

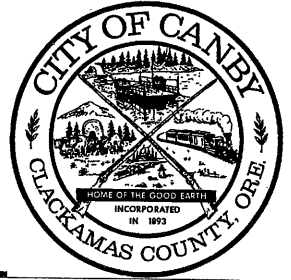
PLANNING COMMISSION AGENDA

July 25, 2005

7:00 PM - Regular Meeting

City Council Chambers

155 NW 2nd Avenue



I. ROLL CALL

II. CITIZEN INPUT ON NON-AGENDA ITEMS

III. PUBLIC HEARINGS

SUB 05-06/MLP 05-04 (Perman) The applicant is requesting approval to partition a 2.64 acre parcel located east of S. Redwood between 3rd and 4th Avenues, into two parcels containing 1.82 acres and .81 acres. Harrell Medical will remain on the .81 acre parcel, and the 1.82 acre parcel will be included in the proposed 10 lot subdivision. The applicant is requesting to subdivide Tax Lots 1800, 1815, proposed parcel 2 of Tax Lot 1822, and Tax Lot 1816 (City owned property currently in the process of a lot line adjustment with Tax Lot 100) into 10 lots. Proposed lot 10 contains Canby Business Center and an RV /mini storage facility, both of which will remain. The 9 newly created lots will be suitable for business and professional offices.

ANN 05-01 (Willow Creek Estates) The applicants are seeking to annex one 9.74 acre tax lot into the City of Canby. If annexed, the applicants propose construction of 39 single family homes on low density individual lots. Access to the development is proposed from SE 13th Avenue and from Tofte Farms via SE 13th Place, SE 14th Place and SE 15th Place. The applicant proposes eventual extensions of S Lupine and S Locust through the subject parcel. The parcel is located on the south side of SE 13th Avenue, south of Ackerman Middle School to the east of S Ivy Street and west of Tofte Farms subdivision.

ANN 05-02 The applicant is seeking to annex a single 1.7 acre tax lot into the City of Canby. If annexed, the applicant proposes to construct a 23-unit townhouse development with vehicle access from NE Territorial Rd. Access to the site is proposed by means of a 30 foot shared access drive. The site is located at the southwest corner of N Pine Street and NE Territorial.

IV. NEW BUSINESS

V. FINDINGS

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

MLP 05-05 (Mees)

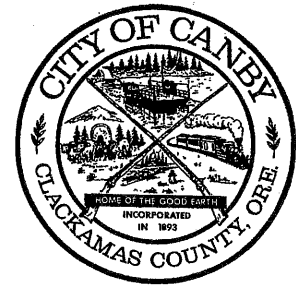
MLP 05-06 (Thompson)

VI. MINUTES None

VII. DIRECTORS REPORT

VIII. ADJOURNMENT

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



- STAFF REPORT -

APPLICANT:

Don Perman
249 NW 3rd Avenue
Canby, OR 97013

FILE NO.:

MLP 05-04/SUB 05-06
(Perman)

OWNER(S):

Don Perman (TL 1815)

Eagle Properties Northwest, LLC (TL 1822)
11830 Kerr Parkway #395
Lake Oswego, OR 97035

STAFF:

Matilda Deas AICP
Project Planner

Anderson Properties, LLC (TL 1800)
641 NW Baker Drive
Canby, OR 97013

City of Canby (TL 100 and TL 1816 (formerly Deed #98-054467))
PO Box 930
Canby, OR 97013

LEGAL DESCRIPTION:

Tax Lot(s) 1800,100,1815, 1816, & 1822
of Tax Map 3-1E-34C

DATE OF REPORT:

July 15, 2005

LOCATION:

East of SE Redwood Street
Between SE 3rd and 4th Avenues

DATE OF HEARING:

July 25, 2005

COMPREHENSIVE PLAN DESIGNATION:

CURRENT ZONING

**COMPREHENSIVE PLAN DESIGNATION:
DESIGNATION:**

CURRENT ZONING

C-M (Commercial Manufacturing)

Heavy Commercial/Manufacturing

I. APPLICANT'S REQUEST:

MLP 05-04: The applicant is requesting approval to partition Tax Lot 1822, a 2.64 acre parcel(approximate size) which contains Harrell Medical, into two parcels, 1.82 acres and .81 acres in size. Harrell Medical will remain on the .81 acre parcel shown as parcel 1 on the application. Parcel 2 will be included in the proposed 10 lot subdivision.

SUB 05-04: The applicant is requesting approval to subdivide Tax Lots 1800, 1815, proposed parcel 2 of Tax Lot 1822, and Tax Lot 1816 (City owned property currently in the process of a lot line adjustment with Tax Lot 100) into 10 lots. Proposed lot 10 contains Canby Business Center and an RV /mini storage facility, both of which will remain. The 9 newly created lots will be suitable for business and professional offices.

II. APPLICABLE CRITERIA:

A. SUBDIVISION - City of Canby Code Section 16.62.020

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

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

B MINOR LAND PARTITION - City of Canby Code Section 16.60.030

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

1. Conformance with the text and the applicable maps of the Comprehensive Plan;
2. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;
3. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties;
4. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels;
5. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

C. Other Applicable Criteria:

- 16.10 Off Street Parking/Loading
- 16.30 C-M Heavy Commercial Manufacturing Zone
- 16.60 Major and Minor Partitions
- 16.62 Subdivision - Applications
- 16.86 Street Alignment
- 16.88 General Standards

III. FINDINGS:

1. Location and Background

The subject property was rezoned to Heavy Commercial Manufacturing in September 2004. The conditions of approval for the rezone was that development of the rezoned properties would be restricted to business and professional offices and that any use would not generate more than 1020 vehicle trip ends during an average weekday. The subject properties are located on the northeast side of SE Redwood Street between SE 3rd and 4th Avenues. The Molalla Forest Road and the Southern Pacific Railroad form the northeastern border of the property. Properties to the south and west of the site are zoned M-1 (Light Industrial). Properties on the other side of the Molalla Forest Road are zoned M-2 (Heavy

Industrial). The City owns property to the north of the site adjacent to the Molalla Forest Road.

