZC 06-04

STAFF:

Kevin Cook
Associate Planner

DATE OF REPORT:

December 29, 2006

DATE OF HEARING:

January 8, 2006

ZONING DESIGNATION:

R-1 Low Density Residential

I. APPLICANT'S REQUEST:

The applicant is seeking approval to subdivide one 4.86 acre parcel into 22 residential lots and to change the zoning on the western 330 feet of the lot. The entire lot is currently zoned R-1. The western 330 of the lot has a Comprehensive Plan designation of R-1.5; the proposed zone change would bring this portion of the lot into agreement with the Comprehensive Plan. The eastern portion of the lot will retain the current R-1 zoning designation, which is consistent with the Comprehensive

Plan designation. The applicant proposes to provide access to newly created lots by means of a wide half-street (SE 16th Avenue). SE 16th Avenue would access S Ivy Street and would end in a cul-de-sac. A proposed stub for S Juniper St. is proposed as well as a connection to S Lupine St. in the Tofte Farms Subdivision. Sidewalks would be located behind a planter strip.

The submitted plan indicates that the westernmost eight lots will most likely consist of 4 duplex units – this configuration is contingent on the approval of the zone change submitted with this application (see Condition 1). The remaining 14 lots would be developed as single family residences. A 7,914 square foot open-space tract is proposed (Tract A) north of the eight proposed R-1.5 lots – this open-space lot will not be a public facility, rather it will be maintained by the homeowners. The applicant has stated that the rear yards of the duplex units will not be fenced off from the open-space tract.

II. APPLICABLE APPROVAL CRITERIA:

A. SUBDIVISION - City of Canby Code Section 16.62.020

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

1. Conformance with the text and applicable maps of the Comprehensive Plan.
2. Conformance with other applicable requirements of the land development and planning ordinance.
3. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
4. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

B. 16.54.040 - Amendments to the Zoning Map - Standards and Criteria

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

1. The Comprehensive Plan of the City, and the plans and policies of the County, state and local districts in order to preserve functions and local aspects of land conservation and development;
2. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

C. CITY OF CANBY - General Ordinances

- 16.10 Off Street Parking/Loading
- 16.16 R-1 Low Density Residential Zone
- 16.18 R-1.5 Medium Density Residential Zone
- 16.62 Subdivision - Applications
- 16.64 Subdivisions - Design Standards
- 16.66 Subdivisions - Planning Commission Action
- 16.68 Subdivisions - Final Procedures and Recordation
- 16.88 General Standards
- 16.95 Solar Access Standards for New Development

III. FINDINGS:

1. Location and Background

The subject property is located southwest of Tofte Farms. The parcel is a long linear strip of land. Property to the south is un-annexed farm land as is the majority of the land to the north. An existing residence on the site was removed earlier this year.

The applicant also owns the property to the north and has tried to annex it in order to develop it along with the subject parcel. The development is unusual in that it is long and narrow and because it is situated between undeveloped un-annexed parcels. The proposal does fit with the masterplan submitted the previous annexation requests, and so will fit in better as the rest of the area develops. The R-1.5 designation was added in 2001 by the City as part of Periodic Review.

2. Comprehensive Plan Consistency Analysis

LAND USE ELEMENT

GOAL: TO GUIDE THE DEVELOPMENT AND USES OF LAND SO THAT THEY ARE ORDERLY, EFFICIENT, AESTHETICALLY PLEASING AND SUITABLY RELATED TO ONE ANOTHER.

Applicable Policies:

Policy #1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.

Analysis: The proposed development of housing on the subject parcel is an approved use of the property.

Policy #2: Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.

Analysis: This application would permit residential development on the subject parcel. The proposed zone change will allow an increase in density as opposed to encouraging urban sprawl.

Policy #3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

Analysis: A "Request for Comments" has been sent to all public facility and service providers (please see discussion under Public Services Element).

Policy #6: **CANBY SHALL RECOGNIZE THE UNIQUE CHARACTER OF CERTAIN AREAS AND WILL UTILIZE THE FOLLOWING SPECIAL REQUIREMENTS, IN CONJUNCTION WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT AND PLANNING ORDINANCE, IN GUIDING THE USE AND DEVELOPMENT OF THESE UNIQUE AREAS.**

The parcel is not located within an area of special concern.

ENVIRONMENTAL CONCERNS ELEMENT

GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION.

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

The subject property is surrounded by urbanized parcels and has no known steep slopes, historic resources, expansive soils, or wetlands, and is not located in a flood plain. Compared with urban sprawl, increased residential density reduces overall vehicle miles traveled and thus an energy savings is realized.

Applicable Policies:

Policy #3-R: Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.

Analysis: *Subsequent development of the proposed subdivision must meet stormwater management approval from DEQ, the City Engineer and Canby Public Works prior to the issuance of building permits.*

TRANSPORTATION ELEMENT

GOAL: TO DEVELOP AND MAINTAIN A TRANSPORTATION SYSTEM WHICH IS SAFE, CONVENIENT AND ECONOMICAL.

Applicable Policies:

Policy #1: Canby shall provide the necessary improvements to city streets...in an effort to keep pace with growth.

Analysis: *Existing street and utility improvements are sufficient to support development of the proposed subdivision. An approved curb cut, apron, and sidewalks are required to provide drive access to proposed parcels.*

Policy #4: Canby shall work to provide an adequate sidewalk and pedestrian pathway system to serve all residents.

Analysis: *Sidewalks are required (Condition 15).*

Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.

Analysis: *The Canby Police Department and Canby Fire District received notice of the proposed partition. Neither agency returned comment as of the date of this report.*

PUBLIC FACILITIES AND SERVICES ELEMENT

GOAL: TO ASSURE THE PROVISION OF A FULL RANGE OF PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE RESIDENTS AND PROPERTY OWNERS OF CANBY.

Applicable Policies:

Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.

Analysis: All public facility and service providers were sent a "Request for Comments." As of the date of this report, no comments were returned. A pre-application meeting was held regarding this proposal. All providers indicated that utilities and services are available to the site. No neighborhood comments have been received. Clackamas County Roads received notice of this subdivision and did not return comment as of the date of this report.

CONCLUSION REGARDING CONSISTENCY WITH THE POLICIES OF THE CANBY COMPREHENSIVE PLAN:

Review of the goals, policies, and implementation measures of the Comprehensive Plan indicates that the proposed Zone Map Change and proposed subdivision, with recommended conditions of approval, is consistent with Canby's Comprehensive Plan. Development of the parcels shall comply with applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State regulations.

Evaluation Regarding Zone Map Amendment Criteria:

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

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

See discussion in part III.2, above.

- B. Whether all required public facilities and services exist or will be

provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

All utilities and City facilities are available or will become available through development.

Evaluation Regarding Subdivision Approval Criteria:

- A. Conformance with the text and with the applicable maps of the Comprehensive Plan.

See discussion in part III.2, above.

- B. Conformance with all other requirements of the Land Development and Planning Ordinance.

With recommended conditions, the proposed Subdivision will comply with the requirements of the Land Development and Planning Ordinance, including land use, lot sizes and frontage, access, and coverage requirements.

- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.

With recommended conditions, the proposed Subdivision will be functional and will provide building sites, necessary utility easement and access facilities.

- D. No partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels.

No private roads are proposed by the applicant.

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

Public services and facilities are available to adequately meet the needs of this subdivision. See discussion in part III.2, above.

IV. CONCLUSION

1. Staff concludes that the subdivision request, with appropriate conditions, is in conformance with the Comprehensive Plan and the Municipal Code.

2. Staff concludes that, with appropriate conditions, the overall design and arrangement of the proposed parcels are functional and will adequately provide building sites, utility easements and access facilities necessary for development of the subject property without unduly hindering the use or development of adjacent properties.
3. No private roads will be created.
4. Staff concludes that all necessary public services are available or will become available through the development of the property to adequately meet the needs of the proposed subdivision.
5. Staff concludes that the proposal to amend the Current Zoning map is appropriate in light of the Goals and Policies of the Comprehensive Plan. All public facilities and services exist or will be provided concurrent with the development of the property.

V. RECOMMENDATION

Zone Map Amendment:

Based on the findings and conclusions presented in this report, and without benefit of a public hearing, staff recommends that the Planning Commission recommend approval of *ZC 06-04* to the City Council.

Subdivision:

Based on the application and drawings submitted and based on the facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve *SUB 06-05* with the following conditions:

1. This approval is subject to final approval of the proposed zone change application (City File ZC 06-04) that was submitted by the applicant concurrently with this application. If File ZC 06-04 is not ultimately approved, the applicant will be required to file a modification to this subdivision approval in order to show compliance with existing zoning on the western portion of the parent parcel. The final plat shall not be signed by the City prior to final approval of File ZC 06-04.
2. The final plat shall reference the following land use application: City of Canby, File No. SUB 06-05 and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits.
3. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor's office, including, but

not limited to, various matters related to land surveying, land title, plat security, and plat recordation.

4. Easements shall be provided as follows, unless otherwise allowed by Canby Utility and the Public Works Department:
 - Twelve (12) foot wide public utility and public access easements for sidewalks along all street frontages.
 - Easements for any storm-water lines that will cross private property.
 - Pedestrian easement for any sidewalks and/or pathways that will cross any private property.

4. Prior to the signing of the final plat the land divider shall follow the provisions of Section 16.64.070 (Improvements) in particular, but not limited to, subparagraph (O) Bonds, which requires a surety bond, personal bond, or cash bond for any subdivision improvements not completed prior to the signing of the final plat. Subdivision improvements shall include but are not limited to streets, sidewalks, sewer and utility extensions, stormwater facilities, and street trees. The bond shall provide for the City to complete the required improvements and recover the full cost of the improvements.

5. Prior to the signing of the final plat, a copy of the CC&Rs that will be filed with the subdivision shall be submitted to the City Planning Department, prior to the signing of the final plat, and shall include a statement that street trees will be planted along street frontages, within the street tree planting easement. The CC&Rs must also include a statement notifying home owners of their responsibilities under the current Tree Ordinance for maintenance of street trees. The CC&Rs must also include, at a minimum, the following:
 - Land which is not intended for physical development, such as building or street uses, is required to remain in open space usage perpetually. Maintenance of such open space areas shall remain the responsibility of the individual owner or owners' association, in a manner outlined in the by-laws of such association.
 - The manner in which any open space, private park and recreational area, and parking areas are to be maintained shall be presented along with the preliminary copy of the proposed owners' association by-laws and contractual agreements shall be submitted with the preliminary subdivision.

6. Prior to the signing of the final plat, a contract between the developer and a certified landscape contractor must be approved by the City prior to the signing of the final plat. The contract must include a street tree and planter strip planting plan (as appropriate) with the types and locations of trees to be planted and timing of the planting. The landscape contractor must be licensed in all phases of landscape contracting by the Oregon Landscapers Contractors Board.

7. Each new residential lot shall include one street tree per street frontage.

8. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider. Final approval of site and utility plans is required **prior to the issuance of any building permit and/or site work**. To facilitate this, twelve (12) copies of pre-construction plans shall be given to the City to be reviewed and approved by the Canby Utility Board, the Canby Telephone Association, the City, Canby Fire District, Postal Service, Clackamas County Transportation, and other required utility providers prior to the pre-construction conference. The construction plans shall include the street design, storm water, sewer, water, electric, telephone, gas, street lights, mail boxes and street trees. Utilities shall be separated from one unit to the next. A final set of the construction plans shall be signed by all required government and utility agencies **prior to the issuance of any permits and/or site work**.
10. Where applicable, newly constructed residences shall comply with Infill Home Standards through the building permit approval process. On lots bordering existing homes that have preexisted for five years or more, the building permit application shall include the distances from lot lines to neighboring residences as well as existing heights of the neighboring buildings.
11. Street lighting shall be provided and shall meet City street lighting standards. Installation of street lights to be reviewed and approved by the City and the Canby Utility Board.
12. Prior to the issuance of building permits for any new dwellings, all existing septic systems shall be abandoned in accordance with State, County, and City requirements.
13. An erosion control permit is required. All City erosion control regulations shall be followed during construction as specified by the Canby Municipal Code.
14. The applicant shall construct an approved curb cut and approach apron at the drive entrance to each parcel. Access improvements, sidewalks, and paving shall be inspected and approved by Canby Public Works prior to installation.
15. Prior to issuance of a certificate of occupancy on individual lots, five (5) foot sidewalks shall be constructed as proposed parallel to all street frontages. The sidewalk shall avoid obstructions such as mailboxes and fire hydrants as necessary in order to remain unobstructed for a full (5) five-foot width along its entire length. Sidewalks shall be inspected and approved the City of Canby Public Works Department.
16. Street improvements are required as shown on the submitted plans. The street improvements shall be constructed to City standards, and shall be approved by the City Engineer, Canby Public Works, and the Clackamas County Transportation Division prior to construction. The applicant shall adhere to all requirements of the Clackamas County Transportation department for road improvements and road approaches adjacent to S Ivy St. Street improvements shall be completed to

the satisfaction of the Public Works Department prior to the issuance of building permits for new dwellings. Street right-of-way shall be dedicated to the City as shown on the submitted plans.

17. "As-built" drawings of all public improvements shall be submitted to the City within sixty (60) days of completion. A copy of the "as-built" drawings shall be submitted on a computer disk in an AutoCAD format.
18. The final plats must be submitted to the City within one (1) year of the approval of the preliminary plat according to Section 16.68.020. Mylar copies of the final plat must be signed by the City prior to recording the plat with Clackamas County.
19. The approval of this subdivision application will be null and void if the final plat is not submitted to the County within six (6) months after signing of the plat by the City (Section 16.68.070).
20. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
21. Sanitary system and storm drainage plans shall be approved by DEQ prior to construction.
22. The site approval as acted upon by the Commission shall be binding upon the developer and variations from the plan shall be subject to approval by the Canby Planning Department and/or the Planning Commission.

Exhibits:

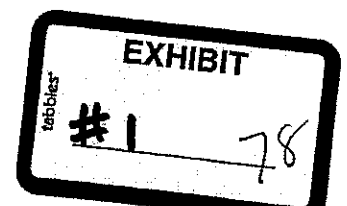
1. Applicant's packet
2. Minutes of pre-application meeting

Application
for
Zone Change and Subdivision

Willow Creek Estates, Inc.
Canby, Oregon

July 25, 2006

City of Canby, Oregon
182 N. Holly Street
Canby, OR 97013



NARRATIVE

**Application for Zoning Map Amendment, Subdivision
and Conditional Use Permit**

Applicant	Willow Creek Estates, Inc. 214 SW Second Avenue Canby, OR 97013 (503) 266-5488 Contact: Tom Scott
Representative	Sisul Engineering 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Pat Sisul
Location	South of SE 13 th Avenue and Ackerman Middle School, east of South Ivy Street and south and west of the Tofte Farms
Legal Description	Tax Lots 5200, T4S R1E Section 4DA, WM
Comprehensive Plan	Low Density and Medium Density Residential
Zone	R-1 (Low Density Residential Zone)
Site Size	4.86 Acres (211,721 square feet)
Proposal	1. Amend the Zoning Map for the west 330 feet to designate the site R-1.5 (Medium Density Residential Zone), consistent with the Comprehensive Plan designation. 2. Develop a 22 lot subdivision, with eight lots suitable for attached single family dwellings and 14 lots suitable for detached single family dwellings, consistent with R-1 and R- 1.5 zoning standards.

SITE DESCRIPTION

The site is located south of SE 13th Avenue, south and west of the Tofte Farms subdivision and east of South Ivy Street. The site has approximately 180 feet of frontage on South Ivy Street. South Lupine Street in Tofte Farms No. 3 is temporarily terminated at the site's north boundary.

The site is zoned R-1, as are adjacent properties to the east and northeast within the City limits. The Comprehensive Plan designation for the site is "Low Density Residential" and "Medium Density Residential". The area to the northwest, west of Tofte Farms No. 3, and east of South Ivy Street, is presently within the Urban Growth Boundary and has been proposed for annexation in the past. Those sites also have both "Low" and "Medium" Density Comprehensive Plan designations.

The site was occupied by a residence, which was removed earlier this year. Several trees are located in the vicinity of South Ivy Street, and nearly all will be removed for construction of the new public street (SE 16th Avenue) or new residences. The site is nearly flat with a slight fall to the northwest corner, and has no noticeable physical features or identified constraints.

PROPOSAL

The application requests a change in zoning designation to R-1.5 for the west portion of the site, consistent with the "Medium Density Residential" Comprehensive Plan designation.

As a second element, and contingent upon approval of the zoning change, the application proposes a 22 lot subdivision. Eight lots in the R-1.5 portion of the site are intended for attached single family residences, designed as two-unit townhouses. An open space tract is proposed to the north of the townhouse lots, accessible from South Juniper Street and each of the townhouse lots. The open space will be set aside in a Tract that will be owned jointly by the townhouse lots and will include amenities like a pathway and picnic table. The remaining fourteen lots are intended to be suitable for detached single family residences.

The site has an area of 4.86 acres. Dedications for interior streets will account for 1.20 acres (52,240 square feet), leaving 3.66 acres available for development. The net density for the overall site, combining R-1 and R-1.5 Zoning, is one dwelling for each 7,342.4 square feet or 5.9 dwellings per acre.

One intersection is proposed to connect with South Ivy Street. This street, tentatively named SE 16th Avenue, will extend east from S. Ivy Street and connect with an extension of South Lupine Street from Tofte Farms No. 3. This connection will complete the street system for the area to the north, providing a third access for Tofte Farms No. 3. An extension of "South Juniper Street" to the north from SE 16th Avenue will provide the beginning of the street system for land presently outside of the city limits to the north and

south. SE 16th Avenue will terminate temporarily with a half cul de sac and a hammerhead turnaround, as no connection is available from Tofte Farms No. 4, the developed subdivision to the southeast. This half cul de sac will be expanded into a knuckle when property to the south is developed. SE 16th Avenue is proposed as a partial street, with 36 feet of right of way and 30 feet of pavement and curb. Part of the planter strip and sidewalk would be provided in an easement. The remainder of the right of way would be dedicated when property to the south develops. Other internal streets are proposed with the City's standard right of way width of 40 feet, with 36 feet of pavement, and the sidewalk and part of the planter strip in an easement.

Public sanitary sewer and domestic water will be available primarily from South Ivy Street. A single sanitary sewer connection and public water interconnection will be available from the temporary termination in South Lupine Street. Storm water will be collected and directed to on-site infiltration facilities.

A pre application conference with the City occurred on February 16, 2006. No issues of concern were identified, beyond usual and expected considerations of Code compliance.

APPLICABLE CRITERIA AND STANDARDS

Identification of Applicable Criteria and Standards

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

1. Comprehensive Plan

Urban Growth Element

Land Use Element

Housing Element

2. Land Development and Planning Ordinance:

16.10 Off-Street Parking and Loading

16.16 R-1 Low Density Residential Zone

16.18 R-1.5 Medium Density Residential Zone

16.46 Access Limitations on Project Density

16.50 Conditional Uses

16.54 Amendments to Zoning Map

Division IV Land Division Regulations (sections pertinent to subdivisions)

16.86 Street Alignments

16.95 Solar Access Standards for New Development

Discussion of Criteria and Standards

The following discussion of the City of Canby Comprehensive Plan and Land Development and Planning Ordinance will combine elements that apply to both the zoning map amendment and land division, and separately discuss requirements that apply to the separate requests and to land use districts as proposed. For instance, the policies of the Comprehensive Plan apply to both the land division and the request for zoning map amendment, so will not be broken into separate sections.

COMPREHENSIVE PLAN GOALS AND POLICIES

1. Urban Growth Element

Goal 1) To preserve and maintain designated agricultural and forest lands by protecting them from urbanization.

Goal 2) To provide adequate urbanizable area for the growth of the city, within the framework of an efficient system for the transition from rural to urban land use.

Policy No. 3: Canby shall discourage the urban development of properties until they have been annexed to the city as provided with all necessary urban services.

Response: The subject site is within the City's Urban Growth Boundary and is part of the land intended to accommodate the City's projected population. The proposal supports the Urbanization Element of the Comprehensive Plan.

Wise use of land within an urban growth boundary reduces the need for expanding the boundary, and impacting farmland. Higher densities, where appropriate, further this goal. This area is designated for medium and lower density development, reflecting its accessibility as well as distance from services in the community.

The site is adjacent to a major street, which will provide direct and convenient access to destinations within Canby and throughout the region.

The proposal supports the City's Urban Growth Goals and Policies.

2. Land Use Element

Goal: To guide the development and uses of land so that they are orderly, efficient, aesthetically pleasing, and suitably related to one another.

