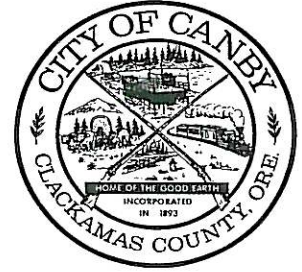


PLANNING COMMISSION AGENDA

Monday – March 26, 2007

7:00 PM - Regular Meeting

City Council Chambers - 155 NW 2nd Avenue



Chairman Jim Brown, Vice Chair Dan Ewert

Commissioners John Molamphy, Janet Milne, Bruce Holte and Jared Taylor

I. CITIZEN INPUT ON NON-AGENDA ITEMS

II. PUBLIC HEARINGS

ZC 07-02 – S.T.J., LLC - For the property at 1295 NE Territorial Road a zone change from R-1 (Low Density Residential) to R-2 (High Density Residential) **Page 2**

MLP 06-16/VAR 07-01 – Willamette Valley Country Club for Minor Land Partition and Variance to the Access Pavement Width Standards for Flag Lots **Page 31**

III. NEW BUSINESS

MOD 07-03 - Extension of the existing storage facility at Canby RV & Boat Storage located at 373 S Redwood Street. **Page 80**

IV. FINDINGS

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

None

V. MINUTES

March 12, 2007

Page 105

VI. DIRECTOR'S REPORT

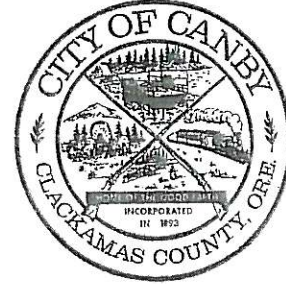
VII. ADJOURNMENT

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:
S.T.J., LLC
214 SW 2nd Ave
Canby, OR 97013

FILE NO.:
ZC 07-02

OWNER:
S.T.J., LLC
214 SW 2nd Ave
Canby, OR 97013

STAFF:
Kevin C. Cook
Associate Planner

LEGAL DESCRIPTION:
Tax Lots 1500 & 1501
of Tax Map 3-1E-27CB

DATE OF REPORT:
March 14, 2007

LOCATION:
South of NE Territorial Road
and west of the Molalla Forest Road

DATE OF HEARING:
March 26, 2007

COMP. PLAN DESIGNATION:
High Density Residential (R-2)

ZONING DESIGNATION:
Low Density Residential (R-1)

I. APPLICANT'S REQUEST:

The applicant is seeking to change the zoning designation for two parcels totaling 0.89 acres. The current zoning on the parcels is R-1 Low Density Residential. The applicant proposes to amend zoning to reflect the Comprehensive Plan designation. No development plans are associated with the zone change at this time.

II. APPLICABLE REGULATIONS

City of Canby General Ordinances:

- 16.20 R-2 High Density Residential Zone
- 16.54 Amendments to Zoning Map
- 16.88 General Standards

Oregon Administrative Rules
 OAR 660-012 Transportation Planning Rule

III. MAJOR APPROVAL CRITERIA

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:

- 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;
- 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.

IV. FINDINGS

A. Background and Relationships

The site is located south of NE Territorial Road and west of the Molalla Forest Road. Tax lots 1500 and 1501 are zoned R-1. Adjacent properties are also designated High Density Residential in the Comprehensive Plan. There is an existing residence located on Tax Lot 1501.

Adjacent uses include single family subdivisions (west and east, across the Molalla Forest Road); apartments (south); large lots not yet subdivided or annexed (east across the Molalla Forest Road); and the golf course with associated residential development (north). Water and Sewer are available from NE Territorial Road.

B. Comprehensive Plan Consistency Analysis

ii. URBAN GROWTH ELEMENT

- GOAL: 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.**

- 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.**

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

ANALYSIS: *Eventual high density residential development is consistent with nearby development and with the Comprehensive Plan.*

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 future development.

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

Analysis: Any needed sidewalks will be provided as a condition of future development.

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." Returned comments indicate that utilities and services are available to the site. No neighborhood comments have been received.

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.

Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan:

Staff concludes that the proposed Zone Change is consistent with the policies of the Comprehensive Plan. The subject parcel is currently zoned R-1 but the Comprehensive Plan designation recommends eventual R-2 zoning as proposed. The proposed Zone Change will provide for efficient development of the property.

Transportation Planning Rule:

The City Traffic Engineer has submitted findings regarding the Transportation Planning Rule (See Exhibit 1).

V. CONCLUSION

This proposal to amend the Current Zoning map is appropriate in light of the Goals and

7

Policies of the Comprehensive Plan. All public facilities and services exist or will be provided concurrent with the development of the property. Any redevelopment of the subject property will require Site and Design Review approval from the Canby Planning Commission prior to construction.

VI. RECOMMENDATION

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 07-02 to the City Council.

Exhibits:

1. TPR findings – provided by Lancaster Engineering
1. Applicant's submittal Packet
2. Responses to Request for Comments



March 15, 2007

Kevin Cook
City of Canby Planning
170 NW 2nd Avenue
Canby, OR 97013

RE: Tom Scott Property - Zone Change



Dear Kevin:

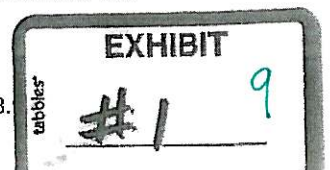
This letter has been written to address the Transportation Planning Rule impacts from the zone change of tax lots 1500 and 1501. The zoning designation is proposed to be changed from the existing R-1 (Low-Density Residential) to R-2 (High-Density Residential). The Comprehensive Plan designation for both tax lots is R-2.

The site is located on the south side of Territorial Road west of Molalla Forest Road, a pedestrian accessway through the City. The site is a "flag" lot and access is via the "flagpole" to Territorial Road. There is no other access to the site.

The Transportation Planning Rule (TPR) requirements are intended to provide a safe, convenient and economic transportation system through the planning horizon. Allowing a new zoning designation on a site could result in a more traffic-intensive use to be developed on that site.

Under the existing zoning, a maximum of four single-family homes could be constructed on the site. These homes would generate four evening peak hour trips. The proposed zoning designation would allow up to 18 townhouse units to be constructed. A townhouse development could generate up to nine evening peak hour trips. Therefore, the proposed zone change could increase the number of trips on the City's streets by five evening peak hour trips. There have been no intersections near the site that have been identified with either safety or operational issues through the planning horizon. Five additional peak hour trips will not degrade the nearby intersections to unacceptable levels.

A maximum of 38 weekday trips could be generated under the existing zoning with up to 106 weekday trips under the proposed zoning. The proposed zone change would increase the





Kevin Cook
March 15, 2007
Page 2 of 2

number of weekday trips by up to 68 trips. Territorial Road is classified an *Arterial* and has been designed to carry moderately high volumes of traffic. The road is currently functioning well below its intended capacity and is expected to continue to function below capacity through the planning horizon. Sixty-eight additional weekday trips will not change the functional classification of Territorial Road or any of the nearby streets.

The City's Transportation System Plan (TSP) outlines the improvements that will be needed in order for the system to function adequately through the planning horizon. Since the TSP is based on build-out under the existing Comprehensive Plan designations, a more traffic-intensive use could cause additional improvements to be needed in order for the transportation system to continue to function adequately.

Most importantly, the proposed zone change will bring the subject properties into compliance with the Comprehensive Plan designation of R-2. Therefore, the trips that could result from future development of the site under the R-2 zoning designation were included in the analyses prepared for the TSP. The conclusions and recommendations of the TSP will not be changed after the proposed zone change. No mitigation would be necessary beyond what has been recommended in the TSP.

In conclusion, the proposed zone change will have no significant effect on the transportation system.

If you have any questions about this letter, please don't hesitate to call me.

Yours truly,

Catriona Sumrain
Transportation Analyst

CITY OF CANBY ZONE MAP CHANGE APPLICATION

Fee \$2,640

OWNERS

APPLICANT**

Name S.T.J., LLC

Name Same

Address 214 SW 2nd Avenue

Address _____

City Canby State OR Zip 97013

City _____ State _____ Zip _____

Phone 503-266-5488 Fax 503-266-4570

Phone _____ Fax _____

E-mail tomscott@scott-investments.com

E-mail _____

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

Owner Email US Postal Fax
 Applicant Email US Postal Fax

OWNER'S SIGNATURE _____
[Signature]
DESCRIPTION OF PROPERTY

Address 1295 NE Territorial Rd: Canby OR 97013

Tax Map 31E27CB

Tax Lot(s) 1500, 1501

Lot Size 0.89 Acre
(Acres/Sq.Ft.)

Existing Use Single Family Residential

Proposed Use Future R-2 Residential

Existing Structures One single-family residence

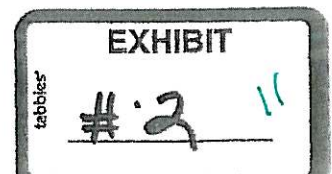
Zoning R-1 Comprehensive Plan Designation HDR

Project Description Zone change to allow future R-2 residential development

Previous Land Use Action (If any) Annexation ANN 06-02 Approved; ANN 05-02 Denied by voters

FOR CITY USE ONLY	
File # :	<u>2C07-02</u>
Date Received:	<u>1/12/07</u> By: <u>[Signature]</u>
Completeness:	
Pre-App Meeting:	
Hearing Date:	

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



ZONE CHANGE APPLICATION: INSTRUCTIONS TO APPLICANTS

All materials must be submitted in .pdf format on CD

1. The applicant will be required to hold a neighborhood meeting with adjacent property owners and neighborhood representatives prior to submitting their application, unless this requirement is waived by the City.
2. An application for amendment by a property owner or his authorized agent shall be filed with the City Planner on forms prescribed for the purpose, typed or printed and the application shall include the following.

Applicant Check	City Check	
--------------------	---------------	--

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | A. Comprehensive Plan designation of the property. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | B. The application shall be accompanied by a written statement on 8 ½ x 11" paper and electronically in MS Word explaining the existing use of the property and the need for the change in zoning. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | C. A list of property owners within 500 feet of the subject property, on mailing labels (1" x 2-5/8") and in electronic form. If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to "occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor. If applicable, labels must be prepared for any property owners and sites that will be "islanded" by the proposed annexation. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | D. Appropriate fee. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | E. Twenty (20) copies of the application and all corresponding attachments on 8.5"x11" paper and electronically in .pdf format. |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | F. Site plan, drawn to scale (not greater than 1"=50') on paper no less than 8.5"x11" and no larger than 18"x24" and .pdf format indicating: |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. The location of existing buildings (if any); |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 2. The location of streets, sewer, water, electric, and other utility services; |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Major topographic and landscape features. |
| <input type="checkbox"/> | <input type="checkbox"/> | G. One (1) copy in written format and .pdf format of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes to include the date of the meeting and a list of attendees. |

3. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
4. Staff investigates the request, writes a staff report, places a public notice in the newspaper, notifies surrounding property owners, and makes all facts relating to the request available to the

Planning Commission and all interested parties.

5. The staff report will be available ten (10) days prior to the hearing.
6. The Planning Commission holds a public hearing after the determination of a complete application. At the hearing the staff report is presented. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
7. The Commission then issues findings of fact which support approval, modification or denial of the application and passes such recommendation on the City Council for final action within forty (40) calendar days after the close of the hearing.

STANDARDS AND APPROVAL CRITERIA FOR A ZONE CHANGE

In judging whether or not the zoning 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:
- 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.

Upon receipt of the record of the Planning Commission proceedings, and the recommendation of the Commission, the City Council shall conduct a review of that record and shall vote to approve, deny, or approve subject to modification, the recommendation of the Planning Commission. The City Council shall hear the arguments based upon the record. Additional or supplemental information not included within the original record shall not be considered. The arguments on the record shall not be conducted as a public hearing.

16.54.060 IMPROVEMENT CONDITIONS

- 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 Commission and City Council will assure that the required improvements will not reduce housing densities below those anticipated in the Comprehensive Plan.

Application for Zoning Map Amendment

Applicant/Owner	S.T.J., LLC 214 SW 2 nd Avenue Canby, OR 97013
Representative	Sisul Engineering 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Pat Sisul
Location	South of NE Territorial Road and west of the Molalla Forest Road
Legal Description	Tax Lots 1500 and 1501 (Parcels 1, 2 and 3 of PP 1992-182), T3S R1E Section 27CB, WM
Comprehensive Plan	High Density Residential
Present Zone	R-1 (Low Density Residential Zone)
Proposed Zone	R-2 (High Density Residential Zone)
Site Size	0.89 Acres (38,768.4 square feet)
Proposal	Amend the Zoning Map and apply the "R-2" zoning designation for Tax Lots 1500 and 1501 (Parcels 1, 2 and 3 of PP 1992-182), consistent with the Comprehensive Plan.

SITE DESCRIPTION

The site is located south of NE Territorial Road and west of the Molalla Forest Road. The site has approximately 21.5 feet of frontage on NE Territorial Road.

Tax Lots 1500 and 1501 are zoned R-1. Adjacent properties share the "High Density" plan designation and zoning designation for properties within the city limits. Properties to the south, east, and west are designated "Low Density" and zoned R-1, except for properties not yet annexed.

The site is occupied by a residence (Parcel 1 of the Partition Plat), which will remain on the site. A few trees are located in the vicinity of the residence and along the south site boundary. The site is nearly flat, with no noticeable physical features or identified constraints.

Adjacent uses include single family subdivisions (west and east, across the Molalla Forest Road); apartments (south); large lots not yet subdivided or annexed (east across the Molalla Forest Road); and the golf course with associated residential development (north).

Public sanitary sewer and domestic water will be available primarily from NE Territorial Road. Storm water will be collected and directed to on-site infiltration facilities.

PROPOSAL

The application requests a change in zoning designation to R-2, consistent with the "High Density Residential" Comprehensive Plan designation.

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:

16.20 R-2 High Density Residential Zone

16.54 Amendments to Zoning Map

Discussion of Criteria and Standards

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. The site is designated for "High Density Residential" on the Comprehensive Plan Map.

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 high 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 high density residential development. The proposal will provide housing opportunities similar to other properties in the vicinity, including "Pine Station," just to the west at Pine Street, and so will remain compatible within the context of the existing residential areas. Properties that are currently not developed will likely also, eventually, be developed or 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 Territorial Road, with sufficient capacity for this development. Public water is provided by Canby Utility and is also available from Territorial Road. On site storm water will be directed to infiltration facilities. Storm drainage facilities will be constructed as necessary to comply with City and Department of Environmental Quality standards.

Public schools are required by law to provide for students within the district. Schools in the City generally have adequate capacity. The School District has advised that existing schools are satisfactory with the opening of Baker Prairie Middle School in the fall of 2006, which allowed re-distribution of the student population.

The following schools would serve the site: Knight Elementary, Baker Prairie Middle School, and Canby High School. Knight has a capacity of 575 students, and a current enrollment of 506. The middle school has a capacity of 1,070 and a current enrollment of 1,028. The high school has a capacity of 1,660 and a current enrollment of 1,695. Enrollment figures are taken from the "Oregon Department of Education, October 1, 2006 Enrollment Summary."

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

There are no natural hazards on or in the vicinity of 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 the range of densities allowed in the R-2 Zone and the proposal is consistent with the designations.

The site is well located for high 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

Requirements of the "Land Development and Planning Ordinance" can be satisfied when an application for development of the site is prepared and submitted for review. An attached single family development, similar to "Pine Station" located to the west at Territorial and Pine Street, is contemplated at the present time.

Chapter 16.20 R-2 High Density Residential Zone

The minimum density required for new development is 14 dwellings per acre. Actual development density would be based on the “net” area. The total site area of 2.45 Acres under the same ownership includes Tax Lot 1300, so that no less than 34 dwellings would be required if developed together.

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 site is “High Density Residential.” The zoning expected for that designation is R-2. The present designation is R-1 for Tax Lots 1500 and 1501 (Parcels 1, 2 and 3 of Partition Plat 1992-182). This inconsistency must be resolved by the City in favor of the Comprehensive Plan designation, so this site can be developed in a manner consistent with the plan and uses on adjacent properties.

Comprehensive Plan policies were discussed in a previous section of this narrative, noting that development of the site with at the “R-2” density is consistent with both the plan map and policies. Policy 6 does not apply to this site, which has no identified physical constraints.

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.

At this time, development of the site is not proposed and therefore no impacts to public facilities or adjacent properties will occur. Appropriate requirements for necessary facilities and services for the health, safety and general welfare of future residents can be provided when an application for development is considered, along with any reasonable conditions imposed by the City to further those ends, consistent with requirements and specifications.

