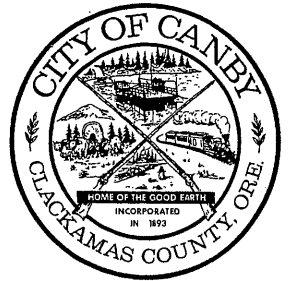


# PLANNING COMMISSION AGENDA



January 24, 2005  
7:00 PM - Regular Meeting  
City Council Chambers  
155 NW 2<sup>nd</sup> Avenue

---

## I. ROLL CALL

## II. CITIZEN INPUT ON NON-AGENDA ITEMS

## III. PUBLIC HEARINGS

**ANN 04-07 McMartin Farms** The applicant seeks to annex five tax lots containing 32 acres south of HOPE Village. The parcels are located between S Ivy and S Fir Streets, bordering the Molalla River. If annexed the applicant proposes construction of 55 single family homes, 41 townhomes and 118 apartments on lots zoned for Low, Medium and High Density Residential development.

## IV. NEW BUSINESS

## V. FINDINGS

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

**DR04-08 HOPE VILLAGE**

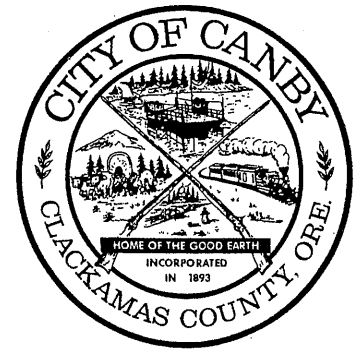
## VI. MINUTES

January 10, 2005

## 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 -**

### **APPLICANTS:**

Ken Diener, KJD Architecture  
536 SE 17<sup>th</sup> Avenue  
Portland, OR 97214

### **OWNERS:**

Mc Martin Farm LLC  
19236 Carmelita Drive  
Oregon City, OR 97045

### **LEGAL DESCRIPTION:**

Tax Map 4-1E-4C  
Tax Lots 700, 1700, 1800, 1900, 2000  
(Total = 32.06 acres)

### **LOCATION:**

The parcel is located on the south side of HOPE Village between S Ivy Street and S Fir Street on land bordering the Molalla River

### **COMPREHENSIVE PLAN DESIGNATION:**

R-1 Low Density Residential  
R-1.5 Medium Density Residential  
R-2 High Density Residential

### **FILE NO.:**

ANN 04-07 (McMartin Estates)

### **STAFF:**

Darren J. Nichols  
Associate Planner

### **DATE OF REPORT:**

January 14, 2005

### **DATE OF PC HEARING:**

January 24, 2005

### **DATE OF CC HEARING:**

March 2, 2005

### **ZONING DESIGNATION:**

Exclusive Farm Use (EFU)  
Exclusive Farm Use (EFU)  
Exclusive Farm Use (EFU)

### ***I. APPLICANT'S REQUEST:***

The applicants seek to annex five tax lots containing approximately 32 acres into the City of Canby. If annexed, the applicants propose construction of 55 single family homes, 41 medium density townhomes and 118 high density apartments on lots zoned for Low, Medium and High Density. Access to an eventual subdivision development is proposed from S Fir Street and from S Ivy Street with an extension of S "H" Street through the proposed development. All five parcels are located on the south side of SW 13<sup>th</sup> Avenue, south of HOPE Village.

## **II. MAJOR APPROVAL CRITERIA:**

The Planning Commission forms a recommendation that the City Council may consider while conducting a public hearing. If the City Council recommends approval of the application, the annexation is placed before the voters at the next general election.

Section 16.84.040 of the Canby Municipal Code states that when reviewing a proposed annexation, the Commission shall give ample consideration to the following:

1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan).
2. Analysis of the “need” for additional property within the city limits shall be provided.
3. Smaller non-farm land shall be considered a priority for annexation over larger farm land;
4. Access shall be adequate to the site;
5. Adequate public facilities and services shall be available to service the potential (or proposed) development;
6. Compliance with other applicable city ordinances or policies;
7. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.);
8. Risk of natural hazards which might be expected to occur on the subject property shall be identified;
9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas;
10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole. The full text of the annexation criteria can be found in Section 16.84.040 of the Land Development and Planning Ordinance.

### III. FINDINGS:

#### A. Background and Relationships:

The subject parcels are currently zoned EFU (Exclusive Farm Use) by Clackamas County. Canby's Comprehensive Plan designates the parcels as follows:

R-1	Low Density Residential –	Tax Lots 1800 and 2000
R-1.5	Medium Density Residential –	Tax Lot 1700
R-2	High Density Residential –	Tax Lot 1700
	Outside Urban Growth Boundary	Tax Lots 700 and 1900

If annexation is approved, the zoning for parcels inside the UGB would be automatically amended to reflect Comprehensive Plan designations. The applicant has indicated an intention however to amend the Comprehensive Plan as part of a Master Plan proposal pending approval of the annexation. Submitted materials reflect the anticipated zone change and do not reflect the Comprehensive Plan. The total acreage in each zone is proposed to remain essentially the same but the boundaries between zone types are proposed to change.

Adjacent properties to the north, west and east are all outside city limits but inside the Urban Growth Boundary (UGB). Properties to the south along the Molalla River are outside the UGB. The parcels are not currently contiguous to the City of Canby. The applicant however proposes to annex that portion of S Fir Street currently outside city limits in order to provide a contiguous connection to City property.

Adjacent parcels to the east and to the west, along S Ivy and S Fir Streets, are outside city limits but designated for eventual Low Density residential development. Immediately to the north is a single parcel outside the city limits but intended for eventual high density residential development. Additional parcels to the north, but not adjacent, include the HOPE Village retirement community. The southernmost boundary includes frontage on the Molalla River.

The subject parcels are essentially flat with a slight slope from north to south. Soils on the site are good for agricultural production but would also be suitable for residential development. The parcel contains no steep slopes and no apparent waterways or natural hazards that would prevent efficient development of the site. The parcel is currently used for agricultural production and is adjacent to additional farmland to the east.

The applicant proposes access to the site from S Fir Street and from S Ivy Street with extensions of S "H" Street inside the proposed subdivision. Traffic analyses

and utility information included in the application are based on anticipated residential use as proposed in the applicant's submittal. In the absence of a binding development agreement however, applicable criteria should be applied to the annexation only and not to any conceptual plan.

The applicant has submitted a conceptual development plan with their application, as required by the city. The plan submitted however is not a binding agreement and a Master Plan is not available for the proposed area. Staff recommends that the annexation application proceed only upon receipt of a signed development agreement requiring that a comprehensive Master Plan be approved by the City of Canby prior to the acceptance of any development application on the subject parcels or surrounding properties. The development agreement should be signed by the applicant and by the property owners.

## **B. Comprehensive Plan Consistency Analysis**

### **ii. Urban Growth**

**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.**

**Policy #3:** Canby shall discourage the urban development of properties until they have been annexed to the City and provided with all necessary urban services.

*Analysis: Annexation of the subject property is the first step toward urban development and the provision of urban services.*

*Implementation Measure D of this policy states:*

"The adopted maps showing growth phasing shall be used as a general guideline for the City's outward expansions. Areas designated as Type "A" urbanization lands shall generally be annexed prior to those areas shown as Type "B", etc. Annexation which is not in keeping with the phased growth concept shall only be permitted when the following findings are made:

- Proponents of the proposed annexation have borne the burden of proving the appropriateness of the annexation. Such burden being greatest for those proposals which are least in keeping with the phased growth concept.

Analysis: *Canby's Comprehensive Plan designates the subject parcels under all three categories, "A" "B" and "C". In determining the appropriateness of this application, the Planning Commission should determine the overall priority for annexation based on the analysis of this report and on materials submitted by the applicant and by the community.*

- There will be some special benefit to the City overall as a result of the annexation which would not occur if the phased growth pattern was not followed.

Analysis: *The proposal includes properties designated primarily under the "B" and "C" phasing priorities with a smaller portion designated priority "A". The proposal is unique however in that it incorporates 32 acres of land designated for multiple zoning and largely held under a single ownership. The potential annexation presents the City with an opportunity to add a large, Master Planned area into Canby. Staff concludes that the size and ownership of the annexation does provide a unique benefit to the City, provided that a Master Plan is in place prior to development (see Understanding #6).*

- The annexation will result in no adverse impacts on the City's planned provision of facilities and services.

Analysis: *Implementation Measure A of this policy states: "Urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth, as allowed by the City Comprehensive Plan prior to, or concurrent with, the land use changes".*

*Existing utilities would require modest to complex extensions to serve the subject parcel with urban level services. These issues are discussed further in the Public Facilities and Services section below. See further discussion under Public Facilities and Services Element*

- The annexation is appropriate in terms of timing for the City's growth and development."

Analysis: *The appropriate timing for the proposed annexation shall be determined by the hearings bodies and, if appropriate, Canby voters.*

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

*Analysis: Implementation Measure B of this element requires the City to “carefully analyze the need for additional property within the City limits or in light of underutilized incorporated property, prior to the annexation of additional land.” Annexation of this parcel would permit future development according to the densities allowed in the Comprehensive Plan. The proposal would bring 32.06 acres of land into the City:*

- 17.03 acres R-1 Low Density Residential (TL 1800, 2000)
- 7.26 acres R-1.5 Medium Density Residential (TL 1700)
- 7.25 acres R-2 Low Density Residential (TL 1700)

*The applicant proposes to construct 57 single family homes, 41 townhomes and 118 multi-family units which would provide housing for an estimated 419 residents. According to Comprehensive Plan estimates, the annexed area would support an average of 72 single family homes, 58 medium density residential units, and 118 high density residential units.*

*Applying Comprehensive Plan estimates to a development forecast, the parcels could theoretically accommodate 584 residents. Subtracting land along the river bluff and subtracting the two small parcels outside the city limits provides a number more in line with the applicant’s estimates.*

**Goal #2 addresses the need for buildable land in Canby.**

*Planning Staff has been directed to track residential land by individual zoning designation for the purposes of determining “need” for land in Canby. The following includes individual analyses for R-1, R-1.5 and R-2 residential lands. Attention should be paid to the need for each density type in deciding the overall need for land as it applies to this annexation application. The City Council recently found that Canby should maintain a three year supply of platted, buildable land in order to meet the need for residential land in Canby.*

---

***R-1 Low Density Residential:***      *The supply of platted buildable R-1 Low Density Residential land currently available or in process in Canby is 2 years, 1 month. This annexation would provide approximately 6.5 months of additional R-1 supply for a total possible supply of approximately 2 years and 8 months (see Table A).*

<b>Table A: R-1 Buildable Lands</b>	
<b>Classification</b>	<b># of Lots</b>
Approved, Platted Lots/Units	53
Approved Lots/Units in Plat Approval Process	156
Lots/Units Proposed	(57) Not included in total
Vacant Land Not Platted	(290) Not included in total
<b>TOTALS</b>	<b>209 Lots/Units</b>
Average Buildout	99 Lots/Units year
<b>PLATTED/IN PROCESS</b>	<b>2 Years 1 month</b>

---

***R-1.5 Medium Density Residential:***      *The supply of platted buildable R-1.5 Medium Density Residential land currently available in Canby is approximately 1 year and 9 months. This annexation would provide approximately 2 years, 11 months of additional R-1.5 supply for a total possible supply of approximately 4 years and 8 months (see Table B).*



<b>Table B: R-1.5 Buildable Lands**</b>	
Classification	# of Lots
Approved, Platted Lots/Units	5
Approved Lots/Units in Plat Approval Process	0
Lots/Units Proposed	(41) Not included in total
Vacant Land Not Platted	0
<b>TOTALS</b>	<b>5 Lots/Units</b>
Average Buildout	2.8 Lots/Units year
<b>PLATTED/IN PROCESS</b>	<b>1 year 9 months</b>

\*\* *Residential lands inventories for the City of Canby have not historically included data for the R-1.5 zone alone. The numbers included here are a “back of the envelope” type analysis but staff concludes that the data are sufficient for the purpose of determining need for R-1.5 land in the City.*

**R-2 High Density Residential:** *The supply of platted buildable R-2 High Density Residential land currently available in Canby is between 7 months and 2 years, 1 month. The City Council recently determined that a 3 year supply of platted, buildable land is considered sufficient to meet the need for land in Canby; this annexation would provide approximately 6.5 months of additional R-1 supply for a total possible supply of approximately 2 years and 11 months (see Table C).*

<b>Table C: R-2 Buildable Lands</b>	
Classification	# of Lots
Approved, Platted Lots/Units	150
Approved Lots/Units in Plat Approval Process	4
Lots/Units Proposed	(118) Not included in total
Vacant Land Not Platted	0
<b>TOTALS</b>	<b>154 Lots/Units</b>
Average Buildout	51.6 Lots/Units year
<b>PLATTED/IN PROCESS</b>	<b>2 years 11 months</b>

*In this application, the Commission should weigh the need for each residential density type as well as the location of the non-contiguous parcels and the varied phasing priorities to determine the appropriateness of the annexation proposal (see attached inventory of undeveloped land).*

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

*Analysis:* Request for comments have been sent to all public facility and service providers (see discussion under Public Services Element).

**iv. Environmental Concerns Element**

**GOAL:      1) TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.**

**2) TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION. TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.**

Policy #1-R-A:      Canby shall direct urban growth such that viable agricultural uses within the urban growth boundary can continue as long as it is economically feasible for them to do so.

*Analysis:*      Surrounding parcels to the north and east are engaged in agricultural production and/or are currently zoned for EFU (Exclusive Farm Use) by Clackamas County. The subject parcel is also actively engaged in agricultural production.

Policy #1-R-B:      Canby shall encourage the urbanization of the least productive agricultural area within the urban growth boundary as a first priority.

Analysis: *Implementation Measure B of this element states, "Carefully analyze the need for additional property within the City limits or in light of underutilized incorporated property, prior to the annexation of additional land."*

*For this policy, implementation measures C and D also apply to annexations. Measure C gives direction to "encourage growth into areas where land is fragmented into small parcels which are not conducive to productive agricultural use." Measure D gives direction to "review annexation proposals in light of the growth phasing strategies of the Urban Growth Element."*

*The subject parcel is currently used in agricultural production and is part of a larger area of land designated for exclusive farm use. The parcels are designated priority "A", "B" and "C" for annexation. The Planning Commission has previously given the city's growth phasing strategy precedence over agricultural uses in recommending parcels for annexation.*

Policy #2-R: Canby shall maintain and protect surface water and groundwater resources.