Policy No. 1: Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses while grouping compatible uses.

Policy No. 2: Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.

Policy No. 3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

Policy No. 4: Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.

Policy No. 6: Canby shall recognize the unique character of certain areas and will utilize the following special requirements in conjunction with the requirements of the Land Development and Planning Ordinance, in guiding the use and development of these unique areas.

Response: The City's Comprehensive Plan designation for the site and vicinity calls for medium and low density residential development. The proposal will provide housing opportunities similar to other properties in the vicinity, and so will remain compatible within the context of the existing residential areas. Properties that are currently not

developed will likely also, eventually, be subdivided to create similar neighborhoods as allowed (and required) by applicable codes.

Public facilities are available to the site. Sanitary sewer is provided by the City and is available from lines in South Ivy and South Lupine Streets, with sufficient capacity for this development. Public water is provided by Canby Utility and is also available from South Ivy and South Lupine Streets. Storm water will be managed through on-site infiltration facilities. On site, a pipe will collect storm water and convey drainage to the public pipe system in South Ivy Street. Storm drainage facilities will be constructed as necessary to comply with City and Department of Environmental Quality standards.

The following schools would serve the site: Lee Elementary, Ackerman Middle School, and Canby High School. Lee Elementary School is being returned to service as an elementary school for the fall of 2006, with an anticipated enrollment of 400 students. Baker Prairie Middle School, which opens in September, 2006, will accommodate students from Carus, Knight, and Trost Elementary Schools, with students from Eccles and Lee attending Ackerman Middle School. As a result, all schools are expected to have available capacities for the next five to ten years, according to the Canby School District. The high school has a capacity of 1,660 and an enrollment of 1,747, according to enrollment figures from the "Oregon Department of Education, October 1 Enrollment Summary, 2004-2005."

Other public facilities and services, such as police, fire, telephone, electricity, etc., are generally available to the site.

There are no natural hazards associated with the site.

The site is not designated as an "Area of Special Concern" in Policy No. 6.

Based on this review of relevant policies, the proposal has been shown to support the Land Use Element of the Comprehensive Plan.

3. Housing Element

Goal: To provide for the housing needs of the citizens of Canby.

Policy No. 2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

Policy No. 3: Canby shall coordinate the location of higher density housing with the ability of the city to provide utilities, public facilities, and a functional transportation network.

Response: The site has been designated as appropriate for development at densities allowed in the R-1 and R-1.5 Zones and the proposal is consistent with the designations.

The site is well located for low and medium density development, with access to major streets to facilitate access to other parts of the community and the region.

Based on this review of relevant policies, the proposal has been shown to support the Housing Element of the Comprehensive Plan.

LAND USE AND DEVELOPMENT ORDINANCE

Chapter 16.10 Off-Street Parking and Loading

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

Chapter 16.16 R-1 Low Density Residential Zone

The proposal for subdivision will create 14 new lots for detached single family dwellings. The proposed residential use is allowed outright in the zone (16.16.010.A). New lots in the R-1 Zone are required to meet the development standards specified in Sec. 16.16.030. Development standards for structures can be verified when plans for building permits are submitted. The following table lists requirements and how the application proposes to satisfy each standard:

Section 16.16.030 R-1 Zone Dimensional Standards

Requirement	Proposed
16.16.030.A Minimum and maximum lot area: 7,000 sq. ft. and 10,000 sq. ft.	Lots proposed = 14 Min. lot area = 7,009 sq. ft. Max. lot area = 10,137 sq. ft. (flag lot) Average lot area = 8,304.4 sq. ft.
16.16.030.C Minimum width and frontage: 60 feet	All lots have a minimum width of 60 feet. Lots 20-22 have less than 60 feet of frontage due to their knuckle/flag lot orientation, all other lots have at least 60 feet of frontage.
16.18.030.D Minimum yard requirements: Street yard, 20 feet for side w/dwy Other street yards, 15 feet Rear yard, 20 feet for two story building Interior yard: 7 feet, or zero lot line	These requirements will be satisfied when building plans are submitted for structures on each proposed lot.
16.16.030.E Maximum building height: 35 feet	This requirement will be satisfied when building plans are submitted for structures on each proposed lot.
16.16.030.F Maximum lot coverage:	n/a

no limit	
16.16.30.G Other regulations.	These requirements will be satisfied when building plans are submitted for structures on each proposed lot.

Chapter 16.18 R-1.5 Medium Density Residential Zone

The proposal for subdivision will create eight new lots for attached single family dwellings. The proposed residential use is allowed as a conditional use in the zone (16.18.020.C); requirements for conditional uses will be discussed in a following section in response to criteria of Chapter 16.50.

New lots in the R-1.5 Zone are required to meet the development standards specified in Sec. 16.16.030. Development standards for structures can be verified when plans for building permits are submitted. The following table lists requirements and how the application proposes to satisfy each standard:

Section 16.18.030 R-1 Zone Dimensional Standards

Requirement	Proposed
16.18.030.B.4 Minimum and maximum lot area: 3,000 sq. ft. for common wall SFR's	Lots proposed = 8 Min. lot area = 4,240 sq. ft. Max. lot area = 5,043 sq. ft. Average lot area = 4,439.6 sq. ft.
16.16.030.C Minimum width and frontage: 20 feet for SFR attached	All lots have no less width and frontage than 37 feet.
16.18.030.D Minimum yard requirements: Street yard, 20 feet for the side with driveway Other street yards, 15 feet Rear yard, 10 feet or 15 feet for two story building Interior yard: 7 feet, or zero lot line	These requirements will be satisfied when building plans are submitted for structures on each proposed lot.
16.16.030.E Maximum building height: 35 feet	This requirement will be satisfied when building plans are submitted for structures on each proposed lot.
16.16.030.F Maximum lot coverage: 60%	n/a
16.16.30.G Other regulations.	These requirements will be satisfied when building plans are submitted for structures on each proposed lot.

Chapter 16.50 Conditional Uses

Attached single family dwellings are permitted as a conditional use permit in the R-1.5 (16.18.030.C). The Planning Commission is directed to consider the criteria and standards of 16.50.010 in reviewing a proposed use:

- 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;*
- B. The characteristics of the site are 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;*
- 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.*

Factor A: The proposal is consistent with the policies of the Comprehensive Plan, proposing a residential use in an area designated for medium density residential development. Policies of the plan are discussed in a preceding section of this narrative, demonstrating compliance for the proposed land division and the specific use.

Factor B: The site characteristics were described in the "Site Description" section of the narrative, noting proximity to a main street (South Ivy Street) and the Lee Elementary and Ackerman Junior High Campuses. The site is nearly flat, with no natural features or physical constraints to provide a point of interest or difficulty in development.

Factor C: Public facilities are available to the site, and are proposed to be extended to and through the site to provide appropriate connections for new lots.

Factor D: Surrounding areas on the east side of South Ivy Street are largely undeveloped, with adjacent properties waiting for annexation. In that sense, any development on the site will affect the character of the area. However, the proposed residential use of the site is entirely consistent with zoning requirements. In fact, two-family or three-family dwellings may be constructed on a single lot, so a two-family dwelling, with each unit having its own lot, is consistent with types of residential building permitted outright. As residential uses are permitted in the R-1.5 Zone, no impact on the use of adjacent properties or any future use of adjacent properties is anticipated from the proposed attached single family dwellings proposed for this property.

The Planning Commission is authorized to impose conditions on a proposed conditional use to avoid a detrimental impact and protect the best interests of the surrounding area or community, as provided in Section 16.50.040. As noted in the response to Factor B, with the exception of the Tofte Farms Subdivision, the area east of South Ivy Street is largely undeveloped. West of Ivy is the Hope Village Development

and, to the south, single dwellings on large lots or farms, which may be redeveloped in the future.

The proposed use will allow two-unit attached single family dwellings, providing new homes that are more affordable or an option to a detached single family dwelling. Residential use is entirely consistent with the Comprehensive Plan designation for the site and surrounding area, and no detrimental impacts are anticipated. Therefore, the Planning Commission need not impose any additional requirements on the proposed use.

Conclusion: All factors that the Planning Commission must consider in weighing a decision on a conditional use permit are shown to be satisfied, based on this review, and the conditional use permit authorizing single family dwellings having common wall construction should be approved.

Chapter 16.46 Access Limitations on Project Density

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

SE 16th Avenue is proposed as a new public street with a 36 foot wide right of way that will form the north portion of the street, with the remainder dedicated by development of property to the south. A 28 foot width of pavement is proposed, with curb, planter strip, and sidewalk (sidewalk will be in an easement). A second access is available by way of South Lupine Street, through Toft Farms No. 3, allowing up to 132 dwellings; only 22 new residences are proposed with this development. Therefore, these measures are sufficient to satisfy the requirements in Sec. 16.46.010.A for roadway and pavement width, number of access points, and number of dwelling units.

Chapter 16.49 Site & Design Review

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

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

Chapter 16.54 Amendments to Zoning Map

A property owner or authorized agent may request an amendment to the zoning map, as is the case here (16.54.010).

Standards and criteria for considering a proposed zoning map amendment are listed in Section 16.54.040:

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

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

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

Criterion A: The Comprehensive Plan designation for the west 330 feet of the site is "Medium Density Residential." The zoning expected for that designation is R-1.5, however the present designation is R-1. This inconsistency should be resolved by the City in favor of the Comprehensive Plan designation, so this site can be developed in a manner consistent with the anticipated use of properties to the north and south presently outside of the city limits.

Comprehensive Plan policies were discussed in a previous section of this narrative, noting that development of the site with a mix of densities is consistent with both the plan map and policies. Policy 6 does not apply to this site.

This criterion will be satisfied if the zoning designation is changed as requested.

Criterion B: As discussed in the site description and previous responses, public facilities are available, with capacity, and can be extended to serve new homes on the site as proposed with the land division.

This criterion is satisfied.

In addition to standards and criteria of Section 16.54.040, the City must consider whether conditions of approval are justified as provided in Section 16.54.060:

A. In acting on an application for a zone change, the Planning Commission may recommend and the city council may impose conditions to be met by the proponents of the change before the proposed change takes effect. Such conditions shall be limited to improvements or physical changes to the property which are directly related to the health, safety or general welfare of those in the area. Further, such conditions shall be limited to improvements which clearly relate to and benefit the area of the proposed zone change. Allowable conditions of approval may include, but are not necessarily limited to:

- 1. Street and sidewalk construction or improvements;*
- 2. Extension of water, sewer, or other forms of utility lines;*
- 3. Installation of fire hydrants.*

B. The city will not use the imposition of improvement conditions as a means of preventing planned development, and will consider the potential impact of the costs of required improvements on needed housing. The Planning Commissions and city

council will assure that the required improvements will not reduce housing densities below those anticipated in the Comprehensive Plan.

A proposal for land division is part of this application, demonstrating that all required and necessary facilities for the health, safety and general welfare of future residents can be provided. Any reasonable conditions imposed by the City to further those ends, consistent with requirements and specifications, will satisfy the requirement of this section.

Conclusion: The discussion of criteria and standards pertaining to a request for zoning map amendment shows that these requirements are satisfied by the request and the concomitant request for land division. Therefore, the proposed change in zoning designation should be approved.

Division IV Land Division Regulation

Chapter 16.62 Subdivisions-Applications

An application that satisfies the filing procedures and information required in Sec. 16.62.010 has been submitted.

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

A. Conformance with the text and applicable maps of the Comprehensive Plan;

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

C. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;

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

Goals and policies of the Comprehensive Plan are discussed in other sections of this narrative, demonstrating that the proposed land division conforms to applicable criteria.

Standards and criteria of the LUDO are also shown to be satisfied, in other sections of this narrative and on the maps included with the application.

The overall design and layout of the site is functional and provides adequate building sites, as all lots exceed the minimum lot area standards for the R-1 and R-1.5 Zones. Each

lot has access to a public street, which provides a connection to South Ivy Street. A street will connect with the existing stub of South Lupine Street at the north property boundary to provide for the continuation of the interior street system.

All necessary public facilities and services are available to the site, as discussed in other sections of this narrative and as shown on the plans and maps included with the application.

Based on this discussion of approval standards and criteria, the proposed subdivision has been shown to comply with all relevant requirements.

Chapter 16.64 Subdivisions Design Standards

Section 16.64.010 Streets

The proposed interior street system will be designed and constructed to the local street standard. SE 16th Avenue is proposed as a partial street, with 36 feet of right of way and 30 feet of pavement. SE 16th Avenue will connect to South Ivy Street, and South Lupine Street will be extended from its temporary termination point. New "South Juniper Street" will extend north from SE 16th Avenue, to provide access for future development to the north.

Proposed pavement width is 36 feet, in a 40 foot wide right of way. Sidewalks will be constructed with a planter strip, within an easement. This will minimize the amount of land taken for public use along the street frontage and permit a more efficient use of the site.

The proposed new streets are designated "SE 16th Avenue" and "SE Juniper Street" pending City approval.

Section 16.64.015 Access

The site does not propose access to a state highway; this section does not apply.

Section 16.64.020 Blocks

The City requires subdivisions to be designed to accommodate blocks that provide lots of suitable size and access in multiple directions. This project builds upon the previously established grid pattern from Tofte Farms No. 3 and forms the basis for future blocks, with proposed South Juniper Street.

Section 16.64.030 Easements

Easements will be provided as necessary to satisfy requirements of the City.

Section 16.64.040 Lots

(16.64.040.A & B) Lot areas comply with dimensional requirements for the R-1 and R-1.5 Zones, as previously discussed in this narrative and as shown on the proposed site plan.

(16.64.040.C) All R-1 lots have at least 60 feet of frontage on the new interior streets, except for Lots 20 through 22, which are located along the proposed knuckle/cul de sac. Lot 21 is proposed as a flag lot with 15 feet of frontage. Lots 20 and 22 are proposed to be narrower at the curblin and to widen out to over 60 feet at the proposed building lines. The Planning Commission may allow unique designs upon finding that access is adequate. The proposed access will be similar to other cul de sac configurations throughout the City of Canby. All R-1.5 lots conform with the minimum frontage requirements of the zone.

(16.64.040.D) No double frontage lots are proposed and the location of SE 16th Avenue is proposed along the south property line, to provide for a future row of lots as well as to avoid a double frontage situation south of Tofte Farms No. 3.

(16.64.040.E) Lot side lines all are at a right angle or radial to the fronting streets.

(16.64.040.F) No lots in the subdivision can be redivided.

(16.64.040.H) No hazardous situation related to flooding or soil instability has been identified on the site.

(16.64.040.I) Lot 21 is proposed as a flag lot. An access drive will be constructed in the 15 foot wide "flag pole" area, reduced from the standard of 20 feet as only a single lot is served and the access is less than 100 feet in length. The area of the flag lot, excluding the flag pole, is 9,402 square feet, more than the minimum required area for the R-1 Zone.

Section 16.64.050 Public Open Spaces.

No area is proposed for dedication for public open space on this small site. The fee in lieu will be provided, as required, with building permits.

Section 16.64.060 Grading of Building Sites

Minor grading will be accomplished on the site to create suitable building sites.

Section 16.64.070 Improvements

Improvements for the subdivision will be accomplished as required by this section. Plans have been submitted as part of this application to show the arrangement of streets and sidewalks, public utilities, and other improvements necessary to provide for the convenience, health, and safety of future residents of this community and of the City.

Please refer to specific plans for details; more detailed construction plans will be filed with the City following approval of the preliminary plan.

Chapter 16.86 Street Alignments

This chapter provides requirements for new streets, including the right of way of 40 feet for a new local residential street (16.86.020.B). South 16th Avenue is proposed as a partial street, with 36 feet of right of way. The extension of South Lupine Street and new South Juniper Street are proposed to be constructed to comply with the standard.

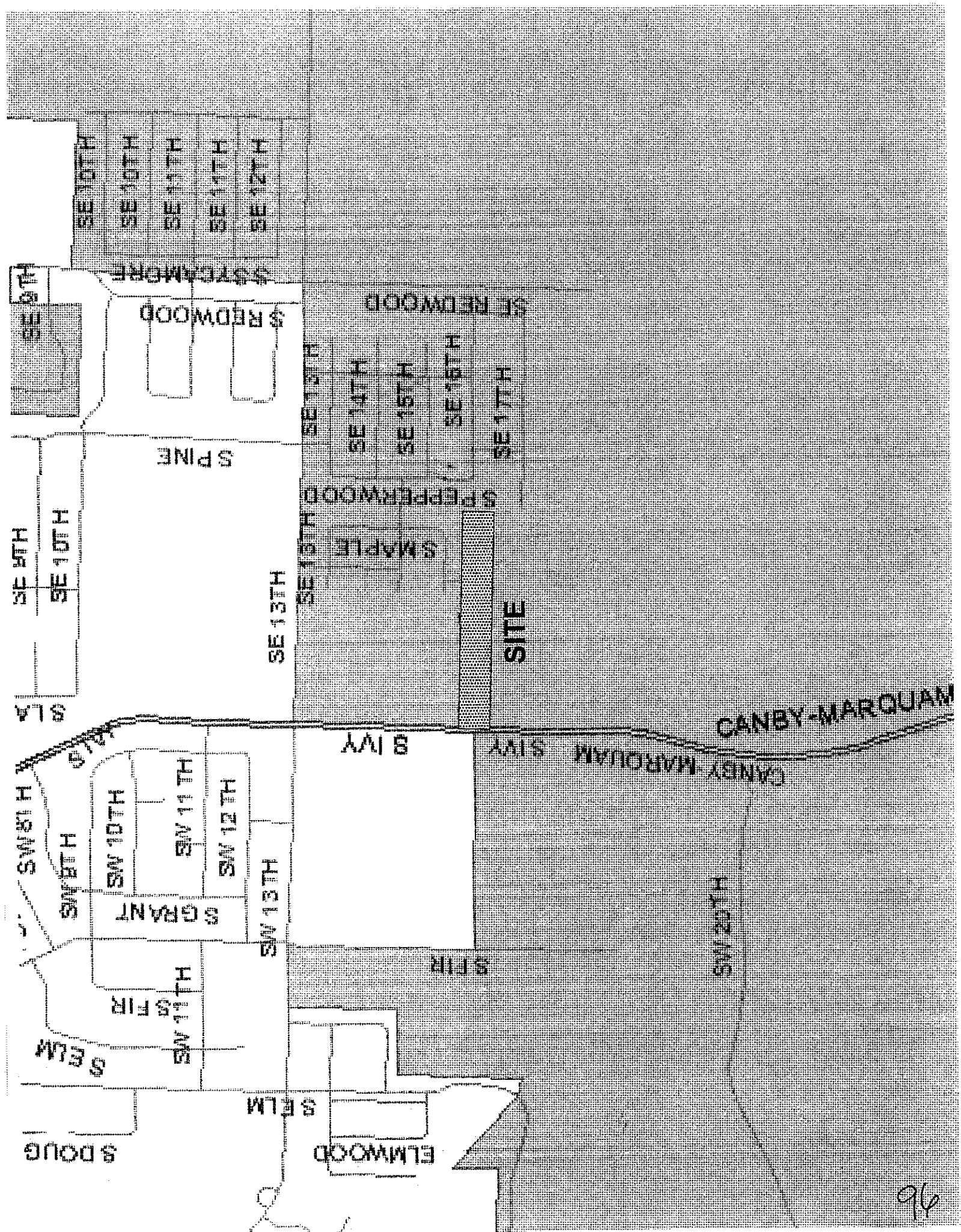
Chapter 16.95 Solar Access Standards for New Development

Solar access is required for new single family development. The basic requirement is a front long line oriented within 30 degrees of east west and a north/south dimension of 90 feet. The subdivision proposes 22 new lots, of which 82% or 18 lots comply with the basic requirement. Only Lots 16, 17, 21 and 22 do not comply with the basic requirement. Lot 17 could be considered in compliance if street right of way was included in the north-south dimension.

CONCLUSION

The foregoing narrative and accompanying plans and documents, together demonstrate that the amendment to the zoning map, conditional use permit, and subdivision generally conform with applicable criteria and standards of the City's Code. Therefore, the applicant requests that the Planning Commission approve the application.