CONCLUSION

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

(CO. RD. NO. 148D)

STERLY RIGHT OF WAY LINE
100' ON THE SOUTHEASTERLY
185); THENCE N 69°05'00" E
A 5/8" IRON ROD AT THE
MOLALLA FOREST ROAD;
TERRITORIAL ROAD, S 00°
1. FOREST ROAD, 421.32

TERRITORIAL RD.

RD.

10.0' WIDE RD.
DEDICATION TO
THE PUBLIC
214 S.F.

5/8" I.R. FLUSH
NW CORNER LOT 3
"ALICE ACRES"

PARCEL 3 OF
FEE NO. 82-25060

ROAD

5/8" I.R. UP 0.1'
PS 19040

CENTERLINE OF PRIVATE
10.00' WIDE WATER LINE
EASEMENT FOR THE
BENEFIT OF FEE NO.
82-25060 PARCEL 1

PARCEL 1
13,807 S.F.

FOREST RD.

BASIS OF BEARINGS
PS 19040

20' WIDE PRIVATE
COMMON NON-EXCLUSIVE
ACCESS & UTILITY EASE-
MENT FOR THE BENEFIT
OF PARCELS 1, 2, AND
IN PERPETUITY

2" I.P. DOWN 0.5'
INITIAL POINT
"ALICE ACRES"

PARCEL 2
13,550 S.F.

PARCEL 3
11,319 S.F.

MOLALLA

LOT 78
LOT 80

SW CORNER
FEE NO. 78-41341

SE CORNER LOT 79,
"CANDY GARDENS"



N.W. 1/4 SW 1/4 T. 27 S. R. 1E W. M.
CLATSOP COUNTY

SCALE 1"=100'

This map was prepared for
assessment purposes only.

CANCELLED

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SEE MAP 3 1E 28

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SEE MAP 3 1E 27

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SEE MAP 3 1E 28

SEE

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SUPPL. 1

MAP

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S.T.J., LLC
214 SW 2nd Avenue
Canby, Oregon 97013
503-266-5488
503-266-4570 FAX

February 1, 2007

RE: Neighborhood Meeting
Zone Change - Tax Map 31E27CB - Tax Lot #1500, 1501
Proposed Development -- Tax Map 31E27CB - Tax Lot #1300, 1500, 1501

To Whom It May Concern:

A neighborhood meeting was held at Willamette Green Clubhouse on Wednesday, January 31st at 7:00pm during the regularly scheduled Northeast Neighborhood Association Meeting. We had the opportunity to present our proposed Zone Change application and our future development application on the above mentioned properties. All property owners living within 500 feet of the subject property and all members of the Northeast Neighborhood Association were notified at least fourteen (14) days in advance. The following citizens were in attendance:

- Thomas AW Scott – Applicant
- Fred & Bettie Postlewait – 1629 N Redwood St. – Canby
- Dan Leischer – 1341 N Maple St. – Canby
- Leonard & Donna Walker - Canby
- Patsy Miller – Canby
- Steve Harting – Canby
- Lloyd & JoAnn Walch – Canby
- Kathy Shinn - Canby

The following is a list of comments and questions raised during the meeting:

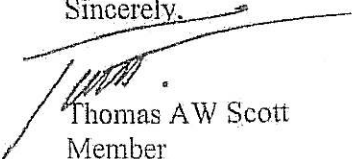
- What style of homes will be built in the subdivision?
- Are you proposing an apartment building?
- We are glad to see that apartments are not proposed!
- What is the zoning of this property and surrounding properties?
- What is the timeline of the development?
- How many lots?
- What size are the lots?
- Are the developers building the homes?

- How large are the proposed homes?
- What will be the average sales price of the homes?
- What is the name of the subdivision?
- Will there be a Homeowner's Association?
- Will there be open space provided?
- How many trees will be removed – if any?
- Why are you requesting a zone change?
- Will this cause overcrowding of schools?
- What about the need for a North Side Fire Station?

All in attendance seemed to be satisfied with our response to the above questions. No serious issues were raised during the meeting.

Thank you for your time.

Sincerely,



Thomas A W Scott
Member

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 2667001

FAX 266-1574

ATE: January 26, 2007

- 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 _____

JAN 29 2007

RECEIVED
JAN 29 2007
CITY OF CANBY

The City has received ZC 07-02 (1295 NE Territorial Rd), an application from S.T.J., LLC requesting a zone change on Tax Lots 1500 and 1501 of Map 3 1E 27CB from R-1 (Low Density Residential) to R-2 (High Density Residential). The property is located at 1295 NE Territorial Road.

Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

SEE ATTACHED MEMORANDUM

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: _____

Title: _____

Agency: _____

EXHIBIT
#3 27

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

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


January 29, 2007

RECEIVED

JAN 29 2007

CITY OF CANBY

MEMORANDUM

TO: Mr. Kevin Cook 

FROM: Hassan Ibrahim, PE

RE: CITY OF CANBY
1295 NE TERRITORIAL RD
ZC 07-02

We have reviewed the submitted application to the above mentioned project and have no concerns with the proposed zone change.

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

(503) 2667001

FAX 266-1574

P.O. Box 930, Canby, OR 97013

DATE: January 26, 2007

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
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 - OTHER _____

RECEIVED
 JAN 30 2007
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Comments or Proposed Conditions:

The zone change does not affect Canby Utility. However, this parcel currently is served by PGE. Upon development conversion to Canby Utility Electric will be required @ developers expense

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: *John Adwell* Date: 1-30-07

Title: Line Foreman Agency: Canby Utility Elect.

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 2667001

FAX 266-1574

DATE: January 26, 2007

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
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RECEIVED
JAN 31 2007
CITY OF CANBY

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Comments or Proposed Conditions:

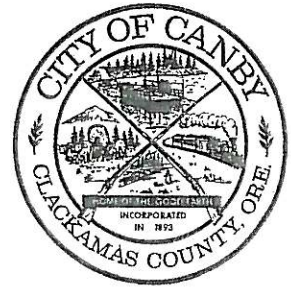
THE PROPOSED ZONE CHANGE WILL BRING THE SITE'S ZONING INTO COMPLIANCE WITH THE CITY'S COMPREHENSIVE PLAN DESIGNATION. THE IMPACT OF THE ZONE CHANGE HAS BEEN INCLUDED IN THE CITY'S TSP CONCLUSIONS AND RECOMMENDATIONS, WHICH IS BASED ON THE COMP PLAN DESIGNATIONS. THEREFORE, THE ZONE CHANGE WILL NOT REQUIRE ANY MITIGATION, BEYOND WHAT HAS BEEN SPECIFIED IN THE TSP.

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: 1/31/07

Title: ENGINEERING ANALYST Agency: LANCASTER ENGINEERING



- STAFF REPORT -

APPLICANT:

Willamette Valley Country Club
900 Country Club Place
Canby, OR 97013

FILE NUMBER:

MLP 06-16
VAR 07-01

OWNER:

Willamette Valley Country Club
900 Country Club Place
Canby, OR 97013

STAFF:

Kevin C. Cook
Associate Planner

LEGAL DESCRIPTION:

Tax Map 3-1E-28, Tax Lot 100

DATE OF REPORT:

March 16, 2007

LOCATION:

820 N Grant St

DATE OF HEARING:

March 26, 2007

COMPREHENSIVE PLAN DESIGNATION:

PR Private Recreation

ZONING DESIGNATION:

R-1 Low Density Residential

I. APPLICANT'S REQUEST:

The applicant is seeking approval to partition off two new residential parcels from the existing 147 acre golf course parcel. The two new parcels are proposed for the extreme northeast corner of the golf course. Access is proposed from NE 34th Ct by way of a 20 ft. wide access strip. While the access strip itself is 20 feet wide, the applicant has proposed a 12 ft. pavement width, which requires a Variance – the applicant has applied for a variance and an analysis of the variance criteria is included in this report. The access strip is currently City right-of-way and is used to access a City sewage pump station and also provides emergency vehicle access to the Logging Road Trail. Parcel 1 (north) is proposed to be 8,733 sq. ft and Parcel 2 (south) is proposed to be 9,968 sq. ft. Access to Parcel 2 will require a 20 foot wide access easement to be placed across Parcel 1 (Condition 8). The access strip was originally intended to serve the sewer pump station located on lot 2900 (lot 2900 is also owned by WVCC) when the Country Club Estates subdivision was platted in 1974. A condition of approval requires a deed restriction

indicating that the access drive will serve no more than two dwellings (Condition 3).

II. APPLICABLE CRITERIA:

1. **Minor Land Partition:** In judging whether a Minor Partition should be approved, the Planning Commission must consider the following standards and criteria (Ord. 16.60.030):
 - A. Conformance with the text and the 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.
2. **Major Variance:** A variance may be granted only upon determination that **all** of the following conditions are present:
 - A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the City and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control; and
 - B. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone; and
 - C. Granting of this variance will not be materially detrimental to the intent or purposes of the City's Comprehensive Plan or the Land Development and Planning Ordinance; and
 - D. Granting of this variance will not be materially detrimental to other property within the same vicinity; and

- E. The variance requested is the minimum variance which will alleviate the hardship; and
 - F. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives, acting in deliberate violation of these or other City regulations.
3. **Other Applicable Criteria:**
- A. 16.10 Off-Street Parking and Loading
 - B. 16.16 R-1 Low Density Residential Zone
 - C. 16.56 General Provisions (Land Division Regulations)
 - D. 16.60 Major or Minor Partitions
 - E. 16.64 Subdivisions - Design Standards

III. FINDINGS:

1. Location and Background

The subject property is the site of the Willamette Valley Country Club golf course. The proposed parcels are located at the extreme northwest corner of the golf course. Access to the parcels is proposed by way of a City owned access strip off of NE 34th Ct. The entire golf course parcel is zoned R-1 Low Density Residential as are all parcels along the in the vicinity of the golf course. The Comprehensive Plan Designation for the golf course parcel is Private Recreation. The proposed parcels are adjacent to the Logging Road Trail. The City owned access strip currently provides access to the City's sewage pump station.

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 residential housing on*

the subject parcel is an approved use of the property and is compatible with surrounding residential uses. Residential uses are not expected to be in conflict with the golf course nor with the Logging Road Trail.

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

Analysis: *The addition of two new residences is permitted in the zone and will not result in a substantial increase in urban sprawl.*

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

Analysis: *Two pre-application meetings have been held and a "Request for Comments" form has been sent to all public facility and service providers (please see discussion under Public Services Element).*

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 zoned R-1 Low Density Residential and the residences are an outright permitted use in the zone. There are no known steep slopes, historic resources, or wetlands; the site is located outside of the mapped 100-year flood plain. The proposed partition will not, in itself, generate pollution. Impacts to scenic resources should be minimal; the logging road trail is higher in elevation than the proposed parcels making the overall height of future dwellings less of a visual impact relative to the Willamette River.

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

Analysis: *The proposed partition and access drive must meet storm water management approval from the City Engineer, Canby Public Works; and DEQ prior to the issuance of building*

permits, installation of the access road, and/or any site work (see Condition 11).

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 improvements are sufficient to support development of the proposed partition. The proposed access drive should be constructed to the satisfaction of the City Engineer and Canby Public Works Department and should maintain a minimum pavement width of 12 feet with curb (Condition 16). Parcel 1 will need to provide a minimum 20 ft. wide access easement for the benefit of Parcel 2 (Condition 8).

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

Analysis: The access strip is occasionally used by pedestrians in order to access the Logging Road Trail. The Parks Department does not require a formal connection to the Logging Road Trail; however, access will still be permitted. Pedestrian and Emergency Vehicle access easements are required on lot 2900 between the access strip and the Logging Road Trail (Condition 7).

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 Fire District received notice of the proposed partition. The Fire District finds that the partition and reduced access width is acceptable with the following conditions of approval:

1. Addresses must be clearly posted at the entrance to the access drive and must meet Fire District requirements for size and design (Condition 10).
2. As a condition for reduced access road width, both dwellings are required to have fire sprinklers installed (Condition 13).

3. *The access drive must be at least 12 feet wide with 20 feet of unobstructed width (Condition 16).*
4. *An emergency vehicle turn-around area to be installed to the satisfaction of the Fire District (Condition 17).*
5. *Maintain Gate Access to the Logging Road Trail (Condition 17).*

The Canby parks Department initially expressed concern with the construction of a paved emergency vehicle turn-around across the Logging Road Trail. However, the Parks Dept. and the Fire Dist. have agreed to an unpaved turn-around/emergency vehicle access to the Logging Road Trail provided that the access can structurally support emergency vehicles and will provide adequate radius for access onto the trail and/or backing area (Condition 17). The gate between the Logging Road Trail and the access drive will need to meet the approval of both the Fire District and the Parks Dept (Condition 17). In order to prevent unwanted vehicle access to the Logging Road Trail the Parks Dept. requests that the fence remain in place; design of the fence will need to meet with the approval of the Parks Department (Condition 17). The Canby Police Department did not comment on the proposal.

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.

1. ***Analysis:*** *As evidenced in the pre-application minutes, the installation of the proposed access road and related dwellings will require significant coordination with utility providers and Canby Public Works for the installation and/or upgrading of utilities; a condition of approval for the partition requires that the developer will attend a pre-construction meeting and will adhere to all requirements of the Canby Utility Board and Canby Public Works Department (Conditions 20-22).*

Neighborhood Written Comments:

To date, two citizen comments have been received (see Exhibit 5). A neighborhood meeting was held on February 13th, 2007 and a

summary has been provided by the applicant (see Exhibit 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 partition, 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.

3. Evaluation Regarding Minor Land Partition 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 partition will comply with the requirements of the Land Development and Planning Ordinance, including lot sizes, 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 partition will be functional and will provide building sites, necessary utility easements, and access facilities. Proposed parcels meet lot size and coverage requirements of the R-1 zone.

- 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.

No private roads will be created by this partition and parking shall be prohibited in the private access drive (Condition 16).

- 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 land division. See discussion in part III.2, above.

IV. REVIEW FOR CONFORMANCE WITH SECTION 16.53.020.B (Variance criteria):

Note: The applicant has provided a narrative regarding the variance criteria (see Exhibit 2). Please refer to this narrative along with staff's analysis.

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the City and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control.

Analysis: In terms of the planned location of the two proposed lots, it can be argued that exceptional circumstances apply due to the nature of the access width (total of 20 feet wide), nearby trees, and topography (significant grade differential between access strip and adjacent properties).

- B. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone.

Analysis: The issue at hand essentially revolves around the right to an access connection to the public street system by privately owned residentially owned property. The access strip is City owned right of way but is only 20 feet wide over varied topography. Without the proposed access, two homes in this location would need to have an exceptionally long access drive to be constructed across the golf course. The Logging Road Trail is not part of the public street system and is not available for use as a means of vehicular access to the proposed parcel. Granting of the variance would allow the most reasonable access connection to the proposed parcels from City owned right of way.

- C. Granting of this variance will not be materially detrimental to the intent or purposes of the City's Comprehensive Plan or the Land Development and Planning Ordinance.

Analysis: Staff believes that the primary intent of the 20 foot access width requirement is to provide for emergency vehicle access. The Fire District has indicated that they believe a 12 foot wide access is acceptable provided certain conditions are met (see discussion under Transportation Element – Policy 6). Staff believes that if the Fire District is satisfied with a 12 foot wide pavement width then the intent of the code is also satisfied. Additionally, it is noteworthy that long driveways of 12 feet wide have been approved for access to a single residence in the past.

- D. Granting of this variance will not be materially detrimental to other property within the same vicinity.

Analysis: Without the benefit of a public hearing, staff believes that the variance will not negatively affect nearby properties. In fact, it is likely that the reduced pavement width will result in less of an impact to the two adjacent properties on either side of the access strip. The proposed access width will aid in tree preservation on the parcel located to the west.

- E. The variance requested is the minimum variance which will alleviate the hardship.

Analysis: The applicant originally considered proposing a variance that would allow a 16' pavement width; however, after further investigation by ZTec Engineers (the applicant's engineer) it has been determined by the applicant that a 12 foot pavement width is the maximum width possible in order to preserve existing trees on neighboring property.

- F. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives, acting in deliberate violation of these or other City regulations.

Analysis: Staff does not believe that the applicant is responsible for the natural topography and existing access width which have necessitated the variance request.

V. CONCLUSION

1. Staff concludes that the partition request and associated variance request, with appropriate conditions, is considered to be 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; utility easements and access facilities necessary for development of the subject property can be provided 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 will become available through the development of the property to adequately meet the needs of the proposed partition.