2. Comprehensive Plan Consistency Analysis

URBAN GROWTH ELEMENT

- GOALS:**
- 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.**

Applicable Policy:

Policy #1: Canby shall coordinate its growth and development plans with Clackamas County.

Analysis: *The subject property is entirely within City limits and the Urban Growth Boundary.*

LAND USE ELEMENT

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

Applicable Policies:

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

Analysis: *All properties in the area are designated for compatible uses.*

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

Analysis: *The subject property is in the City limits and zoned to permit the proposed use.*

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).

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

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

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

Analysis: The proposed subdivision is consistent with the land use map.

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

Analysis: The site is not designated an "Area of Special Concern".

ENVIRONMENTAL CONCERNS ELEMENT

GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.

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

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

The subject property has no known steep slopes, historic resources, significant fish or wildlife habitat, or wetlands, and is not located on a flood plain.

Applicable Policies:

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

groundwater resources.

Analysis: The development shall connect to the existing public sanitary sewer system, and storm water shall be managed via a roadside swale.

Policy #4-R: Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.

Analysis: Noise will be expected as a result of construction. Once the subdivision is developed, noise generation should be insignificant.

Staff received a comment from Don Jones, owner of JV Northwest, requesting the applicant erect a noise barrier between the applicant's property and JV Northwest. Mr. Jones was concerned that future occupants of the professional office buildings would object to the noise associated with his business and he wanted to minimize future conflicts with this issue.

Policy #7-R: Canby shall seek to improve the overall scenic and aesthetic qualities of the City.

Analysis: No significant scenic resources have been identified on the subject properties. Upon development the applicant shall satisfy aesthetic requirements through the required site and design review process.

Policy #8-R: Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.

Analysis: No open spaces are required in the area by the Canby Parks Master Plan. The plan does provide for access to the Molalla Forest Road recreational pathway.

TRANSPORTATION ELEMENT

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

Applicable Policies:

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

Analysis: SE. Redwood Street, is a fully improved collector street with 60' of right-of-way. The applicant proposes to provide access to the site off SE Redwood via a private street, SE 3rd Ct. The street has a proposed pavement width of 26 feet within a 30 foot wide private street tract.

A traffic study was required as a part of this application. A condition of approval of the 2004 rezoning of these properties required that future development would not generate more than 1022 vehicle trip ends during an average weekday. The completed traffic study for the proposed development estimates the development will generate 864 vehicle trip ends during an average weekday.

Policy #3: Canby shall attempt to improve its problem intersections in keeping with its policies for upgrading or new construction of roads.

Analysis: The traffic study noted that the intersection of Highway 99E at Pine Street is currently operating with low delays and will continue to operate with low delays through the development of the site. The study also estimated that the intersection of Redwood Street and the proposed site upon development of the site, the access at the intersection of SE 3rd Ct and SE Redwood is expected to operate with very low delays

Site distance is adequate in both directions.

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

Analysis: Sidewalks and planter strips will be constructed on both sides of the private street with the development of each individual lot.

Installation of a new pedestrian and bike pathway alignment will provide public access to the Molalla Forest Rd. pathway.

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

Analysis: The Fire District and Police Department were notified of this application and did not report any concerns relating to access.

PUBLIC FACILITIES AND SERVICES ELEMENT

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

Applicable Policies:

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

Analysis: All needed public facility and service providers were asked to comment on this application. Returned comment forms are shown in Exhibit 2. The Fire District, Police, Canby Utility Water, Wastewater Treatment Supervisor, City Engineer, Canby Telephone Association, , NW Natural, Transportation Engineer, and Canby School District, responded that service provision was available or would become available through development.

Canby Utility Electric noted that they will require the existing power line easement be preserved.

The applicant held a neighborhood meeting and the comments are included in the applicant's packet. No major issues of concern were identified during that meeting.

ECONOMIC ELEMENT

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

If approved the proposed subdivision and partition will provide sites for additional commercial development which may provide for an economic multiplier effect throughout the community.

ENERGY CONSERVATION ELEMENT

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

Applicable Policies:

Policy #1: Canby shall encourage energy conservation and efficiency measures in construction practices.

Analysis: Energy conservation and efficiency measures will be reviewed through the building permit process.

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

Review of the goals, policies, and implementation measures of the Comprehensive Plan indicates that the proposed subdivision, with the recommended conditions of approval, is consistent with Canby's Comprehensive Plan. Development of the lots will need to comply with all applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State Codes and Regulations.

3. Evaluation Regarding Subdivision Approval Criteria

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

With the recommended conditions, the application will be in conformance with the Comprehensive Plan (see discussion in part III.2, above.)

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

With the recommended conditions, the application will be in conformance with all other applicable requirements of the Land Development and Planning Ordinance, including subdivision design standards for streets, easements, lots, and improvements.

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

With the conditions below, the proposed subdivision meets these requirements for design, arrangement, and access to lots.

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

All required public facilities are available or will become available through development. (See discussion in part III.2, above.)

4. Evaluation Regarding Minor Land Partition Approval Criteria

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

With the recommended conditions, the application will be in conformance with the Comprehensive Plan (see discussion in part III.2, above.)

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

With the recommended conditions, the application will be in conformance with all other applicable requirements of the Land Development and Planning Ordinance.

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

With the recommended conditions, the partition design of the parcel shall be functional and provide building site, necessary utility easements, and access facilities.

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

The design of SE 3rd Ct. conforms to the City of Canby's Transportation Plan. The cul de sac will have mountable curbs to accommodate emergency vehicles. No parking signs may be posted on the access drive if required by the Fire Marshall. There is no need to extend the public street system to adjacent properties as properties to the north and south are developed with

access to SE Redwood, and extension to the east is prevented by the Molalla Forest Rd.