**VICINITY,
ASSESSOR &
COMPREHENSIVE
PLAN MAPS**



This map was prepared for assessment purposes only

NE 1/4 SE 1/4 SEC. 4 T. 4S. R. 1E. W.M.
CLACKAMAS COUNTY
1"=100'

8600

SEE MAP 4 IE 4A

9000

24500

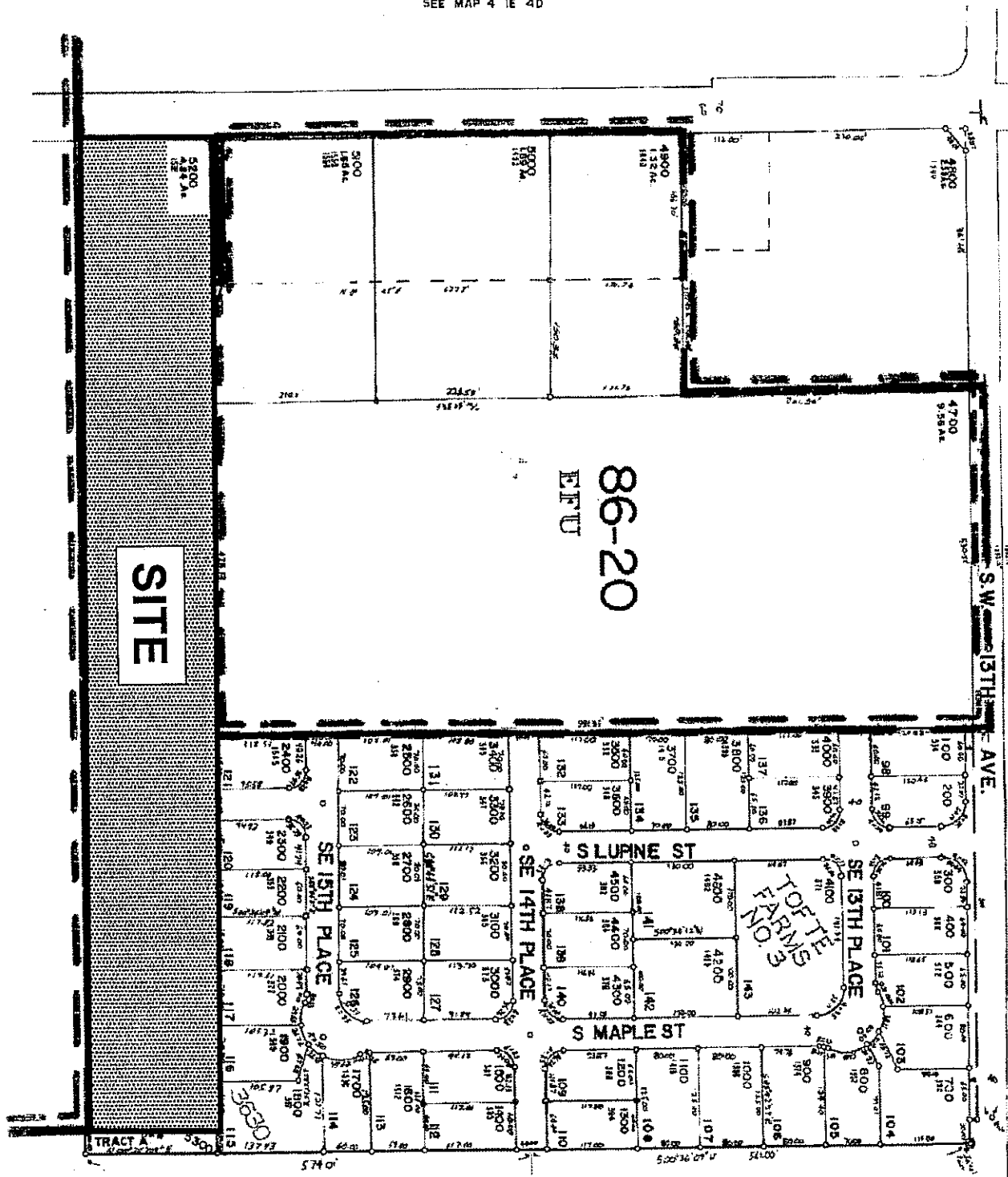
CANCELLED
4/7/01

86-02

4 IE 4A/A

97

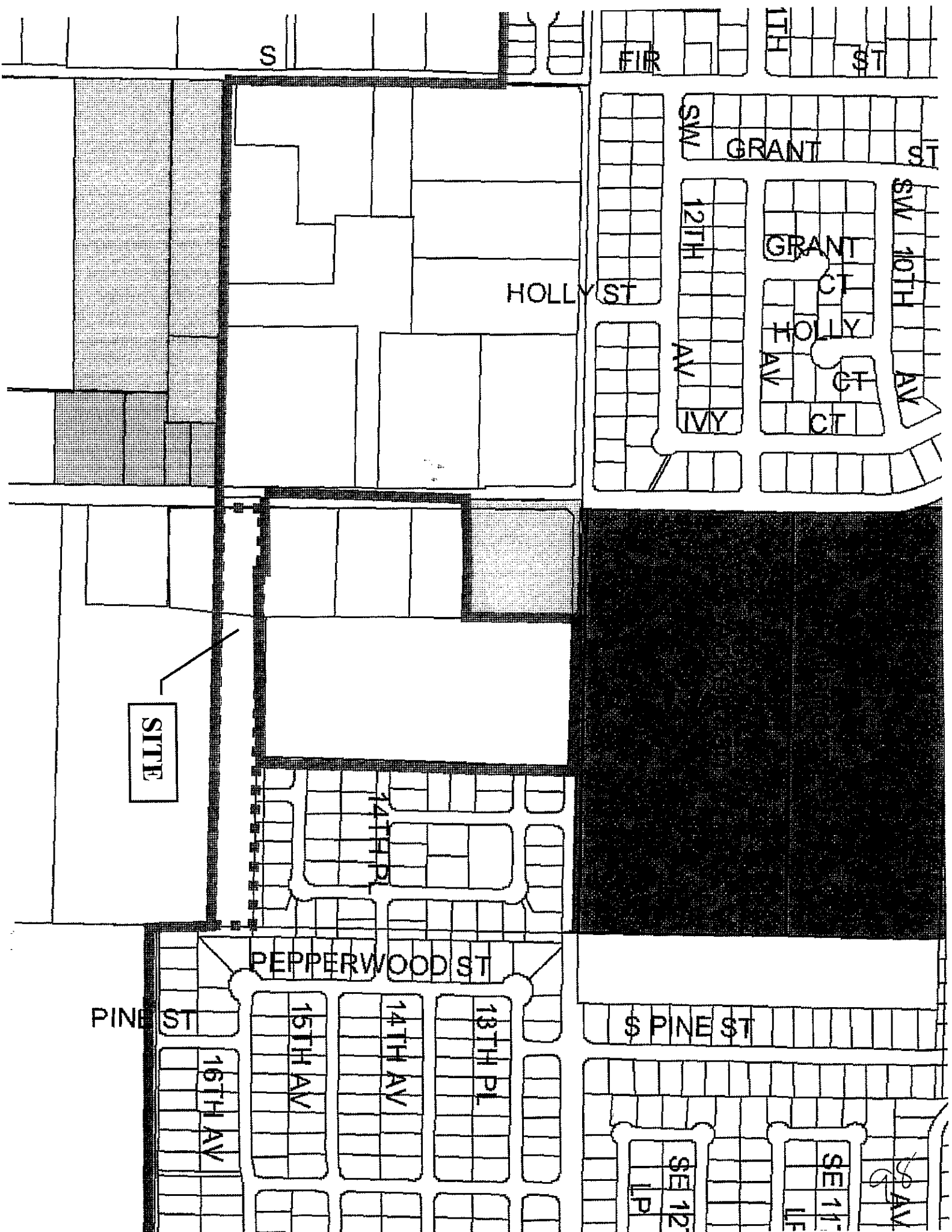
SEE MAP 4 IE 4D



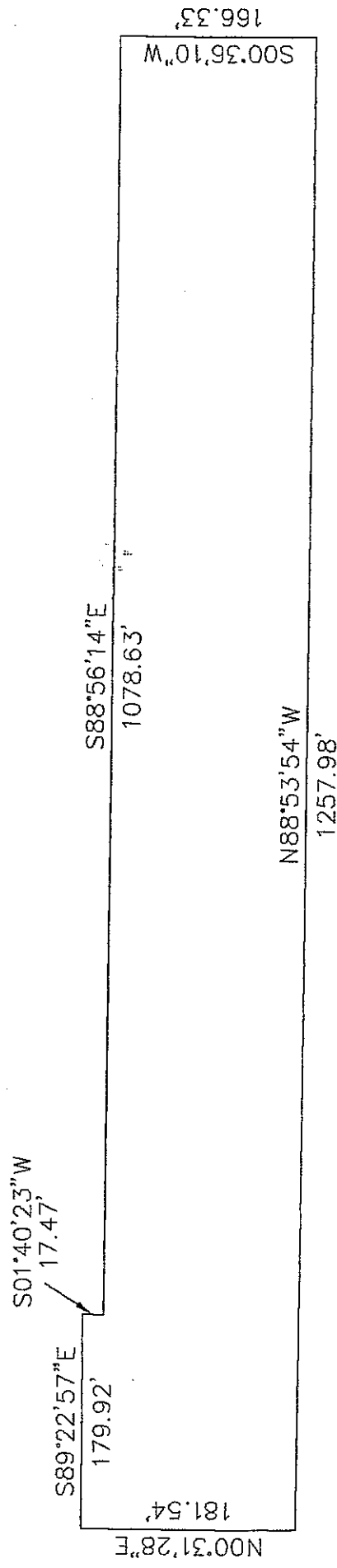
SEE MAP 4 IE 3

24700

SEE MAP 4



BOUNDARY DIMENSIONS



*****County surveyor has not yet approved boundary survey***

REDUCED PLANS

TENTATIVE PLAN OF "DINSMORE ESTATES"

LEGAL DESCRIPTION: TAX LOTS 5200, T4S R1E SEC. 4DA, WM
CITY OF CANBY, CLACKAMAS COUNTY, OREGON

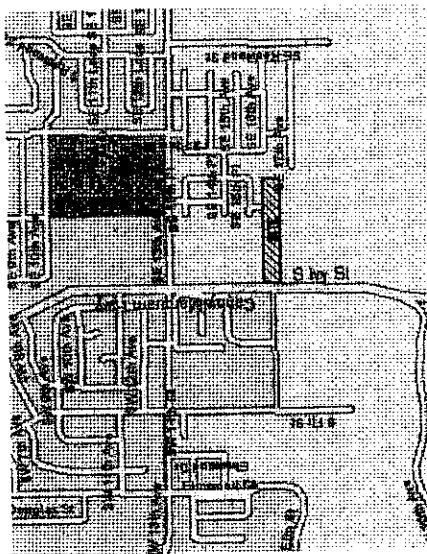
DEVELOPED BY

WILLOW CREEK ESTATES, INC.
214 SW SECOND AVENUE
CANBY, OR 97013
TELEPHONE (503) 266-5488
CONTACT: TOM STOUT

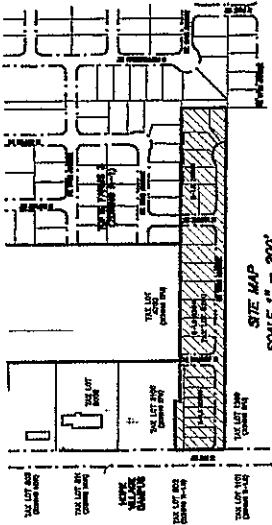
LOCATION: SOUTH OF SE 13TH AVENUE AND ACKERMAN
MIDDLE SCHOOL, EAST OF SOUTH IVY STREET
AND SOUTH AND WEST OF TOFTE FARMS

PROPOSED ZONING: R-1 (LOW DENSITY RESIDENTIAL ZONE)
R-1.5 (MEDIUM DENSITY RESIDENTIAL ZONE)

SITE SIZE: 4.86 ACRES (211,721 SQUARE FEET)



VICINITY MAP



SITE MAP
SCALE 1" = 200'

INDEX

SHEET DESCRIPTION

- 1 SITE PLAN
- 2 EXISTING CONDITIONS
- 3 WATER & SANITARY SEWER PLAN
- 4 STREET AND STORM DRAIN PLAN
- 5 GRADING AND EROSION CONTROL PLAN

WEST NORTH ARROW TO
TOP OF PLANK

SIBUL ENGINEERING
576 PORTLAND AVENUE
CLATSOP, OREGON 97107
(503) 677-5185

JULY 25, 2006

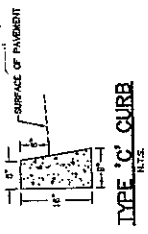
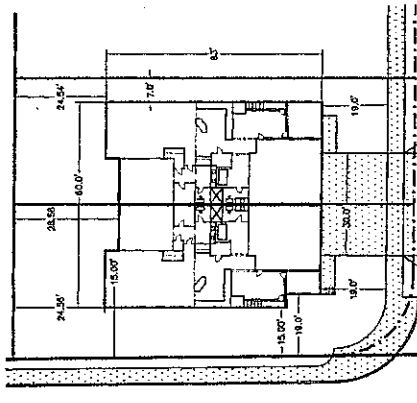
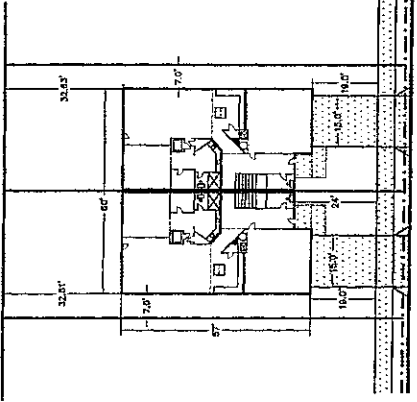
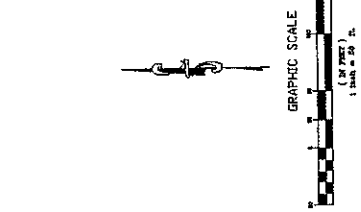
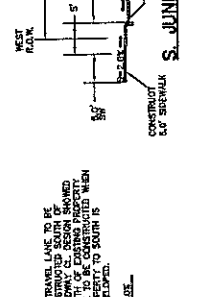
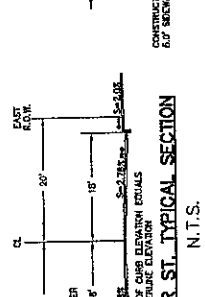
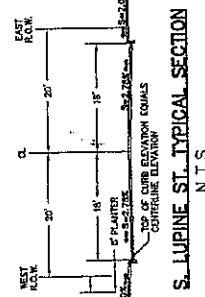
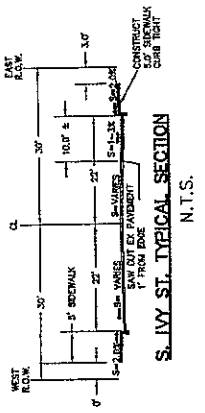
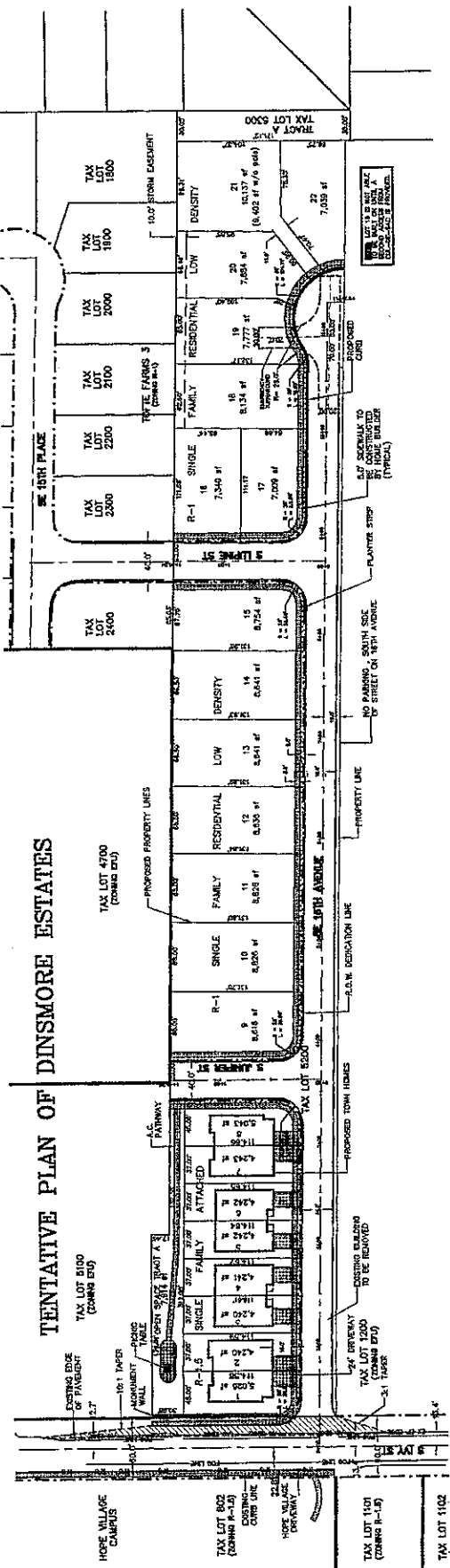
NO.	REVISIONS	BY	DATE

DINSMORE ESTATES, INC.
WILLOW CREEK ESTATES, INC.

SITE PLAN

BSL ENGINEERING
101 PORTLAND AVENUE
CLASSROOM BUILDING
(503) 251-1212
DATE: JULY 2005
SHEET 1 OF 2
DRAWN: JAF
CHECKED: CS-112
SCALE: AS SHOWN

TENTATIVE PLAN OF DINSMORE ESTATES



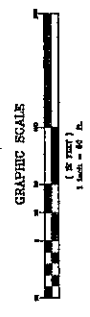
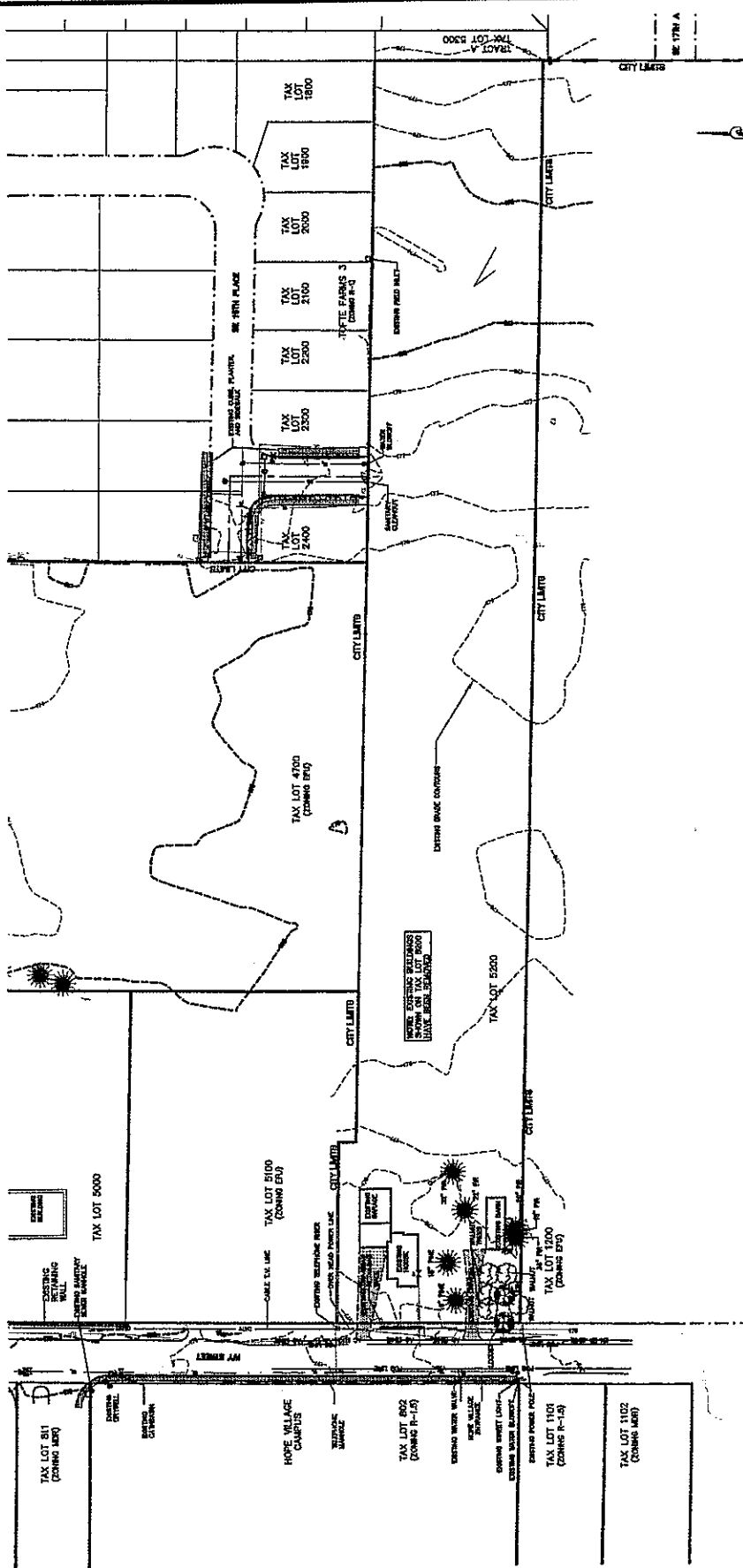
REVISIONS	BY

DINSMORE ESTATES, INC.
WILLOW CREEK ESTATES, INC.

