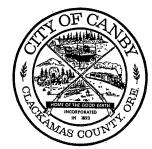
PLANNING COMMISSION AGENDA

September 12, 2005

6:00 PM Workshop – City Hall Conference Room

7:00 PM - Regular Meeting

City Council Chambers 155 NW 2nd Avenue



Workshop: Public Facilities and Services Plan

- I. ROLL CALL
- II. CITIZEN INPUT ON NON-AGENDA ITEMS
- III. PUBLIC HEARINGS

MLP 05-10 (Bowers) The applicant is seeking approval to partition one 14,810 square foot parcel located at the southeast corner of N. Aspen St. and Knights Bridge Rd. into 2 separate tax lots. The northern parcel would contain approximately 7,640 sq. ft. The southern parcel would contain approximately 7,170 sq. ft.

DR 05-06 (Grigg) The applicant request approval to construct one 11,240 square foot industrial building in the Pioneer Industrial Park, on the north side of SE 4th Avenue, west of T & T Pallet and east of Shimadzu USA Manufacturing. The building would be the new home of W. W. Grigg, a manufacturer of fishing products.

IV. NEW BUSINESS

V. FINDINGS

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

MLP 05-07/ZC 05-01 (Dream House Construction) To be delivered later

MLP 05-08 (Thomsen)

DR 05-04 (Pioneer Pump) To be delivered later

- VI. MINUTES
- VII. DIRECTORS REPORT
- VIII. ADJOURNMENT

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Carla Ahl at 503-266-9404



-STAFF REPORT-

APPLICANT:

FILE NUMBER:

Iola H. Bowers 785 N. Aspen Drive Canby, OR 97013

MLP 05-10 (Bowers)

OWNER:

STAFF:

Iola H. Bowers 785 N. Aspen Drive Canby, OR 97013

Kevin C. Cook Associate Planner

LEGAL DESCRIPTION:

DATE OF REPORT:

Tax Map 3-1E-32DA, Tax Lot 10101

August 29, 2005

LOCATION:

DATE OF HEARING:

780 N. Aspen St. at the southeast corner of N. Aspen St. & Knights Bridge Rd.

September 12, 2005

COMPREHENSIVE PLAN DESIGNATION:

ZONING DESIGNATION:

Low Density Residential

R-1 Low Density Residential

I. APPLICANT'S REQUEST:

The applicant is seeking approval to partition one 14,810 square foot parcel into 2 separate tax lots. The northern parcel would contain approximately 7,640 sq. ft. The southern parcel would contain approximately 7,170 sq. ft. Under the R-1 zoning district, each parcel would be allowed to contain one single-family residence. The existing lot is currently vacant. The applicant proposes to provide access to the northern lot off of Knights Bridge Road and Access to the southern lot off of N. Aspen Street. The application meets current zoning and comprehensive plan designations of R-1 Low Density Residential.

II. APPLICABLE CRITERIA:

- 1. 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. Other Applicable Criteria:

A.	16.10	Off-Street Parking and Loading
B.	16.20	R-1 High 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 located at the southeast corner of N. Aspen St. & Knights Bridge Rd. There are currently no structures or improvements on the parcel.

The R-1 zoning district would allow one single-family dwelling on each of the newly created lots. The applicant will be required to meet access and parking standards at the time of application for a building permit (Conditions #9 & #12). There are no existing sidewalks fronting the property on either N. Aspen or Knights Bridge. The applicant will

be required to meet development requirements set forth by the public works department (Condition #12). Neighboring properties are all zoned for R-1 Low Density Residential development.

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 uses.

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 the maximum use of the property. The applicant will be allowed to construct one single-family residence on each of the newly created lots as allowed in the R-1 Low Density Residential zoning district.

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

<u>Analysis:</u> A "Request for Comments" 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

Staff Report MLP 05-10 Page 3 of 9

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 and has no known steep slopes, historic resources, expansive soils, or wetlands, and is not located in a flood plain. The proposed partition will not, in itself, generate pollution or affect scenic or aesthetic resources.

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 must meet any needed storm water management approvals from Oregon DEQ and Canby Public Works prior to issuance of building permits (see Condition #8).

TRANSPORTATION ELEMENT

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

Applicable Policies:

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

Analysis: Existing street and utility improvements are sufficient to support development of the proposed partition. An approved curb cut and apron are required to provide drive access for both parcels. One street tree will be required on each street frontage; See Conditions 12 & 13.

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

<u>Analysis:</u> No sidewalks currently exist on either street frontage adjacent to the subject property. There are no

Staff Report MLP 05-10 Page 4 of 9 sidewalks on abutting properties to the south and east. Sidewalks do exist along the northwest corner of the intersection. Both the Canby Public Works Dept. and the City Engineer recommend sidewalks along both street frontages and an ADA ramp is recommended by the City Engineer for the corner of the street intersection. Staff believes that the improvements are needed (Condition 14).

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.

<u>Analysis:</u> The Canby Police Department and Canby Fire District received notice of the proposed partition. Neither agency expressed concern with access to the site.

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.

<u>Analysis:</u> The following agencies provided comment on the proposed partition:

- City Engineer:
 - 1. Construct sidewalk along the entire site frontage (Condition 14).
 - 2. Construct ADA ramp at the SE corner of the intersection of Knights Bridge Rd. and N. Aspen St. (Condition 12).
- City of Canby Public Works Dept.:
 - 1. When construction begins, all frontage improvements will be required (Conditions 12 & 14).
 - 2. Existing single sewer lateral to this lot may not be useable with (the new lot line). Two new sewer services will be required if existing cannot be used (Condition 11).
 - 3. No Driveways will be allowed onto Knights Bridge

Road (Condition 15).

- Canby Utility, Water: Water service would be from N. Aspen.
- Canby Utility, Electric: Equipment is in place to serve both of these parcels.
- Canby Telephone: ... services will become available through development.
- Canby Disposal: Adequate public services are available.
- City Traffic Engineer: "The partition will generate only two trips during the peak hours, which is not sufficient to impact the Aspen Street/Knights Bridge Road intersection. However, to maintain adequate service on Knights Bridge Road, the driveways for each partition should be onto Aspen Street. While this location may place the northern driveway within the influence of the queue, access to Aspen Street is preferable to interrupting traffic on Knights Bridge Road." (See Condition 15).

Neighborhood Comments:

No neighborhood comments were 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 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.

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. CONCLUSION

- 1. Staff concludes that the partition 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.