Analysis: *The parcels included in this application about the Molalla River but are not considered wetlands or other stormwater infiltration lands. Public facilities and service providers did not express stormwater concerns with the annexation proposal.*

Policy #6-R, 9-R, 10-R, 1-H, 2-H, 3-H: Policies relating to historic sites, fish and wildlife habitat, wetlands, steep slopes, flood prone areas, and poor soils

Analysis: *The subject property does not fall within a hazard zone as identified by the Comprehensive Plan. With the exception of a narrow embankment at the frontage to the Molalla River, there are no steep slopes and no identified flood prone areas. There are no wetlands in the areas anticipated for development and there are no historic sites on the property. Wildlife habitat is limited to*

*the river bank area which the applicants propose to preserve as natural area donated to the City of Canby as part of the Emerald Necklace park system.*

**v. Transportation Element**

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

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: Canby Police and Fire districts were sent a Request for Comments. Neither agency expressed concerns with site access as proposed. Access and services will be evaluated further upon submittal of a proposed Master Plan and/or at the time of development; no further conditions are considered necessary.*

**vi. 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: All public facility and service providers were sent a "Request for Comments" regarding this application. Responses were received from the Fire District, Police Department, City Engineer, Public Works, Canby Utility Water, Canby Utility Electric, Willamette Broadband, Canby Telephone Association, Clackamas County 9-1-1, Traffic Safety Committee, and Bicycle and Pedestrian Committee.*

**City Engineer Curt McLeod indicates that sewer service will be difficult to provide because of the depth and capacity of existing sewer lines. Curt also recommends extending S Fir Street further to the south in order to provide access to properties west of the proposed annexation. The access alignment recommendation also applies to properties to the east along S Ivy Street.**

*Staff recommends that these issues be addressed in a Master Plan for the area bounded by S Ivy, SW 13<sup>th</sup>, S Fir and the Molalla River. Staff requested such Master Planning prior to a public hearing; the applicant however, has chosen to focus on development design with less emphasis on the annexation's relation to surrounding parcels. Understanding # 6 recommends that an approved Master Plan be performed for the proposed annexation prior to any further development.*

**Canby's Public Works Supervisor Roy Hester notes that the property is not continuous to the city. Roy also notes that sewer service with existing facilities is "out of the question".**

*Staff agrees that existing sewer capacity is not sufficient. The applicant is aware of the issue and proposes to install a lift station to serve the development. Placement and installation of the lift station would be part of the Master Plan recommended in Understanding #6.*

**Canby Utility Water Foreman Pat Thurston indicates that there is sufficient water to provide fire protection and water service.**

**Canby Utility Electric Foreman Gary Stockwell indicates that power capacity is also sufficient to serve the site upon development.**

**Traffic Safety Committee Chair Marlene Elmore expressed concerns about traffic impacts of the development. In particular, Marlene notes traffic and pedestrian safety issues on SW 13<sup>th</sup> and S Elm.**

*The City's Transportation System Plan classifies SW 13<sup>th</sup> Avenue as an Arterial Street and a traffic study from Lancaster Engineering indicates that capacity is adequate to handle the additional vehicles on S Fir and on S Elm. An eventual connection between SW 13<sup>th</sup> and S Berg Parkway will likely alleviate existing capacity issues at Elm and 99E.*

**Bicycle and Pedestrian Advisory Committee Chair Robi Kurth requests that the annexation provide adequate sidewalks and crosswalks for pedestrians on S Fir and S Ivy. Robi also recommends bike lanes at the periphery and in the interior of the development.**

*Staff concurs with the recommendations of the Bike and Ped Advisory Committee. The issues of pedestrian safety are also appropriate for inclusion in a Master Plan for the subject parcels. Particular staff concerns include the provision of adequate student access to local schools and parks on the east side of S Ivy.*

***Traffic Study:***

*A traffic study was commissioned for this annexation application. The study analyzes the annexation application based on a tentative development proposal submitted by the applicant. The study shows that surrounding road systems are adequate to serve the additional volumes generated by the proposed annexation. Traffic impacts would be reviewed again at the time of future development, including any additional development on adjacent parcels. Specific concerns note the sight distance along S Ivy in the 55 mph zone. Sight distance, street alignment and traffic speed issues would all be included in the recommended Master Plan.*

***Neighborhood Comments:***

*Jerry Barkman, Executive Director of HOPE Village writes to express concerns about the applicant's proposal to extend road access into the HOPE Campus. City staff also discourages public street access through adjacent private property. The applicants have subsequently removed that portion of the proposed design.*

*One anonymous respondent asks "Why do we need more houses?"*

*Robert Ruby writes that Canby is blessed to have good schools and to be surrounded by exceptionally superb farm land. Mr. Ruby is concerned about the ability of the City to maintain a high quality of life with so many recent residential annexation proposals.*

*Al Green also writes to express concerns about the loss of farmland open space and the loss of the view for HOPE Village residents. Mr. Green mentions the strain on city maintenance budgets and the potential for higher taxes as a result of the proposed annexation.*

*Hazel McGuire writes to express concerns about traffic and other perceived density problems. Ms. McGuire is concerned that subsequent development may not be in keeping with the high standards set by HOPE Village. Hazel also requests that the Commission respect senior citizens' desires to spend their days in quiet enjoyment without the noise of additional traffic.*

*Vivian Ward states that no more residential land is needed around S Ivy and S Fir streets.*

*Caroline McFarland writes that the rock heavy clay soils are poor for farming and that the parcels are a natural extension of the city. Ms. McFarland also mentions the need for affordable homes in Canby and expresses her appreciation for neat, tidy row houses with green space.*

*Alan Gallagher, JD, writes about the overall impact of the development on existing housing density, the environment and quality of life (please see letters from Mr. Gallagher for specific details).*

*Additional comments are submitted from Mr. Gallagher on behalf of the Molalla River Improvement District. Among those comments are concerns about the impacts of development on the Molalla River corridor. Mr. Gallagher states that the Commission hearing is premature and that the development impacts should be notified to additional agencies for response.*

*The annexation proposal and a formal Request for Comment was sent to the following:*

- *Canby Fire District #62*
- *Canby Police Department*
- *City of Canby Public Works*
- *Canby Utility Water and Electric*
- *Canby Waste Water Treatment Plant*
- *City Engineer – Curran-McLeod*
- *Canby Telephone Association*
- *NW Natural*
- *Willamette Broadband*
- *City Attorney*
- *Bicycle and Pedestrian Advisory Committee*
- *Canby Post Office*
- *Clackamas County Assessor*
- *Clackamas County 9-1-1*
- *Clackamas County Transportation*
- *Traffic Safety Committee*
- *Canby School District*
- *City of Canby Traffic Engineer – Lancaster Engineering*
- *ODOT – Region 1, District 2B*
- *Canby Parks and Recreation*

*Upon annexation, notice would also be sent to State of Oregon Secretary of State and Clackamas County Elections. Upon receipt of a formal development proposal, additional notice would be given to State and local environmental protection agencies as well as all of the agencies mentioned above.*

**vii. Economic Element**

**GOAL: TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.**

Policy #4: Canby shall consider agricultural operations which contribute to the local economy as part of the economic base of the community and shall seek to maintain these as viable economic operations.

*Analysis: The subject property is currently used in agricultural production and is part of a larger area of viable, productive farmland. A portion of the subject parcel is, however, designated as Priority "A" for annexation and can be served by urban level services upon development.*

**viii. Housing Element**

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

Policy #1: Canby shall adopt and implement an urban growth boundary which will adequately provide space for new housing starts to support an increase in population to a total of 20,000 persons.

*Analysis: This property is within the City's Urban Growth Boundary and, as such, is intended to be available for development at some point within the next 20 years.*

**Conclusion Regarding Consistency with policies of Canby's Comprehensive Plan:**

This application is consistent with many of the Comprehensive Plan policies for annexation. Because the parcels are not contiguous to the current city limits, the Planning Commission and City Council must determine the appropriate policy for consideration of the property. The provision of Public Facilities and Services may warrant additional discussion regarding eventual street access and sewer service to the parcel. Typically, specific discussions about the location of public facilities and services are also dealt with at the time of development and staff recommends that this remain the case. For this particular application, staff also recommends that the parcels be subject to an approved area Master Plan prior to any subsequent development.



**C. Evaluation Regarding Annexation Consideration Criteria**

1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan). Areas designated as Type “A” urbanization lands shall be annexed prior to those areas shown as Type “B”, etc.

Analysis: The subject parcels are designated priority “A”, “B” and “C” for annexation, but present 32 acres under single ownership. The opportunity to Master Plan a large area of the City, including opportunities for park and open space along the Molalla River, provides Canby with a unique benefit.

2. Analysis of the “need” for additional property within the city limits shall be provided.

Analysis: The City of Canby monitors residential land supplies to determine the City’s general need for buildable land. The “need” for developable land is a function of total supply and actual lands platted for development (see Buildable Lands Analysis attached). Canby currently has less than the 3 year supply of platted land considered sufficient in each of the three residential densities. Therefore, the “need” for this criterion has been met.

3. Smaller, non-farm land shall be considered a priority for annexation over larger farm land.

Analysis: At 32 acres, the property may be considered “larger farm land”. A portion of the property is however designated priority “A” for annexation, thereby reserved for urban development before other properties which are considered priority “B” and “C”. A significant portion of the property is also considered priority “B” and “C” making the overall phasing priority a subjective policy decision for the Planning Commission and City Council prior to forwarding the final decision to Canby voters.

4. Access shall be adequate to the site.

Analysis: Access to the site will require street improvements at the time of development. Current access to S Ivy and SW 13th is sufficient to serve the needs of the current and future use. A

Traffic Study Commissioned as part of this application addresses specific design concerns with the applicant's proposal. Those issues would be addressed through adoption of an approved Master Plan prior to City approval of any further development. Staff recommends that traffic impacts be weighed on the capacity of existing streets and not on the exact design included in the applicant's materials.

5. Adequate public facilities and services shall be available to service the potential (or proposed) development.

Analysis: Public facility and service providers indicate that most services are currently available at the site or will become available to the property through development. Services not available or underserved, including a sewer lift station, shall be provided by the developer and would be conditioned upon development.

6. Compliance with other applicable city ordinances or policies.

Analysis: The purpose for this criterion is to ensure that the annexation application is in compliance with City policies that are not specifically addressed in the rest of the criteria. If the Planning Commission and City Council agree with the applicant that annexation of S Fir Street meets the intent of the Comprehensive Plan growth management strategy, staff believes the application substantially meets other applicable city ordinances and policies, as discussed in the analysis above with relation to Comprehensive Plan policies.

7. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.).

Analysis: The application complies with the applicable sections of Oregon Revised Statutes Chapter 222.

8. Risk of natural hazards which might be expected to occur on the subject property shall be identified.

Analysis: No natural hazards are identified on the subject property.

9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas.

*Analysis:* There are no “specially designated” open space, scenic, historic or natural resource areas identified on the subject property. Annexation will not in itself significantly impact open space or natural resources. Again, the impacts of eventual development should be discussed through a Master Planning process and through rigorous development review.

10. Economic impacts which are likely to result from the annexation shall be evaluated in the light of social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community as a whole.

*Analysis:* The annexation of this property would not have a significant adverse affect on the short term economic, social and physical environment of the community. Annexation and development of the parcel would provide temporary employment during construction and would provide long-term residences.

#### IV. CONCLUSION

If the decision-making bodies of the City determine that the applicant’s proposal is in keeping with Canby’s growth management policies, staff concludes that the proposed annexation meets the requirements of the standards and criteria included in the Canby Land Development and Planning Ordinance, Section 16.84.040.

#### V. RECOMMENDATION

Based upon the findings and conclusions contained in this report and without benefit of a public hearing, **staff supports a Planning Commission recommendation of approval for ANN 04-07 to the City Council**, with the addition of the following understandings.

1. The zoning classification for the property will be R-1 Low Density Residential, R-1.5 Medium Density Residential and R-2 Low Density Residential as set forth in the city’s Comprehensive Plan.

2. All service connections, recording costs and future development costs are to be borne by the applicant and/or the property owners.
3. All City and service provider regulations shall be adhered to at the time of connection to services and/or upon future development.
4. Public utility easements are normally conditioned as a part of new development. As no new development is proposed, sidewalks and utility easements will be required upon any future land use application including subdivision approval, Site and Design Review approval and/or issuance of a building permit or other application for development.
5. Any costs associated with the annexation election **not already** covered by an initial deposit shall be the responsibility of the applicant and/or property owner. Elections costs shall be payable upon receipt of an itemized billing from the City of Canby.
6. The annexation proposal shall be forwarded to Canby voters only upon receipt by the City of Canby of a development agreement signed by their applicant and by the property owners. The agreement shall clearly convey an understanding and agreement between the City and the applicant/owners that no development proposal shall be accepted by the City of Canby until a Master Plan has been approved by the City of Canby. Said Master Plan shall be prepared for the subject parcels and for surrounding property in the area bounded by S Ivy, SW 13<sup>th</sup>, S Fir Street and the Molalla River. The proposed Master Plan shall assure adequate access alignment and connectivity to parcels to the east across S Ivy and to the west across S Fir.

At a minimum, the approved Plan shall also include the following:

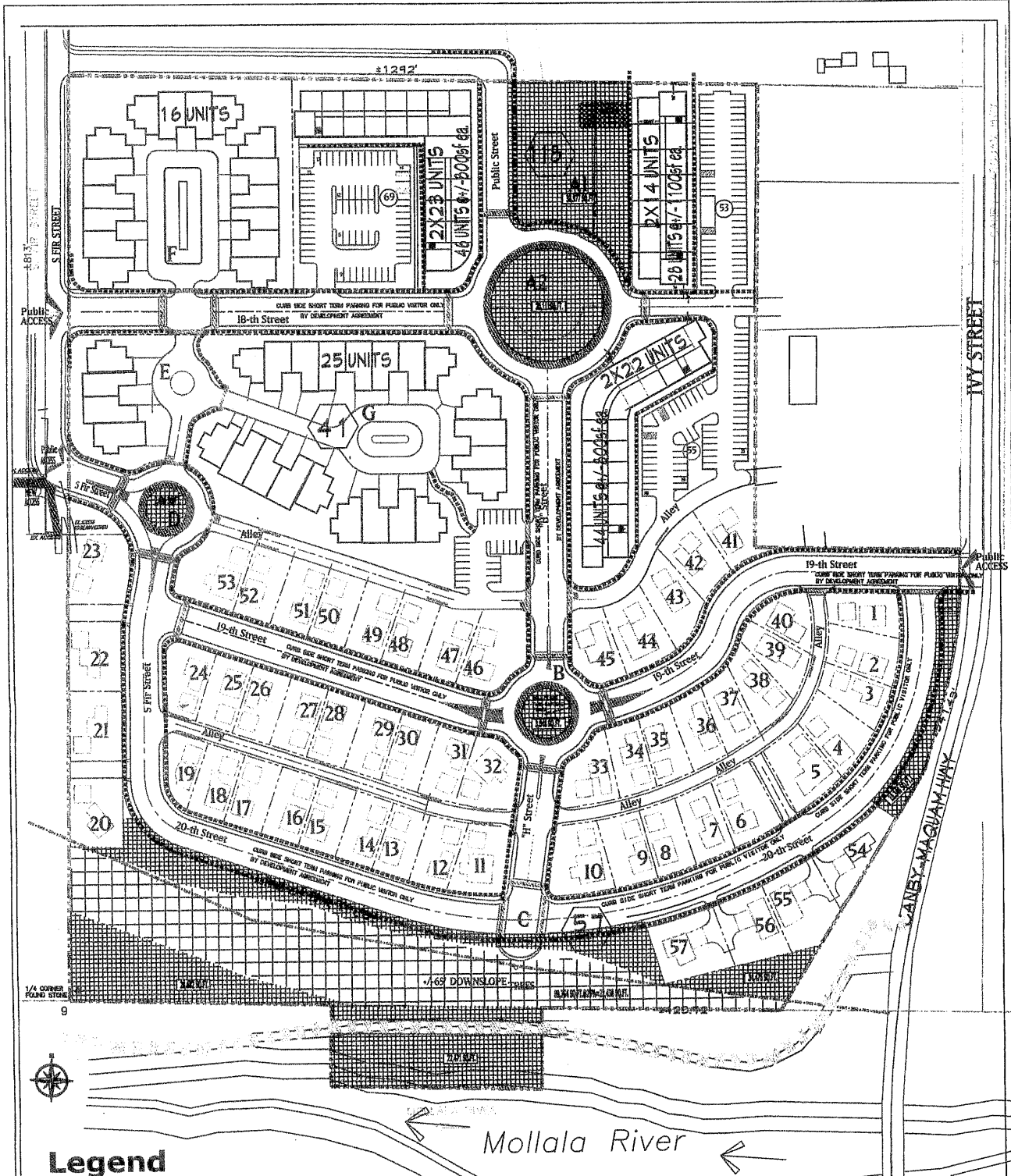
- Planning for open space along the Molalla River bluff area.
- Access to the subject area and to adjacent properties.
- Street improvements to and within the Master Plan area.
- Park and trail improvements in public open space.
- Park equipment to be installed in public open space.
- An appropriate stormwater management plan for all development within the area.
- Consideration for additional design standards in order to ensure and maintain a high quality of development (as proposed by the applicants – porches, windows, trim details,

- landscaping, street trees, park space, pedestrian amenities, etc)
- Planning for the efficient and appropriate integration of land uses on the site and on surrounding parcels.