EXISTING CONDITIONS

DATE: JULY 2000
SCALE: 1" = 50'
SHEET NO. 2 OF 2 SHEETS
SHEET NO. 02-11212-002
PROJECT: WILLOW CREEK ESTATES
CLIENT: DINSMORE ESTATES, INC.
SBSL ENGINEERING

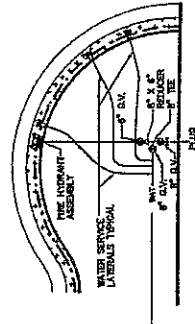
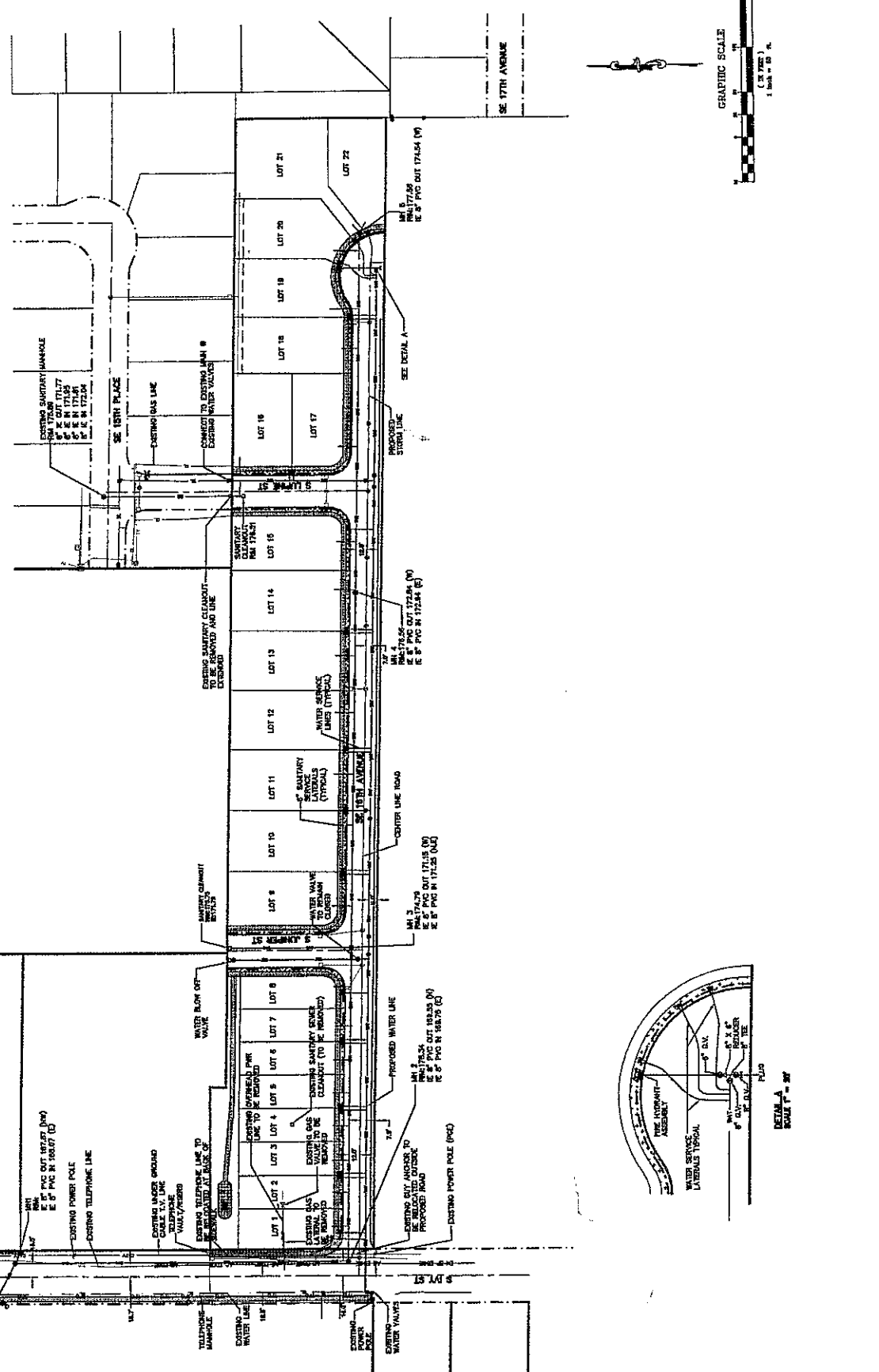
TENTATIVE PLAN OF DINSMORE ESTATES



TENTATIVE PLAN OF DINSMORE ESTATES

DINSMORE ESTATES, INC.
WILLOW CREEK ESTATES, INC.
WATER & SANITARY
SEWER PLAN

SIGNAL ENGINEERING
3175 POKERING AVENUE
BOSTON, MASSACHUSETTS 02116
DATE: JULY 2008
SCALE: 1" = 50'
SHEET NO. 06-21-07
SHEET 3 OF 5



105

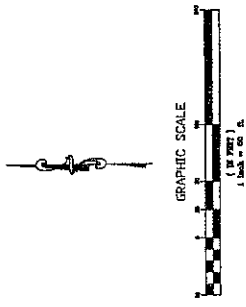
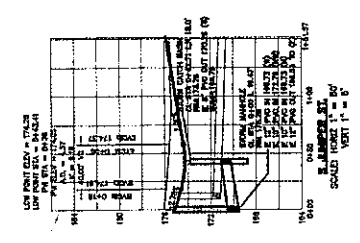
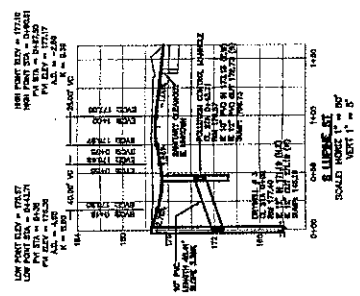
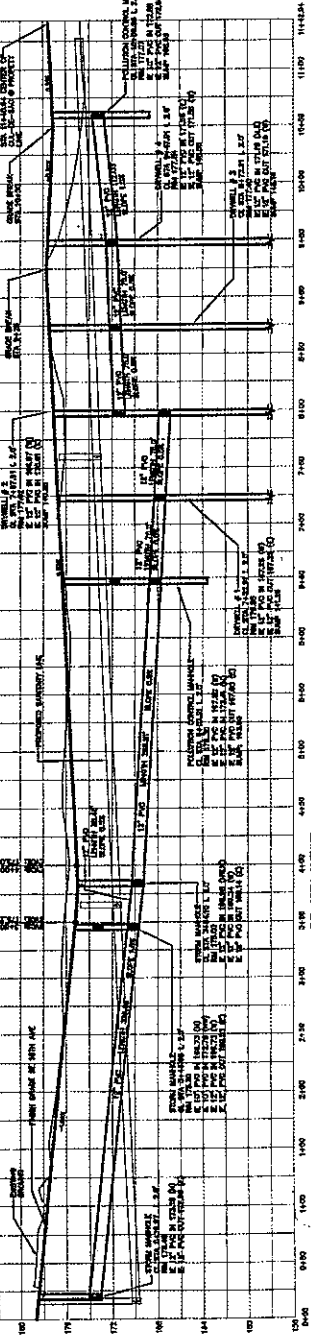
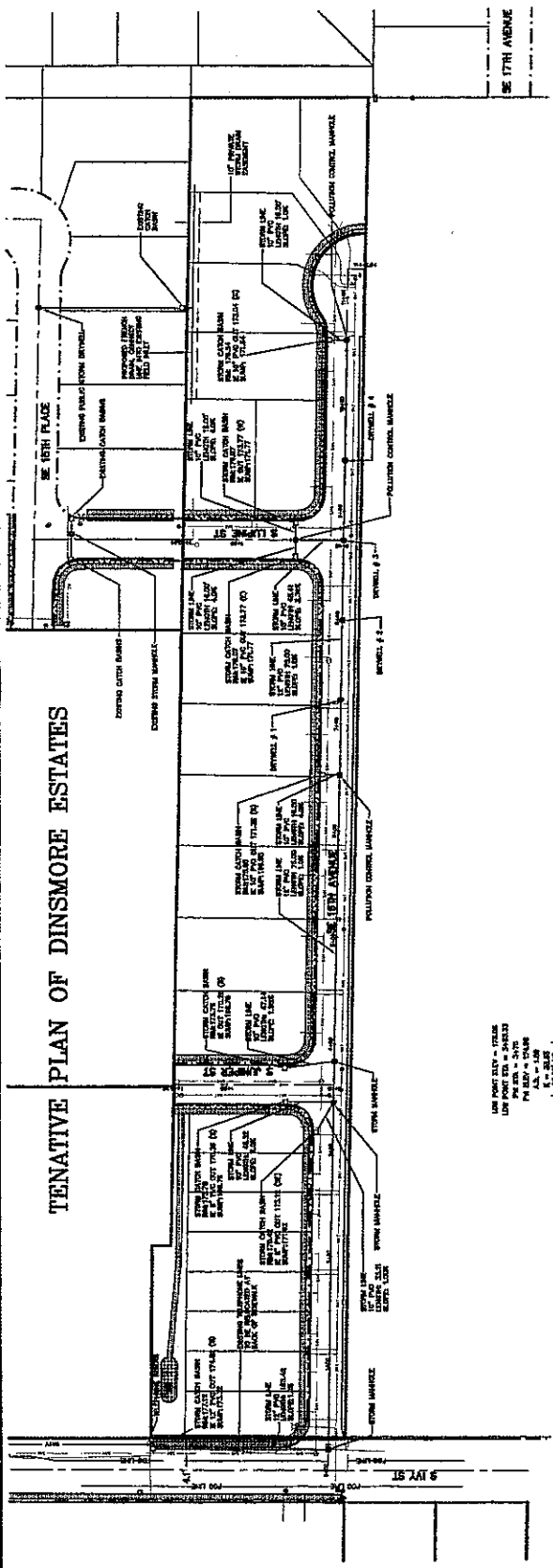
NO.	DATE	BY
1		
2		
3		
4		

DINSMORE ESTATES, INC.
WILLOW CREEK ESTATES, INC.

STREET AND STORM DRAIN PLAN

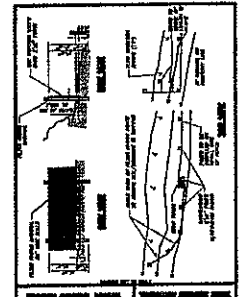
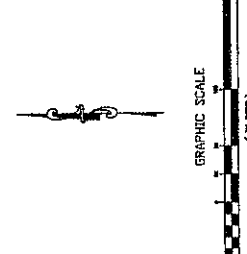
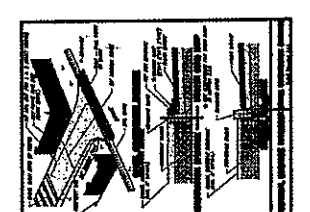
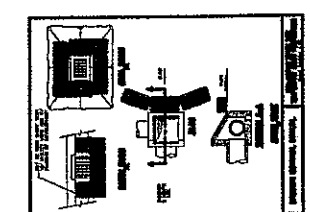
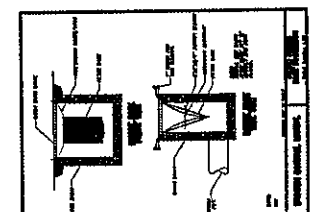
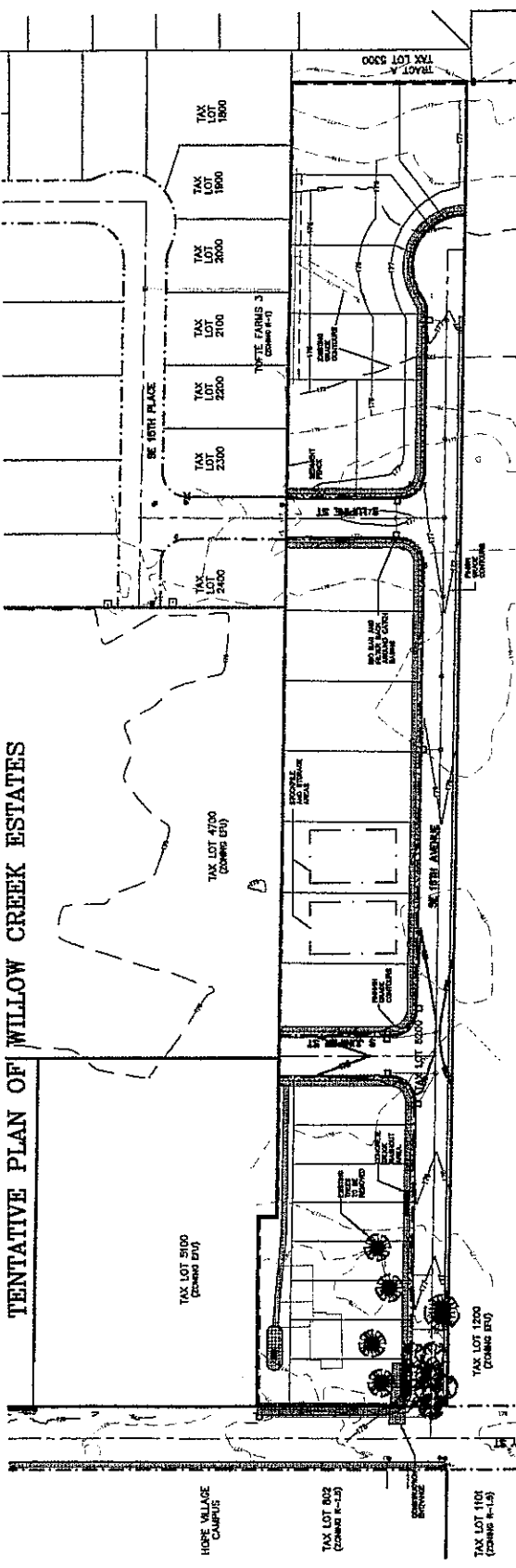
RESUL ENGINEERING
 1100 PORTLAND AVENUE
 PORTLAND, OREGON 97207
 PHONE: (503) 253-1111
 FAX: (503) 253-1112
 DATE: JULY 2000
 SCALE: 1" = 50'
 SHEET: 4 OF 5
 PROJECT: 02-112

TENTATIVE PLAN OF DINSMORE ESTATES



106

TENTATIVE PLAN OF WILLOW CREEK ESTATES

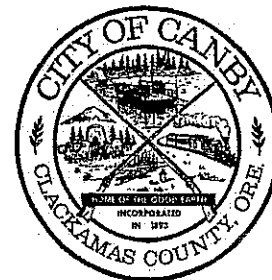


Under and Behind Curb and Gutter Details:
 1. All curb and gutter shall have a concrete base and a concrete finish. The concrete base shall be a minimum of 4 inches thick. The concrete finish shall be a minimum of 2 inches thick. The concrete base shall be finished with a broom finish. The concrete finish shall be finished with a broom finish.
 2. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 3. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 4. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 5. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
Submittals:
 1. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 2. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 3. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 4. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 5. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.

Grading and Erosion Control Plan:
 1. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 2. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 3. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 4. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 5. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.

1. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 2. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 3. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 4. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.
 5. The concrete curb and gutter shall be finished with a broom finish. The concrete curb and gutter shall be finished with a broom finish.

1. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 2. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 3. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 4. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.
 5. The grading and erosion control plan shall be prepared by a registered professional engineer. The grading and erosion control plan shall be prepared by a registered professional engineer.



Pre-Application Meeting

DINSMORE ESTATE

February 16, 2005

10:30 am

Attended by:

Roy Hester, Public Works Dept., 503-266-4021
Calvin Pottratz, CU Water Distribution Dept., 503-266-1156
Pat Sisul, Sisul Engineering, 503-657-0188

Todd Gary, Canby Fire Department, 503-266-5851
Billy Elder, NW Natural Gas, 503-585-6611
Tom Scott, Owner, 503-266-5488

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

SISUL ENGINEERING, Pat Sisul

- This is a 5 acre parcel, long and narrow with 22 lots, accessing from S Ivy Street and will tie into S Lupine Street in the Tofte Farms III subdivision. The utilities as we have shown: drywells for the storm system, gravity sanitary sewer going back to S Ivy Street and then to 13th Street and the water line tying into S Ivy and S Lupine Streets.
- Kevin Cook, Planning Department, wrote there needed to be zone changes.
- Hassan Ibrahim, Curran-McLeod Engineering, commented that there would be 12' sidewalks and utility easements along the streets. Provide sanitary sewer stub out to the south on S Ivy. All pollution control manholes should have a minimum of 3' sumps. Drywells will require DEQ approval.

OWNER, Tom Scott

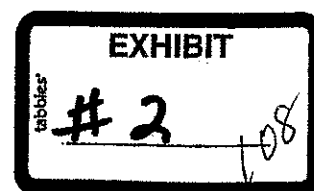
- I am going to try to get an easement from the farthest west point of the project and bring it over to 17th Street for placing the utilities, doing loop feeds.
- Tom will talk to John Williams about placing an easement in a parcel of land that is still in the County's jurisdiction, adjacent to this proposed subdivision for a sewer main to connect from S Ivy Street to their project.

CANBY UTILITY, WATER DISTRIBUTION DEPARTMENT, Calvin Pottratz

- I would like to see a hydrant blow off on the farthest part of project heading west, closest to Tofte III.
- You will be doing a hot tap off of S Ivy. The water line is a 10" PVC.
- The interior water line will be a minimum 8" ductile iron, Class 52.

CANBY FIRE DEPARTMENT, DEPUTY FIRE MARSHALL, Todd Gary

- I will measure the site and fax or email you the locations for hydrants.
- The Fire Code requires a road be 20' of open clear area and 12' of hard surface to drive on and 26' adjacent to a hydrant. If you place "No Parking" signs on one side of the road it will work with our fire code. We are working on getting the City Ordinances and the Fire Codes to match up.

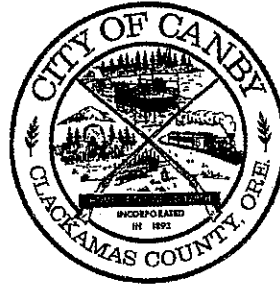


CITY OF CANBY, PUBLIC WORKS DEPARTMENT, Roy Hester

- Roy would like the end of the project by Tofte III to be a cul-de-sac or a hammerhead. It will be difficult to utilize the sweeper if you have the knuckle type ending.
- Ivy Street is a County Road and since you will be in there right-of-way be prepared that the County will require you to put controlled density fill (CDF) on the entire length of the sewer main line. You will also need to have a County Street Opening permit.
- Roy told Tom Scott that the Planning Commission and possibly the Town Council will have to agree upon and give you permission to use an easement through County lands for a City sewer main to feed your property.
- Make sure you apply for an Erosion Control permit before you move any dirt.
- You will need to get DEQ approval for the storm system.
- Roy wants curb tight sidewalks, not the planter strip with sidewalks.

NW NATURAL GAS, Billy Elder

- We will be tying in from S Lupine through the project and across S Ivy to our gas line.



- STAFF REPORT -

APPLICANT:

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

FILE NO.:

DR 06-13
(Park Restroom complexes)

OWNER:

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

STAFF:

Matilda Deas, AICP
Project Planner

LEGAL DESCRIPTION:

Tax Lot 2301 of Tax Map 3-1E-33AA;
Tax Lot 4502 of Tax Map 4-1E-3BC

DATE OF REPORT:

December 26, 2006

LOCATIONS:

Maple Street Park
Legacy Park

DATE OF HEARING:

January 8, 2006

COMP. PLAN DESIGNATION:

Low Density Residential
Public

ZONING DESIGNATION:

R-1 Low Density Residential
R-1 Low Density Residential

I. APPLICANT'S REQUEST:

The City of Canby is proposing to construct new restroom complexes at Legacy and Maple Street Parks. The existing restroom complex at Maple Street Park has been demolished. The 700 sq. ft. restroom complex at Maple Street Park includes restroom facilities, two storage rooms, a concession area, and a covered picnic area. The total projected roof area for this entire structure is 1,777 sq. ft.,

The proposed complex for Legacy park is 350 sq. ft. and includes bathroom facilities, a storage area, concession area, but no covered picnic area. The total projected roof area for this entire structure is 1,014 sq. ft.