VI. RECOMMENDATION

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 MLP 06-16 and VAR 07-01 with the following conditions:

1. A final partition plat illustrating the conditions of approval shall be submitted to the City

Planner for review and approval. The final partition plat shall reference this land use application: City of Canby File Number MLP 06-16

2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The partition map shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department upon completion.
3. A new deed and legal description for the proposed parcels shall be prepared and recorded with the Clackamas County Clerk. A deed restriction shall be recorded on the two new lots as well as lot 2900 indicating that the access drive is meant to serve a maximum of two residences. A copy of the new deeds shall be provided to the Canby Planning Department.
4. All monumentation and recording fees shall be borne by the applicant.
5. Utility and sanitary sewer easements shall be provided as required by Canby Utility and Canby Public Works.
6. Prior to any building permits the access drive shall be improved in order to accommodate construction equipment. The access drive shall be fully completed prior to any final inspections (occupancy) of new dwellings. Access drive improvements shall be coordinated with and approved by the City Engineer, the Public Works Department, and Canby Utility.
7. Prior to the construction of the access strip and/or any residential development a 20' wide access easement over lot 2900 shall be recorded in favor of the two proposed residential lots. Lot 2900 shall have the appropriate utility, emergency vehicle, and pedestrian access easements recorded prior to commencing any site work.
8. The northern lot shall have a 20 foot wide access easement in favor of the southern lot.
9. Prior to the issuance of any building permits and/or site work the final plat must be recorded with the Clackamas County Surveyor. The plat shall be recorded within one (1) year of the preliminary plat approval in accordance with Canby Ordinance 16.60.060. Mylar copies of the final plat must be signed by the City of Canby prior to recording the plat with Clackamas County.
10. House numbers shall be visible from the street but numbers painted on the curb shall not be the primary method of meeting this requirement. Addresses shall be clearly posted at the entrance to the access drive and at the entrance to each residential property; address numbers shall meet Canby Fire District requirements for size and design.
11. Prior to issuance of a building permit a stormwater permit shall be obtained from the State of Oregon if required by the Department of Environmental Quality (DEQ). An acceptable stormwater system plan shall be approved by the State of Oregon – DEQ, the City Engineer, and the Canby Public Works Department. Stormwater shall be accommodated entirely on site

for the proposed parcels, lot 2900, and the access strip.

12. Prior to the issuance of a building permit, the applicant shall demonstrate compliance with offstreet parking requirements as listed in Chapter 16.10 of the CMC.
13. Fire sprinklers shall be installed in any new dwellings constructed on either of the new lots in accordance with the requirements of the Canby Fire District. The application for any residential building permits shall include fire sprinklers.
14. The applicant is responsible for all costs associated with the relocation of utilities.
15. Any new sewer main and/or new laterals shall be installed by the applicant at the time of development. Location and construction of the sewer main and/or laterals shall be approved by the Public Works Supervisor *prior to excavation*.
16. The access drive shall be a minimum of 12 feet paved width with curbs on each side. The access shall widen to 20 feet on the northern lot where it serves the southern lot. The access drive shall meet the requirements of the Canby Fire District including the requirement that the access drive will maintain a total of 20 feet unobstructed width. The access drive shall include signage indicating that no parking is allowed in the access drive; signage shall be shown on the construction plans.
17. At the interface with between lot 2900 and the Logging Road Trail the emergency vehicle access/turn-around, fence, and gate shall be constructed to the satisfaction of the Canby Fire District and the Canby Parks Department.
18. The applicant shall construct an approved curb cut, approach apron and sidewalk ramps at the drive entrance to the access drive. Access improvements shall be inspected and approved by Canby Public Works prior to installation.
19. Prior to the issuance of a building permit, an erosion control permit is required. All City erosion control regulations shall be followed during construction as specified by the Canby Municipal Code.
20. Prior to the issuance of a building permit and/or any site work, 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.
21. Prior to the issuance of a building permit and/or any site work, a pre-construction meeting shall be held prior to any site work and/or construction. Twelve copies of the 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 meeting. The construction plans shall reflect all conditions of approval and

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.

22. After completion of the pre-construction meeting, the applicant shall provide a revised set of construction plans to be signed by all affected agencies and City departments as determined by the Planning Dept. No building permits shall be issued until the required signed construction set is submitted to and accepted by the Planning Department.
23. Prior to the recording of the final plat, and/or any site work, a Maintenance Agreement with provisions for the maintenance of the access drive shall be submitted to the City of Canby for review and approval by the City Attorney, City Engineer, and Public Works Supervisor. Once approved by the City, the Maintenance Agreement shall be recorded on the deeds for the two proposed parcels as well as lot 2900.

Exhibits:

1. Applicant's Packet (narrative and proposed partition plan)
2. Narrative addressing variance criteria
3. Summary of neighborhood meeting.
4. Responses to the Request for Comments
5. Citizen Comments



**Willamette Valley Country Club
Minor Land Partition
Application**

Enclosed please find an application for the partitioning of one lot on the North East corner of Willamette Valley Country Club's property.

Willamette Valley Country Club would like to request that there be a pre application conference held to discuss the future partitioning of this property.

Once a conference has been scheduled may I request that the following individuals are contacted with the time and place of this conference and made aware of any addition materials necessary to support this request?

Jay Head

General Manager
Willamette Valley Country Club
Direct Line (503) 266-0100
Email – jhead@willamettevalleycc.com

Roger Reif

Reif, Reif & Thallofer
Direct Line (503) 266-3456
Email – rrr@canbylaw.com

Keith Galitz

President
Willamette Valley Country Club
Direct Line (503) 266-8111
Email – kgalitz@canbytel.com

EXHIBIT

tabbles®

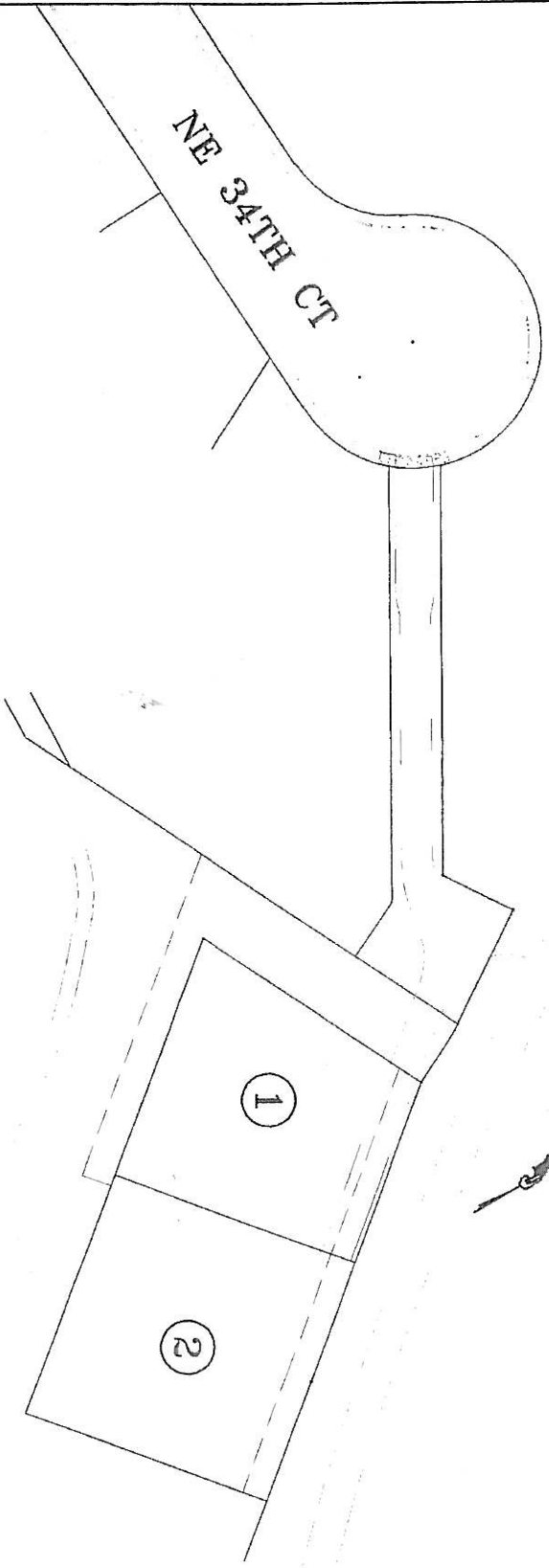
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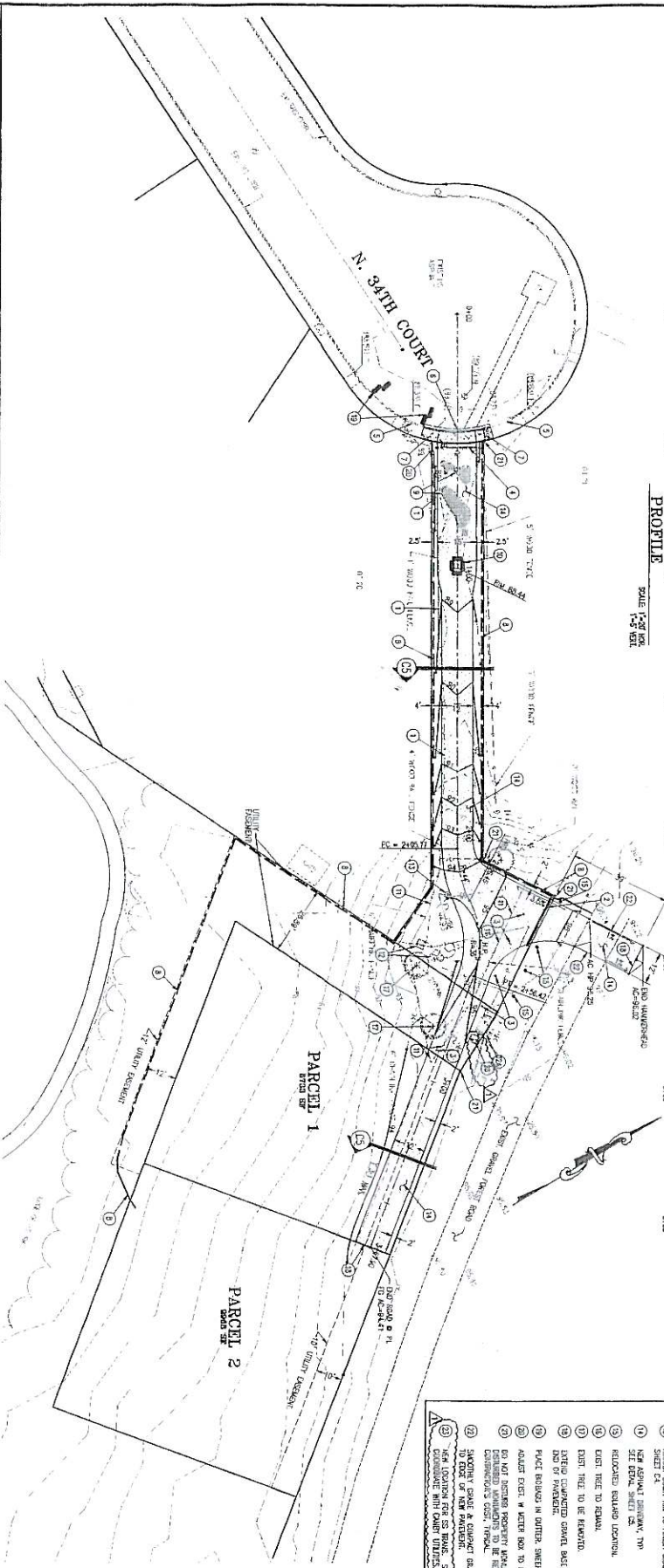
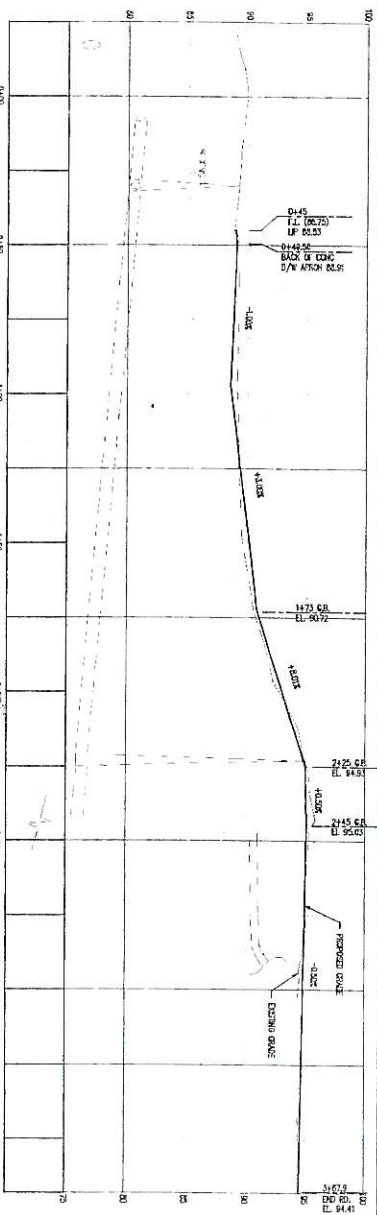
43

SUBMITTED
BY
APPLICANT

NE 34TH CT

WILLAMETTE VALLEY
GOLF CLUB





- GRADING KEYNOTES**
- 1 REMOVE EXISTING 4" WOODEN FENCE TO PROPERTY LINE
 - 2 REMOVE 20' EMERGENCY VEHICLE ACCESS DRIVE WITH 18" DIA. CURB ON THE WEST SIDE OF DRIVE & 12" FINISH R/L
 - 3 RELOCATE DRIVEWAY INCLUDING 40' EASEMENT
 - 4 REMOVE EXIST. 16" WIDE ACCESS DRIVE
 - 5 EXIST. DRIVE W/10' STRIKE
 - 6 SPREAD EXIST. DRIVE + 1 FT. AC. REPAIR NEW 18" WIDE RESIDENTIAL DRIVEWAY PER DETAIL SHEET 04
 - 7 6" LONG STRIKE WIDTHS/4' SPACING
 - 8 8" SPREAD DRIVE FILL
 - 9 REPAIR DRIVEWAY CONSTRUCTION ENTRANCE PER DETAIL SHEET 04
 - 10 REPAIR DRIVEWAY CONSTRUCTION ENTRANCE PER DETAIL SHEET 04
 - 11 RELOCATE EXISTING 6" CHANNEL FENCE TO PROPERTY LINE
 - 12 RELOCATE EXIST. 35' DRIVE. SEE ALSO SHIF. 04
 - 13 EXISTING DRIVEWAY TO REMAIN
 - 14 ADJUST DRIVEWAY TO REMAIN GRADE. SEE ADJUSTMENT DETAIL SHEET 04
 - 15 NEW ASPHALT DRIVEWAY, 12" PER DETAIL SHEET 04
 - 16 RELOCATED EXISTING DRIVEWAY
 - 17 EXIST. TREE TO REMAIN
 - 18 EXIST. TREE TO BE REMOVED
 - 19 EXISTING DRIVEWAY CHANNEL, BUT USE 12" DRIVEWAY AND OF PARALLEL
 - 20 EXISTING DRIVEWAY IN OTHER, SHEEP FENCE
 - 21 ADJUST DRIVEWAY TO REMAIN GRADE TO F.I.E.
 - 22 EXISTING DRIVEWAY TO REMAIN GRADE TO F.I.E.
 - 23 EXISTING DRIVEWAY TO REMAIN GRADE TO F.I.E.