V. 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 05-10 with the following conditions:

For the Final Plat:

- 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 05-10
- 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 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. Twelve (12) foot utility easements shall be provided along street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easement in favor of proposed lot 3 for the purpose of retaining existing sewer line access shall be recorded over any new lots where the sewer line servicing the existing residence is found to exist.

Notes:

- 6. The final plat must be recorded with the Clackamas County Surveyor 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 Planning Director prior to recording the plat with Clackamas County.
- 7. House numbers shall be visible from the street but numbers painted on the curb shall not be the primary method of meeting this requirement.

Prior to Construction:

8. If required, a DEQ stormwater permit shall be obtained from the State of Oregon prior to issuance of a building permit. An acceptable stormwater system plan shall be

approved by the Canby Public Works Department.

9. Prior to permit, the applicant shall demonstrate compliance with offstreet parking requirements as listed in Chapter 16.10 of the CMC.

During Construction:

- 10. The applicant is responsible for all costs associated with the relocation of utilities.
- 11. 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*.
- 12. The applicant shall construct an approved curb cut, approach apron and sidewalk ramps at each drive entrance to the parcels. Access improvements shall be inspected and approved by Canby Public Works prior to installation.
- 13. The applicant shall plant a minimum of one street tree per street frontage for each lot. Street trees shall be placed 11' behind the back of sidewalk.
- 14. A five (5) foot sidewalk inclusive of curb shall be constructed for the full frontage of the parent parcel along N. Aspen St. and Knights Bridge Rd. Where mailboxes, fire hydrants or other obstructions are located at the curb, sidewalks shall swing away from the curb in order to remain unobstructed for a full five-foot width. An ADA ramp shall be constructed at the southeast corner of the intersection of Knights Bridge Rd. and N. Aspen St.
- 15. Access for both lots shall be off of N. Aspen St. No access shall be permitted off of Knights Bridge Road.

Exhibits:

- 1. Applicant's Packet (narrative and proposed partition plan)
- 2. Responses to the Request for Comments

MINOR LAND PARTITION APPLICATION

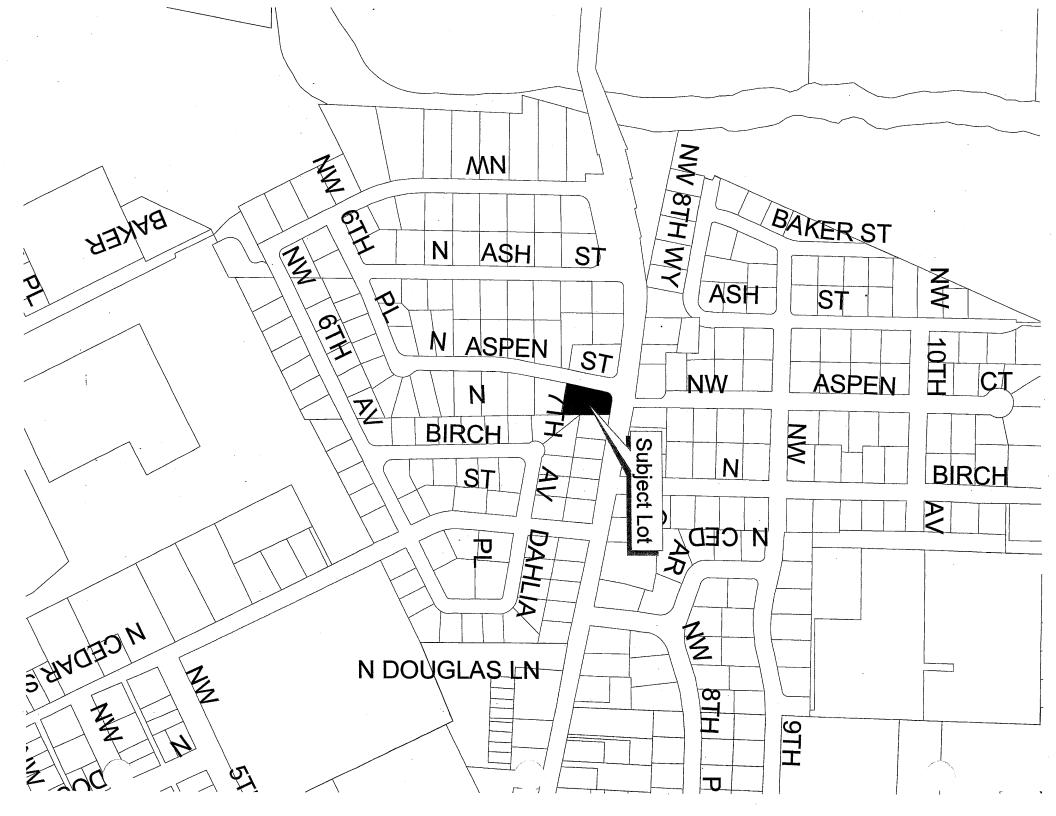
FEE \$1,280 PROCESS TYPE III

OWNER			APPLICANT*	
Name Iola H.	Bowers	Name SA	NE	
Address <u>785 N.</u>	AspeN	Address		
City CANBY State	,	City	State	Zip
OWNER'S SIGNATURE	Jola H Box	ver <u>j</u> PHON	E 503-26	3-4590
DESCRIPTION OF PROPE	RTY:			
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PREVIOUS ACTION (If Any)		· · · · · · · · · · · · · · · · · · ·		
d Krafberger) 266-4175	FOR CITY US File # MCP OS- Date Received	-(0 By KCE		·

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

To whom it may concern:

I propose to divide tax lot 10101 into 2 new tax lots. Tax lot 10101 is zoned R-1. 16.16.030 Development standards of the Land Development & Planning Ordinance states minimum lot area to be no less than 7000 square feet and no more than 10,000 square feet. Since each lot will be over 7000 and less than 10000 it meets this criteria. Section C asks for minimum width and frontage to be sixty (60) feet and this division meets that criteria as well. I am not providing a traffic impact analysis because only one access per lot will be to the street (A), only 1 home proposed for each site (B), and will be single family residential dwellings (C and D). There are no existing buildings on this site. There are no forested areas, wetlands or other significant natural features. Applicant is not a corporation and site is not located in an area designed by the Hazard Overlay Zone. No easements were found but applicant willing to work with city for necessary easements.