II. APPLICABLE REGULATIONS

City of Canby General Ordinances:

16.49 Site and Design Review

III. MAJOR APPROVAL CRITERIA

16.49.040 Site and Design Review 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
 - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - 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.
 - D. The C-1 and I-0 zones have their own design standards, as shown in the matrices for those zones.
 - E. 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.
 - F. 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.
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

111

City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.

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.

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 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. 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.

DESIGN REVIEW MATRIX

Parking			
Screening of loading facilities from public ROW [not screened /partially screened / full screening]	0	1	2
Landscaping (breaking up of expanse of asphalt)	0	1	
Parking lot lighting [no / yes]	0	1	
Location (behind the building is best)[front / side / behind]	0	1	2
Number of parking spaces (% of min.) [x>120% / 100%-120% / x=100%]	0	1	2

Traffic			
Distance of access to intersection [x<70' / 70'-100' / x>100']	0	1	2
Access drive width (% of minimum) [x<120% or x>150% / 120%-150%]	0	1	
Pedestrian access from public sidewalk to bldg. [1 entrance connected / all entrances connected]	0		2
Pedestrian access from parking lot to building [No walkways / Walkway next to bldg / No more than one undesignated crossing of access drive and no need to traverse length of access drive]	0	1	2

Tree Retention				
For trees outside of the building footprint and parking/access areas (3 or more trees) [No arborist report / follows <50% of arborist recommendation / follows 50%-75% of arborist rec. / follows 75% of arborist rec.]	0	1	2	3
Replacement of trees removed that were recommended for retention [x<50% / x>50%]	0	1		

Signs			
Dimensional size of sign (% of maximum permitted) [x>75% / 50% - 75% / x<50%]	0	1	2
Similarity of sign color to building color [no / some / yes]	0	1	2
Pole sign [yes / no]	0	1	
Location of sign [x>25' from driveway entrance / within 25' of entrance]	0	1	

Building Appearance			
Style (architecture) [not similar - similar to surrounding]	0	1	2
Color (subdued and similar is better) [neither/similar or subdued/similar & subdued]	0	1	2
Material [concrete or wood or brick is better]	0	1	
Size (smaller is better) [over 20,000 s.f. / under 20,000 s.f.]	0	1	

Types of Landscaping			
# of non-required trees [x<1 per 500 sf of landscaping / 1 or more per 500 sf of landscaping]	0	1	
Amount of Grass [<25% / 25% - 50% / x>50%]	0	1	2
Location of shrubs [foreground / background]	0	1	
Automatic Irrigation [no / yes]	0		4

<i>Bonus Points</i>		
<i>2 or more trees at least 3" in caliper</i>	<i>1</i>	<i>2</i>
<i>Park/open space retention for public use</i>	<i>1</i>	<i>2</i>
<i>Trash receptacle screening</i>	<i>1</i>	

IV. FINDINGS:

A. Background and Relationships:

Although classified by National Recreation and Park Standards as a neighborhood park, Maple Street Park attracts users from the entire city because it provides recreational opportunities not available elsewhere. As a result Maple Street Park functions more like a community park. Residents participating in the 1997 Park and Recreation Master Plan Update identified the need for restroom upgrades at Maple Street Park, so the proposed restroom complex at this park has been long anticipated, and much needed.

In August of 2002, the City of Canby Parks and Recreation Department invited residents to participate in the development of a master plan for Legacy Park. A restroom facility was one key component identified in the Legacy Park Master Plan. Since the installation of the two new playgrounds at Legacy Park, park usage has increased substantially, and restrooms will be a much welcome addition to the facility.

B. Evaluation Regarding Site and Design Review Approval Criteria

1. **Lot Landscaping standards**
The restrooms are in developed public parks and are surrounded by more than adequate landscaping.
2. **Parking**
The new restrooms will not increase parking demand at either facility.
3. **Access**
No new access is proposed for either park, and the existing accesses are adequate.
4. **Architecture and Signs**
Both building designs reflect Canby's strong agricultural/garden/nursery heritage. The metal roofs, concrete masonry walls, hardiplank cement lap siding and cedar trim were selected to balance aesthetics and maintenance, and to deter vandalism. Both complexes have modest, attractive wall mounted signs on all four

sides of the buildings that identify the name of the Park and the date the park was established.

5. **Availability of Adequate Public Facilities and Services**
 All utility providers were sent a request for comments form. To date, the Police Department and Canby Utility Water Department have responded. Canby Utility Water Department Foreman indicated they have no problems with the application. The Police Department recommended that there be exterior lights on the buildings that stay on all night. We have received comments from two residents thus far. Both support constructing restrooms at the parks. One resident expressed concerns regarding the hours the restrooms would remain open to the public, and specifically did not want the restrooms open 24 hours a day. All park restrooms in Canby are locked when the parks close at 10 p.m.

6. **Compatibility Matrix**
 Very little of the compatibility matrix applies to this application. The building appearance and sign section are the categories most germane to this application. The proposed building design for the Maple Street Park restroom is a significant improvement over the design of the existing structure. As described above under architecture, both proposed designs reflect the agricultural/ garden heritage of Canby.

CRITERIA	PTS/ POSS	NOTES
Parking		
Screening of loading facilities	N/A	
Parking area landscaping	N/A	
Parking area lighting	N/A	
Location of parking	N/A	
Number of parking spaces	N/A	
Traffic		
Distance of access to intersection	N/A	
Access drive width	N/A	
Pedestrian access from public sidewalk	N/A	
Pedestrian access from parking area to building	N/A	
Tree Retention		
	N/A	
Signs		
<i>Dimensional size of sign (% of maximum permitted)</i>		
> 75%/ 50%-75%/ < 50%	2/2	
Similarity of sign color to building color		

No/some/yes	2/2
Pole sign yes/no	1/1
Location of sign	N/A

Building Appearance

Style (architecture)

Not Similar	
Similar	2/2

Color (subdued and similar is better)

Neither similar nor subdued	
Similar or subdued	2/2

Size (smaller is better)

Over 20,000 sq. ft.	
Under 20,000 sq. ft.	1/1

Types of Landscaping

N/A

Bonus Points

N/A

Proposed Score:	10/10 = 100%
Proposed Score with Bonus Points:	N/A

7. Development Standards

The R-1 zone allows public buildings as an outright permitted use. The buildings meet all setback requirements of the R-1 zone. Maximum building height is 35 feet and the restroom buildings will not exceed this. The restrooms do not infringe on any vision clearance area.

V. CONCLUSION

Staff concludes that, with conditions; the application will meet the requirements for site and design review approval. In direct response to the criteria for site and design review, staff has concluded the following:

- A. Both proposed restroom complexes, including the site plans, architecture, landscaping and graphic design, are 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;
- B. The proposed design of both restroom complexes are compatible with the design of other park developments and are not in conflict with developments in the same general vicinities; and
- C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed developments, and appropriate to the design character of other structures in the same vicinities; and

- D. Neither park is located in a C-1 or I-0 zone;
- E. Both proposed restroom complexes accumulated 100% of the total possible points that were applicable to the development and are therefore deemed "compatible".

With regard to compatibility in general, the new restroom complex at Maple Street Park will be an immense improvement over the original facility, and Legacy Park visitors will benefit from the new restroom complex as well.

- F. All public facilities and services are available or will become available to service the proposed facilities.
- 2. All utilities exist or can be made to exist to adequately serve the site.
- 3. This proposal will not impact needed housing cost or availability.
- 4. The property owner is not applying to remove street trees.

VI. RECOMMENDATION:

Based upon the application, elevations, the site plan received by the City, the facts, findings and conclusions of this report, and without the benefit of a public hearing, staff recommends that the Planning Commission approve DR 06-13 with the following conditions:

Prior to issuance of a building permit:

- 1. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, and cable television shall be approved by the appropriate utility provider.
- 2. A pre-construction conference shall be held prior to construction and issuance of any building permit. Twelve copies of the pre-construction plans shall be given to the City for review and approval by Canby Utility, Canby Telephone, Willamette Broadband, the City, and other required utility providers prior to the pre-construction conference. The construction plans shall include, as appropriate, the plans for street design, storm water, sewer, water, fire hydrants, electric, cable, telephone, natural gas, street lights, and mail boxes.

During Construction:

- 5. An erosion control permit is required. All City erosion control regulations shall be followed during construction as specified by the Canby Municipal Code.

6. All storm water shall be disposed of on-site. The design of storm water facilities shall be approved by the City Engineer and Public Works Supervisor. The applicant is responsible for obtaining approval from DEQ, if necessary, for private drywells.

Exhibits:

1. Application for Design Review
2. Applicant's narrative
3. Responses to request for comments
4. Set of project plans

SITE AND DESIGN REVIEW APPLICATION

FEE *See Fee Schedule Below
Process Type III

OWNERS

APPLICANT**

Name City of Canby
Address 182 N. Holly
City Canby State OR Zip 97013
Phone 503-266-4021 Fax _____
E-mail _____

Name Beth Saul
Address SAME
City _____ State _____ Zip _____
Phone 201-2840 Fax 266-7238
E-mail _____

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

- Owner
- Applicant
- Email
- Email
- US Postal
- US Postal
- Fax
- Fax

OWNER'S SIGNATURE

[Handwritten Signature]

DESCRIPTION OF PROPERTY

Address Legacy Park 1200 SE 13th / Maple St 1300 N. Maple St
41E3BC 4502 31E33AA 2201 & 2301
Tax Map _____ Tax Lot(s) _____ Lot Size _____
(Acres/Sq.Ft.)

Existing Use PARK

Proposed Use RESTROOMS

Existing Structures Tennis Courts/Ball Diamonds/Play Structures

Zoning R1 Comprehensive Plan Designation Public

Previous Land Use Action (If any) _____

Total Fee = Size Component (based on acreage) Public Improvement Component
Size Component
\$1,500 first 0.5 acres
\$100 for each additional 0.1 acres from 0.5 acres up to 2.5 acres
\$100 for each additional 0.5 acres from 2.5 acres up to 8.0 acres
\$100 for each additional 1.0 acres from 8.0 acres up to 13 acres
\$5,000 Maximum for 13 acres and above
Public Improvements Component
0.3% of total estimated public improvement cost (to be submitted with design review application). No Cap on cost

FOR CITY USE ONLY

File # DR 06-13
Date Received 12-18-06 By CJA
Completeness _____
Pre-App Meeting _____
Hearing Date _____

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

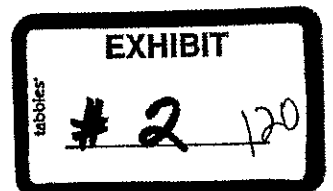
EXHIBIT

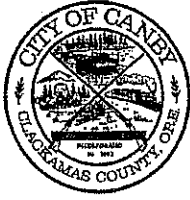
1 119

NARRATIVE

This is an application to replace and upgrade the restroom and associated facilities at N. Maple Street Park, and construct a new restroom/concession facility at Legacy Park. The old restrooms at N. Maple Street Park have already been demolished. The proposed facility for Maple Street Park includes restroom facilities, two storage rooms, a concession area, and a covered picnic area.

The master plan for Legacy Park includes plans for a restroom facility. Restroom needs at Legacy Park are currently being met by onsite portable toilets. The proposed new facility for Legacy includes bathroom facilities, a storage area, concession area, but no covered picnic area.





CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission hearing of this application, you may submit written comments on this form or in a letter to the Planning Commission.

Please send comments:

By mail: Canby Planning Department, PO Box 930, Canby, OR 97013
In person: Planning Department, 170 NW 2nd Avenue
E-mail: cookk@ci.canby.or.us
FAX: (503) 266-1574

Written comments must be received prior to the hearing at 7:00 PM January 8, 2007.

APPLICATION: Site & Design Review

APPLICANT: City of Canby

CITY FILE NO.: DR 06-13

COMMENTS: I favor the project!

YOUR NAME (required):

Charles R. Jarr

ORGANIZATION or BUSINESS (if any):

ADDRESS (required):

1234 SE 13th Pl. Canby, OR 97018

DATE:

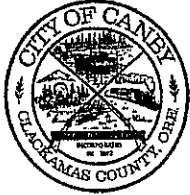
Dec. 19, 2006

Thank you!

EXHIBIT

#3

121



CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission hearing of this application, you may submit written comments on this form or in a letter to the Planning Commission.

Please send comments:

By mail: Canby Planning Department, PO Box 930, Canby, OR 97013
In person: Planning Department, 170 NW 2nd Avenue
E-mail: cookk@ci.canby.or.us
FAX: (503) 266-1574

Written comments must be received prior to the hearing at 7:00 PM January 8, 2007.

APPLICATION: Site & Design Review

APPLICANT: City of Canby

CITY FILE NO.: DR 06-13

COMMENTS: From my knowledge these sites
have sports events, therefore I'm for the
restrooms.

They need to be fully maintained
also if possible locked when

there are no events. I feel if the

restrooms) are open 24hrs and

at all times, we might have vandals
and possibly crime in these facilities.

YOUR NAME (required): Joan R. McKibbin

ORGANIZATION or BUSINESS (if any): —

ADDRESS (required): 1196 South Pine St. Canby Or 97013

DATE: Feb 20, 06

Thank you!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: December 19, 2006

- TO:**
- | | |
|---|---|
| <input type="checkbox"/> FIRE
<input type="checkbox"/> POLICE
<input type="checkbox"/> PUBLIC WORKS
<input type="checkbox"/> CANBY ELECTRIC
<input type="checkbox"/> CANBY WATER
<input type="checkbox"/> Darwin Tramel - WTTP
<input type="checkbox"/> Jeff Crowther - WTTP
<input type="checkbox"/> CITY ENGINEER
<input type="checkbox"/> CTA
<input type="checkbox"/> NW NATURAL
<input type="checkbox"/> WILLAMETTE BROADBAND
<input type="checkbox"/> CANBY DISPOSAL
<input type="checkbox"/> CITY ATTORNEY
<input type="checkbox"/> BIKE AND PEDESTRIAN COMM.
<input type="checkbox"/> PGE | <input type="checkbox"/> CANBY POST OFFICE
<input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR
<input type="checkbox"/> CLACKAMAS COUNTY 911
<input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION
<input type="checkbox"/> TRAFFIC SAFETY COMMITTEE
<input type="checkbox"/> CLACKAMAS COUNTY
<input type="checkbox"/> CANBY SCHOOL DISTRICT
<input type="checkbox"/> OREGON DEPT. TRANSPORTATION
<input type="checkbox"/> ODOT/REGION 1/DIST 2B
<input type="checkbox"/> STATE OF OREGON/REVENUE
<input type="checkbox"/> CANBY BUSINESS REVITALIZATION
<input type="checkbox"/> PARKS AND RECREATION
<input type="checkbox"/> CITY TRANSPORTATION ENGINEER
<input type="checkbox"/> BUILDING OFFICIAL
<input type="checkbox"/> OTHER _____ |
|---|---|

The City has received DR 06-13 (City of Canby), an application requesting a site and design review application to construct two restroom facilities, one in Maple Street Park and a smaller facility in Legacy Park. The property is zoned R-1 (Low Density Residential). The properties are located at 1300 N Maple Street and 1200 SE 13th Avenue.

Please review the enclosed application and return comments to **Carla Ahl** by Friday, December 29, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

I HIGHLY RECOMMEND LIGHTS ON THE EXTERIOR THAT STAY ON ALL NIGHT. THANKS

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: _____ **Date:** 12-21-06

Title: LT **Agency:** POLICE

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

[503] 266-7001

FAX 266-1574

P.O. Box 930, Canby, OR 97103

DATE: December 19, 2006

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTP
 - Jeff Crowther - WTP
 - CITY ENGINEER
 - CTA
 - NW NATURAL
 - WILLAMETTE BROADBAND
 - CANBY DISPOSAL
 - CITY ATTORNEY
 - BIKE AND PEDESTRIAN COMM
 - PGE
 - CANBY POST OFFICE
 - CLACKAMAS COUNTY ASSESSOR
 - CLACKAMAS COUNTY 911
 - CLACKAMAS COUNTY TRANSPORTATION
 - TRAFFIC SAFETY COMMITTEE
 - CLACKAMAS COUNTY
 - CANBY SCHOOL DISTRICT
 - OREGON DEPT. TRANSPORTATION
 - ODOT/REGION 1/DIST 2B
 - STATE OF OREGON/REVENUE
 - CANBY BUSINESS REVITALIZATION
 - PARKS AND RECREATION
 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL
 - OTHER _____

The City has received DR 06-13 (City of Canby), an application requesting a site and design review application to construct two restroom facilities, one in Maple Street Park and a smaller facility in Legacy Park. The property is zoned R-1 (Low Density Residential). The properties are located at 1300 N Maple Street and 1200 SE 13th Avenue.

Please review the enclosed application and return comments to Carla Ahl by Friday, December 29, 2006. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

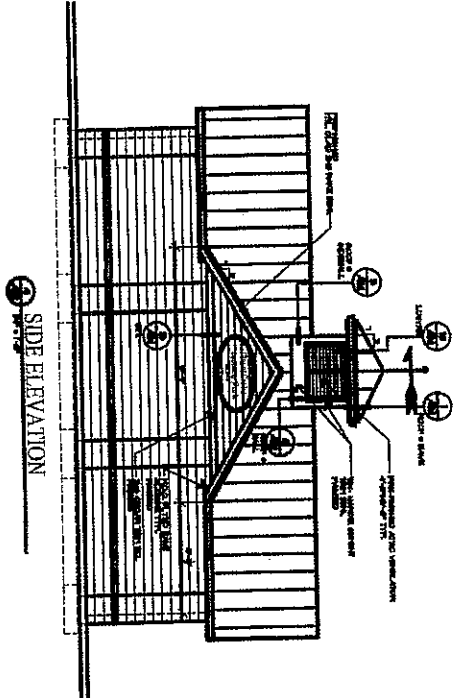
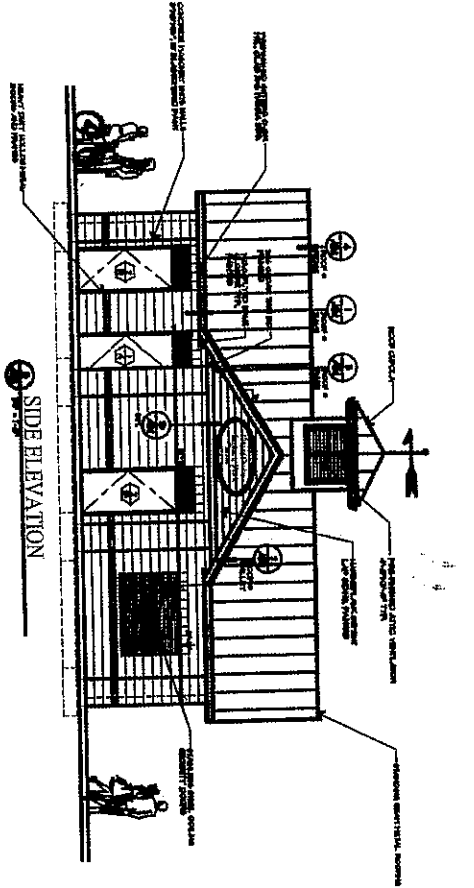
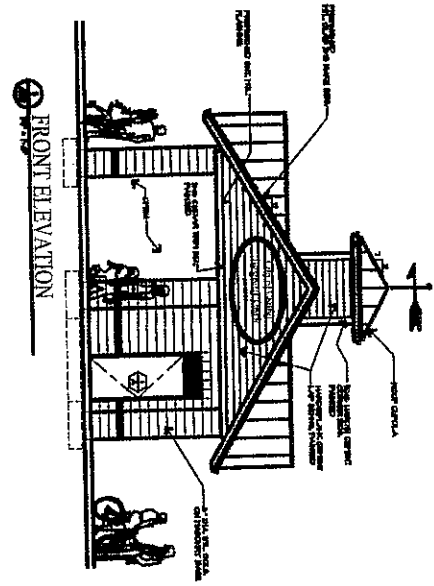
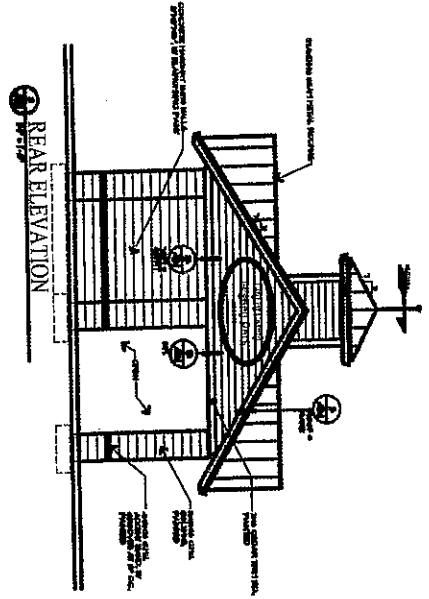
No problems noted @ this time.