7. The applicant and owner/s shall grant to the City of Canby a waiver of the applicant's and/or owner's rights to any and all Measure 37 claims prior to annexation of the parcel. Applicants shall agree to abide by all City of Canby Municipal Law, including the city's Land Development and Planning Ordinance and the city's Comprehensive Plan. The Measure 37 waiver shall specifically waive the rights of any family member or any other individual or group that may otherwise have right to file a compensation claim under the provisions of Measure 37.

**Exhibits:**

1. Applicant's package
2. Responses to requests for comments
3. Buildable Lands Analysis
4. Traffic Study



### Legend

- Pedestrian Paths - Connections from Ex. Public Ways -To and Thru Property
- Unimproved pedestrian access- Ex. Easement to Remain
- Open space dedication to parks 158,176 SQ.FT.
- Open space dedication to parks steep slope 89,754 SQ.FT. @ 25% = 22,438 SQ.FT.

TOTAL PARK DEDICATION ( 158,176 sq.ft.+22,438 sq.ft.)= 180,614 sq.ft.=4.22 ac  
 TOTAL PARK DEDICATION REQUIRED 182,516 sq.ft.=4.19 ac

REQUIRED OPEN SPACE (SEE SHEET SP-10)  
 TOTAL Estimated Occupants = 419 People  
 10 AC.x (1k OCCUPANTS) OR .419 = 4.19 Acres  
 Recreation Space PROVIDED ±4.22 Acres

© KLD Architecture PC. All rights reserved. No part of this document may be reproduced in any form or by any means without permission in writing from KLD Architecture PC.

DESIGNED BY	DATE	CHANGED BY	DATE
DRAWN BY	DATE	APPROVED BY	DATE
REVISION	BY	REASON	DATE
DATE		BY	REASON

## The McMartin ESTATE SE Canby

Annexation APPLICATION

### PEDESTRIAN PATHS & PARK DEDICATION AREAS

CANBY  
 SCALE  
 1" = 80'-0"

PROJECT NO.  
 04071

DRAWING FILE NAME  
 SP-4



320 W. 12th St.  
Portland, OR 97209  
503.253.4510  
www.kidarchitect.com

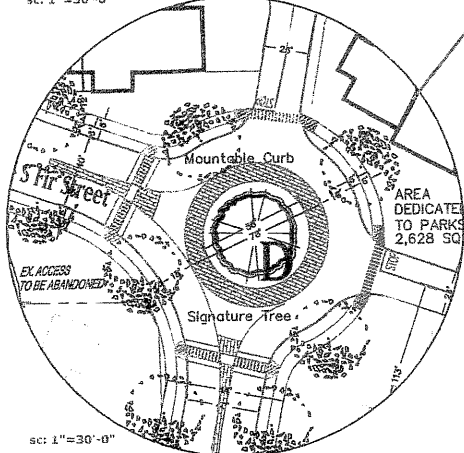
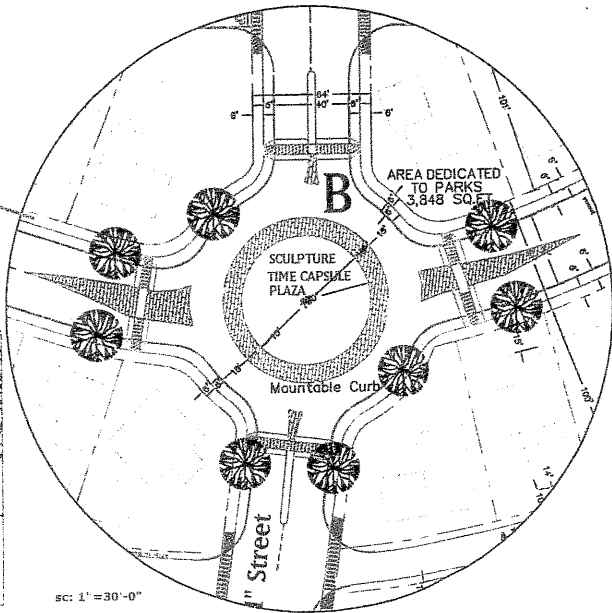
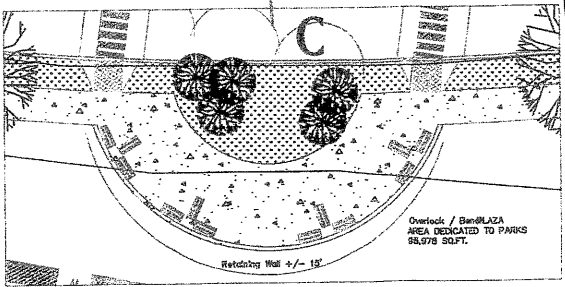
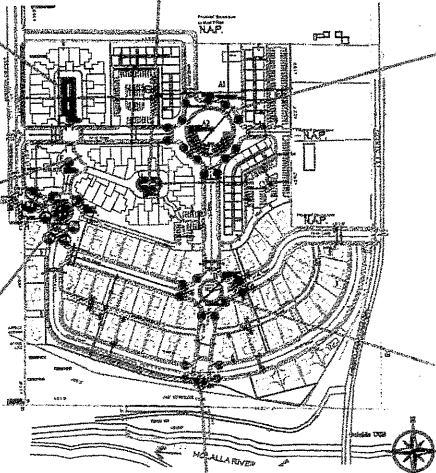
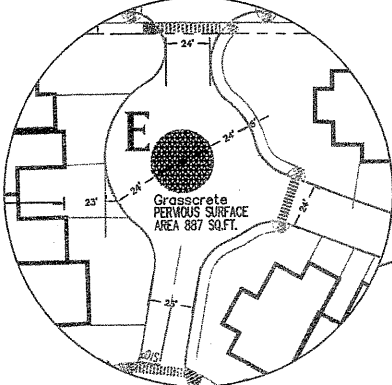
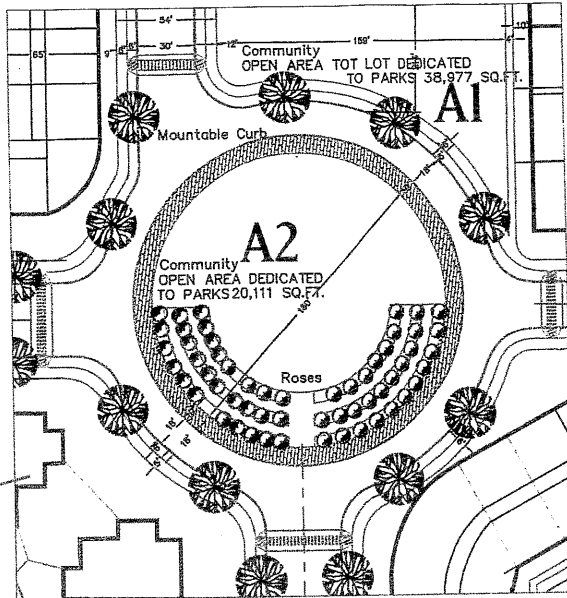
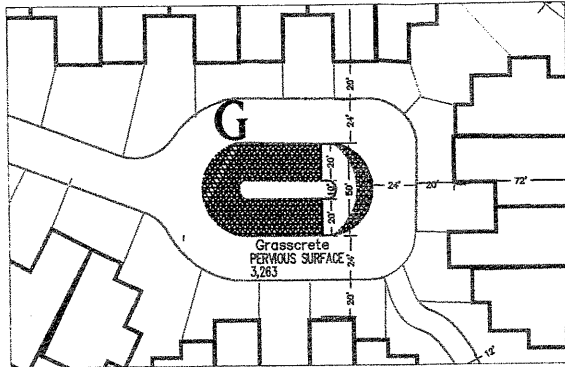
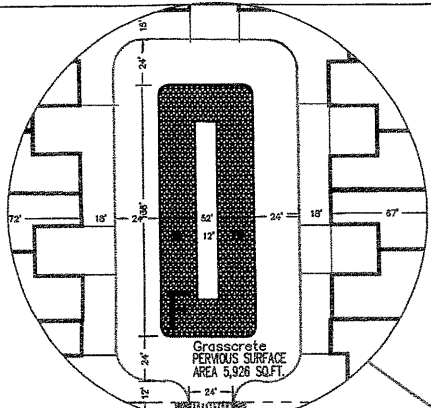
The McMarrin ESTATE SE Canby  
Annexation APPLICATION - COMPLETION SUBMITTAL  
OPEN SPACES DETAIL

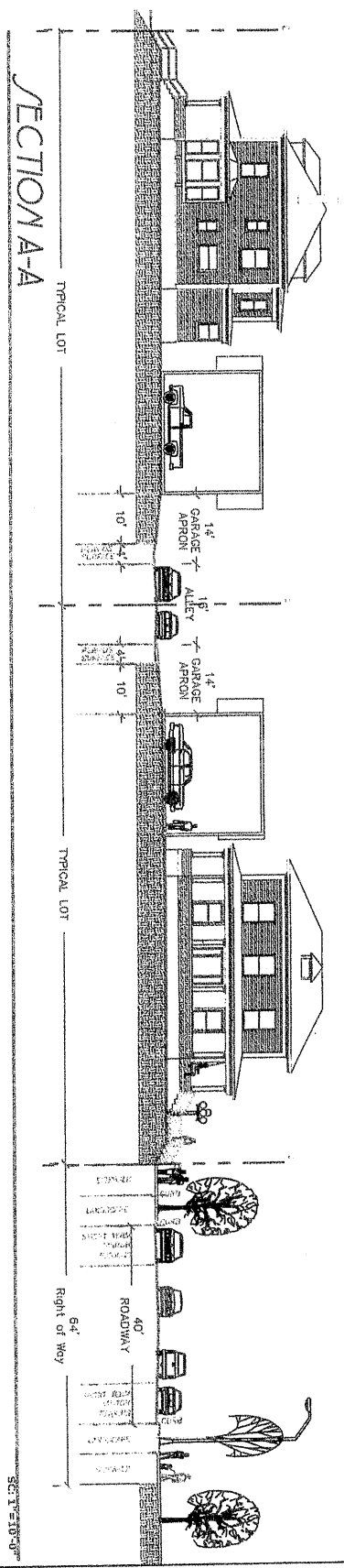
PROJECT NO. 050103  
SHEET NO. SP-5

CADREY SCALE: AS SHOWN

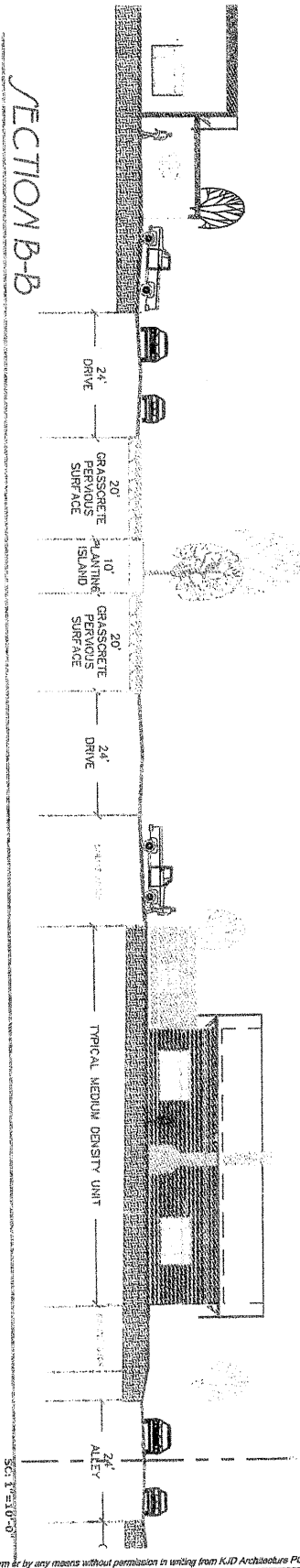
© KID ARCHITECTURE PC. All rights reserved. No part of this document may be reproduced in any form or by any means without permission in writing from KID ARCHITECTURE PC.

DATE	REVISION	BY	CHKD	APP'D

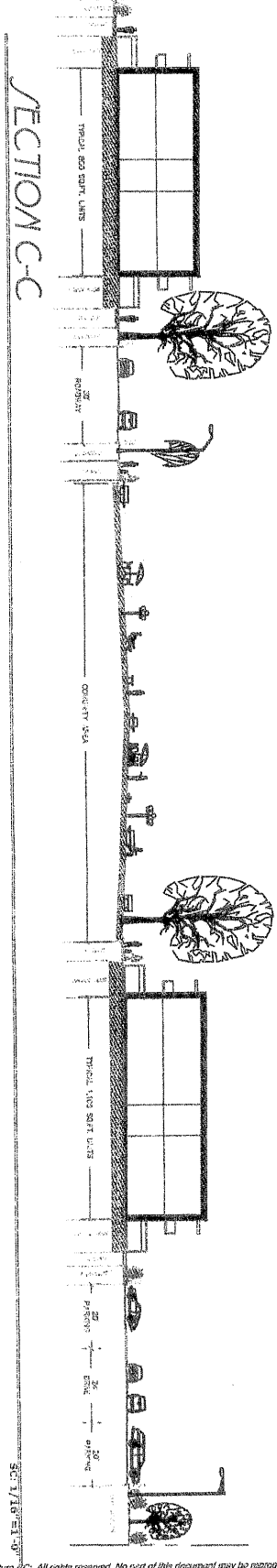




SECTION A-A



SECTION B-B



SECTION C-C

© KID Architecture PC. All rights reserved. No part of this document may be reproduced in any form or by any means without permission in writing from KID Architecture PC.