<p>Ztec ENGINEERS Inc.</p> <p>Structural - Surveying</p> <p>3737 S.E. 8TH AVE., PORTLAND, OR 97202</p> <p>Phone: (503) 233-7889</p> <p>Email: ztec@ztecengineers.com</p>	<p>GRADING AND EROSION CONTROL PLAN</p> <p>WILLAMETTE VALLEY GOLF CLUB</p> <p>CANBY, OREGON</p>	<p>DATE: 1-8-07/1-8-07</p> <p>PROJECT NO: 03</p> <p>DATE: 12/21/2005</p> <p>PROJECT: 03</p> <p>SCALE: AS NOTED</p> <p>C3</p>
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CITY OF CANBY
MINOR LAND PARTITION APPLICATION

Fee: \$1,280.00

OWNERS

APPLICANT**

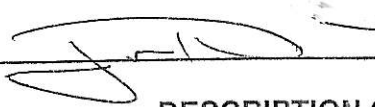
Name WILLAMETTE VALLEY C.C.
Address 900 Country Club Place
City Canby State OR Zip 97013
Phone 503-266-4066 Fax 503-266-7663
E-mail jhead@willamettevalleycc.com

Name Jay Head
Address 900 Country Club Place
City Canby State OR Zip 97013
Phone 503-266-0100 Fax 503-266-7663
E-mail jhead@willamettevalleycc.com

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

OWNER'S SIGNATURE



DESCRIPTION OF PROPERTY

Address 900 Country Club Place
Tax Map 31E28 Tax Lot(s) 100 + 210 Lot Size _____
(Acres/Sq. Ft.)
Existing Use _____
Proposed Use _____
Existing Structures _____
ZONING _____ COMPREHENSIVE PLAN DESIGNATION _____
PREVIOUS ACTION (If Any) MLP06-09

FOR CITY USE ONLY	
File #	<u>MLP06-16</u>
Date Received	<u>12/8/06</u> By <u>JT</u>
Completeness	_____
Pre-App Meeting	_____
Hearing Date	_____

Receipt record # 5881
of MLP06-09 applied
to this application.

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

WILLAMETTE VALLEY COUNTRY CLUB

I. EXECUTIVE SUMMARY

Willamette Valley Country Club ("WVCC") proposes to partition a 30,000 square foot parcel of undeveloped residential land abutting the golf course. The parcel is zoned R-1 (single family residential) and is accessible from NE 34th Court through a twenty (20) foot unimproved public right of way. Generally, the partitioned lot is bordered on the West by the golf course and on the East by a logging road, future park and Willamette River. The desire of Willamette Valley Country Club is to sell the 30,000 foot parcel and allow the successful purchaser to either build on the lot or partition it into no more than two (2) lots (15,000 feet each).

II. APPLICABLE CRITERIA

Section 16.60.030 of the Canby Land Use and Development Ordinance provides: "application for a minor partition shall be evaluated and based upon the following standards and criteria ..

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

III. 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 entire lot in question is currently zoned R-1 (low density residential) and consists of a golf course. The proposed partition would create one lot of 30,000 square feet. This exceeds a maximum lot size of 16.16.030.A, however, under paragraph D3 the Planning Commission may modify the maximum lot area if it cannot be met due to existing lot dimensions and patterns or other size characteristics. It is

respectfully argued that because of the large lots in the area, the 20 foot access, the physical characteristics of a logging road on one side and the golf course on the other that this lot would be unique within the City of Canby. The site characteristics are such that it would be appropriate to create a lot larger than 10,000 square feet.

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 will permit additional development of the subject parcel and will help to maximize the efficient use of the property. The property is currently used as a buffer between the golf course and the logging road.

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

Analysis: Requests for comments will be sent to all public facility and service providers. The applicant is not aware of any problems with utility or service providers. There is no anticipating "overburdening" of city services.

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. Subject property is not within the official 100-year flood plain as provided by the Federal Emergency Management Agency.

Policy #5: 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 subject property is not located within any of the Areas of Special Concern as identified in the 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.

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

Analysis: It is expected that the partition will meet storm water management approval prior to the issuance of any building permits.

TRANSPORTATION ELEMENT

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

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

Analysis: Access will be off NE 34th Avenue. There is a 20 foot access which will allow ingress and egress to the premises. The neighbors have been contacted and WVCC is working with the neighbors to screen the area. NE 34th Avenue turns into Maple Street which is only a half street. However, the additional household (possibility of two) will have a very small impact on North Maple Street. There was a neighborhood meeting at which North Maple Street access was discussed. Although there was not one hundred percent attendance of the neighbors (there were approximately fifteen to twenty people present) no one seemed to voice serious concerns over Maple Street. The neighbors did say, however, that if this was a larger development they would express concerns. In summary, the one (possibly two) lots would have a minimal effect and has not raised concerns by the neighbors.

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

Analysis: NE 34th Street and N. Maple Street do not have sidewalks. Since this is a dead end, no need for a sidewalk is seen.

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: Prior to the submittal of the application, the applicant has been in touch with the Canby Police Department and Canby Fire District concerning the proposed partition. We are not aware that the police department and fire department will object.

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.

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

Analysis: As part of the process, all the public facility and service providers will be sent a "Request for Comments" form regarding the proposed partition. The applicant's belief is that all requests for comments will indicate that the services are available or will become available through development. Comments will be solicited from Canby Public Works Department, Canby Water Department, Canby Electric, Canby Telephone, Waste Water Treatment Plant, Canby School District, Canby Police Department, Canby Postal Service, Canby City Engineer and Canby City Traffic Engineer. The applicant will address any comments received by the agencies.

Policy #5: Canby shall assure that adequate sites are provided for public schools and recreational facilities.

Analysis: No public or private recreational facilities are proposed or necessary as part of the proposed partition.

Property is adjacent to a golf course which is open space and on the East by an area which is to be kept in a native parkland. No need is seen for additional parks in this area.

Elementary and middle schools have room for student growth. The high school has minimal room for growth. However, this application is expected to generate less than one student. (Based upon current student populations per home).

HOUSING ELEMENT

GOAL: TO PROVIDE FOR THE HOUSING NEEDS OF THE CITIZENS OF CANBY.

Policy #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.

Analysis: The proposed partition will create additional lots suitable for an additional single family unit within the city limits.

ENERGY CONSERVATION ELEMENT

GOAL: TO CONSERVE ENERGY AND ENCOURAGE THE USE OF RENEWABLE RESOURCES IN PLACE OF NON-RENEWABLE RESOURCES.

Policy #2: Canby shall encourage development projects which take advantage of wind and solar orientation and utilization.

Analysis: The home(s) will be located on the lot(s) to try to take advantage of solar energy and conservation. Solar access standards will be enforced at the time of the building permit plan check.



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

Analysis: The partition will be in conformance with the requirements of the land development and planning ordinance. (1) However, we request that the Planning Commission "modify the maximum lot size of 10,000 square feet" because of the uniqueness of the location of the property, the existing golf course and parkland which are open space. The expected to be larger home on a large lot would be more in tune with the surroundings. This lot is being planned for single family residence. (2) We are requesting that there be no more than two residences on the 20 foot entrance. (3) We are requesting no sidewalks because it is at the end of a dead end and NE 34th and Maple Street do not have sidewalks.

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.

Analysis: With recommended conditions, the proposed partition will be functional and will provide building sites, necessary utility easements, and access facilities.

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.

Analysis: No private roads will be created by this partition and parking may be prohibited on the twenty foot drive. The drive shall be maintained for continuous, unhindered access for emergency vehicles and shall be paved for the entire width.

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.

Analysis: Public services and facilities are available or are expected to be available at the time of construction to adequately meet the needs of this land division.

EXPLANATION OF VICINITY MAPS

Because of the size of the Willamette Valley Country Club, it was difficult to show all of the information requested on the Minor Land Partition Application in one map. Therefore, 3 maps were used.

Map #1 is an aerial and it generally shows the location of the proposed 30,000 square feet. It furthermore shows its location to the golf course, Willamette River and existing residential development. The scale is one inch equals 400 feet.

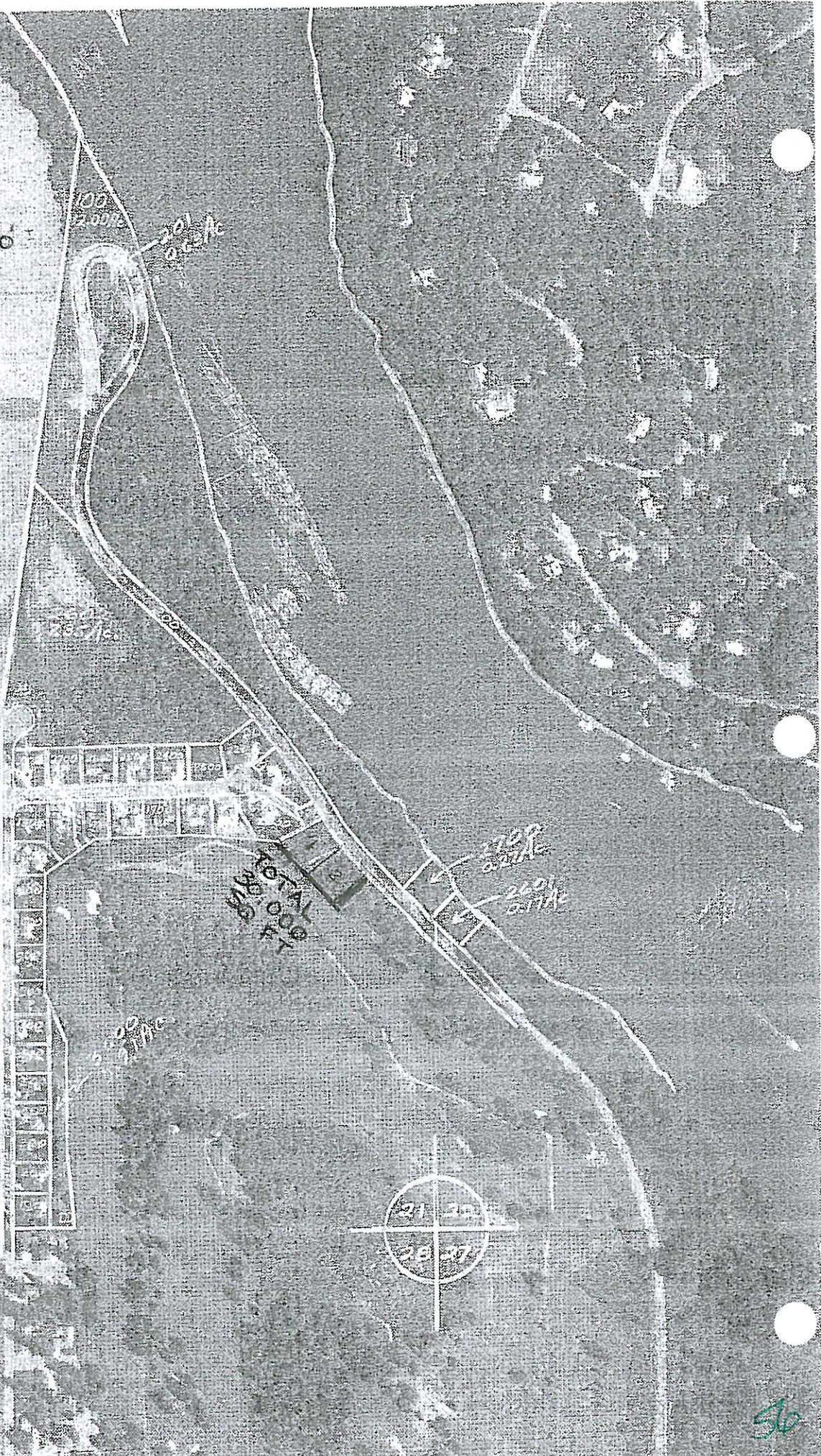
Map #2 is a drawing which shows the subject property in relation to the entire golf course, adjacent development and Willamette River. In summary, it is a non-aerial blow up of map #1.

Map #3 is a scale of one inch to 60 foot and the primary purpose is to show you the location of the existing facilities.

W E
SCALE 1" = 400'

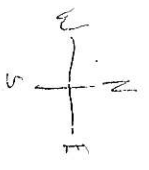
WVCC
PROPOSED MINOR
PARTITION
APR 05, 2006

Jay Head (General Manager)
William H. Kelly Co.
100 Country Club Place
CANTON, OH 44703



56

1" = 60'



34TH COURT

LOT 21

LOT 20

C/L ROAD

TEL. J-BOX

A.C. PATH

SHED

TRANSFORMER

10-30M

BOLLARDS (TYPICAL)

6 DIA. TANK

ELEC. J-BOX

ELEC. VAULT

LOGGING ROAD

ROAD

FACELINE

UTILITY

WALCO

20' UNK

22' UNK

EM

SA

SA

SA

SA

SA

SA

SA

SA

SA

SA

MAJOR VARIANCE

FEE \$2,880

Process Type III

OWNERS

Name Willamette Valley Country Club
Address 900 Country Club Place
City Canby State OR Zip 97013
Phone 503-244-0100 Fax 503-244-7463
E-mail jhead@willamettevalleycc.com

APPLICANT**

Name Willamette Valley Country Club
Address 900 Country Club Place
City Canby State OR Zip 97013
Phone 503-244-4066 Fax 503-244-7463
E-mail jhead@willamettevalleycc.com

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

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

OWNER'S SIGNATURE _____

DESCRIPTION OF PROPERTY:

Tax Map _____ Tax Lot(s) 3-1E-21 DD TL, 2900 Lot Size _____ (Acres/Sq. Ft.)

or LEGAL DESCRIPTION, METES AND BOUNDS (Attach Copy)

at Name _____ Lot _____ Block _____

Address None given yet

Existing Use Golf Course Property

Proposed Use Partition of lot not to exceed 30,000 sq. ft. for residential use.

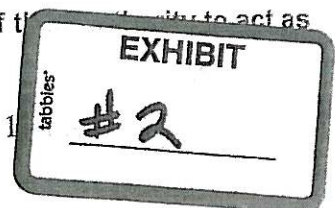
Existing Structures None (currently)

Zoning R1 Comprehensive Plan Designation _____

Previous Action (If Any) MLP 06-16

FOR CITY USE ONLY	
File #:	<u>VAR 07-01</u>
Date Received:	<u>2/6/07</u> By: <u>KC</u>
Completeness:	
Pre-App Meeting:	
Hearing Date:	<u>2-26-07</u>

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



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INSTRUCTIONS TO APPLICANTS

All materials must be submitted in .pdf format on CD

1. The applicant may request, or the City Planner may determine, that a pre-application conference is necessary after the application has been discussed, or upon receipt of the application by the City.
2. If a pre-application conference is necessary, the applicant completes and returns the completed pre-application form to the City and a conference is scheduled.
3. Applications. A request for variance may be initiated by a property owner or his authorized agent by filing an application with the City Planner on forms prescribed for the purpose, typed or printed. The application shall be accompanied by the following:

Applicant Check	City Check
--------------------	---------------

- | | | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | A. The application shall be accompanied by a written statement on 8 ½ x 11" paper and electronically in MS Word explaining why the variance is needed, addressing the standards and criteria listed in 16.53.020 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | B. List of property owners within 200 feet of the subject property, on mailing labels (1" x 2-5/8") and in electronic form. If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to "occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor. If applicable, labels must be prepared for any property owners and sites that will be "islanded" by the proposed annexation. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | C. Plot plan, drawn to scale (not greater than 1"=50'), indicating: |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | a. The location of the existing and proposed (if any) buildings; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | b. Property size and dimensions, and distances of existing or proposed buildings from property lines; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | c. The location of streets, sewer, water, electric, and other utility services; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | d. Major topographic and landscape features; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | D. Twenty (20) copies of the plot plan shall be submitted with the application. |
4. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.

5. Staff investigates the request, writes a staff report, places a public notice in the newspaper, notifies surrounding property owners, and makes all facts relating to the request available to the Planning

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Commission and all interested parties.

6. The staff report will be available seven (7) days prior to the hearing.
7. The Planning Commission holds a public hearing approximately thirty (30) days after the complete application is submitted. The staff report is presented. Testimony is presented by the applicant, proponents and opposition, followed by rebuttal from the applicant.
8. The Commission then issues findings of the fact which support approval, modification or denial of the application. A decision may be appealed to the City Council.
9. If an approval or a denial has been appealed, City Council holds a public hearing. The staff report is presented and testimony taken, as at the original hearing(s). However, only testimony regarding items already in the record is permitted, and no new information may be entered. In the case of an appeal, the Council may affirm, revise or reverse the action of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.

VARIANCES

A variance may be granted only upon determination that all of the following conditions are present:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the City and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control. Actions of previous owners do not constitute "other" exceptional or extraordinary circumstances; and
2. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the City and within the same zone; and
3. Granting of this variance will not be materially detrimental to the intent or purposes of the City's Comprehensive Plan or the Land Development and Planning Ordinance; and
4. Granting of this variance will not be materially detrimental to other property within the same vicinity; and
5. The variance requested is the minimum variance which will alleviate the hardship; and
6. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives.

61

ZTec Engineers, Inc.
 CIVIL ♦ STRUCTURAL ♦ SURVEYING

John McL. Middleton P.E.

Chris Fischborn P.L.S.

Ronald b. Sellards P.E.