Please check one box and sign below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Patrick Foreman Date: 12/20/06

Title: Water Dist. Foreman Agency: Canby Utility



Legacy Park

DATE	
BY	
SCALE	
PROJECT NO.	
DATE PLOTTED	
SCALE	
A3.1	

OWNER
NEW RESTROOM FACILITY
LEGACY PARK
 S.E. 13TH STREET, CANBY, OREGON
 OWNER
CITY OF CANBY
 P.O. BOX 930, CANBY, OR 97013
 (503) 266-4021

SCOTT R. BECK
ARCHITECT
 361 N.E. Third Avenue
 Canby, Oregon 97013
 (503) 266-9270
 fax: (503) 266-5134

EXHIBIT

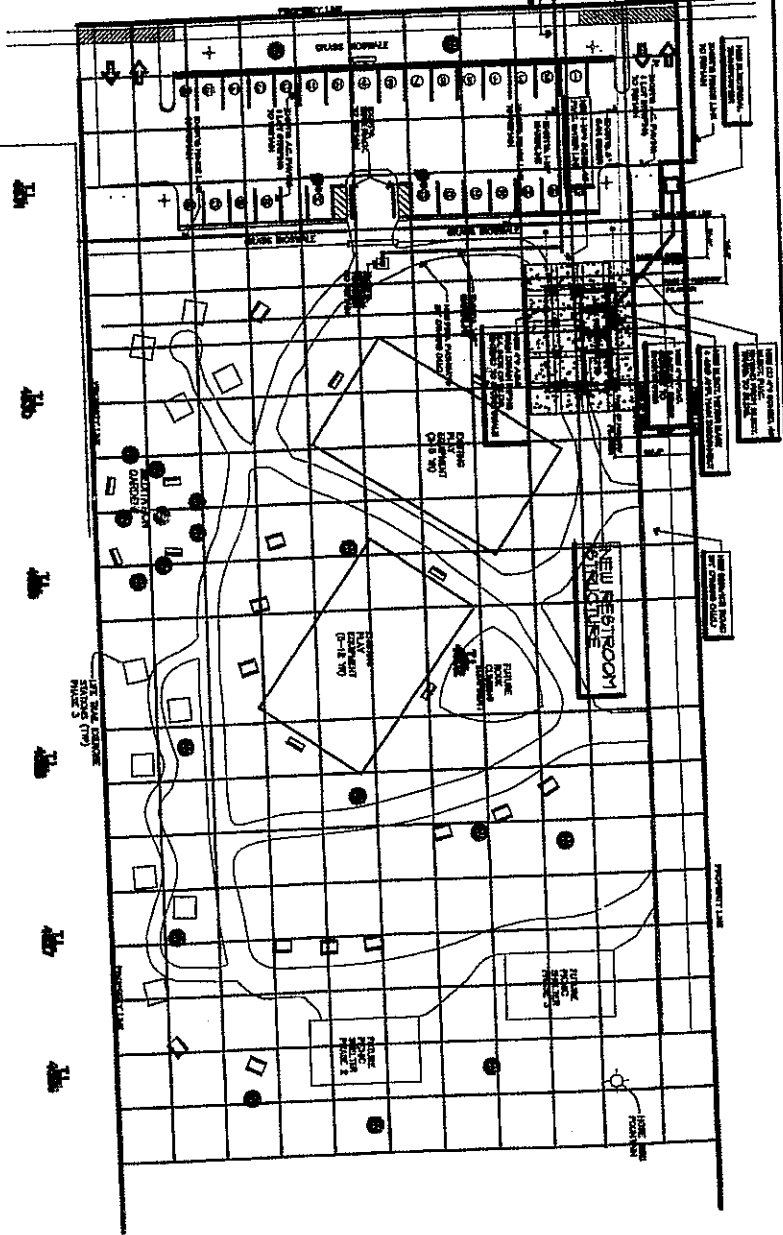
#4 125

tabbels

S.E. 13th AVENUE



Legacy Park



SITE LAYOUT NOTES:

1. CONSTRUCT SITE MAINTENANCE AS FOLLOWS:
UNPAVED DRIVEWAY WITH MAINTENANCE DRIVE TO PROVIDE ACCESS TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
2. CONSTRUCTION SHALL BE CONDUCTED TO ALL UTILITIES AND TO PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
3. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
4. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
5. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
6. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.

SITE GRADING NOTES:

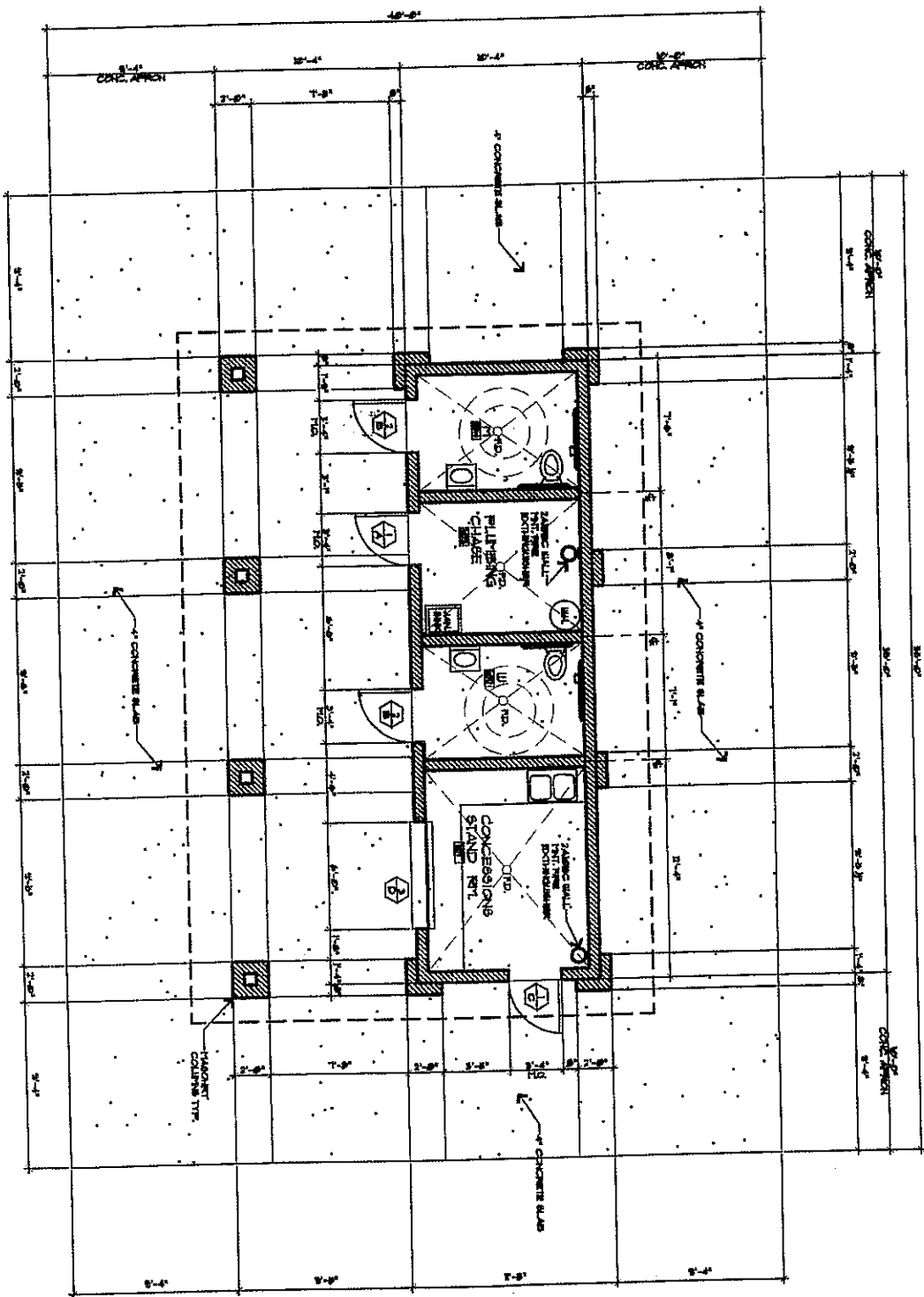
1. CONSTRUCTION SHALL BE CONDUCTED TO ALL UTILITIES AND TO PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
2. CONSTRUCTION SHALL BE CONDUCTED TO ALL UTILITIES AND TO PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
3. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
4. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
5. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.
6. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES. PROVIDE MAINTENANCE DRIVE TO BE 10 FEET WIDE AND 8 FEET HIGH TO ALL UTILITIES AND TO ALLOW CONSTRUCTION TO BE CONDUCTED WITHOUT INTERFERING WITH NORMAL OPERATIONS.

DATE	BY	DESCRIPTION

NEW RESTROOM FACILITY
LEGACY PARK
S.E. 15TH STREET, CANBY, OREGON
OWNER
CITY OF CANBY
P.O. BOX 930, CANBY, OR 97013
(503) 266-4021

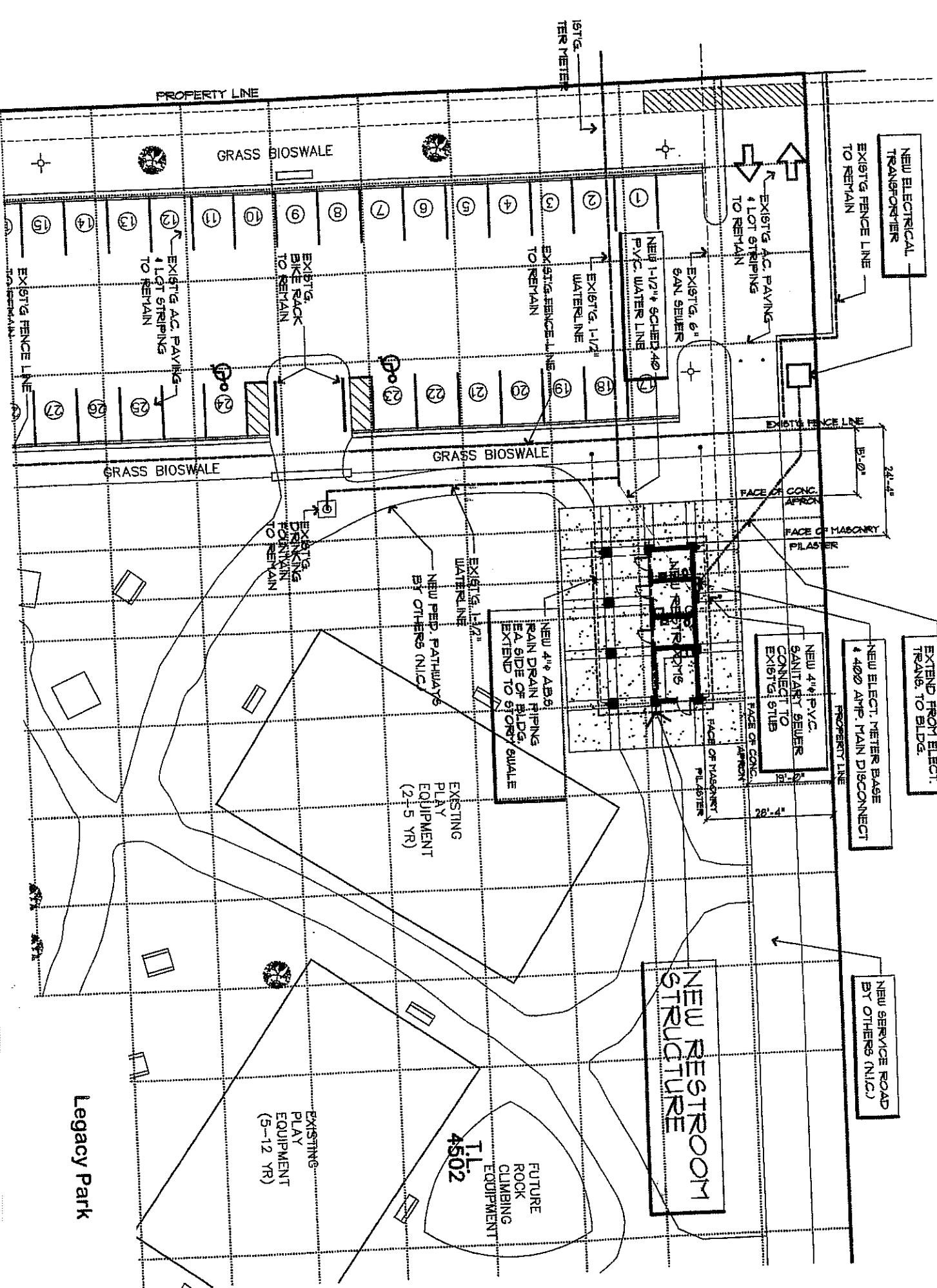
SCOTT R. BECK
ARCHITECT
361 N.E. Third Avenue
Canby, Oregon 97013
(503) 266-9270
fax: (503) 266-5134





FLOOR PLAN - LEGACY

Legacy Park



PROPERTY LINE

GRASS BIOSWALE

EXIST'G AC. PAVING & LOT STRIPING TO REMAIN

EXIST'G BIKE RACK TO REMAIN

EXIST'G BIKE RACK TO REMAIN

NEW 1-1/2" PVC WATER LINE

EXIST'G 6" SAN SEWER

EXIST'G AC. PAVING & LOT STRIPING TO REMAIN

NEW ELECTRICAL TRANSFORMER
EXIST'G FENCE LINE TO REMAIN

GRASS BIOSWALE

GRASS BIOSWALE

EXIST'G DRINKING FOUNTAIN TO REMAIN

NEW PEOP. PATHWAYS BY OTHERS (N.I.C.)

EXIST'G 1-1/2" WATERLINE

NEW 4" ABS RAIN DRAIN PIPING EA. SIDE OF BLDG. EXTEND TO STORM SWALE

EXISTING PLAY EQUIPMENT (2-5 YR)



NEW 4" PVC SANITARY SEWER CONNECT TO EXIST'G STUB

NEW ELECT. METER BASE & 400 AMP. MAIN DISCONNECT

NEW (2) 4" SCHED. 40 ELECT. PVC. EXTEND FROM ELECT. TRAYS TO BLDG.

NEW SERVICE ROAD BY OTHERS (N.I.C.)

NEW RESTROOM STRUCTURE

FUTURE ROCK CLIMBING EQUIPMENT
T.L. 4502

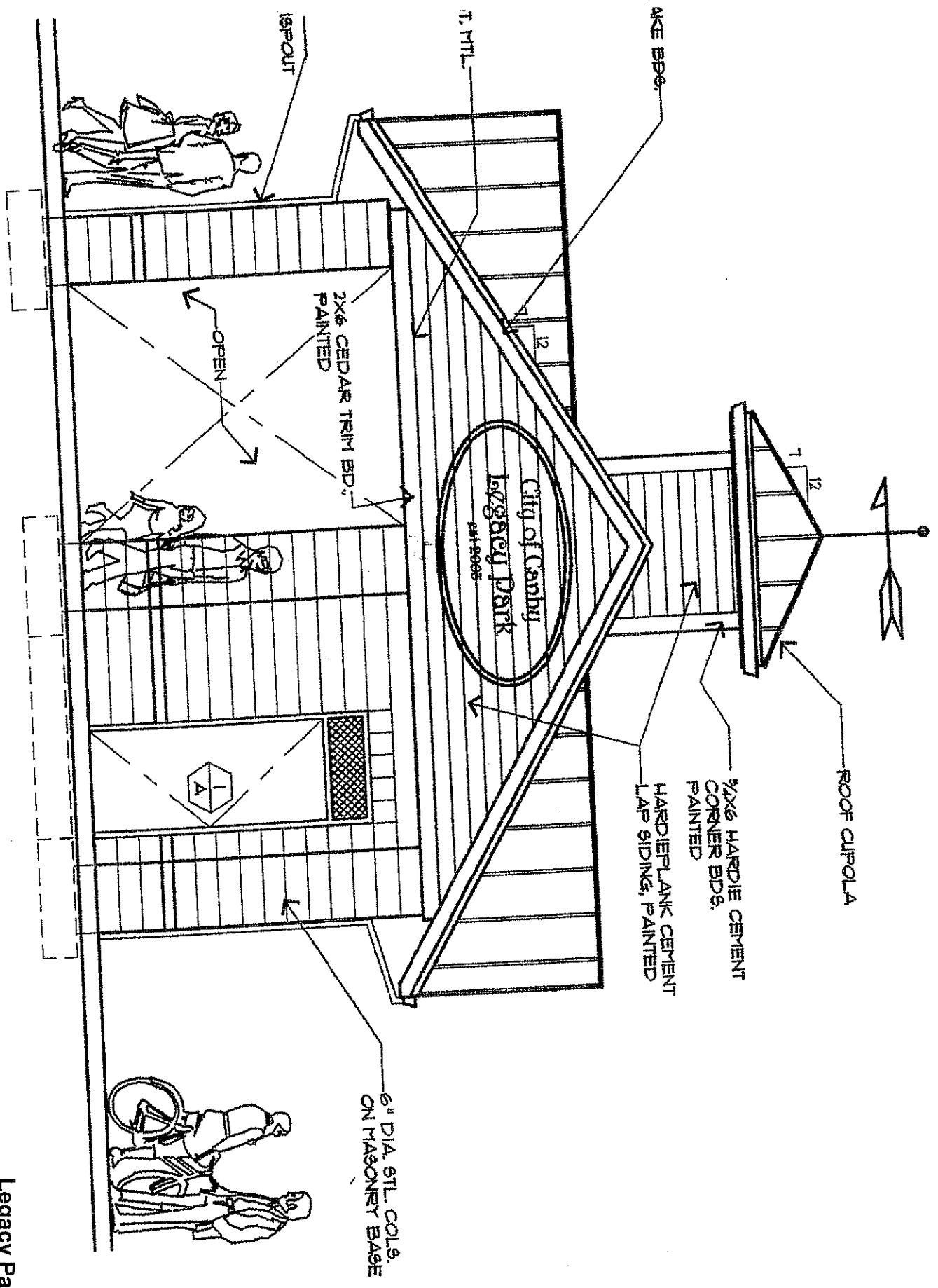
EXISTING PLAY EQUIPMENT (5-12 YR)

Legacy Park

28

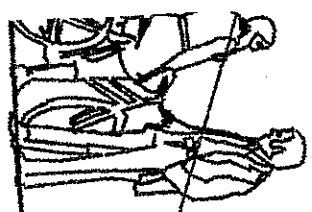
FRONT ELEVATION

11' 2 1/2" 11' 2 1/2"



Legacy Park

3 HOLLOW METAL
FRAMES



9 ft

VER.
S.D.S.