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

Public services and facilities will be able to adequately meet the needs of this land division. See discussion in part III.2, above.

IV. CONCLUSION

Subdivision

1. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
2. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with other applicable requirements of the Land Development and Planning Ordinance;
3. Staff concludes that, with the recommended conditions, the overall design and arrangement of the proposed parcels will be functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties; and
4. Staff concludes that all necessary public services will become available through the development of the property to adequately meet the needs of the proposed land division.

Minor Land Partition

1. Staff concludes that the partition request, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan and the Municipal Code.
2. Staff concludes that the overall design of the proposed partition will be compatible with the area and will provide adequate building area for the provision of public facilities and services for the lots.
3. Staff concludes that, with appropriate conditions, the overall design and arrangement of the proposed parcels are functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
4. The design of the private access drive conforms to the standards in the

Transportation System Plan.

5. Staff concludes that all necessary public services will become available through the development of the property, to adequately meet the needs of the proposed land division.

VI. RECOMMENDATION - Subdivision

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

For the Final Plat:

1. A final subdivision plat modified to illustrate the conditions of approval shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application: *City of Canby File Number SUB 05-06*
2. The final subdivision plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The partition map shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department prior to the issuance of building permits
3. All monumentation and recording fees shall be borne by the applicant.
4. Twelve (12) foot utility easements shall be provided along all street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements.

Notes:

5. A final plat must be recorded with the Clackamas County Surveyor within one (1) year of the preliminary plat approval in accordance with Canby Ordinance 16.68.020. Mylar copies of the final plat must be signed by the City Planning Director prior to recording the plat with Clackamas County.
6. The subdivision plat shall not create any lot or lots not in conformance with the Canby Municipal Code. The applicant shall submit a final plat for approval by the City of Canby Planning Director.
7. The land divider shall follow the provisions of Section 16.64.070 Improvements, in particular, but not limited to, subparagraph (O) Bonds, which

requires a surety bond, personal bond, or cash bond for any subdivision improvements not completed prior to the signing of the final plat. The bond or surety instrument shall authorize the City of Canby to fully complete all required improvements and recover the full cost of all required improvements.

Prior to the signing of the Final Plat:

8. The developer shall sign a Development & Maintenance agreement with the City of Canby and/or the developer shall establish an Owners Association for the maintenance of all common areas, parks, infrastructure and open spaces and for the enforcement of additional CC&Rs. At a minimum, the Developer and/or Owners Association shall be responsible for maintaining all walls and fences, pedestrian accessways, private access drive, stormwater infiltration systems and lighting in all commonly owned areas. The association shall also maintain common open spaces, stormwater/wetlands facilities and landscaping. A copy of any CC&Rs filed with the subdivision shall be submitted to the satisfaction of the City Planning Department and the City Attorney, prior to signing the final plat, and shall include at a minimum:

A statement notifying owners of their responsibilities to maintain all walls, fences, private access drive, stormwater/bioswale infrastructure, private parks and open spaces.

A statement notifying owners of their responsibilities to provide and maintain one street tree per street lot frontage.

9. A contract between the developer and a certified landscape contractor must be approved by the City prior to the signing of the final plat. Landscaped areas shall include all common areas and bioswales in the development. The landscape contractor must be licensed in all phases of landscape contracting by the Oregon Landscape Contractors Board.

Prior to Construction:

10. A stormwater permit shall be obtained from the State of Oregon (DEQ) prior to issuance of any building permit. An acceptable stormwater system plan shall be approved by the State of Oregon - DEQ and the Canby Public Works Department. Developer shall also provide the City of Canby with certified verification from the DEQ indicating approval of proposed stormwater management facilities.
11. A pre-construction conference is required. The design, location, and planned installation of all utilities, including but not limited to water, electric, sanitary sewer, streets, natural gas, telephone, and cable television shall be approved by each utility provider. Final approval of site and utility plans is required prior to

the issuance of building permits. An electronic file (pdf document) and/or fifteen (15) copies of pre-construction plans shall be submitted to the City of Canby Public Works Department for review and approval by the Canby Utility Board, the Canby Telephone Association, the City of Canby and other required utility providers prior to the pre-construction conference. Construction plans shall include at a minimum street design, storm water and wetlands, sewer, domestic water, electric, telephone, gas, street lights, mail boxes and street trees. Construction may commence only upon completion of a pre-construction conference and issuance of Grading and Erosion Control permits.

During Construction:

12. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
13. A new sewer main and/or new laterals shall be installed by the applicant at the time of development. Location and construction of the sewer main and/or laterals shall be approved by the Public Works Supervisor *prior to excavation*.
14. An approved curb cut and approach apron shall be constructed at the access drive entrance off SE Redwood.. Access improvements and sidewalks shall be inspected and approved by Canby Public Works prior to installation.
15. One street tree shall be required at the street frontage of each lot within the public utility easement. No street tree shall be placed over or within 6 lateral feet of any underground water line, sewer line, transmission line or other private utility. No street tree shall be planted in a vision clearance area, within 10 feet of a fire hydrant, or within 30 feet from a street light.
16. Traffic control signs shall be installed at the developer's expense as required by the City of Canby Public Works.
17. Erosion control permits are required prior to construction improvements and prior to the issuance of building permits. All City of Canby erosion control regulations shall be followed during construction (as specified by the Canby Municipal Code).

After Construction

18. A sound barrier approved by the City of Canby Planning and Building Department shall be constructed the full length of the applicant's property adjacent to JV Northwest.

19. "As-built" drawings shall be submitted to the City within sixty (60) days of completion. A copy of the "as-built" drawings shall be submitted on a CD in AutoCAD format.
20. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat according to Section 16.68.020.
21. The approval of this application shall be null and void if a final plat is not submitted to the County within six (6) months after signing of the plat by the chairman of the Planning Commission (Section 16.68.070).
22. Approval of this application is contingent on the successful completion of LLA 05-03, and the applicants purchase of the newly adjusted tax lot 1816 of tax map 3 1E 34C from the City of Canby.