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DU/TRIX3

Mark Kraxberger Builder PO Box 876 Canby, Oregon 97013

AP

WKB

Tentative Map preparer:

DWNON: Iola H. Bowers 185 N ASPER (1079 NO MOND)

P.O. Box 930), Canby, OR 97013		[503] 266-9404	FAX 266-1574
DATE:	August 22, 2005			. (
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RECEIVED

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

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P.O. Box 930, Canby, OR 97013

[503] 266-0404) AN FAX 266-1574

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DATE:	August 22, 2005		
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Signature:	Harland		Date: August 25, 2005
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FAX 266-1574 [503] 266-9404 P.O. Box 930, Canby, OR 97013 August 22, 2005 DATE: CANBY POST OFFICE П CLACKAMAS COUNTY ASSESSOR FIRE TO: CLACKAMAS COUNTY 911 POLICE CLACKAMAS COUNTY TRANSPORTATION PUBLIC WORKS TRAFFIC SAFETY COMMITTEE CANBY ELECTRIC CANBY WATER CLACKAMAS COUNTY CANBY SCHOOL DISTRICT WWTP OREGON DEPT. TRANSPORTATION CITY ENGINEER ODOT/REGION 1/DIST 2B CTA NW NATURAL STATE OF OREGON/REVENUE П WILLAMETTE BROADBAND CANBY BUSINESS REVITALIZATION CANBY DISPOSAL PARKS AND RECREATION CITY ATTORNEY CITY TRANSPORTATION ENGINEER BIKE AND PEDESTRIAN COMM OTHER PGE The City has received MLP 05-10 (Bowers - N Aspen), an application from Iola Bowers requesting a minor land partition to divide Tax Lot 10101 into 2 new tax lots. The property is zoned R-1 (Low Density). The property is located at 785 N Aspen, at the Southeast corner of N Aspen Drive and Knights Bridge Road Please review the enclosed application and return comments to Kevin Cook by Wednesday, August 30, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you. Comments or Proposed Conditions: WATEL SERVICE WOULD BE 710,00 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

FAX 266-1574 [503] 266-9404 P.O. Box 930, Canby, OR 97013 August 22, 2005 DATE: CANBY POST OFFICE \Box CLACKAMAS COUNTY ASSESSOR FIRE TO: CLACKAMAS COUNTY 911 POLICE CLACKAMAS COUNTY TRANSPORTATION **PUBLIC WORKS** 口 TRAFFIC SAFETY COMMITTEE CANBY ELECTRIC Ω CANBY WATER CLACKAMAS COUNTY WWTP CANBY SCHOOL DISTRICT \Box CITY ENGINEER OREGON DEPT. TRANSPORTATION CTA ODOT/REGION 1/DIST 2B NW NATURAL STATE OF OREGON/REVENUE WILLAMETTE BROADBAND CANBY BUSINESS REVITALIZATION CANBY DISPOSAL PARKS AND RECREATION CITY ATTORNEY CITY TRANSPORTATION ENGINEER BIKE AND PEDESTRIAN COMM OTHER PGE The City has received MLP 05-10 (Bowers - N Aspen), an application from Iola Bowers requesting a minor land partition to divide Tax Lot 10101 into 2 new tax lots. The property is zoned R-1 (Low Density). The property is located at 785 N Aspen, at the Southeast corner of N Aspen Drive and Knights Bridge Road Please review the enclosed application and return comments to Kevin Cook by Wednesday, August 30, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you. Comments or Proposed Conditions: Equipment is in Place to Serve Both of these Parcels 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: Sy Hothwell Date: R-29-55

Title: Line Foreman Agency: Canby Utility Elect.

P.O. Box 93	0, Canby, OR 97013		[503] 266-9404 FAX 266-1574
DATE:	August 22, 2005		
TO:	□ FIRE		CANBY POST OFFICE
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P.O. Box 930, Canby, OR 97013

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MEMORANDUM



To:

Kevin Cook

From:

Catriona Sumrain, Lancaster Engineering

Date:

August 25, 2005

Subject: MLP 05-10 Partition

The partition will generate only two trips during the peak hours, which is not sufficient to impact the Aspen Street/Knights Bridge Road intersection. However, to maintain adequate service on Knights Bridge Road, the driveways for each partition should be onto Aspen Street. While this location may place the northern driveway within the influence of the queue, access to Aspen Street is preferable to interrupting traffic on Knights Bridge Road.

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[503] 266-9404

FAX 266-1574

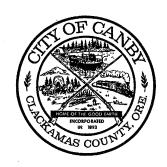
P.O. Box 930, Canby, OR 97013

DATE:	August 22, 2005		
TO:	 □ FIRE □ POLICE □ PUBLIC WORKS □ CANBY ELECTRIC □ CANBY WATER □ WWTP □ CITY ENGINEER □ CTA □ NW NATURAL □ WILLAMETTE BROADBAND □ CANBY DISPOSAL □ CITY ATTORNEY □ BIKE AND PEDESTRIAN COMM 		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
The City	D PGE		OTHER, an application from Iola Bowers requesting a minor
land parti property i Please rev Please inc	tion to divide Tax Lot 10101 into 2 new to solve the solution of the Southeas solve the Southeas	ax lot t corr omm	s. The property is zoned R-1 (Low Density). The ner of N Aspen Drive and Knights Bridge Road ents to Kevin Cook by Wednesday, August 30, 2005.
Please ch	eck one box and sign below:	 	
	uate Public Services (of your agency) are	avail	able
☐ Adec	uate Public Services will become availabl	le thr	ough the development
Cond	itions are needed, as indicated		
Adeq	uate public services are not available and	will 1	not become available
Signature	: JALL		Date: <u>25 August</u> 2005
Title: 6	JOINTER LAG TECHNICIAN	A ger	1000 / DATE ASTER FINGINUTE IALE

RECEIVER

P.O. Box 930, Canby, OR 97013 [503] 266-9404 DATE: August 22, 2005 TO: FIRE **CANBY POST OFFICE** POLICE **CLACKAMAS COUNTY ASSESSOR PUBLIC WORKS CLACKAMAS COUNTY 911 CANBY ELECTRIC** CLACKAMAS COUNTY TRANSPORTATION CANBY WATER TRAFFIC SAFETY COMMITTEE **WWTP CLACKAMAS COUNTY CITY ENGINEER CANBY SCHOOL DISTRICT CTA** OREGON DEPT. TRANSPORTATION **NW NATURAL ODOT/REGION 1/DIST 2B** WILLAMETTE BROADBAND STATE OF OREGON/REVENUE CANBY DISPOSAL CANBY BUSINESS REVITALIZATION **CITY ATTORNEY** PARKS AND RECREATION **BIKE AND PEDESTRIAN COMM** П CITY TRANSPORTATION ENGINEER П PGE П OTHER : The City has received MLP 05-10 (Bowers - N Aspen), an application from Iola Bowers requesting a minor land partition to divide Tax Lot 10101 into 2 new tax lots. The property is zoned R-1 (Low Density). The property is located at 785 N Aspen, at the Southeast corner of N Aspen Drive and Knights Bridge Road Please review the enclosed application and return comments to Kevin Cook by Wednesday, August 30, 2005. 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 __ Date: 8/25/05