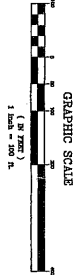
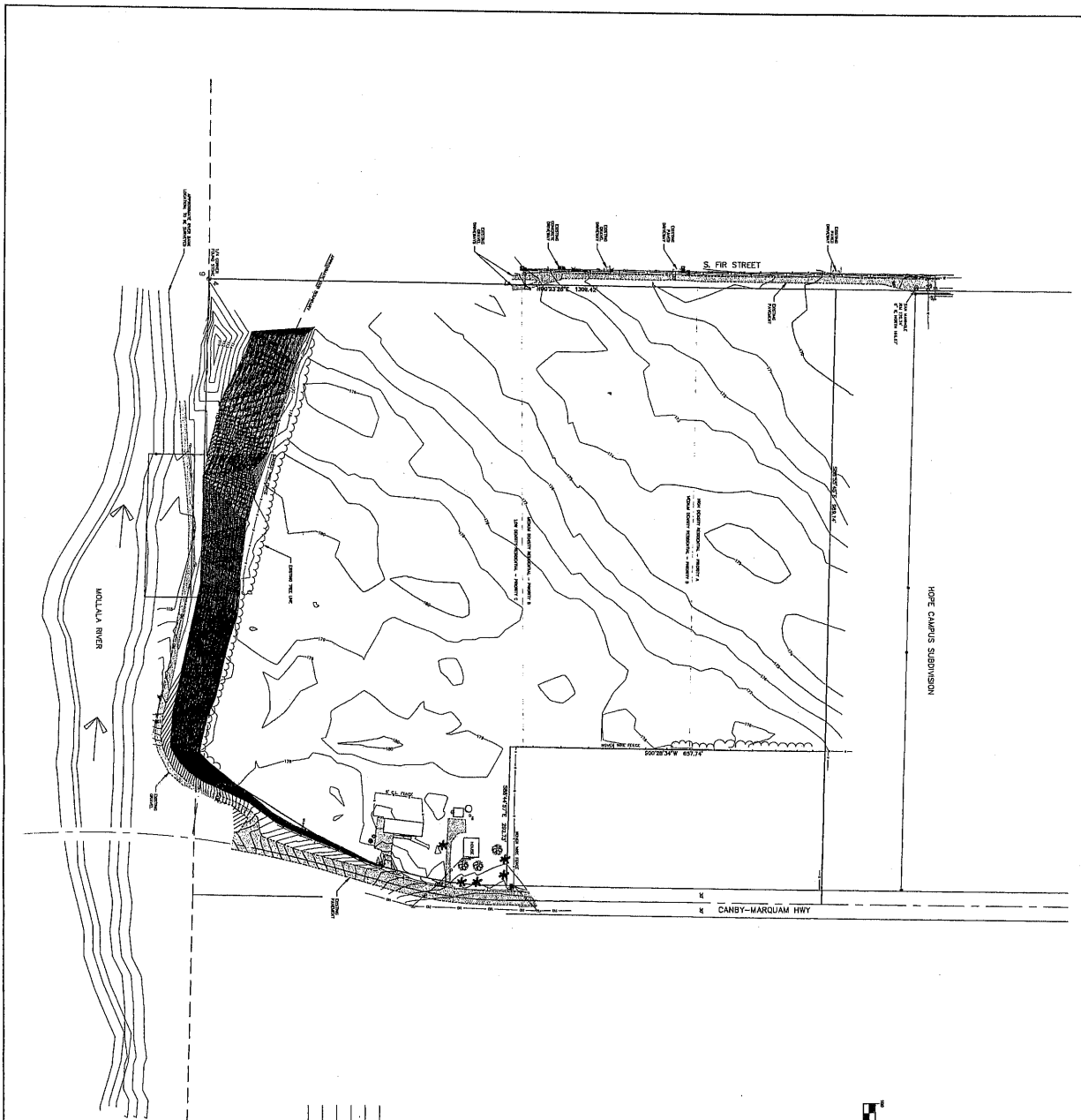
DATE	REVISION	BY	DATE
NO.	DESCRIPTION	DATE	BY

**The McMartin ESTATE SE Canby**  
Annexation APPLICATION  
SECTIONS A, B, C,

PROJECT NO. 24317  
DRAWING FILE NAME: 02000  
DATE: 12/30/04  
SCALE: 1/8"=1'-0"

**KID ARCHITECTURE**  
1000 NE Oregon Street  
Portland, OR 97232  
503.255.1111  
www.kidarch.com





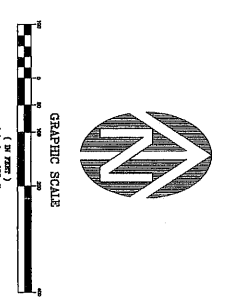
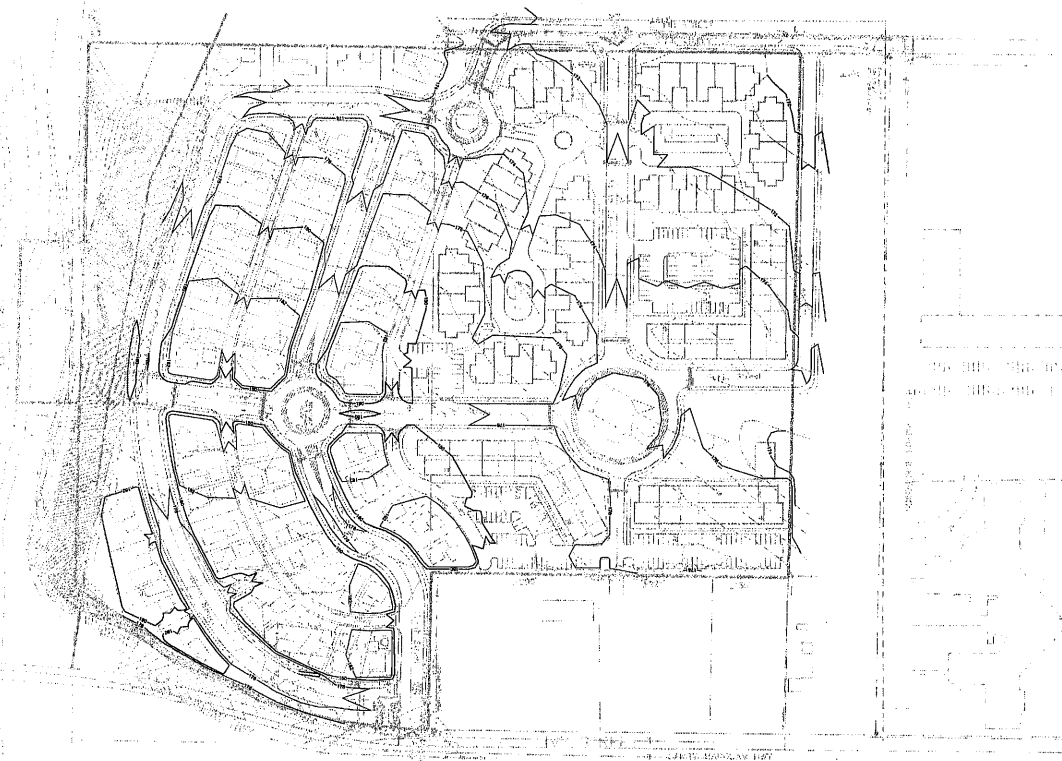
- TOPOGRAPHIC LEGEND:**
- ▲ ROUND SIGN POLE
  - ROUND SIGN AND
  - ⊕ ELECTRIC TRANSMISSION
  - ⊖ POWER POLE
  - ⊗ FIRE HYDRANT
  - ⊘ WATER VALVE
  - ⊙ WATER METERS
  - ⊚ MAN BOX
  - ⊛ SANITARY SIGN MANHOLE
  - ⊜ CATCH BASIN
  - ⊝ UNDERGROUND SANITARY LINE
  - ⊞ UNDERGROUND STORM LINE
  - ⊟ UNDERGROUND GAS LINE
  - ⊠ UNDERGROUND TELEPHONE LINE
  - ⊡ UNDERGROUND POWER LINE
  - ⊢ UNDERGROUND WATER LINE
- ⊛ DECIDUOUS TREE
  - ⊙ APPLE, CHERRY, PLUM, LILAC
  - PALM

DATE	DESCRIPTION	DESIGN BY	CHECKED BY

SHEET NO. **C100**  
 JOB NO. 179-001  
 179-001-01

**THE McMARTIN ESTATES**  
 EXISTING CONDITIONS PLAN

**WESTLAKE**  
 CONSULTANTS INC.  
 ENGINEERING • SURVEYING • PLANNING  
 PACIFIC CORPORATE CENTER  
 12121 N. FEDERAL HIGHWAY SUITE 100  
 TIGARD, OREGON 97124  
 (503) 634-0200  
 FAX (503) 634-8157



- LEGEND**
- 1. TOTAL AREA
  - 2. TOTAL AREA
  - 3. TOTAL AREA
  - 4. TOTAL AREA
  - 5. TOTAL AREA
  - 6. TOTAL AREA
  - 7. TOTAL AREA
  - 8. TOTAL AREA
  - 9. TOTAL AREA
  - 10. TOTAL AREA
  - 11. TOTAL AREA
  - 12. TOTAL AREA
  - 13. TOTAL AREA
  - 14. TOTAL AREA
  - 15. TOTAL AREA
  - 16. TOTAL AREA
  - 17. TOTAL AREA
  - 18. TOTAL AREA
  - 19. TOTAL AREA
  - 20. TOTAL AREA

NO.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY

## THE McMARTIN ESTATES

### PRELIMINARY GRADING PLAN

**WESTLAKE**  
CONSULTANTS INC.

ENGINEERING • SURVEYING • PLANNING

PACIFIC CORPORATE CENTER  
2215 N. W. BROADWAY SUITE 160  
TOLSON, GIBSON STRETT

(503) 854-0888  
FAX (503) 854-8187

SHEET  
**C200**  
JOB NO. 1797-001



**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- TO:
- |   |  |
|---|--|
| <input checked="" 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"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                  | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** by **December 24, 2004**. Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

---

---

---

---

---

---

---

---

---

---

**Please check one box:**

- 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: *Ron Parbrough* Date: 12-15-04

Title: Fire Marshal Agency: CFD #62

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

**DATE:** December 9, 2004

- TO:**
- |   |  |
|---|--|
| <input checked="" 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"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                  | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

---

---

---

---

---

---

---

---

**Please check one box:**

- 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:** Ken Harbrough **Date:** 12-16-04

**Title:** Fire Marshal **Agency:** CFD #62

**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

**DATE:** December 9, 2004

- 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"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                  | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

---

---

---

---

---

---

---

---

---

---

**Please check one box:**

- 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:** Chuy Ken Pagano **Date:** 12-16-04

**Title:** Chief **Agency:** Police

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: December 9, 2004

**RECEIVED**

- TO:
- FIRE
  - POLICE
  - PUBLIC WORKS
  - CANBY ELECTRIC
  - CANBY WATER
  - WWTP
  - CITY ENGINEER
  - CTA
  - NW NATURAL
  - WILLAMETTE BROADBAND
  - CANBY DISPOSAL
  - CITY ATTORNEY
  - BIKE AND PED

- CANBY POST OFFICE
- CLACKAMAS COUNTY ASSESSOR
- CLACKAMAS COUNTY 911
- CLACKAMAS COUNTY TRANSPORTATION
- TRAFFIC SAFETY COMMITTEE
- CLACKAMAS COUNTY
- CANBY SCHOOL DISTRICT
- TRAFFIC ENGINEER
- ODOT/REGION 1/DIST 2B
- STATE OF OREGON/REVENUE
- CANBY BUSINESS REVITALIZATION
- PARKS AND RECREATION
- OTHER \_\_\_\_\_

DEC 14 2004

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to Darren Nichols by December 24, 2004. Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

SANITARY SEWER SERVICE WILL BE DIFFICULT DUE TO LIMITED DEPTH AND CAPACITY. ADDITIONAL PLANNING WILL BE REQUIRED TO FULLY SERVE.

**Please check one box:**

- 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: 12.15.05

Title: CITY ENGINEER Agency: CURRAN-MCLEOD, INC

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- FIRE
- POLICE
- PUBLIC WORKS
- CANBY ELECTRIC
- CANBY WATER
- WWTP
- CITY ENGINEER
- CTA
- NW NATURAL
- WILLAMETTE BROADBAND
- CANBY DISPOSAL
- CITY ATTORNEY
- BIKE AND PED
- CANBY POST OFFICE
- CLACKAMAS COUNTY ASSESSOR
- CLACKAMAS COUNTY 911
- CLACKAMAS COUNTY TRANSPORTATION
- TRAFFIC SAFETY COMMITTEE
- CLACKAMAS COUNTY
- CANBY SCHOOL DISTRICT
- TRAFFIC ENGINEER
- ODOT/REGION 1/DIST 2B
- STATE OF OREGON/REVENUE
- CANBY BUSINESS REVITALIZATION
- PARKS AND RECREATION
- OTHER \_\_\_\_\_

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

ROADWAY SYSTEM SHOULD PROVIDE ACCESS TO PROPERTIES  
FURTHER WEST BY EITHER CONTINUING FIR ST (1/2 STREET)  
OR PROVIDING STREET STUB FOR TAX LOT 4-1E-4C 1900, AND  
EAST TO TAX LOTS 4-1E-4D 1400, 1500 & 1600.

SANITARY SEWER SERVICE IS LIMITED BY CAPACITY AND  
ELEVATION. ADDITIONAL PLANNING IS REQUIRED TO  
DETERMINE HOW TO SERVE PROPERTY.

**Please check one box:**

- 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: \_\_\_\_\_

*Curran-McLeod*

Date: \_\_\_\_\_

12/27/04

Title: \_\_\_\_\_

CITY ENGINEER

Agency: \_\_\_\_\_

CURRAN-MCLOED, INC.



# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- TO:
- |  |  |
|--|--|
| <input type="checkbox"/> FIRE                    | <input type="checkbox"/> CANBY POST OFFICE               |
| <input type="checkbox"/> POLICE                  | <input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR       |
| <input checked="" type="checkbox"/> PUBLIC WORKS | <input type="checkbox"/> CLACKAMAS COUNTY 911            |
| <input type="checkbox"/> CANBY ELECTRIC          | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER             | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> WWTP                    | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER           | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                     | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL              | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND    | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL          | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY           | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED            | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

### Comments or Proposed Conditions:

*This site is NOT CONTIGUOUS OF existing annexed property. To serve this property with sewer at this time is out of the budget. IF this site is approved this site cannot be served with sewer with existing lines in Canby or S.I.V.*

### Please check one box:

- 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: Tom Hunter Date: 28 Dec 04

Title: P.M. Supervisor Agency: City of Canby

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: December 9, 2004

TO:

- FIRE
- POLICE
- PUBLIC WORKS
- CANBY ELECTRIC
- CANBY WATER
- WWTP
- CITY ENGINEER
- CTA
- NW NATURAL
- WILLAMETTE BROADBAND
- CANBY DISPOSAL
- CITY ATTORNEY
- BIKE AND PED

- CANBY POST OFFICE
- CLACKAMAS COUNTY ASSESSOR
- CLACKAMAS COUNTY 911
- CLACKAMAS COUNTY TRANSPORTATION
- TRAFFIC SAFETY COMMITTEE
- CLACKAMAS COUNTY
- CANBY SCHOOL DISTRICT
- TRAFFIC ENGINEER
- ODOT/REGION 1/DIST 2B
- STATE OF OREGON/REVENUE
- CANBY BUSINESS REVITALIZATION
- PARKS AND RECREATION
- OTHER \_\_\_\_\_

The City has received annexation application **ANN 04-07 (McMartin Estates)**, an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** by **December 24, 2004**. Please indicate any conditions you wish the Commission to consider in hearing the application.

Thank you.

Comments or Proposed Conditions:

Continued communication regarding water related  
in fra structure.

Please check one box:

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

Signature: Patrick [Signature]

Date: 12/14/04

Title: Water Dept. Foreman

Agency: Canby Utility

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- 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 checked="" type="checkbox"/> CANBY WATER | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> WWTP                   | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER          | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                    | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL             | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND   | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL         | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY          | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED           | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

Adequate water supply for fire PROTECTIONS & consumption

**Please check one box:**

- 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: *Darrell [Signature]* Date: 12/16/04

Title: FOREMAN- WATER DEPT Agency: CANBY UTILITY

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97073

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- 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 checked="" type="checkbox"/> CANBY ELECTRIC | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER               | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> WWTP                      | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER             | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                       | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL                | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND      | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL            | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY             | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED              | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to Darren Nichols by December 24, 2004. Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

CANBY UTILITY'S ANNEXATION POLICY WILL APPLY

OFF SITE WORK MAY BE REQUIRED TO SERVE THE PROPERTY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Please check one box:**

- 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: 12-14-04

Title: LINE FOREMAN Agency: CANBY UTILITY ELECT.

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 990, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: December 9, 2004

- TO:
- FIRE
  - POLICE
  - PUBLIC WORKS
  - CANBY ELECTRIC
  - CANBY WATER
  - WWTP
  - CITY ENGINEER
  - CTA
  - NW NATURAL
  - WILLAMETTE BROADBAND
  - CANBY DISPOSAL
  - CITY ATTORNEY
  - BIKE AND PED
  - CANBY POST OFFICE
  - CLACKAMAS COUNTY ASSESSOR
  - CLACKAMAS COUNTY 911
  - CLACKAMAS COUNTY TRANSPORTATION
  - TRAFFIC SAFETY COMMITTEE
  - CLACKAMAS COUNTY
  - CANBY SCHOOL DISTRICT
  - TRAFFIC ENGINEER
  - ODOT/REGION 1/DIST 2B
  - STATE OF OREGON/REVENUE
  - CANBY BUSINESS REVITALIZATION
  - PARKS AND RECREATION
  - OTHER \_\_\_\_\_

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

CANBY UTILITY'S ANNEXATION POLICY WILL APPLY

OFF SITE WORK MAY BE REQUIRED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Please check one box:**

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

Signature: *Gary Steinhilb* Date: 12-20-04

Title: LINE FOREMAN Agency: CANBY UTILITY FLET.