503-235-8795 - FAX: 503-233-7889

email: ztec@ztecengineers.com

TO: KEVIN COOK	FROM: Erik Larsen, P.E.
COMPANY: C.O. CANBY	DATE: 3/16/07
FAX NUMBER: 503-200-1574	TOTAL NO. OF PAGES INCLUDING COVER: (2)

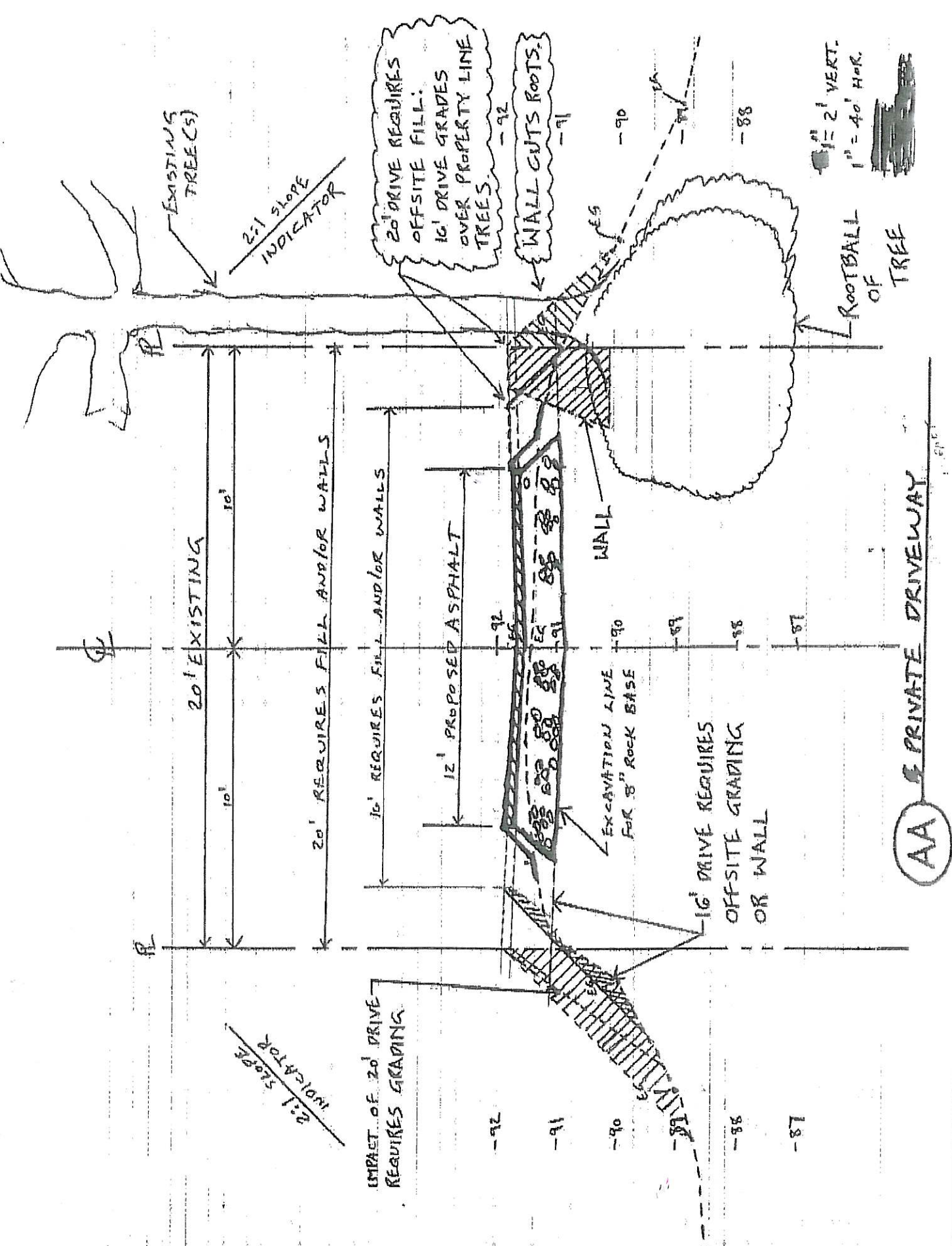
RE: ATTACHED CROSS-SECTION DETAIL FOR W.V.
 COUNTRY CLUB PROPOSAL AS REQUESTED.

KEVIN, WE HAD THE NEIGHBOR'S TREES SURVEYED IN THIS WEEK. JAY SAYS THE NEIGHBOR HAS BEEN RECENTLY CONCERNED OVER IMPACT TO THESE 4 OR 5 TREES WHICH ARE NEAR OR AT THE PROPERTY LINE ON THE SOUTH SIDE OF THE DRIVEWAY. ANY WALLS REQUIRED TO INCREASE THE WIDTH FROM 12' AS PROPOSED TO 16' WOULD LIKELY DAMAGE THE ~~X~~ ROOTS OF THESE TREES. THE 20' WIDTH IS NO GO WITHOUT DAMAGING TREES AND FILLING BOTH NEIGHBOR'S PROPERTIES TO SUPPORT THE ROAD.

BECAUSE IT WAS DETERMINED AT THE PRE-APP THAT A 12-FT WIDTH IS ACCEPTABLE TO THE FIRE DEPT. IF THE HOME(S) IS/ARE SPRINKLED, WE RECOMMEND THE ORIGINAL 12' WIDTH AS THE MIN. ROAD VARIANCE.

THANKS,
 ERIK

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AA & PRIVATE DRIVEWAY

16.53.020 Major Variances.

These provisions are intended to prescribe procedures which allow variations from the strict application of the regulations of this title, by reason of exceptional circumstances and other specified conditions:

A. Authorization. The commission may authorize variances from the requirements of this title, other than Division VII, where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, the literal interpretation of the regulations would cause an undue or unnecessary hardship, except that no variance shall be granted to allow the use of property for purposes not authorized within the district in which the proposed use would be located. In granting a variance, the commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and to otherwise achieve the purpose of this title.

B. Standards and Criteria. A variance may be granted only upon determination that all of the following conditions are present:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the city and within the same zone. These exceptional or extraordinary circumstances result from tract size or shape, topography or other circumstances over which the owners of the property have no control. Actions of previous owners do not constitute other exceptional or extraordinary circumstances; and

It is the opinion of WVCC that exceptional circumstances do apply to this property due to the track size and shape, topography of the site and the limited available land provided to adequately meet the code requirements of a 20' wide lot access. The topography of the site is not common when compared to that of a typical Canby lot (flat). The access to the lot's that is currently provided is 20' from property line to property line and will pose prospective interference with neighboring properties if the 20' maximum code is enforced.

2. The variance is necessary to assure that the applicant maintains substantially the same property rights as are possessed by the owners of other property in the city and within the same zone; and

Yes, it is the opinion of WVCC that this variance is necessary to provide the least amount of inconvenience to the neighboring homes while providing equal property rights to those who build on the proposed partitioned lots.

3. Granting of this variance will not be materially detrimental to the intent or purposes of the city's Comprehensive Plan or the Land Development and Planning Ordinance; and

WVCC does not believe that a variance of eight feet for the purpose of partitioning two home sites would be detrimental to the intent or purpose of the city's Comprehensive Plan or the Land Development and Planning Ordinance.

SUBMITTED
BY
APPLICANT

SUBMITTED
BY
APPLICANT

4. Granting of this variance will not be materially detrimental to other property within the same vicinity; and

WVCC believes that by granting this variance to code the property value of the surrounding homes will be increased by the addition of newly developed home sites. The property in the vicinity would only be affected negatively if the variance was not granted by requiring that construction take place on both of the neighboring homes on each side of the access point.

5. The variance requested is the minimum variance which will alleviate the hardship; and

The minimum variance being requested by WVCC is a 8' variance to code which would provide 12' of load bearing drivable access to the property.

If a variance to the 20' code is not granted then permanent construction of a load bearing retaining wall may be required to be built on the property line of one of the two neighboring home site properties of the access road. This construction could potentially create a hardship on existing trees as well as inconveniencing existing property owners with construction easements and fence line (property line) replacement on their own property. The goal is to provide as little inconvenience as possible to the existing home owners while providing adequate access to all utility providers and emergency service providers.

The Fire department has stated that they are willing to accept the 12' of drivable surface in lieu of the 20' due to the home sites having sprinkler systems upon construction.

6. The exceptional or unique conditions of the property which necessitate the issuance of a variance were not caused by the applicant, or the applicant's employees or relatives.

The unique conditions of the property which necessitate the issuance of a variance were NOT caused by WVCC or the employees or relatives of WVCC.

C. Variance to Requirements of Hazard Overlay (H) Zone. Variances may be issued for non-residential buildings in very limited circumstances to allow a lesser degree of flood proofing than water-tight or dry-flood proofing, where it can be determined that such action will have a low damage potential, complies with all other variance criteria, and otherwise meets the requirements of the Hazard Overlay Zone. (Ord.805 section 4, 1987; Ord. 804 section 4(A), 1987; Ord. 740 section 10.8.50, 1984; Ord. 981 section 14, 1997; Renum. and mod. by Ord. 1080, 2001)

59

March 16, 2007

To: City of Canby
From: Willamette Valley Country Club
Re: Neighborhood Meeting

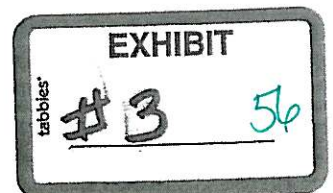
SUBMITTED
BY
APPLICANT

To whom it may concern:

On Tuesday, February 13th, 2007 Willamette Valley Country Club hosted a neighborhood meeting in which all residents within a 200' boundary of Willamette Valley Country Club's property line were invited. The purpose of the meeting was to provide an open forum for the neighbors of WVCC to ask questions and share any concerns they may have regarding Willamette Valley Country Club's intent to partition a 30,000 square foot lot to be sold on the North / East corner of our property. The access to the proposed lot will be accomplished by way of developing a finished drive way at the end of 34th Court on an existing city right of way (easement).

Approximately 9 people attended the meeting. Those attending were primarily residents of the 34th Court area who were inquiring into specific questions such as:

- Q. Has WVCC considered access through the logging road rather than through the 34th Court access?
- A. WVCC has identified the easement at the end of 34th Court as the most logical access to the property and the City of Canby's Parks Department won't allow permanent traffic flow down the logging road.
- Q. How will service providers such as trash, mail and deliveries access the property?
- A. The individual who purchases the lot(s) will have to apply with the Post Office, Waster Management services, etc to identify if their pick/up and deliveries will be done at the cull de sac or up the driveway nearer their home.
- Q. Has water run-off been considered in the plans so that the cull de sac does not realize any more run-off then it already does?
- A. The plans developed by Ztec Engineers have been developed to address any additional drainage caused by water run off. The solution provided for the additional paving of a drive way may not fix any existing problems that the cull de sac has had previously, but Ztec feels that there will not be any additional run off due to the addition of a surfaced driveway.



5
3/11/11
BY
APPLICANT

- Q. How will the privacy of the neighbors on each side of the drive way be affected?
- A. The driveway will retain the same public access that it has always been to walkers and bikers coming and going from the Logging Road. WVCC is willing to consider any reasonable proposals to enhance the privacy fencing of the two properties bordering the access road where the driveway would be installed.
- Q. Will the prospective drive way damage the existing trees on either of the properties adjacent to the drive way access?
- A. Ztec has developed a set of plans that identify the existing trees as a reason for applying for a variance to the standard city code of a paved 20' drive for two homes or less. The intent is to ask for approval of a 12' paved driving space so that the integrity of trees and property lines are not affected by retainer walls and other materials.

WVCC provided invitations to attend the City Planning Commission hearing scheduled for Monday, March 26th. We feel that we have been open with our neighbors and provided opportunities to address any questions or concerns that they have. General Manager, Jay Head has met with a couple home owners on 34th Court and addressed individual concerns with them on a one on one basis as well.

Sincerely,

Jay Head
General Manager
Willamette Valley Country Club

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

930, Canby, OR 97013

(503) 266-7001

FAX 266-1574

DATE: January 29, 2007

- 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 MLP 06-16 (900 Country Club Place), an application from Willamette Valley Country Club requesting a minor land partition to divide Tax Lot 100 and 210 of Map 3 1E 28 into 2 new tax lots. The property is zoned R1 (Low Density Residential). The property is bordered on the West by the golf course and on the East by a logging road, future park and Willamette River.

Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

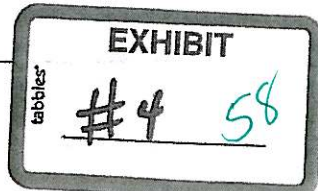
Comments or Proposed Conditions:

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: [Handwritten Signature] Date: 2 - Dec - 07

Title: ASSOCIATE ENG. Agency: CANBY TELECOM



**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: January 29, 2007

- TO:
- | | |
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| <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"/> Darvin Tramel - WTTP | <input type="checkbox"/> CLACKAMAS COUNTY |
| <input type="checkbox"/> Jeff Crowther - WTTP | <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 |
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| <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 _____ |

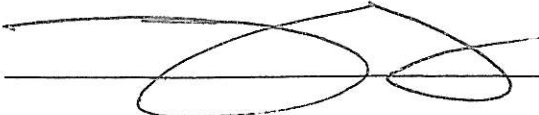
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Please review the enclosed application and return comments to **Kevin Cook** by **Wednesday, February 7, 2007**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

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: 2/7/07

Title: LT Agency: Police

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: January 29, 2007

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTTP
 - Jeff Crowther - WTTP
 - CITY ENGINEER
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 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL _____
 - OTHER _____

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Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

No traffic concerns at 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: M. Ashlee Elmore Date: 2-5-07

Title: Chairman Agency: Traffic Safety Comm.

60

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: January 29, 2007

- TO:
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| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input type="checkbox"/> POLICE | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR |
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| <input type="checkbox"/> Darwin Tramel - WTTP | <input type="checkbox"/> CLACKAMAS COUNTY |
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| <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 checked="" 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 _____ |

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Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

THE PARTITION WILL GENERATE TWO TRIPS DURING THE PEAK HOUR, WHICH IS
A MINIMAL IMPACT TO THE SYSTEM. NO NEW ACCESS POINTS WILL BE CREATED.
THERE ARE NO ACCESS OR OPERATIONAL CONCERNS. WE HAVE NO RECOMMENDATIONS

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: 2/2/07

Title: ENGINEERING ANALYST

Agency: LANCASTER ENGINEERING

61

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
Willamette Broadband, Mike Mance 503-982-1253 Planning/Parks, Matilda Deas 503-266-9404
Cat Sumrain, Lancaster Engineering 503-248-0313 Parks Department, Jeff Snyder 503-266-4021

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

From: Shop Complex, Ronda Rozzell

Date: January 30, 2007

Subject: Pre-Application Meeting for 1303-N Maple Street – Minor Land Partition

Attached is a request for a pre-application meeting.

A meeting with the applicant has been scheduled for Tuesday, February 13, 2007 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:

THE PROPOSED PARTITION WILL GENERATE A SINGLE TRIP DURING THE PEAK HOUR, BECAUSE THE IMPACT IS MINIMAL WE HAVE NO OPERATIONAL CONCERNS BASED ON THE LOCATION OF THE PARTITION ACCESS, WE ASSUME ACCESS WILL BE SHARED BETWEEN THE EXISTING HOME & THE PARTITION, IF NOT, WE RECOMMEND SHARED ACCESS.


Signature

2/2/07
Date

ENGINEERING ANALYST
Title

LANCASTER ENGINEERING
Company

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**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 2667001

FAX 266-1574

DATE: January 26, 2007

- 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"/> Darvin Tramel - WTTP | <input type="checkbox"/> CLACKAMAS COUNTY |
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| <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 **ZC 07-02 (1295 NE Territorial Rd)**, an application from S.T.J., LLC requesting a zone change on Tax Lots 1500 and 1501 of Map 3 1E 27CB from R-1 (Low Density Residential) to R-2 (High Density Residential). The property is located at 1295 NE Territorial Road.

Please review the enclosed application and return comments to **Kevin Cook** by **Wednesday, February 7, 2007**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

No traffic concerns at 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: *Marilyn Elmer* Date: *2-5-07*

Title: *Chairman* Agency: *Traffic Safety Comm.*

63

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

ATE: January 29, 2007

- | | |
|---|---|
| <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 - 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 | <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 **MLP 06-16 (900 Country Club Place)**, an application from Willamette Valley Country Club requesting a minor land partition to divide Tax Lot 100 and 210 of Map 3 1E 28 into 2 new tax lots. The property is zoned R1 (Low Density Residential). The property is bordered on the West by the golf course and on the East by a logging road, future park and Willamette River.