P.O. Box 930, Canby, OR 97013 [503] 266-9404 FAX 266-1574 DATE: August 22, 2005 TO: FIRE **CANBY POST OFFICE** POLICE **CLACKAMAS COUNTY ASSESSOR** PUBLIC WORKS **CLACKAMAS COUNTY 911 CANBY ELECTRIC CLACKAMAS COUNTY TRANSPORTATION CANBY WATER** TRAFFIC SAFETY COMMITTEE П WWTP **CLACKAMAS COUNTY** CITY ENGINEER CANBY SCHOOL DISTRICT **CTA** OREGON DEPT. TRANSPORTATION **NW NATURAL ODOT/REGION 1/DIST 2B** WILLAMETTE BROADBAND STATE OF OREGON/REVENUE **CANBY DISPOSAL** CANBY BUSINESS REVITALIZATION П CITY ATTORNEY PARKS AND RECREATION **BIKE AND PEDESTRIAN COMM** CITY TRANSPORTATION ENGINEER **PGE** OTHER The City has received MLP 05-10 (Bowers - N Aspen), an application from Iola Bowers requesting a minor land partition to divide Tax Lot 10101 into 2 new tax lots. The property is zoned R-1 (Low Density). The property is located at 785 N Aspen, at the Southeast corner of N Aspen Drive and Knights Bridge Road Please review the enclosed application and return comments to Kevin Cook by Wednesday, August 30, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you. **Comments or Proposed Conditions:** Wer troffi issues 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 Agency: Troffi Safety Comm.



-STAFF REPORT-

APPLICANT:

Grigg Property Management LLC 23115 Airport Road NE #9 Aurora, OR 97002

OWNER:

Same

LEGAL DESCRIPTION:

Tax Lot 1700 of Tax Map 3-1E-34

LOCATION:

North side of SE 4th Avenue, west of T&T Pallet and east of Shimadzu USA Manufacturing

COMP. PLAN DESIGNATION:

M-1 (Light Industrial)
I-O (Industrial Area Overlay Zone)

FILE NO.:

DR 05-06 (Grigg)

STAFF:

John R. Williams Comm. Dev. & Planning Director

DATE OF REPORT:

September 2, 2005

DATE OF HEARING:

September 12, 2005

ZONING DESIGNATION:

M-1 (Light Industrial)
I-O (Industrial Area Overlay Zone)

I. APPLICANT'S REQUEST:

The applicant requests approval to construct one 11,240 square foot industrial building in the Pioneer Industrial Park, on the north side of SE 4th Avenue. The building would be the new home of W.W. Grigg, a manufacturer of recreational fishing products. The building would contain warehouse and office space; most of the product is manufactured overseas.

II. APPLICABLE REGULATIONS

City of Canby General Ordinances:

16.32 M-1 Heavy Industrial Zone

16.35 Canby Industrial Area Overlay (I-O) Zone

16.42 Signs

16.49 Site and Design Review

III. MAJOR APPROVAL CRITERIA

16.49.040 Site and Design Review - Criteria and Standards

- 1. The Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:
 - A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and
 - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
 - D. The Board shall, in making its determination of compliance with subsections B and C above, use the following matrix to determine "compatibility". An application is considered to be "compatible", in regards to subsections B and C above, if a minimum of 65 percent 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.

* See Criteria Matrix below and Scoring in Section V.(B)(6)

Parking			
Criteria	Possi	ble i	Scores
Parking areas located to the side or rear of buildings as viewed from public right-of-way: <50% of parking spaces=0; 50%-75%=1; 100%=2.	0	1	2
Increase minimum interior parking lot landscape over the base 15%: 15%-18%=0; 18%-22%=1; >22%=2.	0	1	2
Increase the number of trees planted within buffers and/or within the parking area: 100%-105% of base requirement*=0; 105%-110% of base requirement=1;>110%=2. *The base requirement is determined based on total parking area/number of spaces, and parking setback perimeter, see Chapter 16.49.120.	0	1	2
Number of parking spaces (% of required minimum): >110%=0; 110%-105%=1; 105%-100%=2.	0	1	2
Minimum Acceptable Score	4	poi	ıts

Transportation/Circulation		
Criteria	Possible Scores	
Proposed local street alignments: street not proposed=0; street(s) proposed with some modifications to master plan=1; proposed street(s) approximate recommended alignments=2. Note: the planned parkway and collector streets are required elements, except as indicated by the Industrial Area Master Plan.	0 1 2	
Design of all pedestrian ways (private, on-ste pathways): six feet wide, raised concrete with painted crosswalks (Astandard@)=0; standard with brick or similar pavers for pathways and crosswalks=1; greater than 6 feet wide (inclusive of curb) and use of brick or similar pavers for pathways and crosswalks=2.	0 1 2	
Number of pedestrian connections between the street sidewalk and internal circulation system: one connection=0; two connections=1.	0 1	

Minimum Acceptable Score (some provisions may not apply)	3 points
· ·	

Landscaping		
Criteria	Possible Scores	
Trees installed at 3 inch caliper: <25% of trees=0; 25%-50%=1; 50%-100%=2.	0 1 2	
Usable outdoor amenity provided with development (e.g., water features, plazas, seating areas, and similar features): no=0; yes=1; yes and public access provided (i.e., through an easement)=2.	0 1 2	
Amount of grass or other plantings used for ground cover treatment: <75%=0; 75%-90%=1; 90%-100%=2.	0 1 2	
Minimum Acceptable Score	3 points	

Tree Retention, Open Space Conservation, and Trail Connections	
Criteria	Possible Scores
Preserves trees as recommended by arborist or City Planning Department: <50% of recommended trees preserved=0; 50%-75%=1; 75%-100%=2	0 1 2
Replaces trees that were recommended for retention: No=0; Yes=1. Mitigation based on reasonable tree replacement ratio.	0 1
When site includes designated open space, park or trail connection: proposal does not dedicate or establish easement for designated open space/park or trail connection=0; dedicated or establishes easement=1; dedicated land/right-of-way and constructs improvements=2.	0 1 2
Minimum Acceptable Score (some provisions may not apply)	3 points

Building Appearance and Orientation		
Criteria	Possible Scores	
Building orientation at or near the street: parking or drive separates building from street=0; at least 20% of elevation within 5 feet of minimum setback=1; at least 20% of elevation is at minimum setback=2.	0 1 2	
Building entrances visible from the street: no=0; yes=1.	0 1	
Buildings use quality materials: concrete, wood, or wood siding=0; concrete masonry, stucco, or similar material=1; brick or similar appearance=2.	0 1 2	

Articulation and/or detailing to break up large building surfaces and accentuate the building entrance(s): no=0; yes=2.	0	2
Minimum Acceptable Score	4 po	ints

V. FINDINGS:

A. Background and Relationships:

The subject parcel is part of a former large nursery property, which has recently been subdivided into industrial lots. Some nursery stock remains on the property, although the site is now served by road access and utilities as part of Canby's Pioneer Industrial Park development. All adjacent properties are zoned for industrial development with the exception of the city-owned Zion Memorial Cemetery.