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: December 9, 2004

- 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"/> WWTP                            | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER                   | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                             | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL                      | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input checked="" type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL                  | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY                   | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED                    | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** by **December 24, 2004**. Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

---



---



---



---



---



---



---



---

**Please check one box:**

- 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: 12-14-04

Title: CRIST MANAGER Agency: WBB

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- 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"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input checked="" type="checkbox"/> CTA       | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** by **December 24, 2004**. Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

NONE

**Please check one box:**

- 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: 12-14-2004

Title: ASSOCIATE ENGINEER Agency: CANBY TELEPHONE ASSOCIATION

### CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 950, Canby, OR 97013

[503] 266-9404

FAX 266-1574

**DATE:** December 9, 2004

- 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"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input checked="" type="checkbox"/> CTA       | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

NONE

**Please check one box:**

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

**Signature:** \_\_\_\_\_ **Date:** 12 - 17 - 04

**Title:** ASSOCIATE ENG. **Agency:** CTA



**CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

**DATE:** December 9, 2004

- 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 checked="" type="checkbox"/> CLACKAMAS COUNTY 911 |
| <input type="checkbox"/> CANBY ELECTRIC       | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER          | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                  | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** by **December 24, 2004**. Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

---

---

---

---

---

---

---

---

---

---

**Please check one box:**

- 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:** 14 DECEMBER 2004

**Title:** EMERGENCY COMM. DATA SPEC.

**Agency:** CLACKAMAS 9.1.1

# CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: December 9, 2004

- 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 checked="" type="checkbox"/> CLACKAMAS COUNTY 911 |
| <input type="checkbox"/> CANBY ELECTRIC       | <input type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input type="checkbox"/> CANBY WATER          | <input type="checkbox"/> TRAFFIC SAFETY COMMITTEE        |
| <input type="checkbox"/> WWTP                 | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER        | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                  | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL           | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL       | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY        | <input type="checkbox"/> PARKS AND RECREATION            |
| <input type="checkbox"/> BIKE AND PED         | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to Darren Nichols no later than December 29, 2004.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

REQUEST INFO ON STREET NAMES AND ADDRESS RANGES  
WHEN AVAILABLE PLEASE.

Please check one box:

- 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: 03 JANUARY 2005

Title: EMERGENCY COMM. DATA SPEC. Agency: Cancom

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- TO:
- FIRE
  - POLICE
  - PUBLIC WORKS
  - CANBY ELECTRIC
  - CANBY WATER
  - WWTP
  - CITY ENGINEER
  - CTA
  - NW NATURAL
  - WILLAMETTE BROADBAND
  - CANBY DISPOSAL
  - CITY ATTORNEY
  - BIKE AND PED
  - CANBY POST OFFICE
  - CLACKAMAS COUNTY ASSESSOR
  - CLACKAMAS COUNTY 911
  - CLACKAMAS COUNTY TRANSPORTATION
  - TRAFFIC SAFETY COMMITTEE
  - CLACKAMAS COUNTY
  - CANBY SCHOOL DISTRICT
  - TRAFFIC ENGINEER
  - ODOT/REGION 1/DIST 2B
  - STATE OF OREGON/REVENUE
  - CANBY BUSINESS REVITALIZATION
  - PARKS AND RECREATION
  - OTHER \_\_\_\_\_

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

Please indicate any conditions you wish the Commission to consider in hearing the application. Thank you.

**Comments or Proposed Conditions:**

If this property is annexed in and approx 222 units are built this could produce approx 400 plus cars that would use Hwy 170 (Fwy 84) on 13<sup>th</sup> Ave. The residents who live on 13<sup>th</sup> between Fwy & Elm have expressed a serious concern over the safety of crossing 13<sup>th</sup> to access their mail. Elm & 13<sup>th</sup> is already a traffic problem as is Elm & 99 E.

**Please check one box:**

- 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. Arlene Elmore Date: 12-27-04

Title: Chairman Agency: Traffic Safety Comm.

CANBY PLANNING DEPARTMENT  
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: December 9, 2004

- 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"/> WWTP                    | <input type="checkbox"/> CLACKAMAS COUNTY                |
| <input type="checkbox"/> CITY ENGINEER           | <input type="checkbox"/> CANBY SCHOOL DISTRICT           |
| <input type="checkbox"/> CTA                     | <input type="checkbox"/> TRAFFIC ENGINEER                |
| <input type="checkbox"/> NW NATURAL              | <input type="checkbox"/> ODOT/REGION 1/DIST 2B           |
| <input type="checkbox"/> WILLAMETTE BROADBAND    | <input type="checkbox"/> STATE OF OREGON/REVENUE         |
| <input type="checkbox"/> CANBY DISPOSAL          | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION   |
| <input type="checkbox"/> CITY ATTORNEY           | <input type="checkbox"/> PARKS AND RECREATION            |
| <input checked="" type="checkbox"/> BIKE AND PED | <input type="checkbox"/> OTHER _____                     |

The City has received annexation application ANN 04-07 (McMartin Estates), an application by Ken Diener and KJD Architecture, Inc. to annex 32 acres on 5 tax lots into the City of Canby. The parcel is designated for R-1 Low Density, R-1.5 Medium Density and R-2 High Density residential zoning. The property could be developed to accommodate 222 dwelling units. The site is located to the south of HOPE Village. (Tax Map 4-1E-4C, Tax Lots 700, 1700, 1800, 1900 & 2000).

Please review the enclosed application and return comments to **Darren Nichols** no later than **December 29, 2004**.

*Thanks Darren*

Please indicate any conditions you wish the Commission to consider in hearing the application.

Thank you.

**Comments or Proposed Conditions:**

IF Annexation is approved:

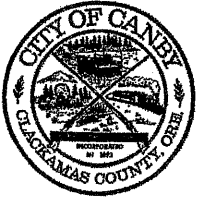
- Provide adequate sidewalks + crosswalks to encourage pedestrian use.
- Provide bicycle lane striping on Fir St + Ivy, possibly even inside the residential area along main streets.
- Sidewalk access to Time Capsule Plaza?! Provide an interesting, nice walkway around the estates to encourage pedestrian use.

**Please check one box:**

- 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: Robi Kurth Date: 12/17/04

Title: Chairperson Agency: Bicycle + Pedestrian Advisory Committee



**CITY OF CANBY  
COMMENT FORM**

**RECEIVED**  
**JAN 13 2005**  
**CITY OF CANBY**

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail**            Planning Department, PO Box 930, Canby, OR 97013  
**In person**        City Hall at 182 N. Holly Street.  
**E-mail**             [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

*Written comments must be received prior to public hearings in order to be considered.*

**APPLICATION:**    Annexation of residential land into the City of Canby  
**APPLICANT:**      Ken Diener, KJD Architecture  
**CITY FILE #:**       ANN 04-07 (McMartin Estates)

**COMMENTS:**

at this time there is inadequate utilities available to support this program -  
water, sewage, school, fire, Police, etc.  
Please do more to prepare for the results that are bound to follow.  
Be realistic!

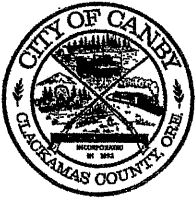
Thank you

**YOUR NAME:** Gino Kuff  
**ORGANIZATION or BUSINESS:** Resident of Cascade House  
**ADDRESS:** \_\_\_\_\_

**PHONE (Optional):** \_\_\_\_\_

**DATE:** 1-11-05

**Thank you!**



## CITY OF CANBY COMMENT FORM

RECEIVED  
JAN 13 2005  
CITY OF CANBY

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

*Written comments must be received prior to public hearings.*

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:** several concerns! Canby Residents have turned several annexations of prime farmland. Why is this annexation any better? The plot plan does not show proposed st. exits. The only part with access to Ivy St. is on a downhill curve. Very dangerous either entering or exiting the proposed subdivision. Think of all the traffic to be on Fir to 13th. Isn't 13th St. going to get a lot of traffic when Berg Parkway plan is completed? It is not unusual to see cars driving through Hope Village from Fir to Ivy or Ivy to Fir, as a short cut now. It could be a much bigger problem with all of cars involved from this proposed sub-division. In Hope Village, people are walking to their cars, some using wheel-chairs. It is not good to add to problems by the public driving through Hope Village. If the proposed land is to be developed sometime, why not use it for something more compatible that would have less traffic?

**YOUR NAME:** Robert Johnson

**ORGANIZATION or BUSINESS:** Retired Home-Builder

**ADDRESS:** 1441 S. Ivy #109 Canby, Oregon 97013

**PHONE (Optional):** \_\_\_\_\_

**DATE:** 1/11/2005

Thank you!



RECEIVED  
JAN 14 2005  
CITY OF CANBY

**CITY OF CANBY  
COMMENT FORM**

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

*Written comments must be received prior to public hearings in order to be considered.*

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:** *The City of Canby does not need any more annexation of houses. The schools are over ~~and~~ crowded now. Most of the streets are not good enough to handle more cars or trucks. fix what we have first.*

**YOUR NAME:** Arnold Collins

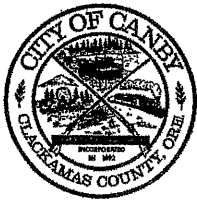
**ORGANIZATION or BUSINESS:** \_\_\_\_\_

**ADDRESS:** 1441 S WY ST.

**PHONE (Optional):** \_\_\_\_\_

**DATE:** 1-11-05

**Thank you!**



## CITY OF CANBY COMMENT FORM

---

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

***Written comments must be received prior to public hearings in order to be considered.***

---

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:** Please consider the impact this ANNEXATION would have on our school system. Even tho one school board passed it would impact the other levels of school. Even if is enough for the education system the next few years. Consider the influx of traffic congestion (foot & vehicle) especially with the already approved 13<sup>th</sup> Ave. Truck/Traffic Route. Watch for increase police and city problems ARISING, CRIME, ETC. There seems to be too much APPROVAL in this town for CONTRACTORS. We haven't seen much progress in the INDUSTRIAL AREA that WARRANTS more Housing.

---

**YOUR NAME:** MARIAN J. LARSON

**ORGANIZATION or BUSINESS:** Hope Village

**ADDRESS:** 1441 So. Ivy St. #505 CANBY, OR. 97013

**PHONE (Optional):** 503-266-2800

**DATE:** 1-13-05

**Thank you!**

*MLL*

**RECEIVED**

JAN 17 2005

CITY OF CANBY



Hope Village, Inc.  
1535 S. Ivy  
Canby, Oregon 97013



503-266-9810  
Fax 503-263-7854  
info@hopevillage.org

December 20, 2004

Darren Nichols  
City of Canby  
PO Box 930  
Canby, OR 97013

Re: ANN 04-07 (McMartin Estates)


We received notice of the hearing for the annexation of the McMartin land (ANN 04-07). Our Board of Directors discussed the annexation plans and have authorized a response to those plans.

The plans submitted show a double street from the north end of the proposed sub-division crossing land owned by Scott Investments and then to the south edge of Hope Village. As we understand the drawing, the intention is to allow traffic to flow onto the Hope Village campus through these two streets.

We wish to register our opposition to such a traffic configuration. This would allow the residents of the proposed sub-division to cross through Hope Village and then exit to Fir, Ivy, and 13<sup>th</sup> Street. We feel that the potential increase in traffic through Hope Village is not conducive to retirement living. We have many residents who walk throughout the campus and having more traffic in the area will only lead to potential accidents and injury.

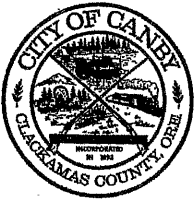
Please call me at (503) 266-9810 if you have any further questions about this letter.

Sincerely,



Jerry W. Barkman,  
Executive Director

/jb



## CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

*Written comments must be received prior to public hearings.*

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:**

*No, No, + NO*

*Why, why, do we need  
more houses, for the Mexicans?  
They should go home  
where they belong  
all the trouble they are causing*

**YOUR NAME:** \_\_\_\_\_

**ORGANIZATION or BUSINESS:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**PHONE (Optional):** \_\_\_\_\_

**DATE:** \_\_\_\_\_

Thank you!

RECEIVED

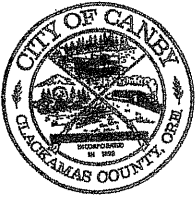
DEC 21 2004

CITY OF CANBY

RECEIVED

DEC 21 2004

CITY OF CANBY



## CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

*By mail*            Planning Department, PO Box 930, Canby, OR 97013  
*In person*        City Hall at 182 N. Holly Street.  
*E-mail*             [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

*Written comments must be received prior to public hearings.*

APPLICATION:    Annexation of ~~residential~~ <sup>EEU ZONED</sup> land into the City of Canby  
APPLICANT:        Ken Diener, KJD Architecture  
CITY FILE #:        ANN 04-07 (McMartin Estates)

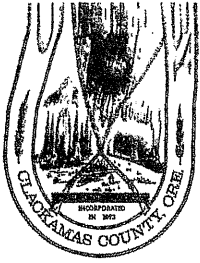
COMMENTS:

*See letter attached*

YOUR NAME:        ROBERT W. RUBY  
ORGANIZATION or BUSINESS: 144 SO. IVY ST, #309  
ADDRESS:            CANBY, OR 97013  
PHONE (Optional): (503) 266-1884  
DATE:                12/15/04

RECEIVED  
DEC 28 2004  
CITY OF CANBY

Thank you!



## CITY OF CANBY NOTICE OF PUBLIC HEARING

The City has received an application from Ken Diener of KJD Architecture requesting to annex 32 acres into the City of Canby. The properties include five parcels to the south of HOPE Village between S Ivy and S Fir Streets.

Planning Commissioners will hold a public hearing on this application at 7:00PM, January 10, 2005. The City Council will hold a second public hearing on February 2, 2005 at 7:30 PM. Both hearings will be held in the City Council Chambers at 155 NW 2<sup>nd</sup> Ave. We encourage you to attend both hearings and provide testimony. If you are not able to attend the hearings, you may provide written comments in a letter or on the attached form.

Basic information on the proposal is listed below. More information is available weekdays from 8 AM to 5 PM at the Canby Planning Department, 182 N. Holly Street. The staff report on this application will be available for inspection at no cost starting January 3, 2005 at the Canby Planning Department and at the Canby Public Library. Copies are available at \$.10 per page.

*Please contact Darren Nichols at (503) 266-9404 with any questions.*

<b>APPLICATION:</b>	Request to annex five parcels containing 32.06 acres into the City.
<b>LOCATION:</b>	South of SE 13 <sup>th</sup> Avenue between S Ivy and S Fir Streets.
<b>LOT SIZE AND ZONING:</b>	The parcel contains 9.74 acres zoned EEU by Clackamas County. If annexed the parcel would be zoned R-1 Low Density Residential in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.
<b>APPLICANT/OWNER:</b>	Ken Diener, KJD Architecture    Mc Martin Farm LLC 536 SE 17 <sup>th</sup> Avenue                      19236 Carmelita Drive Portland, OR 97214                      Oregon City, OR 97045
<b>APPLICATION TYPE:</b>	Annexation of land from Clackamas County into the City of Canby
<b>CITY FILE #:</b>	ANN 04-07 (McMartin Estates)
<b>DECISION PROCESS:</b>	The Canby Planning Commission will make a recommendation after the public hearing. The Commission's recommendation will then be forwarded to the City Council and the Council will decide whether or not to send the application to Canby voters for a final decision in a general election (see the other side of this page for process details).
<b>HEARING INFORMATION:</b>	<b>Planning Commission</b> January 10, 2005 at 7:00 PM <b>Canby City Council</b> February 2, 2005 at 7:30 PM <b>Hearings Location</b> Council Chambers, 155 NW 2 <sup>nd</sup> Avenue.