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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: Darwin Tramel Date: 2/05/06

Title: Wastewater Supervisor Agency: WWTP

64

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: January 29, 2007

- 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 **MLP 06-16 (900 Country Club Place)**, an application from Willamette Valley Country Club requesting a minor land partition to divide Tax Lot 100 and 210 of Map 3 1E 28 into 2 new tax lots. The property is zoned R1 (Low Density Residential). The property is bordered on the West by the golf course and on the East by a logging road, future park and Willamette River.

Please review the enclosed application and return comments to **Kevin Cook** by **Wednesday, February 7, 2007**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

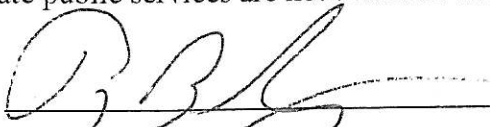
Comments or Proposed Conditions:

The fire district is OK with this partition with the following conditions:

- Visible addresses @ the entrance of the driveway*
- Both homes require fire sprinklers*
- access 12 feet drivable with 20 feet + unobstructed or 16' drivable*
- an approved turn around*
- Gate access to logging road is highly desirable.*

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: Feb 2, 07

Title: Fire Marshal Agency: Canby Fire

65

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

ATE: January 29, 2007

JAN 30 2007

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTTP
 - Jeff Crowther - WTTP
 - CITY ENGINEER
 - CTA
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 - CANBY SCHOOL DISTRICT
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 - CITY TRANSPORTATION ENGINEER
 - BUILDING OFFICIAL _____
 - OTHER _____

The City has received MLP 06-16 (900 Country Club Place), an application from Willamette Valley Country Club requesting a minor land partition to divide Tax Lot 100 and 210 of Map 3 1E 28 into 2 new tax lots. The property is zoned R1 (Low Density Residential). The property is bordered on the West by the golf course and on the East by a logging road, future park and Willamette River.

Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

SEE ATTACHED COMMENTS

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: January 31, 2007

Title: Project Engineer Agency: Curran-McLeod, Inc

66

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

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

January 31, 2007

MEMORANDUM

TO: Mr. Kevin Cook
FROM: Hassan Ibrahim, PE *HAI*
RE: **CITY OF CANBY**
COUNTRY CLUB PLACE (MLP 06-16)

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

1. The existing 4" pressure line to the pump station is shallow. It should either be replaced or capped with concrete to support additional vehicular traffic (AASHTO H20 Loading).
2. The width of the driveway access should be in conformance with the Canby Fire Department requirements. If the width can not be achieved a variance application to the standards should be submitted to the City.
3. Any disruption and all repairs related to the pump station caused or conflicts with the proposed construction should be at the developer's expense.

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: January 29, 2007

- TO:
- | | |
|---|--|
| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input type="checkbox"/> POLICE | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR |
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Please review the enclosed application and return comments to Kevin Cook by Wednesday, February 7, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

looking for power trench design

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: _____

Title: *Construction Coord.* Agency: *Willamette Broadband*

68

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: January 29, 2007

- TO:
- | | |
|--|--|
| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input type="checkbox"/> POLICE | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR |
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Comments or Proposed Conditions:

A GREAT DESIGN & CONCEPT.

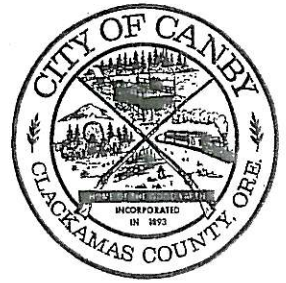
Please check one box and sign below:

- 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: Darwin Tramel Date: 1/30/07

Title: FOREMAN WATER DISTRIBUTION Agency: Canby Water CUB

69



Pre-Application Meeting

Willamette Valley Country Club Minor Land Partition January 9, 2007 @ 10:30 am

Attended by:

Tom Keenan, WVCC, 503-266-0100
Erik Larson, Z-Tec Engineers, 503-235-8795
Terry Smith, NW Natural Gas, 503-931-0422
Dinh Vu, Canby Telcom, 503-266-8201
Roy Hester, Public Works Dept, 503-266-4021

Jay Head, WVCC, 503-266-0100
Jeff Snyder, Parks Department, 503-266-4021
Gary Stockwell, CU Electric Dept, 503-263-4307
Pat Thurston, CU Water Distribution Dept, 503-263-4309

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

WILLAMETTE VALLEY COUNTRY CLUB (WVCC), Jay Head

- We are planning to do a minor land partition of a 30,000 sqft lot and bring utilities to the site.

Z-TEC ENGINEERING, Erik Larsen

- The reason for the fire department emergency access is just for turning their vehicles around. There will be a locked gate and this will be for emergency access only.

CITY OF CANBY, PARKS DEPARTMENT, Jeff Snyder

- My interest is what you are planning to do with the Forest Road, I see on your plans you want to utilize a fire department turn-around/emergency access. Do you plan on anything else? The answer was no. I just want to make it known that this road is a walking path with no vehicular traffic.

CANBY TELCOM, Dinh Vu

- We have poly on the south side of the property, so we are ready to serve you. We will follow the electric in the trench line.

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- Looking at your prints I am a little confused by sheet C-3 and it states everything is fine and then on sheet C-4, note 5 states to remove existing transformer and replace with new sewer line. What is taking place? Erik answered saying both. Gary stated the vault will stay and require 3' of clearance in your driveway. The transformer is another issue in itself because it serves the lift station. Erik said they do not want to impact the existing utilities to put the driveway in and wants to make sure we can get utilities to the site. Gary told Erik the point of contact is the vault and we will be able to install a transformer to service the two parcels. Any relocation of existing utilities will be paid by you.
- Residential line extension per lot is \$950.00.
- At the time of building construction you will pay \$170 for temporary service and \$800 service hook up fee (per lot).
- You provide trenching, staking, grading and backfill.
- If you need to have the transformer moved I will need to coordinate with Public Works Department on moving the transformer and how long the lift station can be out of service.

The transformer will need to have ballards around it. Erik suggested to move the transformer closer to the property line, but will be up to Roy.

- I will need you to send me the site plan in a jpeg format.
- Once I get all your information I will design a plan to serve the lots and transformer relocation.
- I will need an easement on the property line by the logging bridge road for our PUE, the entire length of the property, 10' should be adequate.
- Depending on how things go the contractor will have to have a generator for the lift station while we move the transformer.

NW NATURAL GAS, Terry Smith

- We do not have gas near your address. The nearest gas main is in N Maple Street, approximately 760 ft south of 34th Place. To bring gas to your (2) lots will be expensive unless the other houses in the neighborhood hook up to the gas line. It will be possible in the future, but it will cost you.

CITY OF CANBY, PLANNING DEPARTMENT, Kevin Cook

- We are back here doing a pre-application meeting. The first thing I noticed was the 12' pavement access and it actually requires you paving the full width of the access road, so you will need 20' of asphalt. According to the code any access road more than 100' long has to be 20' wide.
- We have already discussed the (1) or (2) oversized lots, but we want to bring it to the Planning Commission stating the impact will be no different than a 7,000 to 10,000 sqft lots for this surrounding neighborhood.
- The Planning Commission will want to know that all utilities are accessible to these lots.
- We can probably put you on the Planning Commission's agenda on either February 12 or 26th; I will let you know for sure.
- Once everything is complete you need to get with ZTEC and get the mylars recorded with the Clackamas County. If any improvements need to be done we will look at bonding.
- We still need to have further discussion on this hammerhead and crash gate access.
- I will talk to John Williams on the variance of the width on the access road. I don't see that you have met all the criteria for the variance.

CITY OF CANBY, PUBLIC WORKS DEPARTMENT, Roy Hester

- Roy stated that the lift station can only be down for (4) hours max.
- On your plans the way you have the 8" main branching off to the (2) 6" laterals are okay.
- The sewer line near the lift station is a very fragile 4" pressure line and if you drive any equipment over it you will break it. It is not deep and made out of black plastic. Erik told Roy that they would go out there first and re-do the pipe or encase the line temporarily. Roy said he would not want it encased in concrete at all.
- If you relocate the transformer you will need to coordinate with the electric and the phone because we have it alarmed.
- The driveway is supposed to be 20', but if you ask for a variance on the road I want the road to be curbed.

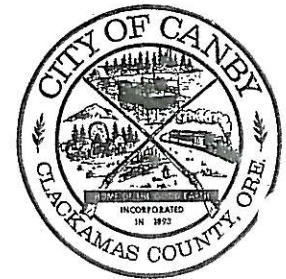
- The catch basin depicted on your plans need to be a G-2, 24" sump. The catch basin has to have a 2' reservoir in it. Put these details on your plans.
- The City Council does not allow any type of turn-a-rounds (hammer head) on the logging road, so I don't know how you are going to handle that issue Kevin. The Council has stated that there will be no traffic on the logging road unless it's an emergency. Kevin said he would put a conditional use on the hammer head stating it will only be used in case of an emergency with no other type of traffic and be clearly marked.
- You will need to get an Erosion Control Permit for the entire subdivision and then Erosion Control Permits for each of the individual lots when they are ready to build on them.
- You will need to replace the lid at the lift station with a traffic rated lid.

CANBY UTILITY, WATER DISTRIBUTION DEPARTMENT, Pat Thurston

- The meters will be located behind the driveway approach at the property line, if they are in a paved area you will need to use a #37 box with a traffic lid.
- On your plans you have a 2" water service depicted. My question to you is, are you sure you want that size? We can place a service in, but it is easier to downsize then to upsize.
- I may have to do some refiguring of the water service for the lift station.

CANBY FIRE DEPARTMENT, DEPUTY FIRE MARSHALL, Todd Gary

- Why did the access road reduce to 12' rather than continue at 16'?
- Emergency apparatus turn-a-round must be 20' wide (OFC 5032.5)
- All accesses must be unobstructed width at 20'.



Pre-Application Meeting

Minor Land Partition for Willamette Valley Country Club

May 9, 2006

10:30 am

Attended by:

Todd Gary, Canby Fire Department, 503-266-5851
Jay Head, Willamette Valley Country Club, 503-266-0100
Roy Hester, Public Works Department, 503-266-4021
Gary Stockwell, CU, Electric Department, 503-263-4307

Kevin Cook, Planning Department, 503-266-9404
Pat Thurston, CU, Water Distribution Dept, 503-263-4309
Dan Mickelsen, Public Works Department, 503-266-4021
Jeff Snyder, Parks Department, 503-266-4021

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

WILLAMETTE VALLEY COUNTRY CLUB, Jay Head

- We are planning on doing a minor land partition on our property by the 4th hole and the logging road; this will not be any larger than 30,000 sq ft. We would like the opportunity to sell this parcel as (1) lot or divided into (2) lots of 15, 000 sq ft. It will depend upon the purchaser of what they want to do with the land.
- We could possibly move the roadway towards the golf course side and place some landscape around the lift station to alleviate some of the problems your are stating.
- We are thinking of keeping this 50' parcel and place a restroom between the existing homes and the 4th hole. Pat Thurston told him, you will need to have a third meter for this restroom.

CITY OF CANBY, PUBLIC WORKS DEPARTMENT, Roy Hester

- The issue we have is our lift station, which is in your proposed ingress and Ron Tatone was going to work on the traffic load issues. We cannot bury some of these pieces for the lift station because they have to be above ground. I don't know how this will impact you, but these are our concerns.
- If we have to do maintenance on the sewer lift station with our vector truck there will be no access to the homeowners while we are working on the lift station.
- If you place any hard surface over the sewer pressure line you will need to have it updated to today's standards.

CITY OF CANBY, PUBLIC WORKS DEPARTMENT, Dan Mickelsen

- The problem with the roadway towards the logging road side is that you will be on our sewer pressure line. It is very fragile and has failed in the past and so far we have had no problems finding the sewer line, but if you place a hard surface over it we will not be able to locate the break without digging up the road. If this happens it would take away access to your homeowners while we fix any problems.
- The other challenge you will face is the sewer line(s) from your proposed property coming into the manhole, you will be coming at the wrong angle and be going against the flow from the sewer main.

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- I have a transformer to the back (west) of the lift station and to the front (east) of the lift station I have a vault, both are depicted on your drawing. It would be our desire that the vault not be in a traffic area because the vault lid and style we use can only handle limited occasion truck traffic, it is not designed to be driven over continuously.
- My concern would be the placement of the vault in the driveway or sidewalk because of trip or slip hazards; we would like it in a landscaped area. The other concern I have is, if it is to be in a traffic area or sidewalk would be the changing grade. These vaults can be raised in certain dimensions, but to lower them is extremely difficult. If you move your driveway access to the rear of the lift station and it would be better to move the transformer and service entrance and much less expensive than having to deal with the vault.
- As far as serving the property I will need a more detailed set of plans for your property. Depending on how this will layout where I would need easements, which can be addressed at a later time.
- We have development fees to get our utilities in position for whoever buys this property and/or decides to partition the lot again.
- The biggest concern is access and existing utilities. Any conflict with the existing utilities that would require modification or relocation would be at the developer's expense.
- The equipment presently in this location is full and we may have to use another transformer, but until I get a more detailed plan from you I cannot tell what we will need to serve you.

CANBY UTILITY, WATER DISTRIBUTION DEPARTMENT, Pat Thurston

- Water is available at the end of the cul-de-sac and we would place two meters at the entrance of the driveway because of the potential of this property being split for two homes. The meters will need to be kept out of pavement of any type and it would be your responsibility to go from those meters locations back to your residences.
- SDC's for a 5/8 x 3/4" is \$2,630.00 per meter and main to meter \$725 each.
- You have approximately 100 pounds of pressure in the end of the cul-de-sac.
- Basically every residence gets a 1" line service line up to the meter and then after that it can be a 5/8 x 3/4" to 1" to 1-1/2" to 2" and when you get to the 1-1/2" to 2" then you are going to a 2" line. We can place a larger line in but it will be at an adjusted price.

CANBY FIRE DEPARTMENT, DEPUTY FIRE MARSHALL, Todd Gary

- Access is our concern, we require a 28' inside radius and a 48' outside radius on our turns, come up the driveway is going to be very challenging. One of things you will have to do is sprinkle the homes because we are limited on our water supply in the cul-de-sac. If you have a 3,600 sqft home there is no doubt they will need to be sprinkled because when I do the fire flow calculations and you are required 1,750 gpm and I don't think we can get that flow for two hours.
- Todd handed Jay a handout explaining all the issues of access, fire flows and other fire related information.
- If the homes are at 30' or above we need a 26' access and we could in lieu of the 26' access do a 20' access if you do sprinklers.
- I just wanted to let you know that you will need a 1" meter for the proper water flow for sprinklers and that doubles your water meter SDC's.

CANBY FIRE DEPARTMENT, DEPUTY FIRE MARSHALL, Todd Gary (continued)

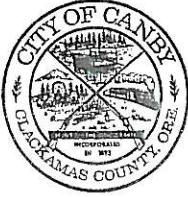
- There will have to be a turn around at these homes because it is more than 150' from the street. One of those types of turn a rounds will have to be made available due to the length of the access road (Todd pointed to the information packet he handed Jay).
- The fire code states a 20' clear area and 12' drivable surface minimum. What this means is you need 20' clear area with no trees planted on the sides. Our challenge is at the top of the access road around the fire and utility equipment.

CITY OF CANBY, PARKS DEPARTMENT, Jeff Snyder

- My interest in this project is the natural area around the forest road and I do not want any conflicts with the forest road users. I am not very happy about having the access right next to the forest road and I want to make sure there will be no access for homeowners or any type of motorized vehicles utilizing the forest road.

CITY OF CANBY, PLANNING DEPARTMENT, Kevin Cook

- Under the current scenario the 30,000 sq ft lot should not be a problem, but normally 10,000 sq ft lots are our largest and there are exceptions to the code. Namely if your restricted in some way and in this case, access and with the width of this access the two parcels will be the maximum.
- Keep this in mind. If you do a lot line adjustment and got additional right-of-way or access the argument for a larger lot goes away.
- Our code actually says for two lots with a 12' wide access you will need a 5' sidewalk. There are two sets of rules here but they are both for 20' minimum driveway.
- If the Planning Commission approves the one lot for 30,000 sq ft and will probably recommend a deed restriction on the property that it can only be divided into two lots.
- Kevin wanted Jay to know the schedule for the Planning Commission hearings are full and the next possible meeting time will be in July. This will give you time to work out these issues.



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 February 26, 2007.

APPLICATION: Minor Land Partition

APPLICANT: Jay Head, General Manager – Willamette Valley Country Club

CITY FILE #: MLP 06-16

COMMENTS: I don't have any objection to this request for the minor land partition by the applicant.