RECOMMENDATION - Minor Land Partition

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve MLP 05-04 with the following conditions:

For the Final Plat:

1. A final partition plat modified to illustrate the conditions of approval shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application: *City of Canby File Number MLP 05-04*
2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The partition map shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department prior to the issuance of building permits
3. All monumentation and recording fees shall be borne by the applicant.
4. Twelve (12) foot utility easements shall be provided along all street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements.

Notes:

5. A final plat must be recorded with the Clackamas County Surveyor within one

(1) year of the preliminary plat approval in accordance with Canby Ordinance 16.68.020. Mylar copies of the final plat must be signed by the City Planning Director prior to recording the plat with Clackamas County.

Exhibits:

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

City of Canby
SUBDIVISION APPLICATION
 Fee See the Last Page

OWNERS

APPLICANT*

Name: Don Perman
 Address: 249 NW 3rd Avenue
 City: Canby State: OR Zip: 97013
 Phone: (503) 266-2033 Fax: (503) 263-7568

Name: Don Perman
 Address: 249 NW 3rd Avenue
 City: Canby State: OR Zip: 97013
 Phone: (503) 266-2033 Fax: (503) 266-7568

Owners Signature:

DESCRIPTION OF PROPERTY:

Address: no site address, on the east side of S. Redwood Street, west of 320 S. Redwood Street
 Tax Map: 3 1E 34C Tax Lot(s): 1815 Lot Size: 0.54 Ac (Acres/Sq.Ft.)

USE OF PROPERTY

Existing Use: vacant
 Proposed Use: commercial subdivision
 Existing Structures: none
 Zoning: C-M Comprehensive Plan Designation: CM Commercial Manufacturing
 Previous Land Use Action (if any): CPA 04-02/ZC 04-03 Perman

FOR CITY USE ONLY	
File # :	
Date Received:	By:
Completeness:	
Pre-App Meeting:	
Hearing Date:	



City of Canby
SUBDIVISION APPLICATION

Fee See the Last Page

OWNERS

APPLICANT*

Name: Anderson Properties LLC

Name: Don Perman

Address: 641 NW Baker Drive

Address: 249 NW 3rd Avenue

City: Canby State: OR Zip: 97013

City: Canby State: OR Zip: 97013

Phone: _____ Fax: _____

Phone: (503) 266-2033 Fax: (503) 266-7568

Owners Signature: _____

DESCRIPTION OF PROPERTY:

Address: 1380 SE Third Avenue

Tax Map: 3 1E 34C Tax Lot(s): 1800 Lot Size: 4.54 AC (Acres/Sq.Ft.)

USE OF PROPERTY

Existing Use: Commercial retail business center and warehouse

Proposed Use: No change in use proposed

Existing Structures: Two buildings 12,500 sf commercial retail & 21,500 sf warehouse

Zoning: C-M Comprehensive Plan Designation: CM Commercial Manufacturing

Previous Land Use Action (if any): _____

FOR CITY USE ONLY	
File # :	
Date Received:	By:
Completeness:	
Pre-App Meeting:	
Hearing Date:	

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

SUBDIVISION: INSTRUCTIONS TO APPLICANTS

1. A pre-application review of the tentative plat is required. Submit ten copies of the tentative plat, with all required plat information, to the City for a pre-application review prior to submittal of the formal application. The City will schedule a per-application meeting with appropriate utility and service providers to discuss requirements and potential changes to the plat.
2. The applicant will be required to hold a neighborhood meeting with adjacent property owners and neighborhood representatives prior to submitting their application, unless this requirement is waived by the City.
3. Any application for a subdivision shall be filed with the City Planner and accompanied by the following.

Applicant Check	City Check	
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	One (1) copy of pages 1, 2, 3, and 4 of this application The checklist on pages 2,3, and 4 must be included in the application will all relevant items checked by the applicant in the "applicant" column. If any items are considered to be not applicable, the omissions should be explained in the narrative. The city may request further information at any time before deeming the application complete.
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	Payment of appropriate fee, cash or checks only. Checks should be made out to the City of Canby.
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	A list of property owners within 500 feet of the subject property, on mailing labels (1" x 2-5/8"). If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to "occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor.
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	Twenty-five (25) copies of the tentative subdivision plat and any other needed sheets, drawn to scale on paper no less than 8.5" x 11". The tentative plat shall be drawn at a scale of 1" = 50' if the parcel is ten acres or less, or 1" = 100' if the parcel is greater than ten acres. The following information shall be provided on these sheets:
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	A Proposed subdivision name. This name must not duplicate or resemble the name of another subdivision in the county and shall be reviewed by the Planning Commission
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	B The date, north point, scale, sufficient description to define the location and boundaries of the tract to be subdivided, and any important features, such as section lines and corners, city boundary lines, and monuments which may have been found;
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	C Vicinity map at a scale of 1" = 400' showing the relationship of the plat to the neighborhood and existing streets;
<input checked="" type="checkbox"/>	<input type="checkbox"/> A	D Name and address of the owner and the person who prepared the drawings;