DATE OF THIS NOTICE: December 10, 2004

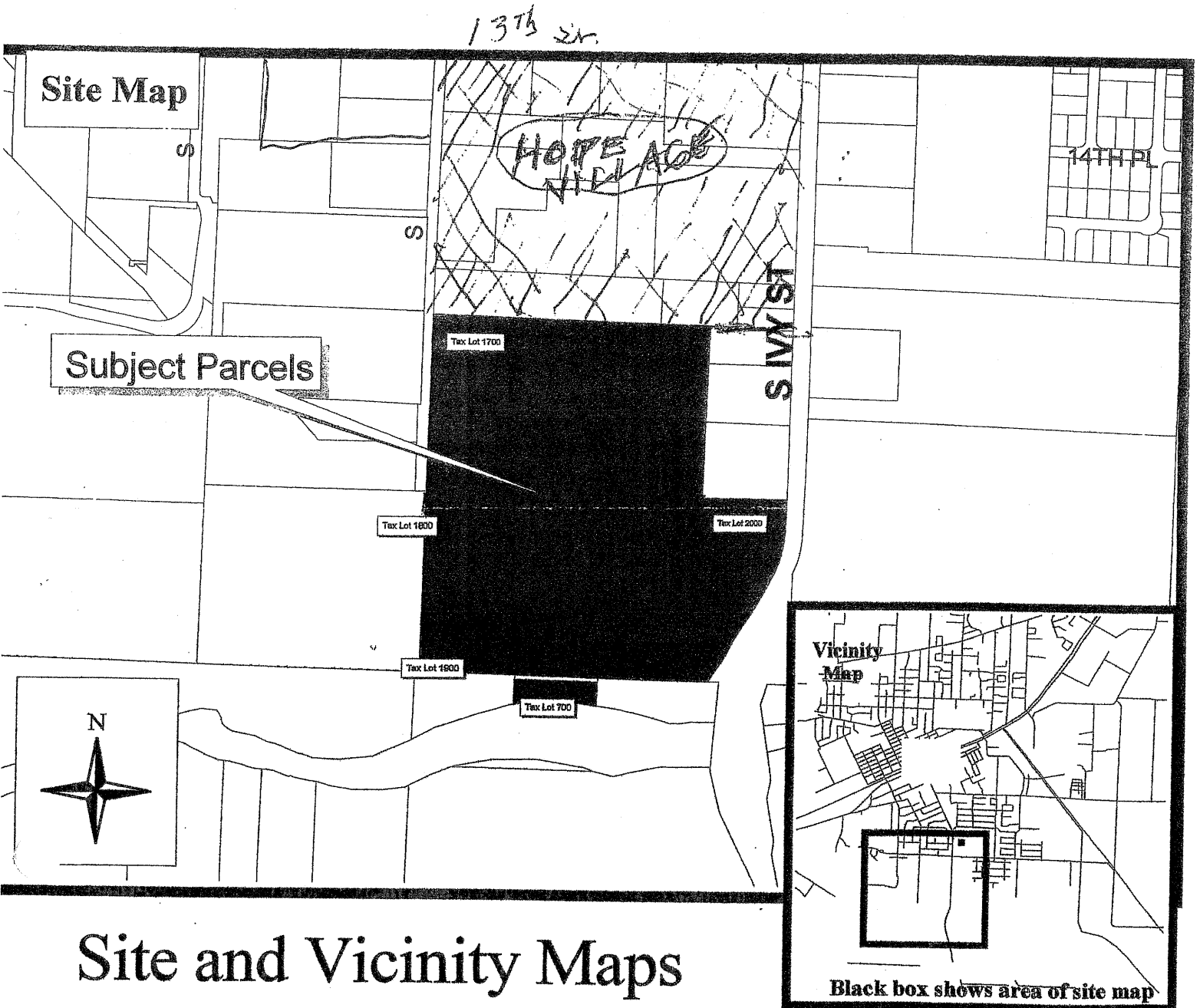
# DETAILS ON THE...

The approval criteria for Annexation Applications are found in Section 16.84 of the *Canby Municipal Code*. All testimony and evidence must be directed to the applicable criteria, available online at [www.ci.canby.or.us](http://www.ci.canby.or.us) OR at the Canby Planning Department at 182 N Holly Street. Copies are also available at 10 cents per page.

Anyone wishing to comment on an application may do so by submitting written or oral testimony. Failure to raise an issue in writing or at a hearing, accompanied by statements or evidence of sufficient specificity to afford the Planning Commission an opportunity to respond to the issue, precludes appeal of that issue to the Land Use Board of Appeals.

A copy of the application and all documents and evidence submitted by or on behalf of the applicant are available for inspection at no cost in the office of the Canby Planning Department from 8 AM to 5 PM weekdays and at the Canby Public Library. Copies may be purchased at 10 cents per page at the Planning Department.

Copies of this notice have been mailed to property owners and residents within 500 feet of the subject property. The notice will be published in the Canby Herald and will be posted at City Hall, the Post Office and the Public Library.



## Site and Vicinity Maps

Robert Ruby  
1441 S Ivy St. #309  
Canby, OR 97013  
503-266-1884

TO: City of Canby  
Planning Commission  
City of Canby Council

These continual annexation proposals fly in the face of sensible economics.

Canby is blessed by being surrounded by exceptionally superb farming land that has level, rich soil and very few rocks. One must realize that when this land has gone into development, it is gone forever for farming.

I find the application somewhat misleading. A request for five parcels totaling 32.06 acres, but the lot size and zoning part describes only one parcel at 9.74 acres and 39 homes. Somehow I see a different computation. 9.74 acres with 39 houses extrapolated to 32 acres with 128 homes.

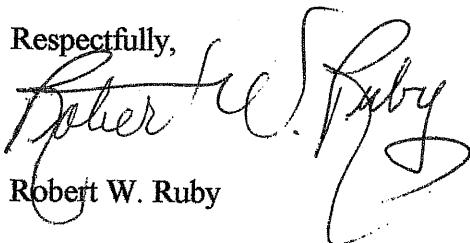
Canby schools are being crowded by normal growth. The second \$50,000,000 bond issue should point out the cost of loosely controlled annexations encouraging farms to be turned into housing projects.

Let's see. 128 homes times National average of one high school and one and a half elementary children per home are 128 high school students and 192 elementary students. This adds about 320 new students in **one** annexation. That equals at least 10 new teachers plus administration.

Canby citizens should understand that if we are to loose farm land, it ought to be used for light industrial or commercial development. There is no student liability, but has accelerated valuation on the property... The fallacy of "extra area to cover by fire and police with not enough personnel" is just that: A fallacy! New industry and commercial valuation makes those responsibilities affordable.

Please, **NO**, on this and any other Non-Industrial/Commercial annexation south of 13<sup>th</sup> Street.

Respectfully,



Robert W. Ruby

**From:** <AEGREEN01@aol.com>  
**To:** <nicholsd@ci.canby.or.us>  
**Date:** 12/30/04 11:51AM  
**Subject:** against annexation file # 04-07

My name is Al Green, my wife and I Esther, live in "The Meadows" apartment # 223. The view that we have to the South and west and we have enjoyed this for a year now. We have seen the oats grow and be harvested, and the hundreds of geese fly in and glean what the machine didn't get. What is amazing is that we are only a few blocks from downtown Canby and yet we see geese and deer. We enjoy the small town atmosphere with things like the 4th of July parade and the slice of summer entertainment in the park. I like Canby the way it is and I am afraid that if we continue to expand the city limits we will lose the beautiful farm lands and the small town atmosphere. The traffic will get unbearable and stress and strain will be put on all city budgets including the school district. And you know what comes next higher taxes. Thanks for the chance to express how I feel about Canby.

Al Green



## CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

*Written comments must be received prior to public hearings.*

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:** I MOVED TO MEADOWS BECAUSE IT WAS A QUIET NEIGHBORHOOD.

IF THIS PROJ IS ALLOWED TO GO, THE TRAFFIC WOULD BE SUCH THAT WE WOULD FEEL OVER RUN BY CARS, CHILDREN & PETS, WHICH WOULD CAUSE LANDSCAPE TO BE LITTERED WITH WASTE. WE DO NOT HAVE PETS HERE AND WE WOULDN'T WANT THEIR MASSES.

I MOVED FROM A LOCATION WHERE APTS WERE BUILT (80+) AND NOISE AT ALL HOURS OF DAY & NIGHT.

HOPE VILLAGE HAVE SPENT A LOT OF TIME MAKING THE SURROUNDING AREA BEAUTIFUL FOR US SENIORS AND WE WANT TO KEEP IT LOOKING NICE. TRUST YOU WILL CONSIDER OUR SENIOR COMMUNITY.

**YOUR NAME:** HAZEL L M<sup>S</sup>GUIRE

**ORGANIZATION or BUSINESS:** RESIDENT AT MEADOWS IN HOPE VILLAGE

**ADDRESS:** 1545 S FIRE ST #103

**PHONE (Optional):** (503) 266-1215

**DATE:** 1/4/05

Thank you!

RECEIVED

JAN 05 2005

CITY OF CANBY





RECEIVED  
JAN 06 2005  
CITY OF CANBY

## CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

*Written comments must be received prior to public hearings in order to be considered.*

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:** *We don't need any more residential  
land around So. Ivy and Fir Sts.*

**YOUR NAME:** *B. Vivian Ward*

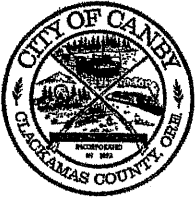
**ORGANIZATION or BUSINESS:** \_\_\_\_\_

**ADDRESS:** *1545 So. Fir St., Apt. 214*

**PHONE (Optional):** \_\_\_\_\_

**DATE:** *Jan. 5, 2005*

Thank you!



RECEIVED  
JAN 06 2005  
CITY OF CANBY

## CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

**Written comments must be received prior to public hearings in order to be considered.**

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:** I, as a resident of meadows on Hope Village Campus, would like to see our homes stay as nice & quiet as it is now. The noise and security we have now is wonderful. We residence here to live our last days with these lovely landscaping. With this project comes more traffic, children, etc. Please take in consideration these facts, that will happen to our neighborhood. Please Reject this Annexation of land.

**YOUR NAME:** HAZEL L MCGUIRE (Hazel L McGuire)

**ORGANIZATION or BUSINESS:** MEADOWS RESIDENCE

**ADDRESS:** 1549 S FIR ST #103

**PHONE (Optional):** (503) 266-1215

**DATE:** 1/4/05

Thank you!



RECEIVED  
JAN 07 2005  
CITY OF CANBY

### CITY OF CANBY COMMENT FORM

If you are not able to attend the Planning Commission and/or City Council hearings of this application, you may submit written comments on this form or in a letter to the Planning Commission or City Council. Please submit comments to one of the following:

**By mail** Planning Department, PO Box 930, Canby, OR 97013  
**In person** City Hall at 182 N. Holly Street.  
**E-mail** [nicholsd@ci.canby.or.us](mailto:nicholsd@ci.canby.or.us)

Written comments must be received prior to public hearings in order to be considered.

**APPLICATION:** Annexation of residential land into the City of Canby

**APPLICANT:** Ken Diener, KJD Architecture

**CITY FILE #:** ANN 04-07 (McMartin Estates)

**COMMENTS:** Why not? This property is a logical extension of development next to Hope Village - 12th & Fir & the tall birds to the South - Flat land - produces poor farm crops - rocky - heavy clay - perfect for tract development. People want an affordable home with a small yard - I'd like to see row houses with a patch of lawn in front & a small space behind - more affordable to us maintenance & more homes in space

and a community green space

**YOUR NAME:** Caroline McFarland

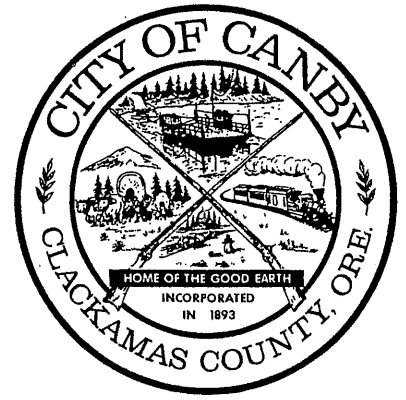
**ORGANIZATION or BUSINESS:** neighbor

**ADDRESS:** 1555 S. Ivy St # 206

**PHONE (Optional):** \_\_\_\_\_

**DATE:** 1-4-05

Thank you!



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

**A REQUEST FOR SITE AND DESIGN ) FINDINGS, CONCLUSION & FINAL ORDER**  
**REVIEW APPROVAL FOR 24 )**  
**ATTACHED GARDEN HOMES ) DR 04-08**  
**(HOPE Village Garden Homes)**

**NATURE OF APPLICATION**

The applicant is requesting approval to construct twenty four additional Garden Homes on one 3.78 acre parcel at the HOPE Village retirement community. The proposal would complete the HOPE Village development with matching Garden Homes. Access to the proposed extension would be provided by means of an existing 25' private street with ingress/egress at existing locations along SW 13<sup>th</sup> Avenue and S Fir Street.

The Planning Commission held a public hearing to consider the application on January 10, 2005.

**CRITERIA AND STANDARDS**

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

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

- B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
  - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
  - D. The Board shall, in making its determination of compliance with subsections B and C above, use the Design Review matrix to determine “compatibility”. An application is considered to be “compatible”, regarding subsections B and C above, if a minimum of 65% of the total possible 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.

## **FINDINGS AND REASONS**

The Planning Commission, after holding a public hearing on January 10, 2005 and considering the December 30, 2004 staff report deliberated and reached a decision approving the applicant's request for design review. The Commission adopted the findings and conclusions contained in the December 30, 2004 staff report.

1. The Planning Commission discussed the proposed design in relation to an originally proposed Master Plan for the HOPE Village Development. The Commission finds that the proposed Garden Homes is substantially compatible with the HOPE Village Master Plan.
2. The Planning Commission finds that two proposed 18" tall monument signs are not in keeping with the quality of existing HOPE development. The Commission requested that the design of two proposed signs include lighting and/or coloring to identify the development in a more lively manner and requested that the applicant submit revised sign designs for review by the Planning Commission as a new business item.

## **CONCLUSION**

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

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

## **ORDER**

**IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **DR 04-08** is approved, subject to 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 full-sized, revised 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.
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 required due to construction of the development shall be done at the expense of the applicant.
4. As necessary, all 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. Trees are to be a minimum of 2" caliper.
7. The development shall provide a minimum of 48 parking spaces; on-site parking shall include a minimum of 24 full size spaces, not including garage space. For all additional parking, 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 or 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 a minimum of five feet in width.
9. Bicycle parking shall be provided as per requirements of CMC 16.10.100.

### **Prior to Issuance of a Building Permit**

10. 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.
11. 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**

12. All grading and fill on the site shall comply with State, City and County regulations.
13. Any relocation of existing utilities required due to construction of the development shall be performed at the expense of the applicant.
14. ADA Ramps shall be provided as required by the Public Works Supervisor.
15. All site lighting shall be "hooded" to project light downward.
16. Frontage improvements shall be constructed as required by the Public Works Supervisor including but not limited to, sidewalks, curbs, ADA ramps and lighting.
17. A revised sign design, addressing the recommendations of the Commission shall be reviewed and approved by the Planning Commission prior to installation.



**I CERTIFY THAT THIS ORDER** approving **DR 04-08** is presented to and **APPROVED** by the Planning Commission of the City of Canby.