YOUR NAME: _____

Frank J. Barish
Frank J. Barish

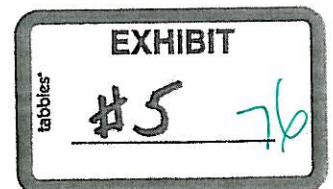
ORGANIZATION or BUSINESS (if any): _____

ADDRESS: 2144 Country Club Dr. Canby, Oregon 97013

PHONE # (optional): _____

DATE: 2/10/07

Thank you!





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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 February 26, 2007.

APPLICATION: Minor Land Partition

APPLICANT: Jay Head, General Manager – Willamette Valley Country Club

CITY FILE #: VAR 07-01

COMMENTS: I don't see any problem with this application. And approve the applicants request.

YOUR NAME: _____

Frank J. Barich
Frank J. Barich

ORGANIZATION or BUSINESS (if any): _____

ADDRESS: 2144 Country Club Drive

PHONE # (optional): _____

DATE: February 10, 2007

Thank you!

From: "Jim Larson" <ducku66@canby.com>
To: <cookk@ci.canby.or.us>
Date: 2/18/07 9:00PM
Subject: MLP 06-16 VAR 07-01

To: Canby Planning Department

From: James M. Larson
970 NE 34th Place
Canby, OR 97013

Subject: MLP 06-16
VAR 07-01

1. I have a question, why was no one on 34th Place notified of the hearing. Not until we heard about this proposal via the grapevine was anyone aware of the pending development plans. Then after contacting the Planning Department the hearing date was changed. The reason gave to me by the Planning Department was they used a mailing list provided by the Country Club. Was this an oversight by the Country Club or was this done on purpose to exclude those affected the most? I guess we will never know the answer to this question.

2. The proposal states that the easement at the terminus of 34th Place is to be used as access to the two proposed residential parcels.

a) What is the detail plan on how the Pump Station will be impacted?

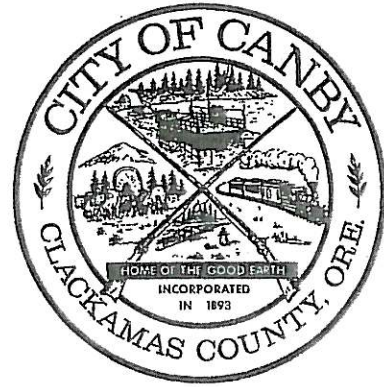
b) A paved drive way will bring down a tremendous amount of rain water and leaves to the cul de sac. How is this being addressed?

c) The distance from my fence across the easement to the base of my neighbor's large tree is 21.5 feet. What is the width of the easement? If a 16 foot wide driveway is built how will this affect the root system of the tree?

d) We have a private back yard. I don't like the idea of people being able to drive by and see into our yard.

Not to mention garbage trucks which make a considerable amount of noise. Is this the best way "to protect the best interests of the surrounding property"?

- e) What are the detail plans for the development of this driveway? Why doesn't the application address anything other than they want a variance to the road width?
- f) If this variance is allowed a precedent will be set. What will prevent the Country Club from trying to develop additional properties by using this access road?
- g) What will prevent random people from driving up this driveway?
- h) How will this impact the walkers, joggers and bicyclers that use the pathway daily?
- i) Development of the property at the end of Maple Street was not allowed. What has changed to allow this development to proceed?
- j) Who will be the owner of this access road, will it be the city, the new property owners or the Country Club? Who will be responsible for the maintenance of this access road?
- k) Why not use the logging road as an access to the proposed property development?
- l) Why were the two parties most affected by this proposal not ever contacted?



STAFF REPORT

TO: *Planning Commission*
FROM: *Carla Ahl, Planning Technician*
DATE: *March 16, 2007*
RE: *MOD 07-03: of DR 04-04 Wade Smith*

We've received an application from Wade Smith to modify the 2004 Site & Design Review Approval (DR 04-04). Following is a summary of the request, the process to be used, and an analysis of the criteria.

Request

The applicant is requesting approval to develop a 1.46 acre lot into an extension of his existing RV storage facility. The development will take its access through a driveway ingress and egress easement which will be created on the current 25' wide private drive from S. Redwood St. The development would consist of 115-125 outdoor storage spaces in addition to the existing 250 spaces from the original development.

Recommendation

Staff recommends approval of the proposed modification as submitted, with the recommended conditions.

Background

In July of 2004 the applicant received approval from the Planning Commission to develop an open air RV storage facility with a small office and a private septic disposal facility.

In March of 2005 Mr. Smith applied for a modification to allow the construction of a lean-to parking structure along the western property line for storing boats. The structure measures approximately 35' X 288' by 20' tall with galvanized metal roofing and the steel framework painted white. The Planning Commission found the structure would have limited impact on neighboring properties.

Process

Staff believes that the overall change in facility size is significant enough to warrant processing as an intermediate modification rather than an administrative review.

As such, we propose that it be dealt with by the Planning Commission as a new business item. If the request is approved, we will mail notice to neighboring property owners and any others who have standing from the last public hearing process. Any of these individuals may request a public hearing *at the applicant's expense* by filing a written request within 10 days. This allows for suitable public comment on the

application.

The Planning Commission may, at its discretion, choose to make the applicant file a new site and design review application for this request. This would add about two months to their process.

Criteria

The criteria for this application are the same as for the original design review, as follows:

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	

FINDINGS

A. Background and Relationships:

The site is located on an industrial flag lot behind existing development in the Redwood Industrial Park. Drive access to the parcel is located on the west side of S. Redwood St. between Spectrum Woodworking and Club Fit. The property is zoned M-1 Light Industrial, which allows for Transfer and Storage. All surrounding properties are zoned M-1 Light Industrial, this parcel currently vacant.

B. 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 subject property is located in an existing M-1 area. Mr. Smith has operated his storage facility since April of 2005 with no known conflicts.

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

Analysis: All utilities are available on the property and on the driveway serving the existing RV storage facility, which is located along the eastern boundary.

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. The proposed use is permitted outright in the zone.

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.

The subject property is considered to be urbanized with no known environmental issues.

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 application does not meet threshold requirements for a traffic study. All street improvements are already in place.

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 site has adequate access available for emergency access. The Fire District reviewed the application with the following comments.

1. All radius widths must meet Fire Department standards. (28' inside and 48' outside).
2. 30' one-way is approved without parking restrictions on one side.

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: Utility services are available in access drive.

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.

C. Evaluation Regarding Site and Design Review Approval Criteria

Design Review Matrix Analysis

1. Parking

No new structures are proposed with this development. This separate parcel would rely on the existing utilities, infrastructure, office and management of the current RV facility which are already in place. The original Design Review required 5 parking spaces for the office building.

2. Traffic/Access

The driveway meets width and spacing standards.

3. Signs

No new signage is proposed.

4. Lot Landscaping standards and Tree Retention

All required landscaping standards have been met. The application requires 9,568 square feet of landscaped area, the applicant has proposed 10,482 square feet which includes shrubs, and groundcover. Typically landscaping is required to be installed within the parking areas of an industrial development but in this case, parking is the industrial development and the applicant proposes to concentrate landscaping along the perimeter of the property and in areas where it would provide the greatest benefit to surrounding properties. The landscaping design is similar to the design that was approved by the Planning Commission in the original Site and Design Review. The applicant is proposing no irrigation at this time, he has hardy plants and waters either with a drip system or by hose.

5. Building Appearance

No buildings are proposed with this application

Compatibility Matrix

Four of the six sections of the Design Review Matrix apply to this application. This application on its own is difficult to fit into the Matrix and receives only 8 of a possible 15 points, or 53%. Looking at this development as phase II of the original application, the proposed application receives 20 points out of a total possible of 27 points or, 74% not including bonus points. The minimum percentage required to be considered "compatible" is 65%, so this proposal is considered compatible. Following is staff's determination of the points totals.

<u>CRITERIA</u>	<u>PTS/ POSS</u>	<u>NOTES</u>
Parking		
Screening of loading facilities	N/A	
Parking lot landscaping	0/1	Landscaping in parking lot
Parking lot lighting	1/1	2 yard lights are proposed
Location of parking	2/2	Parking behind existing structures
Number of parking spaces	2/2	Provides 100% of required
Traffic		
Distance of access to intersection	2/2	100'+ from intersection.
Access drive width	1/1	Access drive width = 125%
Pedestrian access from public sidewalk	2/2	Entrance connected.
Pedestrian access parking lot to building	N/A	
Signs		
Dimensional size of sign	N/A	No new signs proposed
Similarity of sign to building	N/A	
Pole sign	1/1	
Location of sign	1/1	Sign at entrance not within vision clearance area
Tree Retention		
Tree retention	N/A	No large existing trees on site.
Replacement of trees	N/A	
Building Appearance		
Style	1/2	Style of architecture is not necessarily compatible with surrounding development, but the size of the structure is also minimal so as to limit the overall impact of the structure on the aesthetics of the development.
Color	2/2	Colors subdued and similar
Material	0/1	Wood siding with brick wainscoting
Size	1/1	Building area < 20,000 square feet.
Types of Landscaping		
# of non-required trees	1/1	The applicant is not proposing more than 1 non-required tree per 500 square feet of landscaping.
Lawn Area	2/2	>50% of landscape is lawn/ground cover
Location of Shrubs	1/1	Shrubs throughout the site.
Automatic Irrigation	0/4	
Bonus Points		
2 or more trees 3" or more	0/0	No trees proposed
Trash Receptacle Screening	1/1	
Park/Open Space	N/A	

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6. Availability of Adequate Public Facilities and Services

Services are available in access drive from S. Redwood.

7. Development Standards

All development standards for the M1 zone, including maximum lot coverage, building height, and vision clearance requirements have been met by the proposal.

1. The Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

- A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved;
Staff finds that this criteria is met. The application conforms with the municipal code's development standards.
- 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.
Staff finds that this criterion is met.

2. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.

Staff finds this criterion does not apply to the proposal.

3. The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the requirements of this section. The costs of such

conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.
Staff finds that the proposed modification will have no impact on the availability and cost of needed housing.

4. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 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.
Staff finds that this criterion does not apply.

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:

- 1 A. 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
- B. The proposed design of the development is compatible with the design of other development in the vicinity; and
- C. 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

- D. The proposal is deemed compatible given that staff allocated a percentage of 74% on the design review matrix when 65% is considered compatible.
- E. All required public facilities and services exist or can be made available to adequately meet the needs of the proposed development.
2. The 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

RECOMMENDATION

Based upon the application, 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 MOD 07-03 with the following conditions:

Prior to construction:

1. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, natural gas, telephone, cable television services shall be approved by the appropriate utility provider. The applicant is responsible for all costs related to the installation or relocation of utility services due to this project. The following Fire Marshal's requirements must be met:
 1. All radius and access widths must meet Fire Department standards of 28' inside and 48' outside
 2. One-way is approved without parking restrictions on one side.

For the Building Permit Application:

2. Prior to issuance of a building permit a driveway ingress/egress easement must be recorded on the 25' wide private drive from S. Redwood.
3. 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 and location of planting, the type and size of plant materials, and a planting schedule. The final landscape plan shall reflect the approved landscape plan submitted with the Site and Design Review application and any modifications conditioned.

4. Landscape materials shall be planted 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 said 3-year period.

Prior to Issuance of a Building Permit

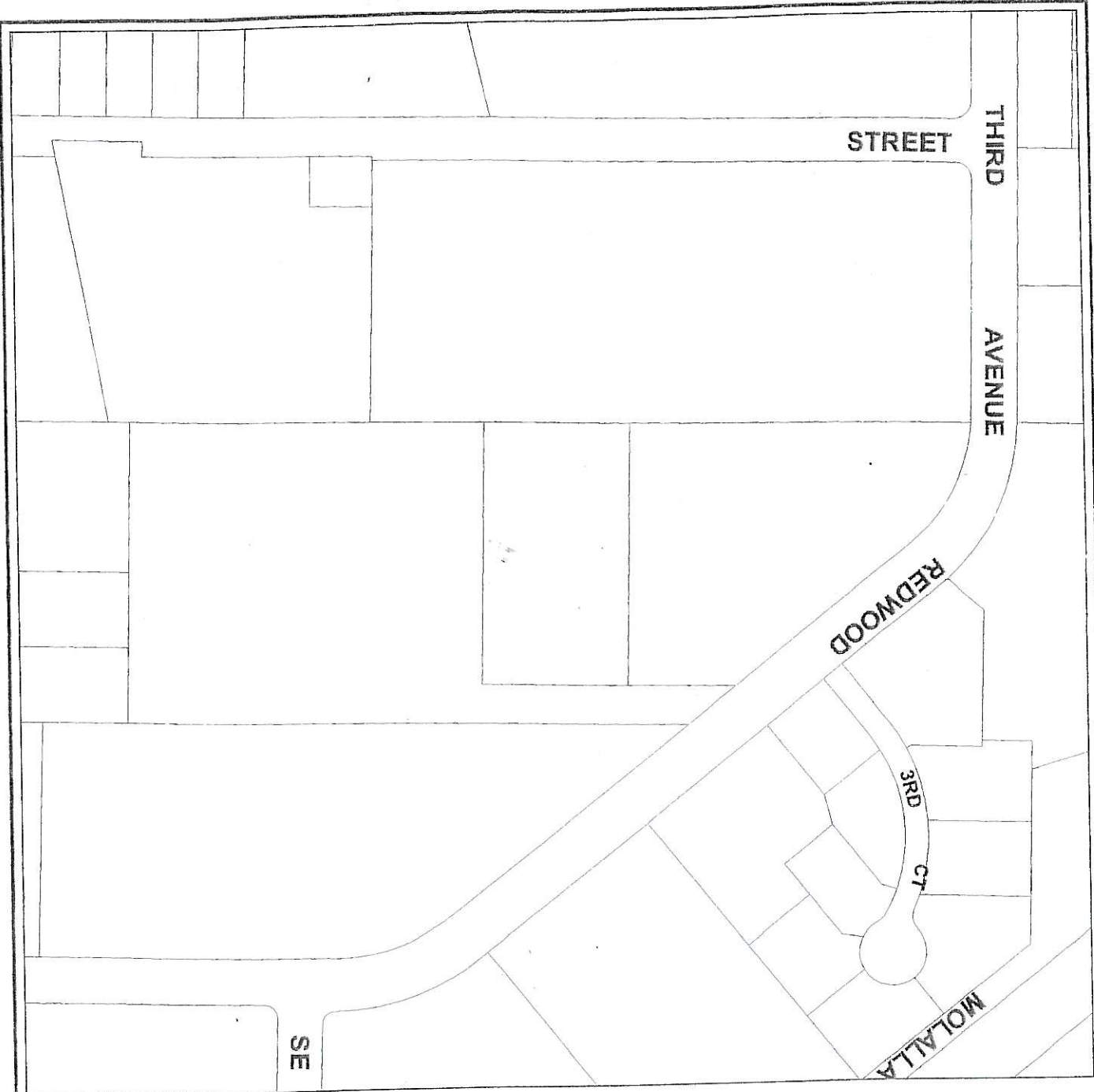
5. The design of stormwater facilities shall be approved by the City Engineer and Public Works Supervisor. The applicant is responsible for obtaining approval from DEQ and/or EPA, if necessary, for stormwater management permit approval.
6. An Erosion Control permit is required. Approved erosion control measures shall be in place during construction and shall conform to the City of Canby's Erosion Control Ordinance.
7. Applicant shall complete a Non-Residential Wastewater survey for review by the Waste Water Treatment Department.

During Construction, prior to occupancy:

8. All grading and fill on the site shall comply with State, City and County regulations.
9. Exterior lighting is required to provide a minimum of .5 foot-candles with a 4:1 uniformity ratio on the pavement in the parking and sidewalk areas. All site lighting shall be "hooded" or "cutoff" so as not to direct light skyward.
10. Approval of this application is based on the submitted site plan and other relevant application materials and submitted testimony. Approval is strictly limited to the submitted proposal and is not extended to any other use of the property. Modification of the approved site plan with regards to landscaping or any other approved elements, shall require an approved modification in conformance with the relevant sections of the Canby Municipal Code.

Exhibits:

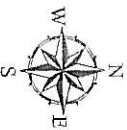
1. Vicinity map
2. Application including site plan
3. Requests for comments



302 S Redwood Avenue

EXHIBIT #1

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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.