4
AS.1

ROOF
RIDGE

1
AS.1

ROOF
EAVE

3
AS.1

ROOF
RAKE

2x6 CEDAR TRIM BD.
PAINTED
MDO PLYM D EAVE
CLOSURE TRS,
PAINTED

City of Canby
Legacy Park
7/21/2008

12

15
AS.1

13'-5 1/2"

2
AS.1

2
AS.1

ROOF
VALLEY

HARDIEPLANK CENTER
LAP SIDING, PAINTED

8'-1 1/2"

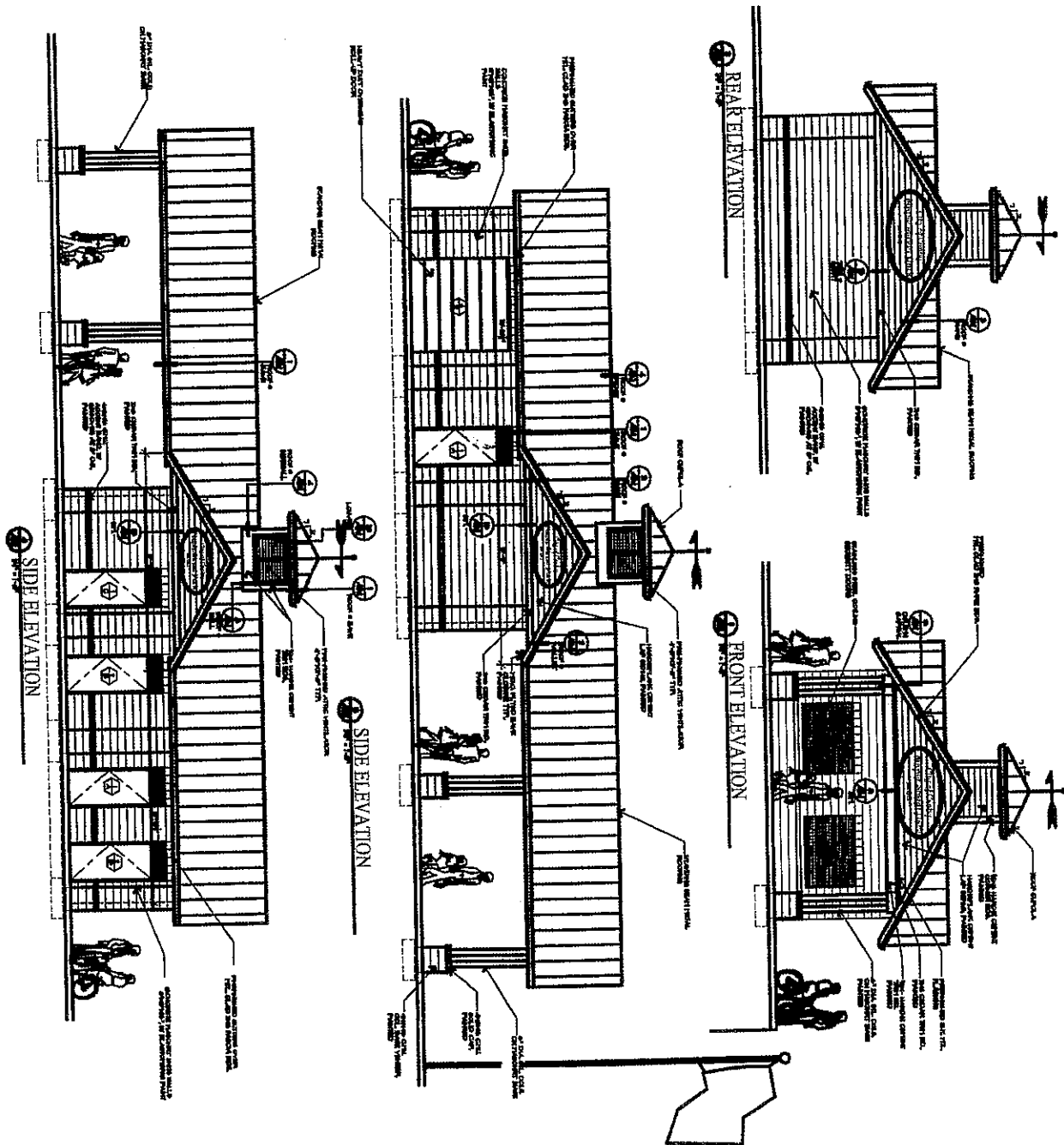
3
AS.1

3
AS.1

1/4" = 1'-0"

SIDE ELEVATION

Legacy Park

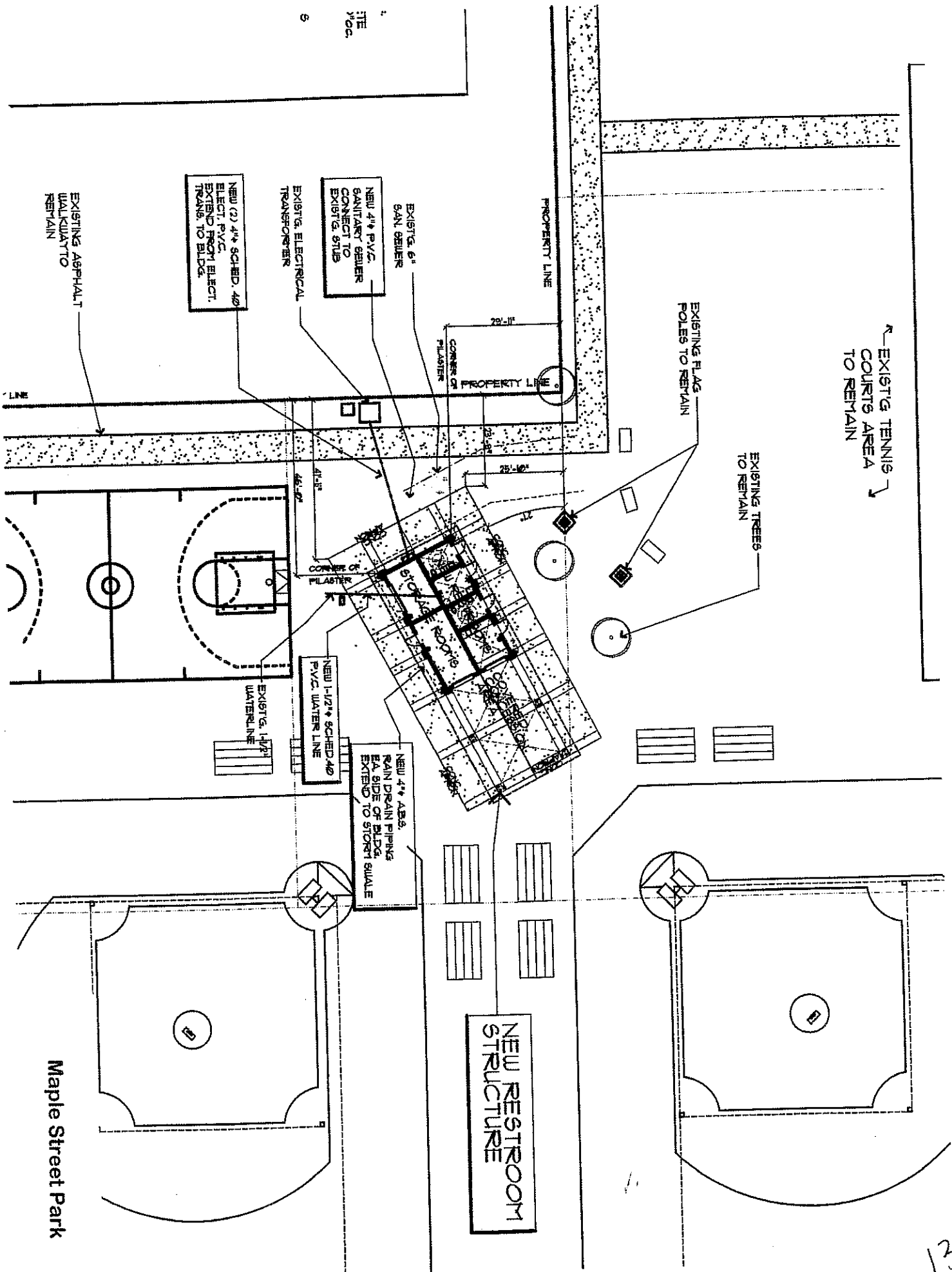


Maple Street Park

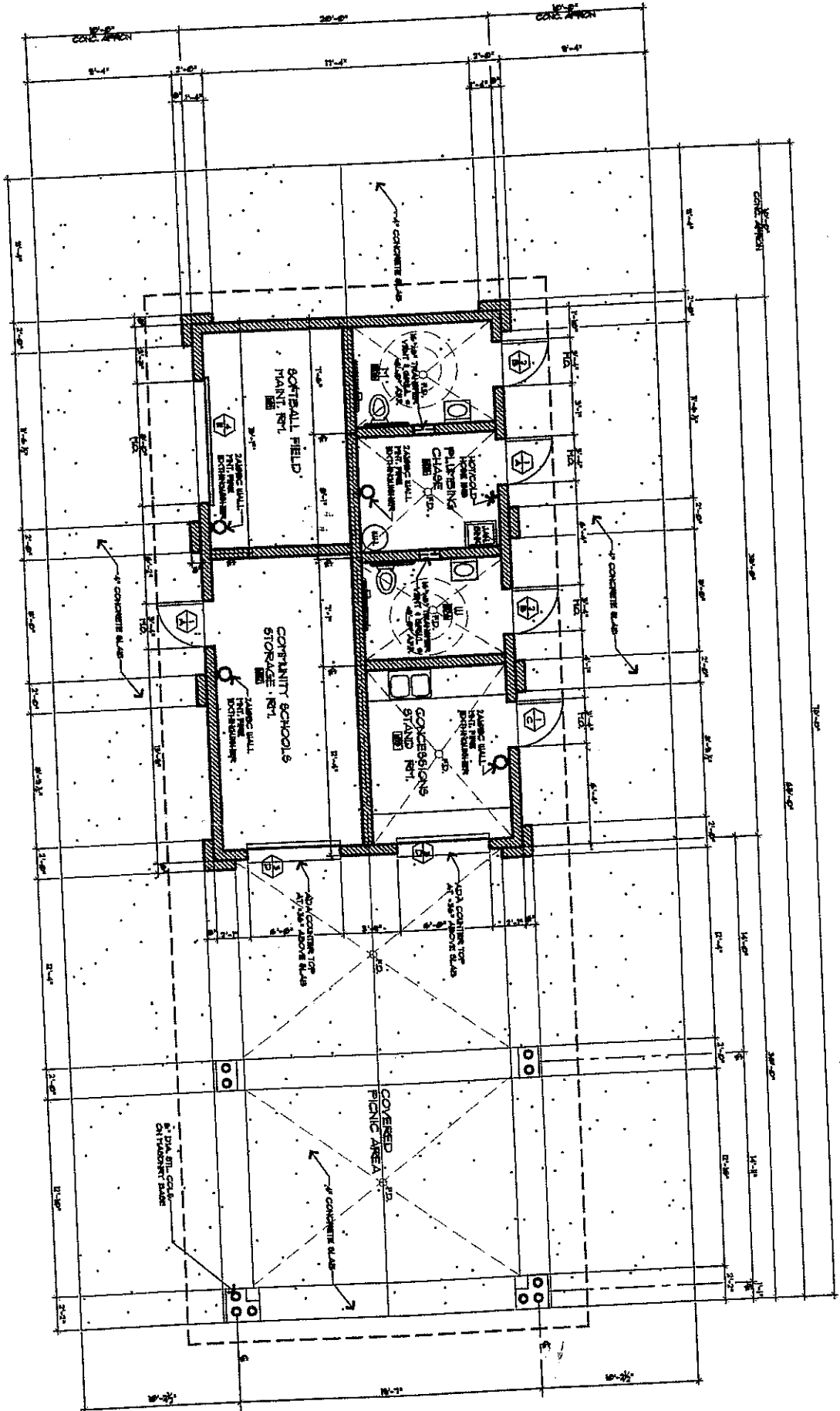
A3.1	DATE	
	BY	
	CHECKED BY	
	DATE	
	SCALE	

RESTROOM REHABILITATION
 MAPLE STREET PARK
 N. MAPLE STREET, CANBY, OREGON
 OWNER
CITY OF CANBY
 P.O. BOX 936, CANBY, OR 97013
 (503) 266-4021

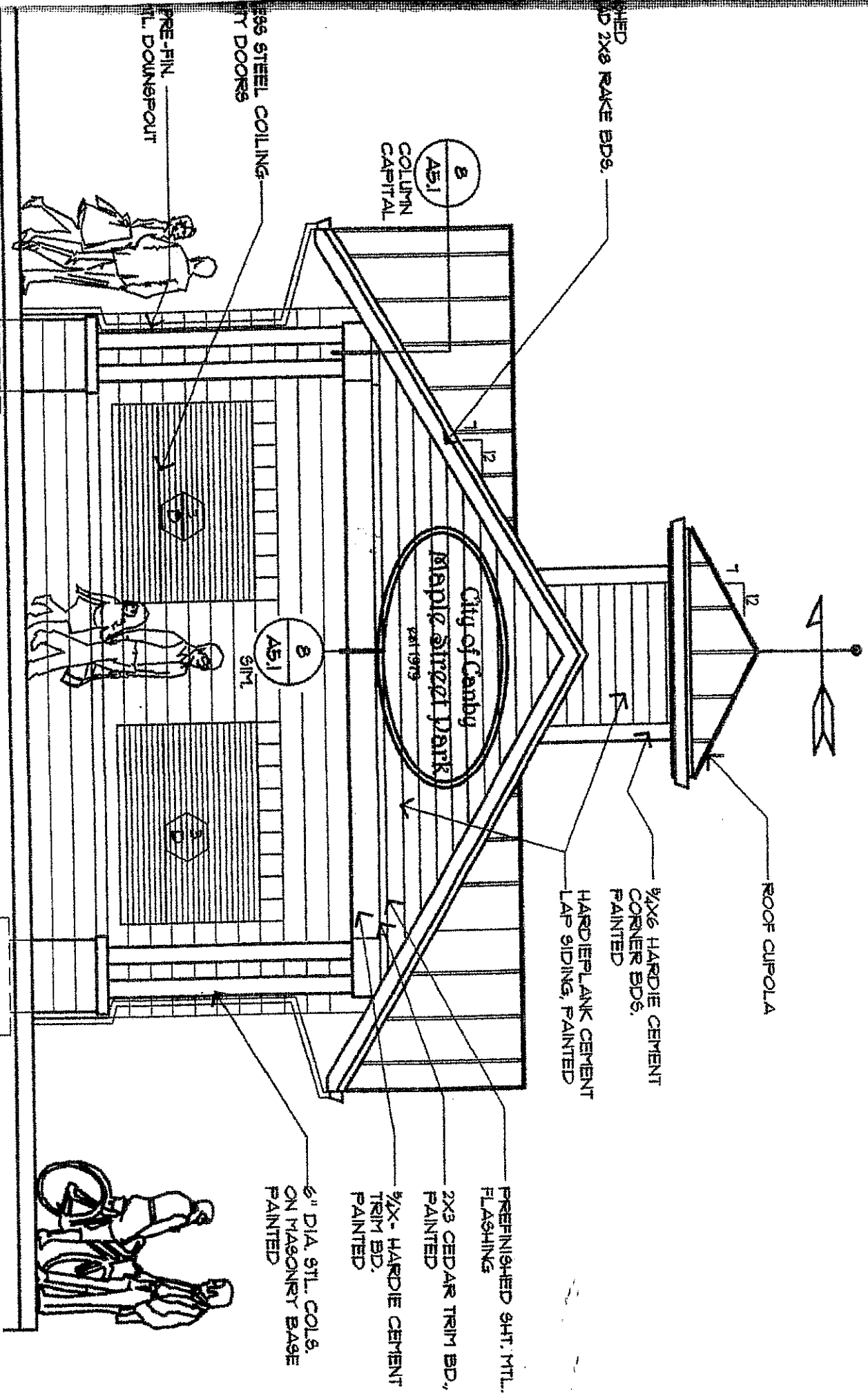
SCOTT R. BECK
 ARCHITECT
 361 N.E. Third Avenue
 Canby, Oregon 97013
 (503) 266-9270
 fax: (503) 266-5134



FLOOR PLAN - MAPLE STREET



Maple Street Park



FRONT ELEVATION

1/4" = 1'-0"

Maple Street Park

SHED 2x8 RAKE BDS.

8 AS.1 COLUMN CAPITAL

8x8 STEEL COILING DOOR

PRE-FIN. SHT. DOWNPOUT

ROOF CUPOLA

3/4x6 HARDIE CEMENT CORNER BDS. PAINTED

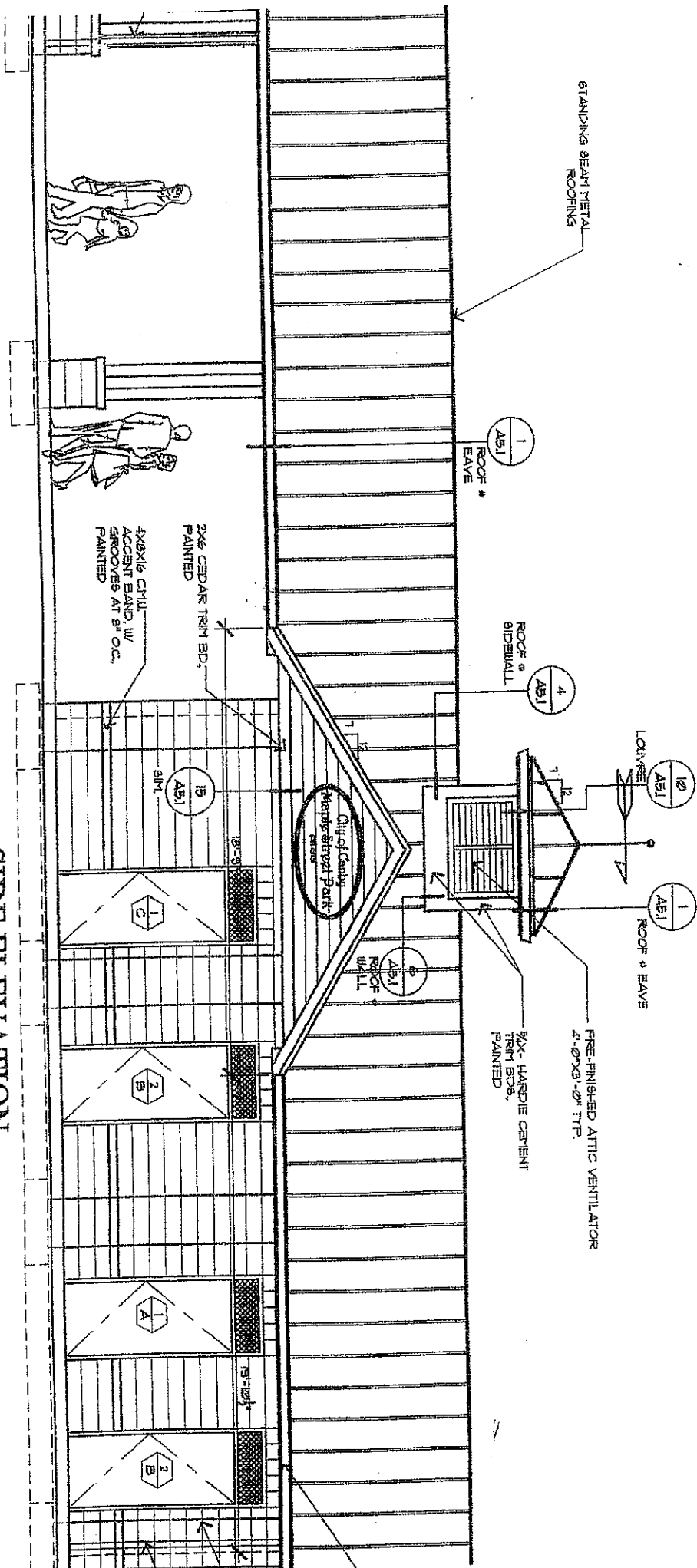
HARDIE PLANK CEMENT LAP SIDING, PAINTED

PRE-FINISHED SHT. MTL. FLASHING
2x3 CEDAR TRIM BD. PAINTED
3/4x - HARDIE CEMENT TRIM BD. PAINTED

5" DIA. STL. COLS. ON MASONRY BASE PAINTED

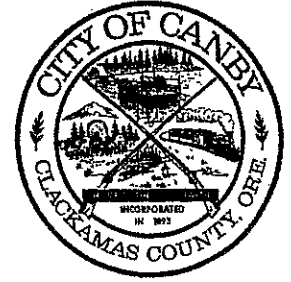
City of Canby
Maple Street Park
est. 1979

8 AS.1 SHT.



SIDE ELEVATION
 1/4" = 1'-0"

Maple Street Park



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

**AN APPLICATION TO MODIFY) FINDINGS, CONCLUSIONS & FINAL ORDER
SUB 00-01 IN ORDER TO ALLOW) MOD 06-19
A FOUR LOT SUBDIVISION) (Kimco Properties)**

NATURE OF APPLICATION

An application by KIMCO Properties to allow a modification to the previously approved Tofte Farms Phase III subdivision. This request came to the Planning Commission previously in August of 2006. At that time, staff presented the application to the Commission as an Intermediate Modification in which the Commission would render a decision and public notice would follow the decision. Notified citizens would have had the right to request a public hearing after the fact. At the August hearing the Planning Commission denied the applicant's request indicating that they would be willing to consider the request as a Major Modification which requires a standard public hearing prior to a decision. The applicant resubmitted the original request as a Major Modification and staff sent out notice of public hearing to neighboring property owners. Additionally, the applicant attended a pre-application meeting with staff and utility providers.