**DATED** this 24<sup>th</sup> day of January, 2005.

---

James R. Brown, Chair  
Canby Planning Commission

---

Darren Nichols  
Associate Planner

**ATTEST:**

**ORAL DECISION – January 10, 2005**

**AYES:** Brown, Helbling, Lucas, Manley, Molamphy, Tessman

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Ewert

**WRITTEN FINDINGS – January 24, 2005**

**AYES:**

**NOES:**

**ABSTAIN:**

ABSENT:

# MINUTES

## CANBY PLANNING COMMISSION

7:00 PM January 10, 2004  
City Council Chambers, 155 NW 2<sup>nd</sup>

---

### WORKSHOP DISCUSSION

Discussion of the design of the neighborhood Master Plan for the area bounded by N. Redwood Street, NE Territorial, Willow Creek and Highway 99E.

This is an opportunity to create a Master Plan for an area that is outside the City limits but inside the UGB.

The creation of a linear park along Willow Creek to make it an asset to the City.

The area is the first impression of the City to people coming from Oregon City.

There will be 3 public meetings held at Willamette on the Green.

1-27-05 Discussion will cover street alignments

2-24-05 Treatment of Willow Creek

3-24-05 Other business and Issues discussed at first 2 meetings.

### I. ROLL CALL

**PRESENT:** Chairman Jim Brown, Commissioners John Molamphy, Tony Helbling, Geoffrey Manley, Randy Tessman and Barry Lucas

**STAFF:** John Williams, Community Development and Planning Director, Darren Nichols, Associate Planner, Carla Ahl, Planning Staff

**OTHERS PRESENT:** Pam Barrow, Jerry Barkman, Bob Kauffman, Gwen Schweitzer

John Williams, Community Development and Planning Director introduced the newest member of the Planning Commission, Barry Lucas.

### II. CITIZEN INPUT None

### III. PUBLIC HEARINGS

**DR 04-08 HOPE Village** The applicant is requesting approval to construct 24 additional Garden Homes on one 3.78 acre parcel at the HOPE Village retirement community. The proposal would complete the HOPE Village. The site is located on the west side of S. Ivy Street, south of SW 13th Street.

Chairman Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

Darren Nichols, Associate Planner, presented the staff report. He explained this is an application for 24 Garden Homes, four attached 6-plex units for independent living. This represents the final phase of HOPE Village. Darren stated this phase will connect the street improvements to both S. Fir and S. 13th St.

Darren stated the application received a total score of 94% on the design matrix with a 65% necessary for approval. He stated this area has good access by existing entrances to HOPE Village. The original application called for 18 units developed in this phase, the corner area was to be more open space. Darren explained that the application has been changed to create a small garden area in the corner with benches. This would allow Hope Village to increase the development by one more 6-plex to meet a growing need and off set the existing amenities HOPE Village has provided.

The applicant has stated that visitors to HOPE Village have had trouble finding the facility. They are asking for the ability to install 2 18" signs, one on 13th and Ivy and one on 13th and Fir.

Darren stated that no concerns were received from the service providers and Staff recommends approval of the application with the modification of the original conditional use permit of allowing the extra 6-plex and the installation of the 2 signs.

Chairman Jim Brown questioned how long a street could be before there is a turnaround required. It was determined 250' was the determining point. Darren explained that the Fire Marshall has had two opportunities to look at this application and he had no concerns.

## **APPLICANT:**

**Jerry Barkman**, HOPE Village addressed the Commission. He believed this is his 10th appearance before the Planning Commission. He explained that the original PUD was approved in 1991, for 378 housing units. At that time it was determined that one bed in the nursing facility equaled one unit. He stated that with this phase there will be a total of 356 units built out due to building only 100 apartment units instead of the 130 units that were originally approved.

Mr. Barkman stated that besides some minor changes they have followed the Master Plan that was presented to the Planning Commission fairly closely. There is more open space than he had envisioned, with the park setting and the benches. More people are using the pedestrian walkway than just residents of HOPE Village, there are joggers, families out walking their dogs and unfortunately bicyclists and skateboarders, but overall it is an asset to both HOPE Village and the City of Canby.

Mr. Barkman stated that there is a greater demand for these homes than he had expected there would be. At this time there are 104 people who have put \$250 down to be on a waiting list. He explained that the 10-plex that is under construction was fully leased prior to the start of construction. That is one reason they are asking for the extra 6-plex, in part to accommodate the need.

Mr. Barkman addressed the corner garden area, he stated the plans call for a brickwork design with benches and maple trees planted to provide shade in the future. He stated that the signs are needed to assist people looking for HOPE Village. Most people who live in Canby are aware of where HOPE Village is, but people from out of town have trouble finding it. He explained the signs would be 18" high made of natural colored concrete with HOPE Village embedded in it. The signs would be unobtrusive with shrubs and flowers around.

**PROPOSERS:** None

**OPPOSERS:** None

Mr. Brown closed the public hearing and opened Commissioner deliberations.

Mr. Manley stated that this was a good design and believes the modifications the applicant was asking for were minor.

Mr. Helbling asked if the Commission could condition that the design on 13th and Fir be continued on 13th and Ivy. Jerry Barkman explained that there is an electric vault and a controller box for the intersection at that location.

Mr. Tessman believed this is a good plan and that people are interested in moving there. He agrees the applicant should be allowed to add the extra 6 units.

Mr. Brown suggested the proposed sign be changed. He believed the proposed sign would look like a memorial marker, and suggested it be lit with color added to make it more attractive. He would like the applicant to bring in a new sign plan to the Commission. He stated that he agreed with the addition of the 6-plex.

Mr. Molamphy believed the sign would be a great idea but he too would like to have it lit externally. He stated that the City should be proud of the HOPE development.

Mr. Lucas stated all the decisions for the Planning Commission should be as easy as this application.

It was moved by Mr. Manley to approve DR 04-08 as amended with the applicant to bring back a redesigned sign as a new business item. Seconded by Mr. Molamphy. Motion carried 6-0 with Mr. Ewert absent.

#### **IV. FINDINGS**

##### **MOD 04-04 WILLAMETTE VALLEY COUNTRY CLUB**

It was moved by Mr. Molamphy to approve the Findings for MOD 04-04 as written. Seconded by Mr. Helbling. Motion carried 5-0-1-1 with Mr. Lucas abstaining and Mr. Ewert absent.

#### **V. MINUTES** December 14, 2004.

It was moved by Mr. Molamphy to approve the minutes for 12-14-04 as written. Seconded by Mr. Tessman. Motion carried 5-0-1-1 with Mr. Lucas abstaining and Mr. Ewert absent.

## **VI. DIRECTOR'S REPORT**

Darren gave a recap of the workshop that preceded the meeting, and stated that there will be 3 public meetings on the subject on January 27th, February 24th and March 24th, the meetings will be held at Willamette on the Green.

John stated there will be a public meeting regarding the NE Canby Master Plan on January 13th at the Four Square Church, followed by a meeting of the Task Force. He explained that the consultants will take the input and come back with suggestions. He believes the process should be finished by June.

Mr. Brown questioned where in the process the recent liveability survey was. John explained that the City Council has a meeting scheduled on January 13th. John stated that they had received about 30% of the surveys back, which is a great return rate. He stated he will bring the information that is being gathered back to the Planning Commission.

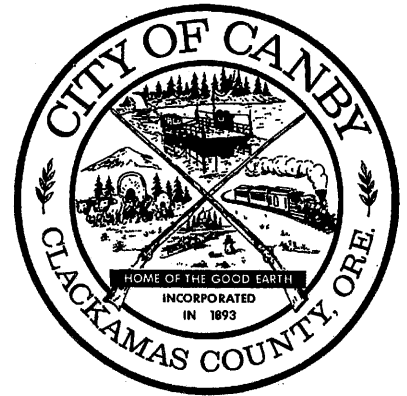
John stated that there will be a meeting of the Urban Renewal Agency on January 26th to discuss funding for the Ardnt Rd. project. Mr. Brown commended the City Council on their difficult political decision regarding this project and believed that the City is headed in the right direction, it will benefit the City parks, the downtown area and create a better economy.

John stated that the City Council will be considering the rezoning of Township to R 1.5 medium density designation and the closing of the pathways at their meeting on the 19th of January.

Mr. Tessman questioned if the City Council had discussed the buildable land supply issue. John explained that the City Council had decided that the 3 year supply of platable land was a ceiling. Each zoning category will be assessed separately and if there is a 3 year supply then it is not needed.

John stated that there will be one public hearing at the next Planning Commission meeting. An annexation application for the McMartin Farms located just south of HOPE Village on Ivy. St.

## **VI. ADJOURNMENT**



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

**A REQUEST FOR SITE AND DESIGN ) FINDINGS, CONCLUSION & FINAL ORDER**  
**REVIEW APPROVAL FOR 24 )**  
**ATTACHED GARDEN HOMES ) DR 04-08**  
**(HOPE Village Garden Homes)**

**NATURE OF APPLICATION**

The applicant is requesting approval to construct twenty four additional Garden Homes on one 3.78 acre parcel at the HOPE Village retirement community. The proposal would complete the HOPE Village development with matching Garden Homes. Access to the proposed extension would be provided by means of an existing 25' private street with ingress/egress at existing locations along SW 13<sup>th</sup> Avenue and S Fir Street.

The Planning Commission held a public hearing to consider the application on January 10, 2005.

**CRITERIA AND STANDARDS**

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

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

- B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
  - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
  - D. The Board shall, in making its determination of compliance with subsections B and C above, use the Design Review matrix to determine “compatibility”. An application is considered to be “compatible”, regarding subsections B and C above, if a minimum of 65% of the total possible 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.



## **FINDINGS AND REASONS**

The Planning Commission, after holding a public hearing on January 10, 2005 and considering the December 30, 2004 staff report deliberated and reached a decision approving the applicant's request for design review. The Commission adopted the findings and conclusions contained in the December 30, 2004 staff report.

1. The Planning Commission discussed the proposed design in relation to an originally proposed Master Plan for the HOPE Village Development. The Commission finds that the proposed Garden Homes is substantially compatible with the HOPE Village Master Plan.
2. The Planning Commission finds that two proposed 18" tall monument signs are not in keeping with the quality of existing HOPE development. The Commission requested that the design of two proposed signs include lighting and/or coloring to identify the development in a more lively manner and requested that the applicant submit revised sign designs for review by the Planning Commission as a new business item.

## **CONCLUSION**

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

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

## **ORDER**

**IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **DR 04-08** is approved, subject to 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 full-sized, revised 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.
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 required due to construction of the development shall be done at the expense of the applicant.
4. As necessary, all 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. Trees are to be a minimum of 2" caliper.
7. The development shall provide a minimum of 48 parking spaces; on-site parking shall include a minimum of 24 full size spaces, not including garage space. For all additional parking, 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 or 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 a minimum of five feet in width.
9. Bicycle parking shall be provided as per requirements of CMC 16.10.100.

### **Prior to Issuance of a Building Permit**

10. 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.
11. 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**

12. All grading and fill on the site shall comply with State, City and County regulations.
13. Any relocation of existing utilities required due to construction of the development shall be performed at the expense of the applicant.
14. ADA Ramps shall be provided as required by the Public Works Supervisor.
15. All site lighting shall be "hooded" to project light downward.
16. Frontage improvements shall be constructed as required by the Public Works Supervisor including but not limited to, sidewalks, curbs, ADA ramps and lighting.
17. A revised sign design, addressing the recommendations of the Commission shall be reviewed and approved by the Planning Commission prior to installation.

**I CERTIFY THAT THIS ORDER** approving **DR 04-08** is presented to and **APPROVED** by the Planning Commission of the City of Canby.

**DATED** this 24<sup>th</sup> day of January, 2005.

---

James R. Brown, Chair  
Canby Planning Commission

---

Darren Nichols  
Associate Planner

**ATTEST:**

**ORAL DECISION – January 10, 2005**

**AYES:** Brown, Helbling, Lucas, Manley, Molamphy, Tessman

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Ewert

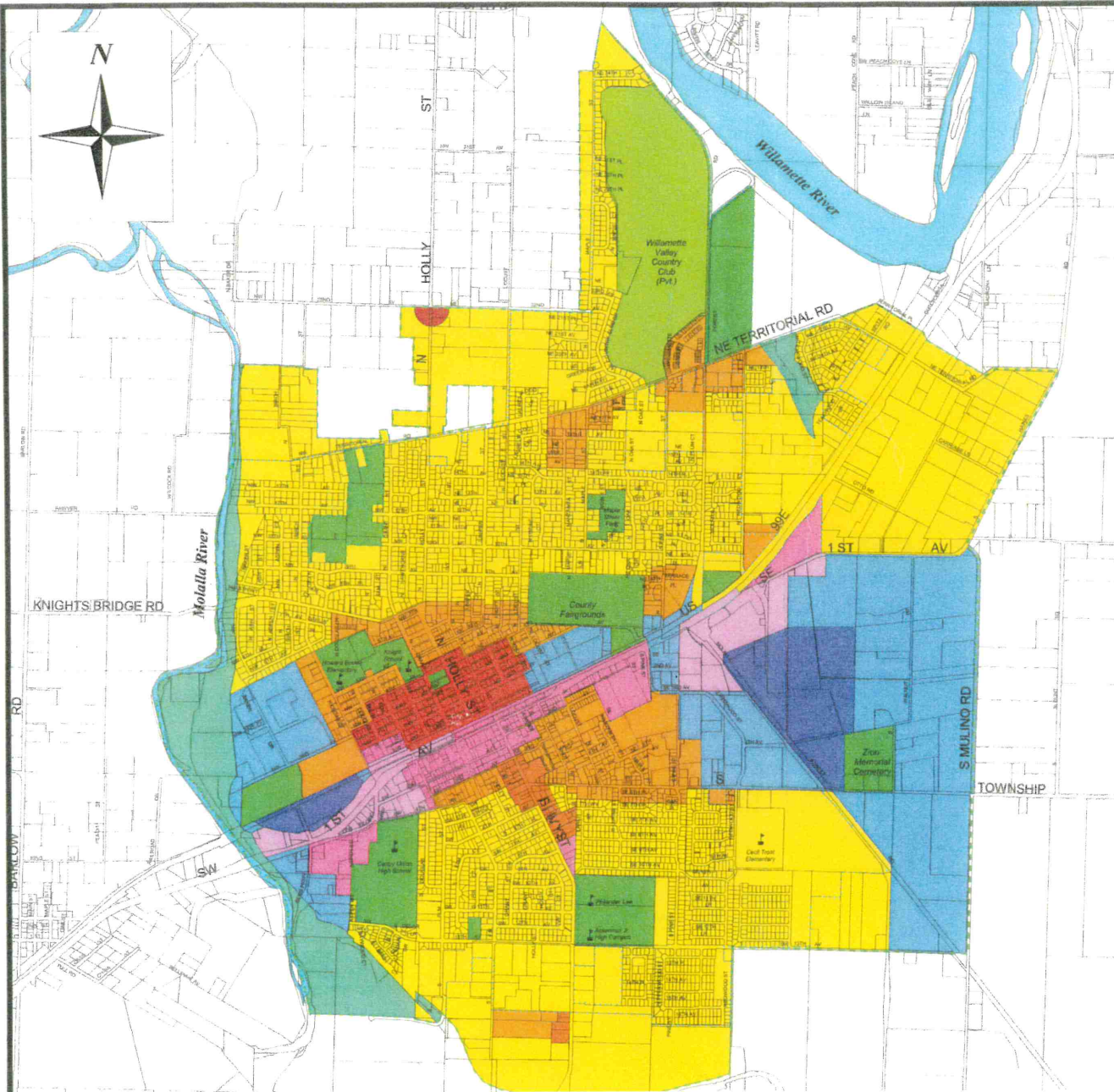
**WRITTEN FINDINGS – January 24, 2005**

**AYES:**

**NOES:**

**ABSTAIN:**

ABSENT:



# City of Canby

## comprehensive plan zones map

- Low Density Residential - LDR
- Medium Density Residential - MDR
- High Density Residential - HDR
- Downtown Commercial - DC
- Highway Commercial - HC
- Convenience Commercial - CC
- Commercial/Manufacturing - CM
- Residential Commercial - RC
- Light Industrial - LI
- Heavy Industrial - HI
- Agricultural - AG
- Flood Prone/Steep Slopes - FL
- Public - P
- Private Recreation - PR
- City Limits
- Urban Growth Boundary

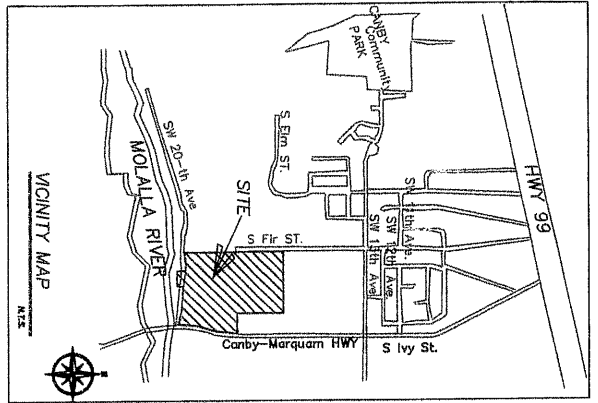
1000 0 1000 2000 3000 Feet



CITY OF CANBY  
GEOGRAPHIC INFORMATION SYSTEMS

This map and other information have been compiled only for preliminary and general purposes. They are not intended to be complete and accurate for any other purposes. Specifically, they should not be relied on for purposes of land use regulation, zoning, title, title, and availability of the property for sale/lease.