- Δ E. Identification of the drawing as a tentative plat;
- Δ F. A legal description of the tract boundaries;
- Δ G. Outline, location, and description of all existing buildings, showing those to remain in place and setbacks to proposed property lines;
- Δ H. Contour lines having the following minimum intervals:
 - i. One-foot contour intervals for areas containing wetlands, or areas located within a 500-year flood plain;
 - ii. Two-foot contour intervals for ground slopes between five and ten percent;
 - iii. Five-foot contour intervals for ground slopes exceeding ten percent;
- Δ I. Location and direction of all watercourses on and abutting the tract. Approximate location of areas subject to inundation, storm water overflow or standing water. Base flood data showing elevations of all property subject to inundation in the event of a one-hundred-year flood shall be shown.
- Δ J. For land adjacent to and within the tract to be subdivided, the location, names, and existing right-of-way and pavement widths of streets, location, width, and purpose of any existing easements; and location and size of all utilities, including sewer, water electric, telephone, and natural gas lines and power poles.
- Δ K. Proposed lot layout, showing sizes, dimensions, and relationships to existing or proposed streets and utility easements;
- Δ L. Proposed land uses, including sites, if any, for multiple family dwellings, shopping centers, industry, churches, parks, schools, playgrounds, and open space;
- Δ M. Location of any forested areas, wetlands as delineated by the Division of State Lands, isolated preservable trees (trees over 6 inches in diameter 4 feet above the ground), special erosion control provisions including structures or areas with vegetation, or other significant natural features;
- Δ N. If the area to be subdivided contains only a part of the tract owned or controlled by the subdivider, a non-binding drawing of a preliminary layout of streets and lots in the non-subdivided portion;
- Δ O. The location of at least one temporary benchmark within the plat boundaries or the source of the contour line data shown. (Source and accuracy subject to approval of City Engineer);
- Δ P. The location, width, names, approximate grades, and radii of curves for all proposed streets and connections to existing streets. If no complete development plan is in effect in the area, assurance of adequate traffic circulation plans at buildout shall be provided.

- Δ Twenty-five (25) copies of a written statement, on 8-1/2" x 11" paper, describing the proposed subdivision and explaining how the proposal meets the approval criteria (page 6) and is compatible with surrounding land use patterns. The narrative shall also include a description of how the proposed subdivision meets the requirements of the following chapters of the Municipal Code:
 - Δ A. Chapter 16.46, Access Limitations on Project Density;
 - Δ B. Chapter 16.64, Subdivisions - Design Standards; and
 - Δ C. Chapter 16.95, Solar Access Standards for New Development.

- The following explanatory information shall either be shown on the plat and accompanying sheets or shall be included in written form in the narrative:
- A. Any proposed deed restrictions;
- B. Statement of subdivision improvements to be made or installed, including landscape planting, street lighting, etc., and when such improvements are to be made;
- C. Approximate centerline profiles showing the finished grade of all streets as approved by the City Engineer including extensions for a reasonable distance beyond the limits of the proposed subdivision;
- D. Typical cross-sections of proposed streets showing widths of roadways, location and width of sidewalks and the location and size of utility mains;
- E. Approximate plan and profiles of proposed sanitary and storm sewers with grades and pipe sizes indicated and plan of the proposed water distribution system, showing pipe sizes and the location of valves and fire hydrants;
- F. A general description of property intended to be dedicated to the City or the public other than street right-of-way;
- G. A plan for grading in areas that have wetlands, natural drainage areas and areas that are located within a 500-year flood plain; and
- H. If lot areas are to be graded, a plan showing the nature of the cuts and fills and information on the character of the soil. The Commission may require a signed affidavit from a qualified professional engineer, or engineering geologist, certifying that no property damage or hazards will result from erosion attributable to such grading or other preparation.
- Ten (10) copies of a traffic impact analysis, conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (through the City), including an accident report for the adjacent roads and nearby intersections, for any project that results in any one of the following:
 - A. More than one access onto any collector or arterial street (such streets being designated by the City of Canby Transportation System Plan);
 - B. More than six (6) residential units that enter onto any collector or arterial street;
 - C. Any multiple family dwellings (apartments, condominiums, townhouses, etc.) with more than six (6) units; or
 - D. Industrial or commercial enterprises which generate more than one hundred (100) vehicles per day.
- If the applicant is a corporation, a certificate of good standing from the State Corporation Commission shall be filed. The name of the individual authorized to act as the registered agent of the corporation shall also be provided.
- If the development is located in an area designed by the Hazard ("H") Overlay Zone, one copy of an affidavit signed by a licensed professional engineer that the development will not result in any undue hazard for the occupants or users of the development, nor in any unusual public expense in the event of flooding, landslide, or other natural disaster.

MINOR LAND PARTITION APPLICATION

FEE \$1,280.00
PROCESS TYPE III

OWNERS

APPLICANT*

Name: Eagle Properties Northwest, LLC

Name: Don Perman

Address: 11830 Kerr Parkway #395

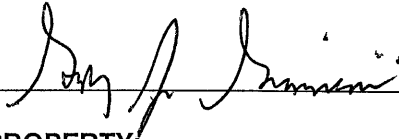
Address: 249 NW 3rd Avenue

City:

Lake Oswego State: OR Zip: 97035

City: Canby State: OR Zip: 97013

Owners Signature:



Phone: 503-266-6800

DESCRIPTION OF PROPERTY:

Tax Map: 3 1E 34C

Tax Lot(s): 1822

Lot Size: 2.64 AC (Acres/Sq.Ft.)

PROPERTY OWNERS LIST

Attach a list of the names and addresses of the owners of properties located within 200 feet of the subject property (if the address of the property owner is different from the situs, a label for the situs must also be prepared and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing. The names and addresses are to be **typed onto an 8-1/2" x 11" sheet of labels**, just as you would address an envelope.

USE OF PROPERTY

Existing Use: Harrell Medical warehouse and undeveloped land.

Proposed Use: Partition and divide developed portion of site from undeveloped portion.

Existing Structures: One, Harrell Medical warehouse.

Zoning: C-M

Comprehensive Plan Designation: C-M Heavy Commercial Manuf.