The proposed development is in keeping with the city's economic development goals and will take advantage of infrastructure built by the Urban Renewal Agency in partnership with property owners. The development represents an important return on significant investment in the Industrial area. The applicant's proposal is in compliance with Canby's Municipal Code regarding Pioneer Industrial Park development and the Industrial Overlay (I-O) Zone.

B. Evaluation Regarding Site and Design Review Approval Criteria

1. Parking

The applicant intends to provide 17 full size parking spaces, as the code requires. Vehicle parking for employees is proposed to be constructed along the main driveway, while there will be several spots located closer to the building for other users.

Two roll-up doors of 14' height are proposed for loading areas, exceeding the code requirement. However, there is only 30' clear area in front of the doors, so loading will have to take place parallel to the building. The applicant has stated that their business consists of smaller parcels so no dock-height or direct loading areas are needed.

2. Transportation / Circulation

The site will have a single 32' driveway onto SE 4th Avenue surrounded by vision clearance areas with no landscaping. Sight distance is not a concern on this frontage, and no accesses will occur on the south side of the street since it is the city cemetery property.

Pedestrian access is proposed by means of a 5' concrete sidewalk from the street past the parking area to the main building. No crossings of the main drive are needed. Access to the site is adequate to serve the subject parcel and surrounding development.

3. Tree Retention, Open Space Conservation and Trail Connections

Existing trees on the site are non-native nursery stock remaining from a former nursery operation and are not considered to fall under the tree preservation section of the matrix. The applicant does not propose to preserve nursery stock on the site. Street trees have not yet been planted on SE 4th Avenue; this project will be required to plant trees in conformance with our standards (condition 6).

The applicant does not propose any public open space although landscaped areas at the street frontage provide a certain amount of open space buffering of structures and parking lots. The subject property does not offer direct opportunities for connection to approved trails, except by the provision of sidewalks along the street frontage.

4. Landscaping

The site has no formal existing landscape but does contain ornamental plant material (nursery stock). The site plan calls for lawn areas with shrub material and several trees. Proposed landscaping is sufficient to meet Site and Design Review requirements. The applicant needs two points from the 3" caliper tree section to meet a minimum score, so Condition 6 requires at least 50% of the new trees to be a minimum 3" caliper.

Landscaping will be maintained by an automatic irrigation system. The applicant will be required to improve and irrigate the planter strip between the sidewalk and street as well (condition 10).

5. Building Appearance and Orientation

Building elevation drawings show 23' painted concrete tilt up walls with windows oriented to the street frontage. The building is located at the far back of the property, allowing for a potential future second building on the front. Building entrances are proposed on the side façade near the street side with additional entries on the east and west side. Building massing is alleviated in the office area by green glass windows. Colors will be provided to the Planning Commission at the hearing.

Building entrances will be lit by exterior-mounted lights. No lighting is shown in the parking areas, but condition 16 requires lighting in the parking lot.

No signs are proposed. Signage constructed within the next two years would have to be reviewed and approved by the Planning

Commission.

6. Compatibility

The proposed development is compatible with the Site and Design Review requirements for development in the M-1 Light Industrial zone and with the Industrial Overlay (I-O) zone.

* See Design Review Matrix above and scoring below.

CRITERIA	PTS/ POSS	NOTES
D 11		
Parking	0.70	Th. 1 '
Location of parking	2/2	Parking at the side of buildings.
Parking lot landscaping	0/2	No extra landscaping in parking lot.
Parking lot trees	0/2	No extra trees.
Number of parking spaces	2/2	Provides 100% of required.
Minimum Score = 4 points	. 6	Minimum score exceeded
Transportation/Circulation	•	
Local street alignment	0/0	N/A.
Pedestrian access ways	1/2	No crosswalks needed.
Number of pedestrian connections	0/1	One connection.
Minimum Score = 3 points*	1	Recommend approval*
*only when all scores apply		
Tree Retention, Open Space Conservati	ion	
and Trail Connections	•	
Trees preserved as recommended	0/0	N/A
Trees replaced as recommended	0/0	N/A
Dedication of open space/trails connection	ns · 0/0	N/A
Minimum Score = 3 points	0	Not applicable
Landscaping		
Tree installed at 3" caliper	2/2	>50% 3" caliper required to make score.
Usable outdoor amenity	0/2	No extra amenity proposed.
Lawn/Groundcover Area	2/2	> 90% of the landscaping.
Minimum Score = 3 points	4	Minimum score met
Building Appearance and Orientation		
Orientation to street	0/2	Buildings set back 40'.
Building entrances visible from the street	1/1	Main entrances at street façade.
Material	1/2	Concrete tilt up.
Articulation & detailing	2/2	Windows and building relief.
Minimum Score = 4 points	4	Minimum score met
Timmum Secret T points	7	TARREST SECTION OF THE SECTION OF TH

The proposed development is compatible with the Site and Design Review requirements for development in the M-1 Light Industrial zone and with the Industrial Overlay (I-O) zone.

7. Public Facilities and Services

All required public facilities and services exist in Sequoia Parkway. Water and sewer services will be required to utilize existing laterals (condition 3). No traffic study is required for this application due to its small size. As demonstrated on previous applications, capacity exists at the light at Sequoia & OR 99E and at Pine/99E.

A pre-construction meeting will be required prior to issuance of a building permit. The applicant will have to meet all requirements of local utility providers prior to receiving approval to begin construction. In addition, the applicant will have to receive an erosion control permit and a stormwater disposal permit from DEQ prior to construction. Conditions 1, 2, 3, 4, 11, 12, 13, 14, 15, and 17 address utility and service provider requirements on this application.