The applicant is requesting that the Planning Commission consider a Modification to the subdivision that created Tofte Farms, Phase III (SUB 00-01). Specifically, the applicant seeks to utilize the provision for lot size averaging [CMC Section 16.16.030(B)(3)] from the original subdivision in order to allow the applicant to subdivide the existing lot 4100 (Map 4-1E-04DA), which contains the original Tofte home, into four lots.

The subject lot is currently 27,131 square feet in area. By itself, the lot is eligible for a minor partition that could yield up to three lots averaging 9,043 square feet. By proposing to modify the Tofte III approval the applicant would be able to subdivide the lot into four lots by utilizing the lot size averaging provision over the entire lot.

In 2000 the Tofte Farms Phase III subdivision was approved through file SUB 00-01. A proposed plat presented at the pre-application meeting for Tofte III originally showed the subject lot divided into more lots. However, for the application, the applicants decided to leave the existing dwelling and garage. The current request would necessitate the removal of these structures.

The lot size averaging provision [Section 16.16.030(B)(3)] requires that a public benefit be demonstrated if more than 10% of lots in a subdivision will fall outside of 7,000 sq. ft. to 10,000 sq. ft. range. Under the current proposal, there would be a total of 49 lots in Tofte Farms III averaging 8,244 sq. ft. with five of the lots falling outside the 7,000 sq. ft. to 10,000 sq. ft. range (or 10.2%). The

applicant indicates that the public benefit would be esthetic in that four new homes of good quality would replace one older home that has fallen into significant disrepair.

HEARINGS

The Planning Commission held a public hearing to consider this application on December 11, 2006.

CRITERIA AND STANDARDS

This is a quasi-judicial land use application. In judging whether a Subdivision should be approved, the Planning Commission must consider the following standards:

1. SUBDIVISIONS - 16.62.020

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

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

2. LOT AREA EXCEPTIONS - 16.16.030(B)

(B. Lot area exceptions)

1. The Planning Commission may approve an exception to the minimum and maximum lot area standards in subsection 16.16.030.A as part of a subdivision or partition application when all of the following standards are met:

a. The average area of all lots created through the subject land division, excluding required public park land dedications, surface water management facilities and similar public use areas, shall be no less than seven thousand square feet and no greater than ten thousand square feet. Non-required significant natural resource areas shall be included in the average lot size calculation to enable a transfer of density onto buildable portions of the site. Required areas include identified parks, wetland areas, riparian corridors, and other areas in which building is not permitted under local, state, or federal laws or regulations;

b. No lot shall be created that contains less than six thousand square feet;

c. The lot area standards for two-family dwellings, as provided in Sections 16.16.010 and 16.16.020, shall be met; and

d. As a condition of granting the exception, the city will require the owner to record a deed restriction with the final plat that prevents the re-division of over-sized lots (e.g., ten thousand square feet and larger), when such re-division would violate the average lot area provision in subsection 16.16.030.B.1.a. All lots approved for use by more than one dwelling shall be so designated on the final plat.

2. A public benefit must be demonstrated in order to allow more than ten percent of the lots to be outside of the minimum and maximum lot areas in subsection 16.16.030.A.

3. The Planning Commission may modify the maximum lot area requirements in 16.16.030.A if these cannot be met due to existing lot dimensions, road patterns, or other site characteristics.

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the December 11, 2006 public hearing, including the November 29, 2006 staff report. At the December 11, 2006 meeting the Planning Commission discussed the fact that if the current request were approved, the applicant would be required to accept the existing CC&Rs for the Tofte III Subdivision. The Commission also discussed the fact that if the request is denied, the applicant may still apply for a three lot partition, in which case the applicant has stated he would likely save the existing dwelling on the site; additionally, the applicant would not be required to participate in the Tofte CC&Rs and Association. The Commission discussed the requirement for a public benefit to be shown if more than 10 percent of the Tofte III lots will fall outside the normal area requirement.

After deliberation, the Commission passed a motion to deny MOD 06-19; the denial is based upon the following findings:

The Canby Planning Commission finds that the applicant has not demonstrated a public benefit sufficient to allow four lots to be created from the existing parcel. The Commission finds that the removal of the existing older farm house and subsequent replacement with four new homes would be a detriment to the existing neighborhood rather than a benefit; the detriment would be one of diminished visual and aesthetic quality.

CONCLUSION

Based on the Staff Report, testimony and Commission deliberation, the Planning Commission concludes that the applicant has failed to show a public benefit as required by Section 16.16.030(B)

of the Canby Municipal Code.

ORDER

IT IS ORDERED by the Planning Commission of the City of Canby that **MOD 06-19** is **Denied**

I CERTIFY THAT THIS ORDER to DENY MOD 06-19 was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 8th day of January, 2007.

James R. Brown
Chairman, Canby Planning Commission

Kevin C. Cook
Associate Planner

ATTEST:

ORAL DECISION – December 11, 2006

AYES: Brown, Molamphy, Manley, Milne

NOES: Tessman, Holte

ABSTAIN: None

ABSENT: Ewert

WRITTEN DECISION – January 8, 2007

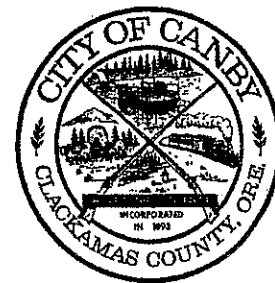
AYES:

NOES:

ABSTAIN:

ABSENT:

140



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

**AN APPLICATION TO MODIFY) FINDINGS, CONCLUSIONS & FINAL ORDER
MLP 06-12 IN ORDER TO ALLOW) MOD 06-20
AN ACCESS DRIVE ONTO) (Kreighauser)
NE TERRITORIAL ROAD)**

NATURE OF APPLICATION

An application by Thelma Kriehauser to modify condition 7 of the MLP 06-12. The partition request was approved by the Planning Commission in August of 2006. The approval allows 3 new parcels at the northwest corner of N. Maple and NE Territorial Road. An existing house would remain on the middle parcel; that house currently has a driveway that has direct access onto NE Territorial Rd. Condition 7 requires that as a requirement of the approval, the access for all three properties shall be by way of a common driveway via N Maple. The applicant's request is to modify Condition 7 so as to allow the two western lots to gain access off of NE Territorial Road by way of a shared access drive – the easternmost lot would still gain access off of N Maple St. The shared driveway accessing NE Territorial Road would be located slightly farther west of the existing driveway. The applicants state that they believe the proposed driveway should be considered a "relocation" of the existing driveway and therefore should be allowed to access NE Territorial Road.

MEETINGS

The Planning Commission held a meeting to consider this application on December 11, 2006. As this was an intermediate modification, no public hearing was held on the matter. The decision is appealable to the City Council. If appealed, the City Council will consider the matter in a public hearing.

CRITERIA AND STANDARDS

16.46.030 Access connection.

A. Spacing of accesses on City streets. The number and spacing of accesses on City streets shall be as specified in Table 16.46.030. Proposed developments or land use actions that do not comply with these standards will be required to obtain conditional access approval from the City of Canby. This conditional approval applies to properties that have no reasonable access or cannot obtain reasonable alternative access to the public street system. (Ord. 1043 section 3, 2000; Ord. 1076, 2001)

16.46.050 Nonconforming access features.

Legal access connections in place as of April 19, 2000 that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

141

- A. When new access connection permits are requested; or
- B. Change in use or enlargements or improvements that will significantly increase trip generation.
(Ord. 1043 section 3, 2000)

16.46.070 Exception standards for City facilities.

A. An exception may be allowed from the access spacing standards on City facilities if the applicant can provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:

1. Indirect or restricted access cannot be obtained;
2. No engineering or construction solutions can be reasonably applied to mitigate the condition; and
3. No alternative access is available from a street with a lower functional classification than the primary roadway.

B. The granting of the exception shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

C. No exception shall be granted where such hardship is self-created. (Ord. 1043 section 3, 2000)

16.60.030 Minor partitions.

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

- A. Conformance with the text and applicable maps of the Comprehensive Plan;
- B. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;
- D. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels;

E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division. (Ord. 740 section 10.4.30 (B)(1), 1984)

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the December 11, 2006 public hearing, including the November 30, 2006 staff report.

After deliberation, the Commission passed a motion to deny MOD 06-20; the denial is based upon the following findings:

CMC 16.46.050:

The Commission finds that the applicant is required to bring the existing nonconforming access into compliance because a new access will require a new access connection permit.

CMC 16.46.070:

A.

1. The Commission finds that while the applicants have expressed concern over their dislike of having to create multiple access easements and further cite aesthetic concerns, the applicants have not provided any evidence that indirect access cannot be obtained from N Maple St.
2. The Commission finds that a common driveway over the three lots by way of a N Maple St. access represents a reasonable construction solution; this solution was suggested by the City Traffic Engineer in written testimony submitted to the Commission for the Minor Land Partition request (file MLP 06-12).
3. N Maple Street has a lower functional classification (Neighborhood Connector) than NE Territorial Road (Arterial).

- B.** The Commission finds that the primary intent of the access spacing standards is to minimize conflicts with the free-flow of traffic on arterials and other primary roadways to the maximum extent possible. Staff further believes that a shared access drive via N Maple Road represents a feasible option.

C. The Commission finds that the hardship is self-created to the extent that no hardship existed prior to the applicant's request to partition the lot.

CMC 16.60.030

B. The Commission finds that the applicant's request does not meet the access standards set forth in Section 16.46 of the CMC as noted in the above findings.

CONCLUSION

Based on the Staff Report, testimony and Commission deliberation, the Planning Commission concludes that the applicant has failed to demonstrate compliance with compliance with the Canby Municipal Code in support of their request for a shared access drive on NE Territorial Road.

144

ORDER

IT IS ORDERED by the Planning Commission of the City of Canby that **MOD 06-20** is **Denied**

I CERTIFY THAT THIS ORDER to **DENY MOD 06-20** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 8th day of January, 2007.

James R. Brown
Chairman, Canby Planning Commission

Kevin C. Cook
Associate Planner

ATTEST:

ORAL DECISION – December 11, 2006

AYES: Brown, Molamphy, Manley, Milne, Tessman, Holte
NOES: None
ABSTAIN: None
ABSENT: Ewert

WRITTEN DECISION – January 8, 2007

AYES:
NOES:
ABSTAIN:
ABSENT:

145

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – December 11, 2006
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Jim Brown, Commissioners John Molamphy, Geoffrey Manley, Randy Tessman, Bruce Holte and Janet Milne

ABSENT: Commissioner Dan Ewert

STAFF: Kevin Cook, Associate Planner; Jill Thorn, Planning Staff

OTHERS PRESENT: Dave DeVore, Lisa Dietz, Thelma Kriegshauser, Ryan Morris, Jason Taylor, Susan Myers, Ed Netter, John Phillips, Marie Feddern, Ed Feddern, Jared Taylor, Randy Rosane, Jan Palmer, Neil Thogerson, Wes Bailey, Jill Shreve, and Sandy Woods

I. CITIZEN INPUT Ed Netter requested that the Commission look at changing the code to require the applicant of a land partition to provide all utilities to the site before the site is platted. Chair Brown requested staff to put on the list of topics for future work sessions.

II. PUBLIC HEARINGS

MOD 06-19 – KIMCO Properties – An application from Neil Thorgerson who proposes a 4 lot subdivision for single family dwellings as a modification to SUB 00-01 – Tofte Farms III.

Chair Brown 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, Commissioner Holte stated that several months ago he had had a conversation with the realtor, but reached no decision and Chair Brown stated he, too had had a conversation with the realtor, but reached no decision and he had visited the site also. No questions were asked of the Commissioners.

Kevin Cook presented the staff report. The Planning Department has received an application from KIMCO Properties to allow a modification to the previously approved Tofte Farms Phase III subdivision. This request came to the Planning Commission previously back in August of 2006. At that time, staff presented the application as an Intermediate Modification in which the Planning Commission would render a decision and public notice would follow the decision. Notified citizens would have had the right to request a public hearing after the fact.

At the August hearing the Planning Commission denied the applicant's request indicating that the Planning Commission would be willing to consider the request as a Major Modification which requires a standard public hearing prior to a decision. The

applicant has resubmitted the original request as a Major Modification and staff has sent out notice of a public hearing to neighboring property owners. Additionally, the applicant has attended a pre-application meeting with staff and utility providers.

The applicant is requesting that the Planning Commission consider a Modification to the subdivision that created Tofte Farms, Phase III (SUB 00-01). Specifically, the applicant seeks to utilize the provision for lot size averaging [CMC Section 16.16.030(A)(3)] from the original subdivision in order to allow the applicant to subdivide the existing lot 4100 (Map 4-1E-04DA), which contains the original Tofte home, into four lots.

Chair Brown asked about the CC&R's and home owner association. Kevin Cook indicated he had received the documentation from the Applicant.

Mr. Cook circulated to the Commissioners letters from the following:

- Nancy, Paul, Chris and Heidi Muller at 1493 S Pepperwood Street
- Randy Rosane at 390 SE 13th Place
- Mike Davis at 1402 S Lupine Street
- Caroline Showman at 345 SE 13th Place
- Susan Myers at 372 SE 13th Place
- David and Sarah Carlock at 388 SE 14th Place
- Jason and Mary Taylor at 1374 S Maple Street
- Tofte Farms Owner Association at 388 SE 14th Place

Chair Brown stated that the last time the Applicant was before the Commission, there was concern about the process and notification of adjacent property owners before the Commission made a decision. The Commission did not discuss the design and merits of the application. That would happen at this hearing.

Applicant: Neil Thorgerson, applicant and Sandy Woods, real estate agent. Mr. Thorgerson stated he had purchased the property in June of 2006. The house has extensive dry rot, plumbing issues, need for floor and roof replacements and work on the basement at an estimated cost of \$200,000. With the approval of the application he would be building 4 homes of 2,500 to 3,500 square feet and a selling price in the \$500,000 to \$600,000 range. Mr. Thorgerson stated that he would accept the condition that the property would come under the Tofte Farms Homeowner Association and accept the CC&R's requirements. He felt the public benefit was the aesthetics to the neighborhood by removing the house that had fallen in disrepair.

Sandy Woods stated that documents had been given to the City showing the Declaration of Annexation to Tofte Farms (Lot 143) with signatures by all concerned parties.

Commissioner Holte asked the price and style of the homes to be built. Mr. Thorgerson responded that the homes would be in the \$500,000 to \$600,000 range and styles similar to the neighborhood.

147

Chair Brown asked why application was not to demolish the home and build only three new homes. Mr. Thorgerson responded that the reason was financial.

Proponents: None

Opponents: Susan Myers representing the Tofte Farms Owner Association read a letter from the association requesting denial of the application because it was inconsistent with the existing character of the subdivision; the impact of the parcels location was crucial; the approval set a precedent; and removal of the Tofte farm house was not desirable. However, if the Commission were to approve, the association was requesting lots 143A and B face north; that the existing subdivision's design standards be applied; that the parcels become a member of the home owner association prior to building in order for enforcement of the CC&R's.

Commissioner Tessman asked about the removal of the Tofte house. Ms Myers stated the house was not technically "historic" but felt the house had value to the community.

Chair Brown asked about the value if 4 homes in the \$500,000 to \$600,000 range would be built on the site. Ms Myers felt they would not retain their value.

Susan Myers then spoke representing herself. She felt it was important that the houses be developed mirroring the design of existing homes.

Commissioner Holte stated he liked the idea that the two houses be required to face north.

Wes Bailey liked seeing the farm house and the story behind it. Requested rejection of the application and approve only three lots.

Jill Shreve felt the farm house was not displeasing and the need for CC&R's to be in place before starting construction.

Rebuttal: Sandy Woods stated that three lots would not be a modification to the approved subdivision and would not be a member of the Home Owner Association.

Neil Thorgerson stated that the 4-lot plan and design gives the Home Owner Association control of the project. A three-lot project would be less pleasing to all. His company had tried to maintain the property in a park like manner as any good neighbor would do.

Chair Brown closed the public hearing.

Commissioner Tessman felt this type of application was a continuing problem all over Canby.

Commissioner Holte liked the proposed Condition 18 about the home owner association and felt the application could be conditioned to require membership upon recording of the plat.

Chair Brown felt that Applicable Criteria C for a subdivision was not being met or a good match.

Kevin Cook stated that a finding must be made as to whether or not the applicant has demonstrated a public benefit.

Commissioner Molamphy stated the new lots being created were smaller than other lots in the surrounding area and did not see any public benefit.

Commissioner Manley felt there was no public benefit in removing the farm house.

Commissioner Holte liked the idea that the application would be conditioned to live within the wall of the current home owner association.

Commissioner Milne complimented the home owner association on their presentation. She did not see any public benefit and was a big fan of older homes.

It was moved by Commissioner Manley to deny MOD 06-19 as presented. It was seconded by Commissioner Milne. Motion carried 4-2 with Commissioners Tessman and Holte voting no.

MLP 06-14 – 701 N Ivy Street – Withdrawn by applicant prior to meeting.

III. NEW BUSINESS

MOD 06-20 – KRIEGHAUSER – Modification of MLP 06-12 – Condition 7

Kevin Cook presented the staff report. The applicant is requesting the Planning Commission consider a Modification to condition number 7 of MLP 06-12. The partition request was approved by the Planning Commission in August of 2006. The approval allows 3 new parcels at the northwest corner of N. Maple and NE Territorial Road. An existing house would remain on the middle parcel; that house currently has a driveway that has direct access onto NE Territorial Rd. Condition 7 requires that as a requirement of the approval, the access for all three properties shall be by way of a common driveway via N Maple. The applicant's request is to modify Condition 7 so as to allow the two western lots to gain access off of NE Territorial Road by way of a shared access drive – the easternmost lot would still gain access off of N Maple St. The shared driveway accessing NE Territorial Road would be located slightly farther west of the existing driveway. The applicants state that they believe the proposed driveway should be considered a "relocation" of the existing driveway. Staff however, believes that a new access for a new use is subject to the City's access spacing standards and recommended denial.

Mr. Cook explained this was an intermediate application and if approved, notice would be sent to all who received notice of the original hearing. Mr. Cook pointed to Chapter 16.46.070 which deals with exception standards for City facilities. Mr. Cook also explained 16.46.050 which addresses nonconforming access.

Applicant - Lisa Dietz, daughter of Thelma Kriegshauser, stated that this was an established neighborhood and all the houses on Territorial Drive face Territorial Drive. The main concern with the approved plan is that the existing apple orchard would be destroyed and asked the Commission to reconsider Condition 7.

John Phillips, the Applicant, felt the Commission had been split on the Condition 7 before and requested they reconsider.

Commissioner Manley stated that the request created a new access, which could not meet the code.

Chair Brown asked if the ownership of the properties in question were all owned by the same person. Mr. Phillips responded that they were. Chair Brown felt that securing the easement should not be an issue.

Commissioner Molamphy asked if the reason for the request was because of the apple tree. Ms Dietz responded that it was.

Mr. Phillips read a letter from Mrs. Kriegshauser.

Chair Brown suggested to the Applicant that the decision being asked for was a political decision and the Commission could only deal with decisions within the code and the Applicant should appeal the decision to the City Council who may be in a position to deal with political decisions.

It was moved by Commissioner Tessman to deny MOD 06-20 as presented. It was seconded by Commissioner Molamphy. Motion carried 6-0.

IV. FINDINGS

DR 06-09 – The Human Bean - Commissioner Manley moved to approve the findings for DR 06-09 as presented. Motion seconded by Commissioner Holte and passed 6-0.

V. MINUTES

April 24, 2006 - Commissioner Holte moved to approve minutes of April 24, 2006 as corrected. Motion seconded by Commissioner Molamphy and passed 4-0-2 with Commissioners Holte and Milne abstaining.

July 24, 2006 - Commissioner Molamphy moved to approve minutes of July 24, 2006 as presented. Motion seconded by Commissioner Tessman and passed 3-0-3 with Commissioners Holte, Brown and Milne abstaining.

November 27, 2006 - Commissioner Holte moved to approve minutes of November 27, 2006 as presented. Motion seconded by Commissioner Manley and passed 6-0.

VI. DIRECTOR'S REPORT

Kevin Cook reported that tentatively the following applications would be on the January 8, 2007 agenda: DR 06-11 – Larios warehouse; CUP 06-03 – Ward Baker for a gravel parking lot; and SUB 06-05/ZC – Dinsmore Estates. He stated that the application for Burger King had been received.

Chair Brown thanked Commissioner Manley and Tessman for their years of service to the City of Canby on the Planning Commission as it was their last meeting as members of the Commission.

VII. ADJOURNMENT