Previous Land Use Action (if any): DR 03-03 (Harrell Medical), CPA 04-02/ZC 04-03, MOD 04-06

FOR CITY USE ONLY	
File # :	
Date Received:	By:
Completeness:	
Pre-App Meeting:	
Hearing Date:	

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

MINOR LAND PARTITION: INSTRUCTIONS TO APPLICANTS

1. The applicant may request a pre-application conference, or the City Planner may determine that a pre-application conference is necessary after the application has been discussed, or upon receipt of the application by the City.
2. If a pre-application conference is necessary, the applicant completes and returns a completed pre-application form to the City and a conference is scheduled.
3. Any application for a land partition, on forms prescribed for the purpose, shall be filed with the City Planner, typed or printed, and accompanied by the following:

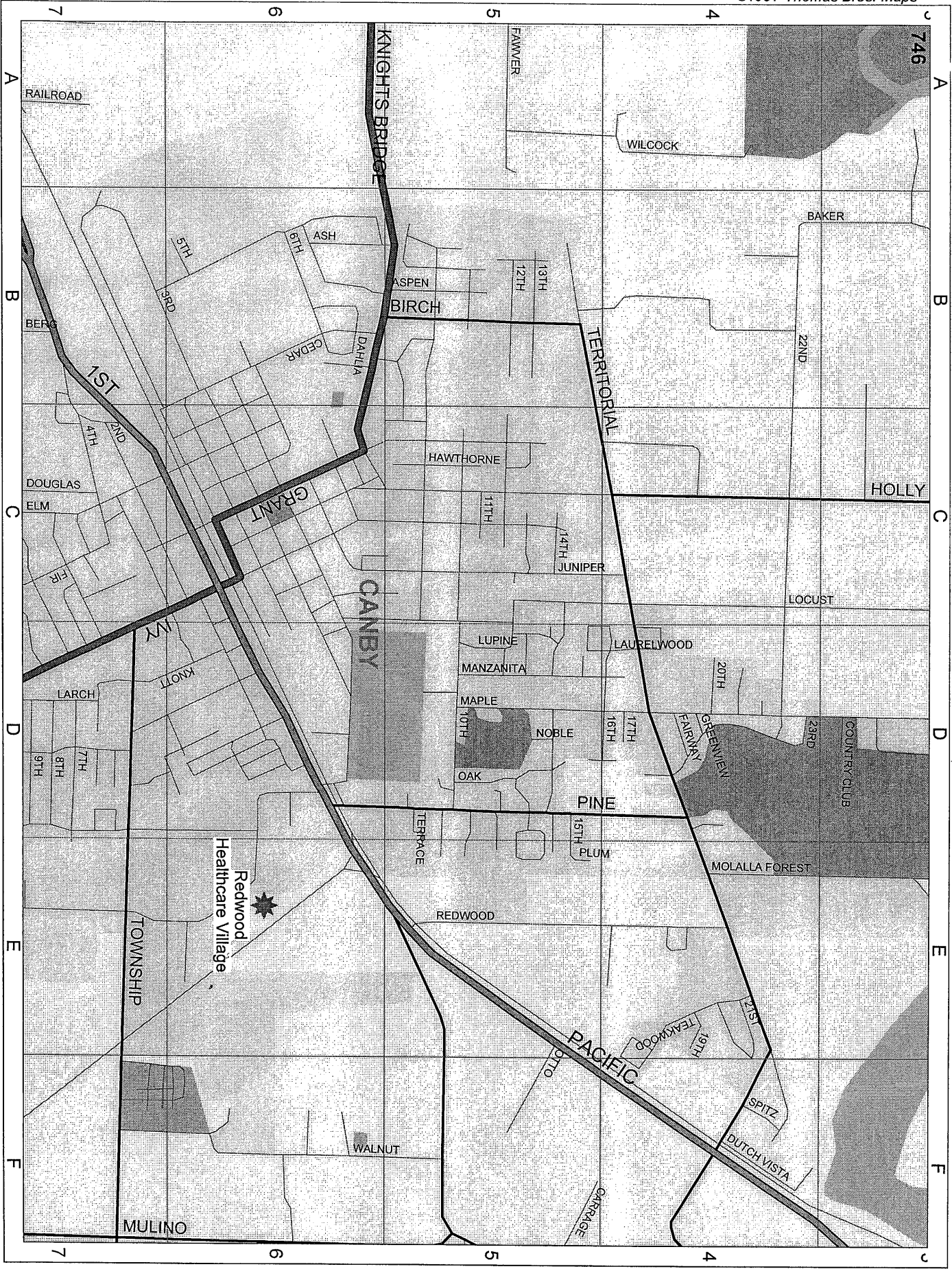
Applicant Check	City Check	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	One (1) copy of pages 1, 2, and 3 of this application. The checklist on pages 2 and 3 should be included in the application with all relevant items checked by the applicant in the "applicant" column. If any items are considered to be not applicable, the omissions should be explained in the narrative. The City may request further information at any time before deeming the application complete.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Payment of \$\$1,280, cash or checks only. Checks should be made out to the City of Canby.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A list of property owners within 200 feet of the subject property, on mailing labels (1" x 2-5/8"). If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to "occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Twenty-five (25) copies of a written statement, on 8-1/2" x 11" paper, describing the proposed partition and explaining how the proposal meets the approval criteria (page 4) and is compatible with surrounding land use patterns.
<input type="checkbox"/>	<input type="checkbox"/>	Ten (10) copies of a traffic impact analysis, conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (through the City), including an accident report for the adjacent roads and nearby intersections, for any project that results in any one of the following: <ol style="list-style-type: none"> A. More than one access onto any collector or arterial street (such streets being designated by the City of Canby Transportation System Plan); B. More than six (6) residential units that enter onto any collector or arterial street; C. Any multiple family dwellings (apartments, condominiums, townhouses, etc.) with more than six (6) units; or D. Industrial or commercial enterprises which generate more than one hundred (100) vehicles per day.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Twenty-five (25) copies of the tentative partition map, drawn to scale on paper no

less than 8.5" x 11". The map shall include the following information:

- A. Vicinity map of the property;
- B. The date, north point, scale, and sufficient description to define the location and boundaries of the tract to be partitioned;
- C. Name and address of the owner and the person who prepared the tentative map;
- D. Size of each parcel involved in the partitioning;
- E. Outline, location, and description of all existing buildings, showing those to remain in place and setbacks to proposed property lines;
- F. For land adjacent to and within the tract to be partitioned, the location, names, and existing right-of-way and pavement widths of streets, location, width, and purpose of any existing easements; and location and size of all utilities, including sewer, water, electric, telephone, and natural gas lines and power poles;
- G. Proposed parcel layout, showing sizes, dimensions, and relationships to existing or proposed streets and utility easements;
- H. Location of any forested areas, wetlands as delineated by the Division of State Lands, or other significant natural features;
- I. If the applicant is a corporation, a certificate of good standing from the State Corporation Commission shall be filed. The name of the individual authorized to act as the registered agent of the corporation shall also be provided; and
- J. If the development is located in an area designed by the Hazard ("H") Overlay Zone, one (1) copy of an affidavit signed by a licensed professional engineer that the development will not result in any undue hazard for the occupants or users of the development, nor in any unusual public expense in the event of flooding, landslide, or other natural disaster.

4. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
5. Staff investigates the request, writes a staff report, places a public notice in the newspaper, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
6. The staff report will be available seven (7) days prior to the hearing.
7. The Planning Commission then issues findings of fact which support approval, modification or denial of the application. A decision may be appealed to the City Council.
8. If an approval or a denial has been appealed, City Council holds a public hearing. The staff report is presented and testimony taken, as at the original hearing(s). However, only testimony regarding items already in the record is permitted, and no new information may be entered. In the case of an appeal, the Council may affirm, revise or reverse the action of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body

VICINITY MAPS & ASSESSOR MAP

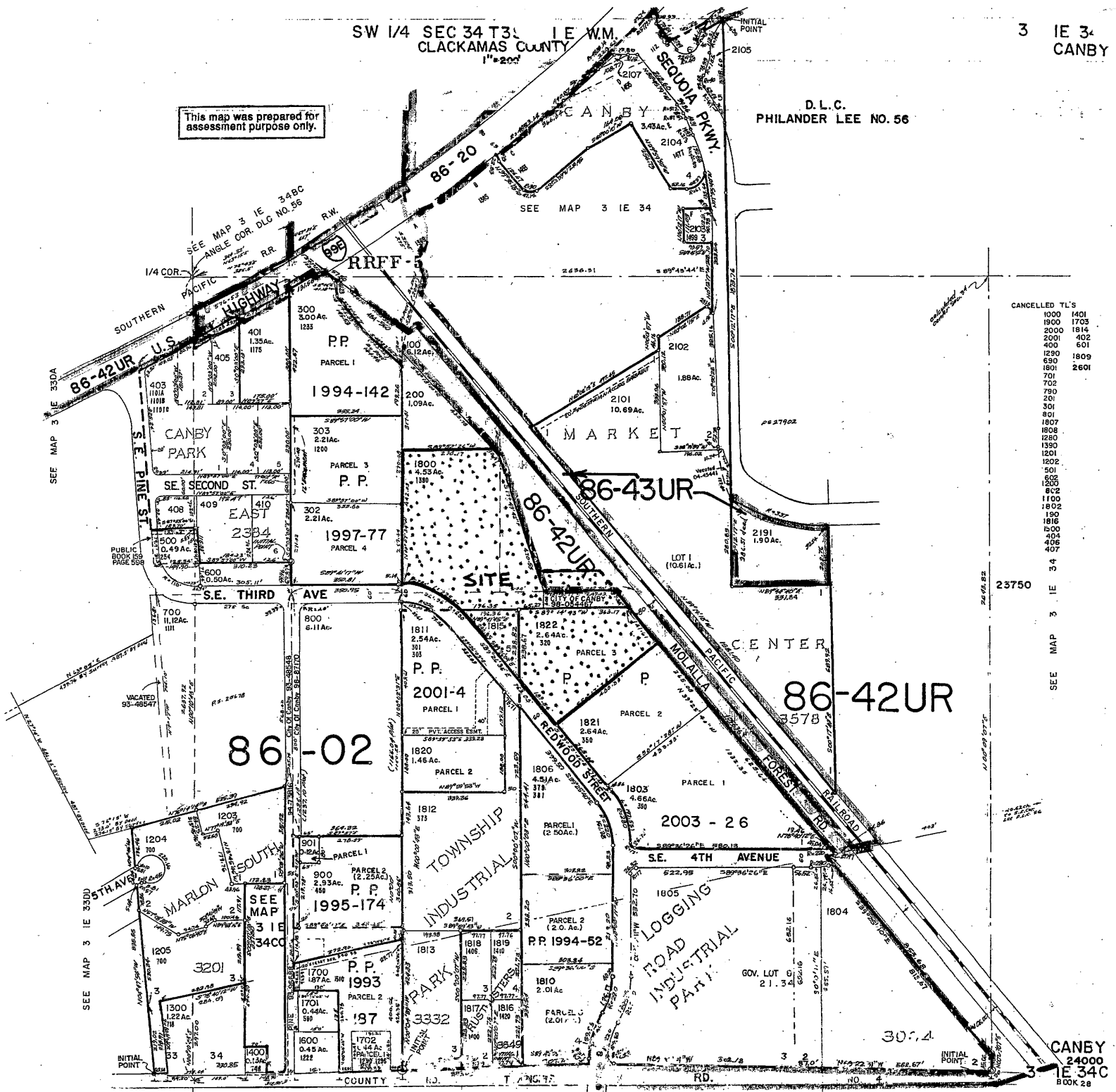


SW 1/4 SEC 34 T33 N 1 E W.M.
CLACKAMAS COUNTY
1"=200'

3 IE 3-
CANBY

This map was prepared for
assessment purpose only.