Sidewalks and planter strip improvements will be required of the applicant; such improvements are proportional to their impact on the street network. In fact, the fact that the Urban Renewal District has installed the streets represents a significant savings for the applicant.

This site is subject to charges related to the Advanced Financing District for SE 4th Avenue improvements and Economic Improvement District payments to fund Canby Business Revitalization & Development. Condition 20 notifies the applicant of all of these liabilities.

As of the date of this staff report, we have received positive responses to the "request for comments" forms from the Traffic Safety Committee, Police Department, Public Works Department, CTA, and Canby Utility Electric. No issues other than those listed above were identified.

Canby Utility Water suggested that the meter may be located too far from the street and that an additional fire hydrant may be needed. Both of these issues will be finalized in the pre-construction process (conditions 1-3).

V. CONCLUSION

Staff concludes that the application meets the requirements for Site and Design Review approval with the additional recommended conditions. In direct response to the criteria for Site and Design Review, staff concludes the following:

- A. The proposed 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;

 With the recommended conditions of approval, the proposed development is in conformance with City ordinances.
- B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
- C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity;
- D. The C-1 and I-O zones have their own design standards, as show in the matrices for those zones;
- E. The Board shall, in making its determination of compliance with subsections B and C above, use the following matrix to determine "compatibility". An application is considered to be "compatible", in regards to subsections B and C above, if a minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development.

 In the I-O zone, the 65% requirement is replaced by a separate matrix, as analyzed above. The proposed application, with recommended conditions of approval, meets or exceeds minimum requirements.
- F. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.

 With the recommended conditions of approval, all public facilities and services are available or will become available to service the development.
- G. 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.

 With the recommended conditions of approval, all utilities exist or can be modified to adequately serve the site.
- H. 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. This proposal will not impact needed housing cost or availability.

I. 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.

Not applicable.

VI. RECOMMENDATION:

Based upon the application and visual inspection, along with the site plan received by the City, the facts, findings and conclusions of this report, and without the benefit of a public hearing, staff recommends that the Planning Commission approve DR 05-06 with the following conditions:

Prior to construction:

- 1. A pre-construction conference shall be held prior to the issuance of building permits. Thirteen copies of the pre-construction plans shall be given to the City Planner's Office to be reviewed and approved by the required utility providers *prior* to the pre-construction conference.
- 2. A revised, full-sized set of **all** submitted development plans (including site plan, utility plan, etc.) shall be provided, depicting each of the written conditions to the satisfaction of the City Planning Department. The approval of this application requires all elements drawn or proposed by the applicant to be constructed unless otherwise approved by the City.
- 3. 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. Any relocation of existing utilities shall be performed at the expense of the applicant. All utility services shall be provided through existing service laterals without requiring cutting SE 4th Avenue, unless otherwise approved by the Public Works Supervisor.
- 4. If necessary, recorded easements on the property shall be approved for vacation by appropriate utility providers and new easements recorded to utility providers' specifications.

For the Building Permit Application:

- 5. 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, a planting schedule and irrigation plans. The final landscape plan shall reflect the approved landscape plan submitted with the Site and Design Review application and any modifications conditioned.
- 6. 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. At least 50% of all trees planted must be a minimum 3" caliper in order to meet the Design Review standards. Remaining trees are to be a minimum of 2" caliper. Street trees must be planted in keeping with the streetscape plan for SE 4th Avenue. These shall also be minimum 2" caliper, of a compatible species as approved by the Planning Department.
- 7. Parking shall be provided as shown on the site plan. Wheel stops shall be required in areas where abutting sidewalks are less than 8 feet in width and in areas where landscaping within 2 feet of the curb is not limited to lawn and groundcover or could be damaged by vehicle overhangs. For parking spaces that do not meet the above criteria, wheel stops shall be placed two (2) feet in front of the end of the space.
- 8. All interior sidewalks and accessways shall be constructed as proposed. Any additional walkways shall be a minimum of five feet in width.
- 9. "Staple-type" bicycle parking racks shall be provided for the building as per requirements of CMC 16.10.100.
- 10. The applicant shall landscape and irrigate the planter strip between the sidewalk and street.

Prior to Issuance of a Building Permit

- 11. All storm water shall be disposed of on-site. 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, if necessary, for stormwater management permit approval.
- 12. 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.

During Construction

- 13. All grading and fill on the site shall comply with State, City and County regulations.
- 14. Any relocation of existing utilities required due to construction of the development shall be performed at the expense of the applicant.
- 15. ADA Ramps shall be provided as required by the Public Works Supervisor.
- 16. All site lighting shall be "hooded" to project light downward. The parking area must be lit by hooded lights.
- 17. The applicant is responsible for frontage improvements which shall be constructed as required by the Public Works Supervisor, including but not limited to, sidewalks, curbs, ADA ramps, lighting, etc.
- 18. Any exterior trash receptacles (dumpsters) shall be screened from the public street.

Notes

- 19. Any additional signs to be constructed within two years of final occupancy of the structures will need to be reviewed by the Planning Commission as a new business item.
- 20. This property is subject to Advanced Financing District (AFD) charges which are payable upon issuance of a building permit per property. In addition, the property is subject to Economic Improvement District (EID) charges which will commence upon issuance of a certificate of occupancy.
- 21. Approval of this application is based on the submitted site plan, elevations, 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 and elevations with regards to building height, sign size and design, colors, materials, landscaping, building placement, setbacks, or any other approved elements, shall require an approved modification in conformance with the relevant sections of the Canby Municipal Code.
- 22. Upon change of use, loading docks will be required unless exempted by the Planning Commission.

Exhibits:

1. Applicant's narrative

Staff Report DR 05-06 Page 12 of 12

DAVID GRIGG

728 ASH STREET - LAKE OSWEGO, OR 97034 503-699-7907 - Fax 503-678-2498 E-Mail: dgrigg7@aol.com

Subject: 2000 SE 4th Ave Construction – Grigg Property Management, LLC

Attn. John Williams

Thank you for your support in our effort to relocate W.W. Grigg, LLC to Canby. As we discussed in our meeting with Cathrine Comer, W.W. Grigg, LLC, established in 1953, manufactures fishing products. The Canby location is going to be our office headquarters and distribution center. W.W. Grigg, LLC is the largest fishing rod company in Oregon, with distribution across the United States and Canada.

The proposed building will house 2,000sq ft of offices and approximately 9, 240 sq ft of warehouse with a total square footage of 11,240. The building is to be located on the back of the property, with an open area and possibly a trout pond (90' by 40') for casting fly rods with customers.