March 15, 2007 01:39 PM

MODIFICATION APPLICATION

FEES:

Minor Modification: \$100

Intermediate Modification: \$720

Extra charge for public hearing (if required): \$460

OWNERS

Name _____
Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____
E-mail _____

APPLICANT**

Name Wade + Cindy Smith
Address PO Box 817
City Canby State OR Zip 97013
Phone 503-730-3131 Fax 775-242-6324
E-mail Wade@CanbyStorage.com

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

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

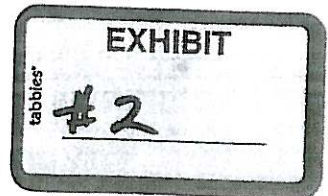
OWNER'S SIGNATURE _____

DESCRIPTION OF PROPOSAL

property address/location 302 S Redwood St. OR 04-04
Current zoning M1 Comprehensive Plan Zoning _____
File number of previous land use decision to be modified _____
Summary of proposal Rt + Boat Storage Expansion

FOR CITY USE ONLY	
File #	<u>WCD 07-03</u>
Date Received	<u>3/6/7</u> By <u>[Signature]</u>
Completeness Date	_____
Hearing Date	_____

*If the applicant is not the property owner, owner must sign this form or applicant must attach documentary evidence of authority to act as agent in submitting this application.



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SITE AND DESIGN REVIEW APPLICATION: LANDSCAPING CALCULATIONS

Site Areas

1. Building area	0	☞ Square footage of building footprint
2. Parking/hardscape	53305	☞ Square footage of all sidewalks, parking, & maneuvering areas
3. Landscaped area	10482	☞ Square footage of all landscaped area
4. Total developed area	63787	☞ Add lines 1, 2 and 3
5. Undeveloped area	0	☞ Square footage of any part of the site to be left undeveloped.
6. Total site area	63787	☞ Total square footage of site

Required Site Landscaping (Code 16.49.080)

7. Zone	M-1	☞ 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	63787	☞ Fill in value from line 4
10. Required square footage of landscaping	9568	☞ Multiply developed area by % of required landscaping
11. Proposed square footage of landscaping	10482	☞ Fill in value from line 3
		9,568 <i>req.</i>

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	M-1	☞ 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	15%	
14. Area of parking lot & hardscape	53305	☞ 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	7996	☞ 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	0	☞ Total number of parking spaces
18. Area of parking lot & hardscape	53305	☞ Area from line 14
19. Number of parking spaces (line 17) divided by 8	0	☞ Round up to the nearest whole number
20. Area of parking lot (line 18) divided by 2,800	0	☞ Round up to the nearest whole number
21. Number of required trees in parking lot	0	☞ Take the larger of the previous two rows
22. Number of trees provided within 10 feet of parking lot	0	☞ Count the number of proposed trees within 10 feet of parking and maneuvering areas.

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APPLICANT:

Wade and Cindy Smith
PO Box 817
Canby, OR 97013

SUBJECT PROPERTY:

Partition Plat 2001-004, Parcel 2, Tax Lot 1820, 302 South Redwood Street

ZONING:

M-1 Light Industrial

PROPERTY OWNER:

Spectrum Properties LLC

PROPOSED DEVELOPMENT DESCRIPTION:

The purpose of this application is to develop a 1.46 acre lot into a Recreation Vehicle storage facility. This will be an extension of the existing storage facility, that is adjacent to the subject property, known as Canby RV & Boat Storage, LLC (CRVBS) located at 373 S Redwood Street. CRVBS is adjacent to the South and East side of the subject property.

The site is rectangular in shape. Landscaping will be concentrated on the perimeter of the property, primarily providing a landscaped buffer area from existing and potential uses.

This development will consist of approximately 115-125 outdoor storage spaces.

CONFORMANCE WITH COMPREHENSIVE PLAN & ZONING

This site has a Comprehensive Plan designation as Light Industrial. Policy 5 of the Land Use Element describes the development characteristic of Light Industrial as "Generally distinguished by heavy manufacturing, **storage**, or wholesale or heavy retail sales operations, and incidental caretaker facilities. City M-1 zoning conforms with this category." (Emphasis added) This facility is designed to accommodate storage in providing space for RV type vehicles.

SERVICE AVAILABILITY AND TRAFFIC IMPACT

All utilities are available on the property and on the driveway of CRVBS, adjacent to the subject property. A driveway ingress and egress easement will be created on current CRVBS driveway to access the property. A plat map is attached for your reference as well as a diagram of the proposed storage layout. This separate parcel would rely on the existing utilities, infrastructure, office and management of CRVBS since they are already in place. Availability of public facilities are already in place as well, at CRVBS main office. Please refer to the enclosed drawings we provided to Carla Ahl on 3-6-07 as supportive documentation to show that we meet all of the following: conformance with comprehensive plan, municipal code, design review matrix and availability and adequacy of public facilities and services. Furthermore, we have supplied supportive documentation of a standard storm water management system that provided both water quality treatment and detention. This is infill development and all police and fire services are available.

The storage facility as designed generates very little traffic, and much less than other permitted uses in the zone. Because of the low traffic volume (less than 100 vehicles per day) no traffic impact analysis is required.

COMPLIANCE WITH SITE REVIEW STANDARDS AND CRITERIA:

The following address the basic design review criteria.

The proposed development, including 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

All standards, such as setbacks, landscaping percentage, required number of parking spaces, are met in this application. Details of the design such as type and placement of landscaping can be adjusted based on review and conditions approval.

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

This zone and most of the surrounding zones are Light Industrial. This will be an extension of the existing storage facility, that is adjacent to the subject property, known as Canby RV & Boat Storage, LLC (CRVBS) located at 373 S Redwood Street. CRVBS is adjacent to the South and East side of the subject property.

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

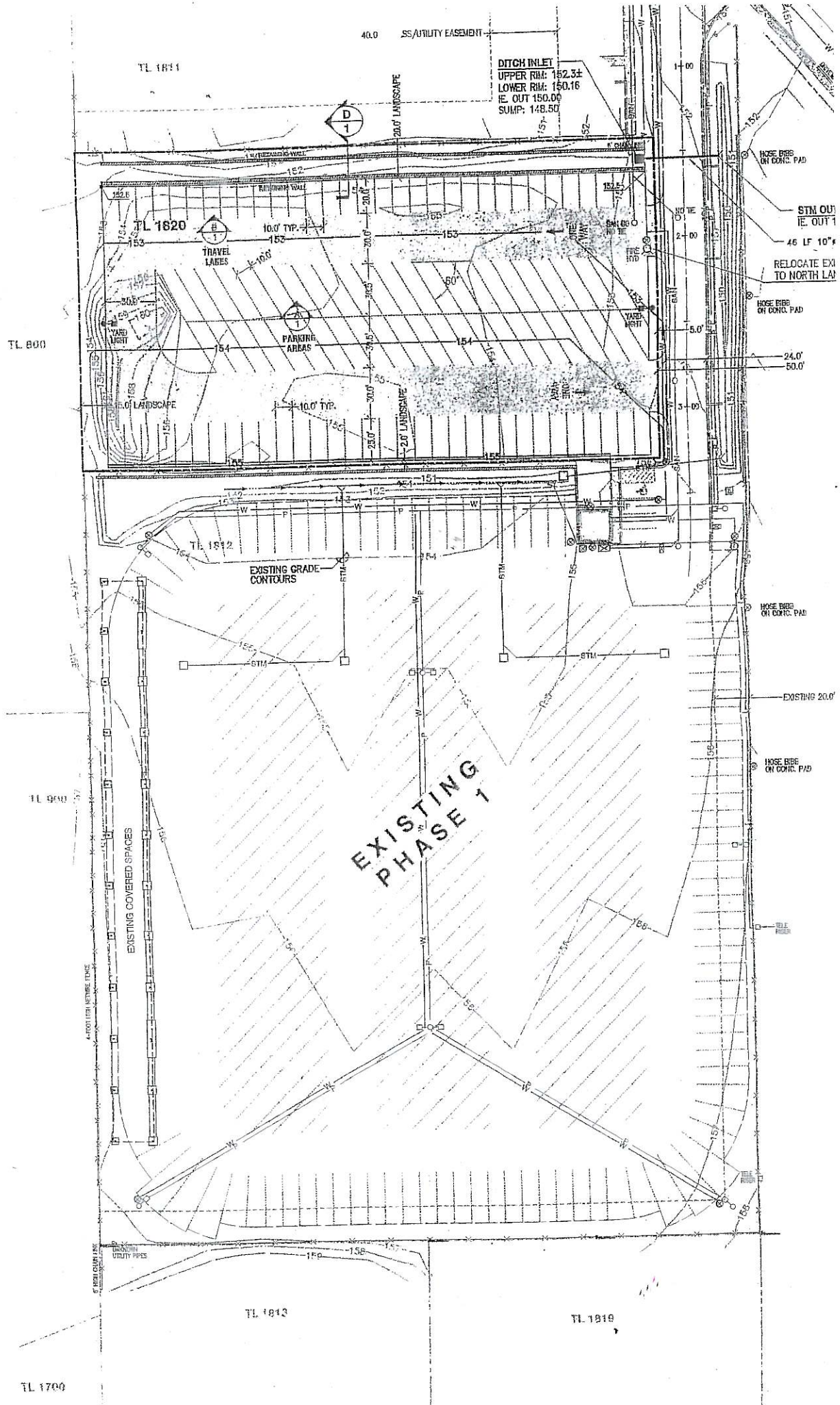
Since this will be an extension of the existing storage facility, known as Canby RV & Boat Storage, LLC located at 373 S Redwood Street, no structures or additional signs will be needed as they are already in place.

The Board shall, in making its determination of compliance with subsections (b) and (c) above, use the following matrix [page 7] to determine "compatibility," in regards to subsections (b) and (c) above, if a minimum of sixty-five % percent of the total possible number of points (not including bonuses) are accumulated for the whole development; and

As indicated on the design matrix, we meet the minimum requirement based on the point system.

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.

As noted in the above narration, services are readily available at this site.



40.0' ACCESS/UTILITY EASEMENT

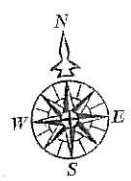
REDWOD STREET

TL 1806

TL 1812

EXISTING 20.0' PUBLIC UTILITY EASEMENT

EXISTING
PHASE 1



PLAN
SCALE: 1" = 50'

TL 1813

TL 1819

TOTAL SITE AREA:
LANDSCAPE AREA:

192,889 S.F.
29,018 S.F. (15%)

100

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

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

March 14, 2007

Ms. Carla Ahl
Canby Planning Department
170 NW 2nd Avenue
Canby, OR 97013

**RE: CITY OF CANBY
WADE SMITH EXPANSION OF SOUTH REDWOOD RV STORAGE**

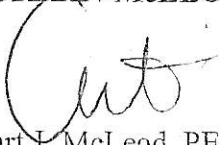
Dear Carla;

We have reviewed the proposed plans for the expansion of the RV storage yard on South Redwood Street and have no concerns regarding the public infrastructure. The improvements include additional surfacing, however, we see no change to the sanitary sewer or public street improvements. The drainage system for the private lot must be approved by Clackamas County.

Let me know if you need anything additional.

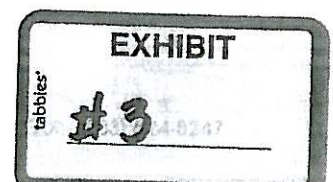
Very truly yours,

CURRAN-McLEOD, INC.



Curt J. McLeod, PE

cc: Roy Hester



CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-7001 FAX
266-1574

DATE: March 12, 2007

- TO:
- | | |
|---|--|
| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input checked="" 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"/> Darvin Tramel - WTTP | <input type="checkbox"/> CLACKAMAS COUNTY |
| <input type="checkbox"/> Jeff Crowther - WTTP | <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 MOD 07-03 (Smith), an application from Wade & Cindy Smith requesting a modification of application DR 04-04 to allow expansion of RV and boat storage.

Please review the enclosed application and return comments to **Carla Ahl** by **Wednesday March 16, 2007**. 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: 03/14/07

Title: POLICE CHIEF Agency: CANBY POLICE

Greg Kroppen

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

Box 930, Canby, OR 97013

[503] 266-7001 FAX
266-1574

DATE: March 12, 2007

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darwin Tramel - WTP
 - Jeff Crowther - WTP
 - CITY ENGINEER
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 - 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 _____

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Please review the enclosed application and return comments to **Carla Ahl** by **Wednesday March 16, 2007**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

*It is not indicated whether additional
Electrical service will be required.*

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: *Bob Thorswell* Date: 3-15-07

Name: Line Foreman Agency: Canby Utility Elect.

103

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

[503] 266-7001 FAX
266-1574

P.O. Box 930, Canby, OR 97013

DATE: March 12, 2007

- TO:
- FIRE
 - POLICE
 - PUBLIC WORKS
 - CANBY ELECTRIC
 - CANBY WATER
 - Darvin Tramel - WTPP
 - Jeff Crowther - WTPP
 - CITY ENGINEER
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 - OTHER _____

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Please review the enclosed application and return comments to Caria Ahl by Wednesday March 16, 2007. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

*The only requirements the Fire District has is for all radii
and access widths must meet our standards.
Radii 28' inside 48' outside.
30' one way is approved without parking restrictions on one side*

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: *March 13 2007*

Title: _____

Agency: _____

Canby Fire

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – March 12, 2007
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Jim Brown, Vice Chair Dan Ewert, Commissioners Janet Milne, John Molamphy, Bruce Holte and Jared Taylor

ABSENT: None

STAFF: John Williams, Community Development & Planning Director and Kevin Cook, Associate Planner

OTHERS PRESENT: Rick Gamble

I. CITIZEN INPUT None

II. PUBLIC HEARINGS None

III. NEW BUSINESS

North Fairgrounds Comprehensive Plan Amendment Discussion Kevin Cook presented a summary of the background work on a potential Comprehensive Plan Amendment for the North of Fairgrounds neighborhood. Kevin Cook explained that an application to change the zoning on a lot in this neighborhood had been denied by the City even though the application was to change the zoning from the current Low Density (R-1) zone to the Comprehensive Plan Designation of Medium Density (R-1.5).

Mr. Cook explained that there has been interest among many in the neighborhood in changing the Comprehensive Plan to reflect the current R-1 zone, and explained that in order to do so; LCDC will require the City to find another area inside the Urban Growth Boundary that could accommodate to density offset.

Mr. Cook explained that several neighborhood meetings have been held on the subject and recently a survey had been sent to all the property owners in the neighborhood. The survey results showed the strongest interest in keeping R-1 among properties that are primarily small with long established dwellings. Owners of larger parcels generally favored eventual up zoning to R-1.5 or did not respond.

Kevin Cook also pointed out that the Clackamas County Fair Board owns two of the larger lots, but have not yet responded officially. He indicated that the purpose of the survey was to identify the level of support for a Comprehensive Plan Amendment and to identify any patterns.

The Commission discussed the issue and the results of the survey. The general consensus among the Commissioners was that the R-1.5 Density is general appropriate in the area considering it's proximity to downtown and also considering the fact that the higher density can serve as a transition zone between the Fairgrounds and the surrounding R-1 lots on the north side of NE 10th Avenue.

Kevin Cook pointed out that the area is identified as an Area of Special Concern in the Comprehensive Plan. The Area Special Concern suggests that PUD developments are preferred due to the preponderance of deep narrow lots. The Commission suggested that an overlay requiring PUD developments might be a better solution than a Comprehensive Plan Amendment for this neighborhood.

John Williams informed the Commission that staff would inform the property owners of the result of tonight's discussion and indicated that if there is interest, a workshop with the Commission and the property owners may be scheduled for a later date.

IV. FINDINGS

DR 06-10 – 1410 S Township Road – Commissioner Ewert moved to approve the findings for DR 06-10 as presented. Motion seconded by Commissioner Holte and passed 5-0 with Commissioner Milne abstaining.

TA 07-01 – Miscellaneous Minor Amendments to the Community Development Code - Commissioner Ewert moved to approve the findings for TA 07-01 as presented. Motion seconded by Commissioner Taylor and passed 5-0 with Commissioner Milne abstaining.

V. MINUTES

February 26, 2007 - Commissioner Ewert moved to approve minutes of February 26, 2007 as presented. Motion seconded by Commissioner Holte and passed 5-0 with Commissioner Milne abstaining.

VI. DIRECTOR'S REPORT

The Commission discussed the status of several ongoing road projects, and of the sign code update being done by a group of volunteers. In addition, John Williams reported that the City had filed a Transportation Growth Management grant application for a subdivision design project to include storm water, street lighting, traffic calming, and other issues.

VII. ADJOURNMENT