Funding for the 2003 Comprehensive Plan Land Use  
Map Update Provided by the Oregon Department of



**APPLICANT/AGENT ARCHITECT/PLANNER:**  
 K&D ARCHITECTURE P.C.  
 2240 N. LINDEN AVE.  
 PORTLAND, OREGON 97214  
 (503) 231-2314  
 kandi@kandiarch.com

**CIVIL ENGINEERING/REVIEWING:**  
 WESTLAKE CONSULTANTS  
 7840 S. OREGON STREET  
 PORTLAND, OREGON 97214  
 (503) 232-4117  
 d.donofrio@westlakeconsultants.com

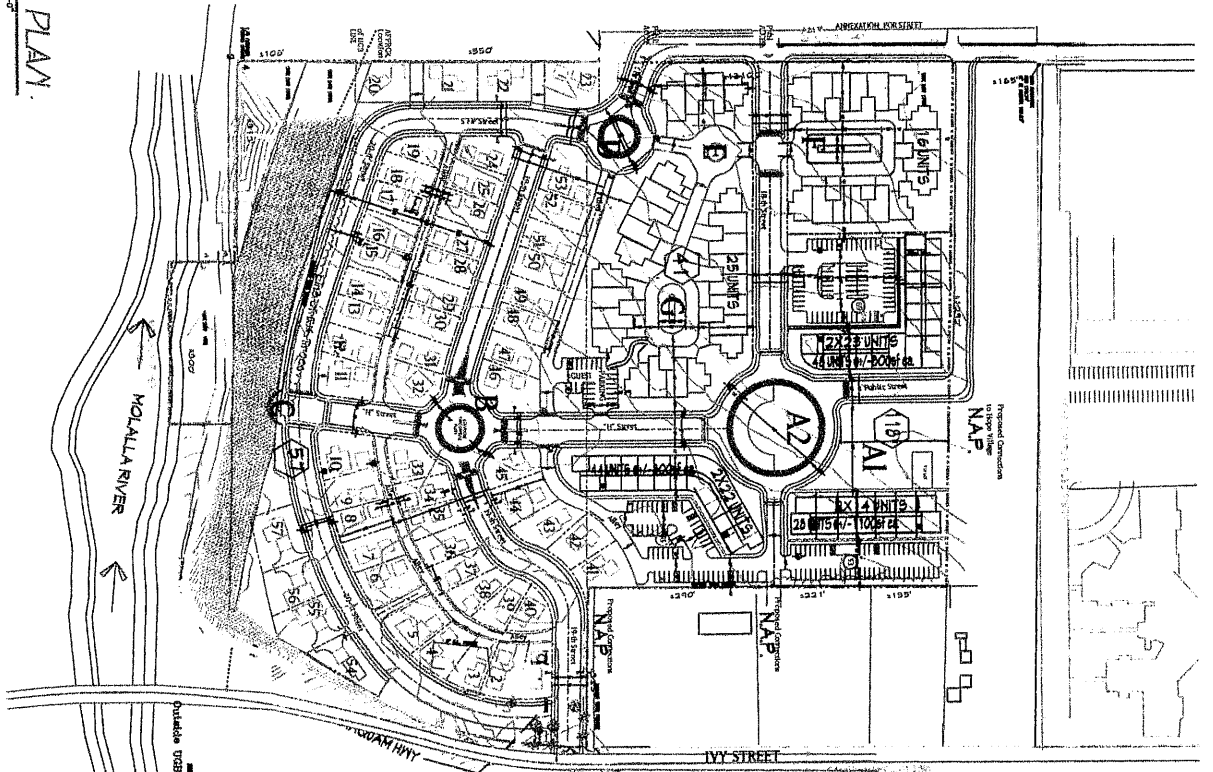
**DRAWING LIST:**

INITIAL SUBMITTAL SP-1	10/20/04
COMPLETION SUBMITTAL	01/20/05
SP-2	
SP-3	
SP-4	
SP-5	
SP-6	

**CIVIL ENGINEERING:**

CC100	CC CONSULTING INC. P.L.L.C.	DESIGNED BY P.L.L.C.
CC200	CC CONSULTING INC. P.L.L.C.	DRAWN BY P.L.L.C.
CC300	CC CONSULTING INC. P.L.L.C.	INTEGRATED BY P.L.L.C.

*SITE PLAN*  
 SCALE 1" = 100'-0"



SITES DATA	
TOTAL SITE AREA	14.00 AC
NET SITE AREA	13.80 AC
NET BUILDING AREA	13,800 SQ FT
NET PARKING AREA	13,800 SQ FT
NET OPEN SPACE	13,800 SQ FT
NET TOTAL AREA	13,800 SQ FT

ZONING COMPL. TABLE	
USE	PERMITTED
RESIDENTIAL SINGLE-FAMILY	YES
RESIDENTIAL MEDIUM-DENSITY	NO
RESIDENTIAL HIGH-DENSITY	NO
COMMERCIAL	NO
INDUSTRIAL	NO
OFFICE	NO
RETAIL	NO
SERVICE	NO
WAREHOUSE	NO
MANUFACTURING	NO
AGRICULTURE	NO
RECREATION	NO
UTILITIES	NO
TRANSPORTATION	NO
INSTITUTIONAL	NO
GOVERNMENT	NO
OTHER	NO

DESIGNED BY: S.G.

DRAWN BY: S.T.

CHECKED BY: S.T.

APPROVED BY: S.T.

**The McMartin ESTATE SE Canby**  
 ANNEXATION APPLICATION - Completion Resubmittal  
**COVER SHEET - Site Plan/ Data/Vicinity Map**

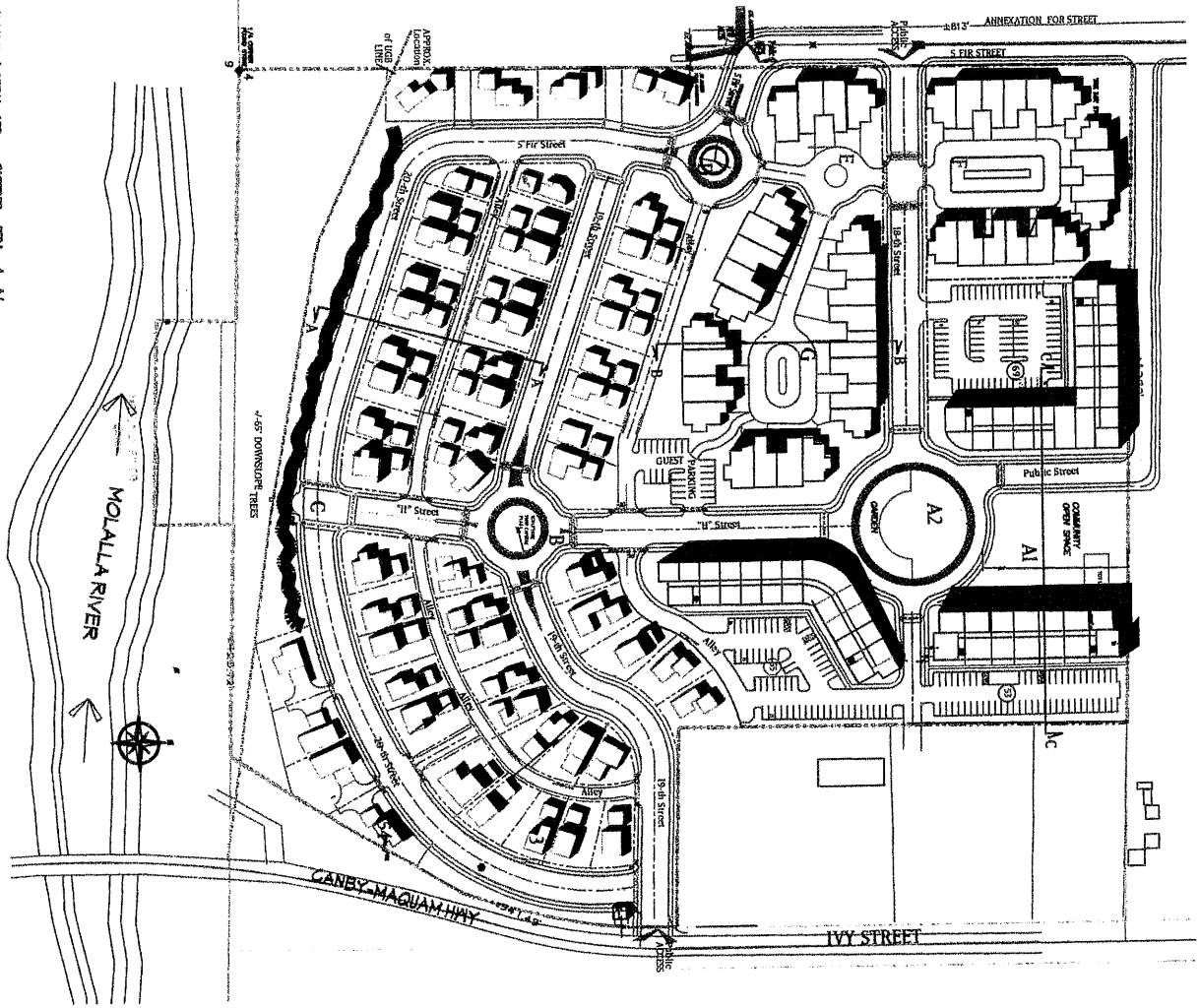
PROJECT NO. 04877

DRAWING FILE NAME: P104-1

DATE: DECEMBER 20, 2004



ILLUSTRATIVE SITE PLAN



© KJD Architecture PC. All rights reserved. No part of this document may be reproduced in any form or by any means without permission in writing from KJD Architecture PC.

DATE	DESIGNED BY	KJD	CREATED BY	
	DRAWN BY	ZE	APPROVED BY	
DATE	BY	COMPLETION	REVISION	
11-28-04	ZE	COMPLETION	REVISION	

The McMartin ESTATE SE Canby  
Annexation APPLICATION-Completion Submittal  
Illustrative-SITE PLAN-

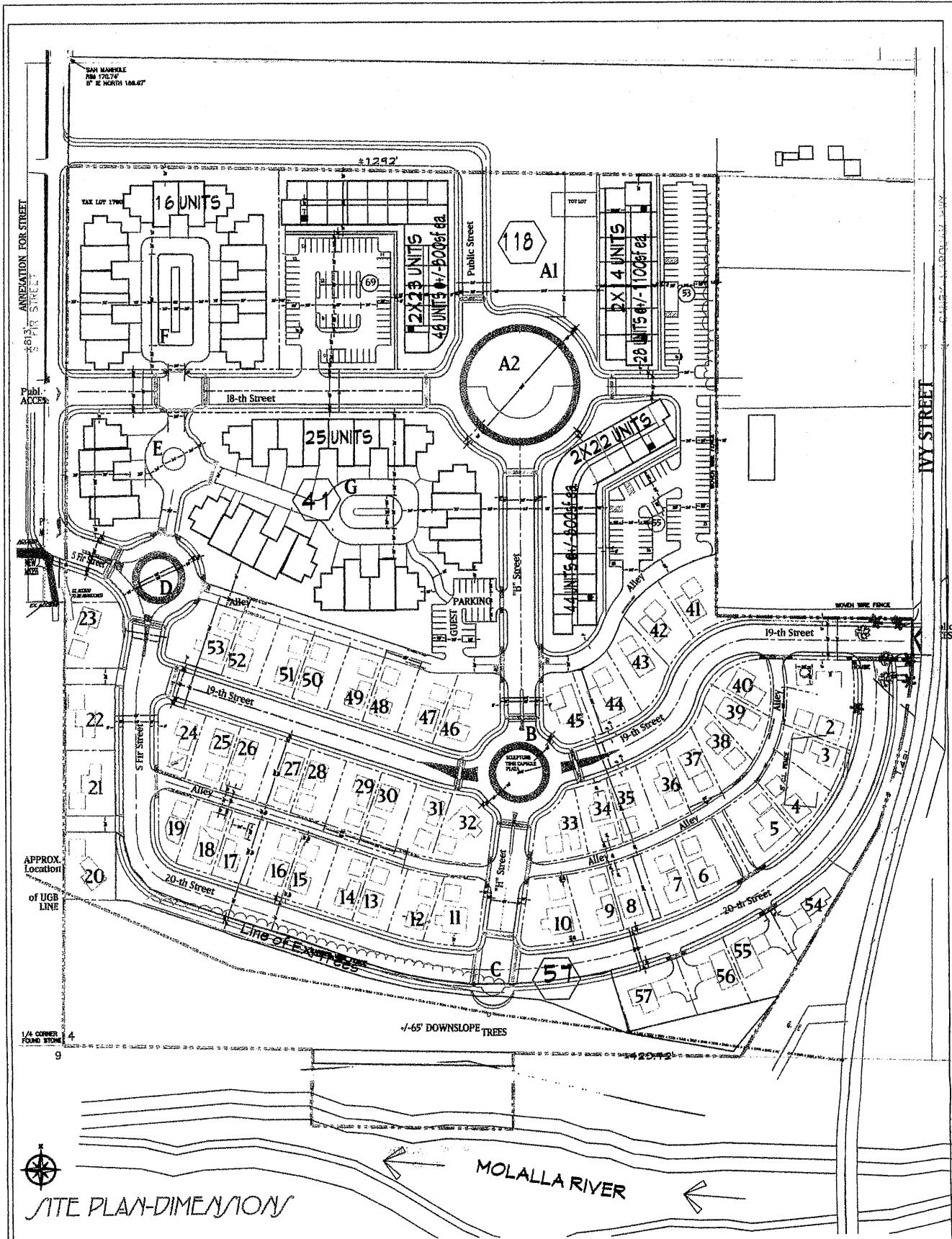
CANBY  
SCALE:  
1" = 80'-0"

PROJECT NO.  
64671

DRAWING FILE NAME:  
SP-2

ORIGINATOR





© KJD Architecture PC. All rights reserved. No part of this document may be reproduced in any form or by any means without permission in writing from KJD Architecture PC.

REV	REVISION	DATE	BY	CHECKED BY

DESIGNED BY KJD	CHECKED BY ST
DRAWN BY KJD	APPROVED BY 

**The McMartin ESTATE SE Canby**  
 Annexation APPLICATION  
**SITE PLAN DIMENSIONS**

CANBY  
 ZONING  
 1.2, 2.2, 3.2

PROJECT NO.  
09011

DRAWING FILE NAME  
SP-3