The property will be held by Grigg Property Management, LLC with Krista Dorrine Grigg (my wife) and I as members.

We look forward to the review meeting and hope that all of the required documents meet you requirements.

Sincerely,

David D. Grigg

W.W. Grigg, LLC

SITE AND DESIGN REVIEW APPLICATION

FEE *See Fee Schedule Below Process Type III

OWNER		APPLICANT**	
Name DAUD (78166	Name_Cf	166 Proposty Mauric	EMER
Address 23115 Airport Rd NE#9	Address	SAME	
City <u>AURORA</u> State <u>OR</u> Zip <u>97002</u>	City	State Zip	
Phone <u>503 - 178 - 555</u> Fax <u>503 - 178 - 24</u> 98	Phone	Fäx	
OWNERS SIGNATURE	My S		
DESCRIPTION OF PROPERTY:	* <i>V</i>	C	
Address 2000 SE 9TH Parent Parcel = 1-211		<u> </u>	
Tax Map 3 1E 34 Tax Lot(s) 17	<i>'0</i> 0	Lot Size(Acres/Sq/Ft.)	
Existing Use Nucsec	No received		
Proposed Use WAREHOUSE / Of	fice		
Existing Structures None			
ZONING LT /NDUSTRIAL COMPREHENS	SIVE PLAN DES	IGNATION	
PREVIOUS LAND USE ACTION (if any)			
Total Fee = Size Component (based on acreage) + Public Improvement Component	F(OR CITY USE ONLY	
Size Component Syckob \$1,500 first 0.5 acres	File#	R 05-06_	
\$100 for each additional 0.1 acres from 0.5 acres up to 2.5 acres	Receipt#		
\$100 for each additional 0.5 acres from 2.5 acres up to 8.0 acres	Date Receive	18-22-05 ву Цх	ام
\$100 for each additional 4.0 acres from 8.0 acres up to 13 acres		Date	
\$5,000 Maximum for 13 acres and above	Pre-Ap Meetin		
Public Improvements Component 0:3% of total estimated public Improvement cost (to be submitted with design review	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.

P.O. Box 930	, Canby	y, OR 97013		[503] 266-9404 FAX 266-1574
DATE:	Aug	gust 26, 2005		
TO:		FIRE		CANBY POST OFFICE CLACKAMAS COUNTY ASSESSOR
		POLICE PUBLIC WORKS		CLACKAMAS COUNTY 911
		CANBY ELECTRIC		CLACKAMAS COUNTY TRANSPORTATION
		CANBY WATER		TRAFFIC SAFETY COMMITTEE
		WWTP		CLACKAMAS COUNTY
		CITY ENGINEER		CANBY SCHOOL DISTRICT
		CTA		OREGON DEPT. TRANSPORTATION
		NW NATURAL		ODOT/REGION 1/DIST 2B STATE OF OREGON/REVENUE
		WILLAMETTE BROADBAND CANBY DISPOSAL	П	CANBY BUSINESS REVITALIZATION
		CITY ATTORNEY		PARKS AND RECREATION
		BIKE AND PEDESTRIAN COMM		CITY TRANSPORTATION ENGINEER
		PGE		OTHER
Please re	view any c	tween Shimadzu and Walnut Street. the enclosed application and return conditions of approval you wish the Cor Proposed Conditions:	omm	ents to John Williams by Thur, Sep 1, 2005. Please ission to consider. Thank you.
4.1	No	troppie concerns at this	ti	in . The Committee will be
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P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE:	August 26, 2005			(
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[503] 266-9404 FAX 266-1574 P.O. Box 930, Canby, OR 97013 JATE: August 26, 2005 TO: П **CANBY POST OFFICE** FIRE CLACKAMAS COUNTY ASSESSOR POLICE **CLACKAMAS COUNTY 911** PUBLIC WORKS CLACKAMAS COUNTY TRANSPORTATION CANBY ELECTRIC П TRAFFIC SAFETY COMMITTEE **CANBY WATER** WWTP П CLACKAMAS COUNTY П CANBY SCHOOL DISTRICT **CITY ENGINEER** П OREGON DEPT. TRANSPORTATION **CTA** П **ODOT/REGION 1/DIST 2B NW NATURAL** STATE OF OREGON/REVENUE WILLAMETTE BROADBAND П CANBY BUSINESS REVITALIZATION **CANBY DISPOSAL** PARKS AND RECREATION CITY ATTORNEY **BIKE AND PEDESTRIAN COMM** CITY TRANSPORTATION ENGINEER **PGE** OTHER The City has received DR 05-06 for a Site and Design Review to construct one 11,240 square foot industrial building on a 1.57 acre lot in Canby's Pioneer Industrial Park. The property is located on the north side of SE 4th Avenue between Shimadzu and Walnut Street. Please review the enclosed application and return comments to John Williams by Thur, Sep 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you. **Jomments or Proposed Conditions:** MOSON Control Penmit needed Prior To ANY 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 itle: P.W. Supervisor Agency: City of Camby

P.O. Box 930), Canby, OR 97013		[503] 266-9404 FAX 266-1574
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		PUBLIC WORKS		CLACKAMAS COUNTY 911
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		CANBY WATER		TRAFFIC SAFETY COMMITTEE
		WWTP		CLACKAMAS COUNTY
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AN APPLICATION TO	.)	FINDINGS, CONCLUSIONS & FINAL ORDER
PARTITION ONE 0.5 ACRE)	MLP 05-08
RESIDENTIAL PARCEL INTO)	(Thomsen – Township Road)
TWO PARCELS)	

NATURE OF APPLICATION

The applicant is seeking approval to partition one 0.5 acre parcel into two separate tax lots. The northern parcel would be approximately 5,048 sq. ft. and would contain the existing single family dwelling. The southern parcel would be a 16,873 sq. ft. flag-lot accessing S. Township Rd. and would contain a triplex building.

HEARINGS

The Planning Commission held a public hearing to consider this application on August 22, 2005.

CRITERIA AND STANDARDS

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

- A. Conformance with the text and the applicable maps of the Comprehensive Plan;
- B. Conformance with all other 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 the adjacent properties:
- D. In no case shall the use of a private road be approved for the partitioning 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; and
- 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.

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the August 22, 2005 public hearing, including the August 10, 2005 staff report. The Planning Commission hereby accepts and incorporates the findings in the August 10, 2005 staff report, in so far as it does not conflict with the following supplemental findings:

The Commission discussed the applicant's desire to access S. Township Road by way of a flag-strip for the proposed flag-lot. The Commission found that in light of the fact that no alternative is currently available to the applicant the proposed access onto S. Township Road is reasonable. The Commission also found that staff's suggestion that the access for the two lots be combined would constitute an undue hardship upon the applicant due to fact that the existing driveway and garage would be rendered useless under such a scenario and Condition number 15 should be modified so as to delete the requirement for shared access.

CONCLUSION

Based on the Staff Report and Commission deliberation, the Planning Commission concludes that:

- 1. The partition request, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
- 2. The partition request is in conformance with the applicable requirements of the Municipal Code regarding access to the site and hindrance of developing adjacent parcels;
- 3. 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 the adjacent properties;
- 4. No private streets are proposed; and
- 5. Necessary public services are available or will become available through the development of the property to adequately meet the needs of the proposed partition.

ORDER

IT IS ORDERED by the Planning Commission of the City of Canby that MLP 05-068 is APPROVED subject to the following conditions:

For the Final Plat:

Final Plat:

- 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 05-08
- 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 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. Twelve (12) foot utility easements shall be provided along street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements.

Notes:

6. The final plat must be recorded with the Clackamas County Surveyor 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 Planning Director prior to recording the plat with Clackamas County.

7. House numbers shall be visible from the street but numbers painted on the curb shall not be the primary method of meeting this requirement.

Prior to Construction:

- 8. If required, stormwater permit shall be obtained from the State of Oregon (DEQ) prior to issuance of a building permit. An acceptable stormwater system plan shall be approved by the State of Oregon DEQ and the Canby Public Works Department.
- 9. New construction will be required to meet the requirements for infill development as listed in in section 16.21.050 of the Canby Munipipal Code.
- 10. Prior to permit, the applicant shall demonstrate compliance with offstreet parking requirements as listed in Chapter 16.10 of the CMC.
- 11. The proposed triplex development is subject to review and approval through a separate Design Review Application as per Section 16.49.030(1) of the CMC.
- 12. Prior to permit, the applicant shall demonstrate compliance with the joint and cross access requirements as listed in Chapter 16.46.040 of the CMC.

During Construction:

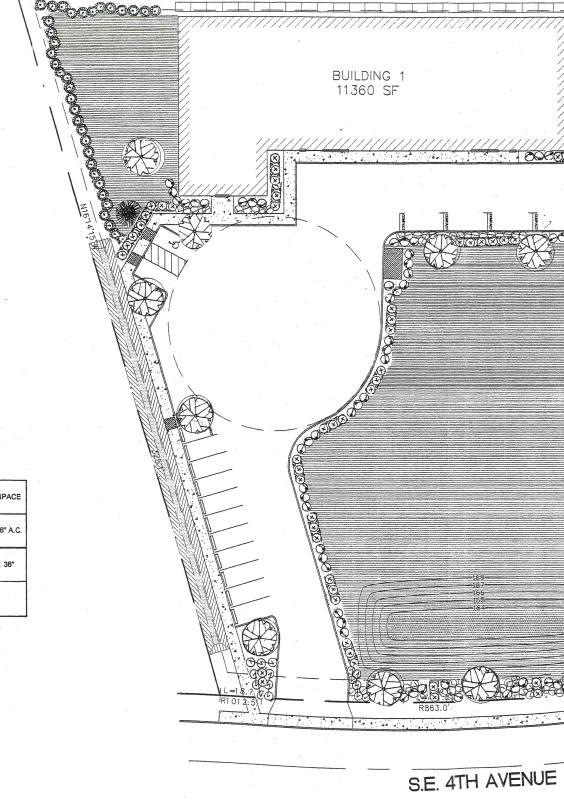
- 13. The applicant is responsible for all costs associated with the relocation of utilities.
- 14. Any new sewer main and/or new laterals shall be installed by the applicant at the time of development. Location and construction of the sewer main and/or laterals shall be approved by the Public Works Supervisor *prior to excavation*.
- 15. The private drive shall be paved along the entire length and width. All access improvements, including the new sidewalk and curb, shall be inspected and approved by Canby Public Works prior to installation.
- 16. Any road-cuts to South Township Road shall be repaired with a T-patch and coordinated with the Public Works Department.

	ng Commission of the City of Canby.	P 05-08 was presented to and APPROVED by
DATED tl	nis 12 th day of July, 2005.	•
	·	
		Jim Brown Chairman, Canby Planning Commission
		Kevin C. Cook Associate Planner
ATTEST:		
ORAL DEC	ISION – August 22, 2005	
AYES:	Helbling, Molamphy, Tessman, Manley	
NOES:	Brown, Ewert	
ABSTAIN:	None	
ABSENT:	Lucas	
WRITTEN I	DECISION – September 12, 2005	
AYES:		
NOES:		
ABSTAIN:		
ABSENT:		

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DATE AUG. 2005 SCALE 1"=20"

DRAVN OK



LANDSCAPE LEGEND

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NO.	COMMON NAME	SIZE	SPACE	
	BOTANICAL NAME			
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17 .	BRITANNIA	U GI ILL	00 0.0,	
10	SWEET GUM	5"	RANDOM	
	LIQUIDAMBAR STYRACIFUA			
.63	DAVID'S VIBURNUM	5 GAL.	36" O.C.	
	VIBURNUM DAVIDI			
. 1	DOUGLAS FIR PSEUPOTSUGA MENIESII	1 1/2" Cal.	·	
	47	BOTANICAL NAME A7 RHODENDRON BRITANNIA SWEET GUM LIQUIDAMBAR STYRACIFUA DAVID'S VIBURNUM VIBURNUM DAVIDI DOUGLAS FIR	BOTANICAL NAME 47 RHODENDRON BRITANNIA 10 SWEET GUM LIQUIDAMBAR STYRACIFUA 63 DAVID'S VIBURNUM VIBURNUM DAVIDI DOUGLAS FIR 110° CN	## SIZE SPACE ## SIZ

SYMBOL	NO.	COMMON NAME	SIZE	SPACE		
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The state of the s	35	PHOTINA	4"	36"		
San		FRASERI		. 55		
GRASS & WILD FLOWER MIX						
Wildflower and Grass Mbx: Pro-Time #170						
		PDX Plus				

- provide automatic underground irrigation system for all planting beds and lawns.
 Provide 6" extruded curbs at all edges of asphalt.

- adjacent to planting beds
 3. Provide minimum 6" topsoil in planting beds, 4"
 Topsoil at lawns and 2" bark mulch cover in planting a

DESIGN REVIEW

Bresented to Planning Commission at 9-12-05 meeting

SCAPE