D.L.C.
PHILANDER LEE NO. 56



CANCELLED TL'S

1000	1401
1900	1703
2000	1814
2001	402
400	601
1290	1809
690	1809
1801	2601
701	
702	
790	
201	
301	
801	
1807	
1808	
1280	
1390	
1201	
1202	
501	
602	
1205	
802	
1100	
1802	
180	
1816	
1500	
404	
406	
407	
4	
13	

23750

86-42UR
3578

86-02

2003-26

CANBY
2400
IE 34C
BOOK 28

SEE MAP 3 IE 330A

SEE MAP 3 IE 330D

SEE MAP 3 IE 34C

SEE MAP 3 IE 34

SEE MAP 3 IE 3

Map 3-28-76

NARRATIVE

Application for Subdivision

And Partition

REDWOOD HEALTHCARE VILLAGE

Applicant/Owner: Don Perman (TL 1815)
249 NW 3rd Avenue
Canby, OR 97013
(503) 266-2033

Owner: Eagle Properties Northwest, LLC (TL 1822)
11830 Kerr Parkway #395
Lake Oswego, OR 97035

Owner: Anderson Properties, LLC (TL 1800)
641 NW Baker Drive
Canby, OR 97013

Owner: City of Canby (TL 100)
PO Box 930
Canby, OR 97013

Representative: Sisul Engineering
375 Portland Avenue
Gladstone, OR 97027
(503) 657-0188
Contact: Pat Sisul

Location: East side of SE Redwood Street between SE 3rd and 4th
Avenues

Legal Description: Partition: Tax Lot 1822, 3S1E 34C
Subdivision: Portions of Tax Lots 100, 1800, 1815, & 1822,
3S1E 34C

Zone: C-M (Heavy Commercial Manufacturing Zone)

Site Size: 7.55 Acres (subdivision), 2.64 Acres (partition)

Proposal: Two land use actions are requested in this proposal. The first is a partition of Tax Lot 1822 into two parcels. Parcel 1 contains the existing Harrell Medical complex. Parcel 2 will be included in the proposed subdivision site. The second requested action is approval of a ten-lot subdivision for development of medical and professional office space.

SITE & PROPOSAL DESCRIPTION

The subject property is located on the northeast side of SE Redwood Street between SE 3rd and 4th Avenues. The Molalla Forest Road pathway and the Southern Pacific Railroad right-of-way form the northeastern boundary of the subject property. The subdivision site is 7.55 Acres in area. Including the area of Parcel 1 of the partition, which is to be excluded from the subdivision, the total site area included in both the partition and subdivision proposals is 8.36 acres. The site is zoned C-M (Heavy Commercial Manufacturing Zone). Properties to the south and west of the subdivision site are zoned M1 (Light Industrial). Land to the east of the site, across the Molalla Forest Road pathway and the railroad right-of-way, are zoned M2 (Heavy Industrial). City park property is located to the north of the site, parallel with the Molalla Forest Road path.

As shown on the Existing Conditions Plan (Sheet 3) submitted with this application, there are presently three structures included within the property included in the proposed subdivision and partition requests. The Harrell Medical building is located on Parcel 1 of the proposed partition. Lot 10 of the proposed subdivision contains two buildings. The larger of the two is the Canby Business Center building, which contains office and associated storage space. The second building is an RV and mini-storage facility operated as Western Storage. The remainder of the site is vacant. The subject property is relatively flat in topography. The front portion of the property drains towards SE Redwood Street. There is a central ridgeline and the rear portion of the site drains to the Molalla Forest Road right-of-way. Vegetation is predominantly grassy field, with a few isolated trees.

The proposed subdivision application would create 10 lots. The largest of these lots, Lot 10, is 4.22 acres in size and contains the existing Canby Business Center and Western Storage buildings and parking areas. The other nine lots to be created by the subdivision range in size from approximately $\frac{1}{4}$ to $\frac{1}{2}$ acre. These lots would be accessed via a new private street, SE 3rd Ct., and are proposed to be sold for development of individual professional office uses. A private street is proposed because there is no reasonable possibility of extension of street access to other properties to the northeast due to the barrier of the Molalla Forest Road pathway and Southern Pacific Railroad right-of-way.

Public sanitary sewer is available in SE Redwood Street along the project frontage. A new sewer line is proposed to be constructed in SE 3rd Court to provide for service to Lots 1 through 9. Lot 10 has existing service from SE Redwood Street. Public water is will be provided via construction of a new 8-inch line in SE 3rd Court from the existing line in SE Redwood Street. This line will be looped through the project to tie back into the existing water line located within an easement on Lot 10. Storm drainage will be directed to roadside drainage swales and under ground gravel storage areas, where it will percolate into the ground. The Owners Association for the development will privately maintain the storm drain system.

A pre-application conference with the City occurred on September 30, 2004. No issues of concern were identified, beyond usual and expected considerations of Code compliance. A neighborhood meeting with the local neighbors occurred on December 13, 2004.

Applicable Criteria and Standards

Identification of Applicable Criteria and Standards

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

1. Comprehensive Plan

Land Use Element
Environmental Concerns Element
Economic Element

2. Land Development and Planning Ordinance:

16.10 Off-Street Parking and Loading
16.30 C-M, Heavy Commercial/Manufacturing Zone
Division IV Land Division Regulations
16.60 Major or Minor Partitions
16.64 Subdivision-Design Standards

Discussion of Criteria and Standards

COMPREHENSIVE PLAN GOALS AND POLICIES

1. Land Use Element

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

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

Response: The subject property is designated and zoned for commercial and manufacturing uses and is located in the midst of other properties that are zoned for compatible uses. The proposed subdivision and partition will permit development of the site in a manner that is compatible with the surrounding area.

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

Response: The subject property is located within the City's Urban Growth Boundary, is annexed to the City, and is zoned appropriately to permit the proposed use.

Development of commercial uses on this site, prior to any consideration of a future expansion of the UGB to provide room for such uses, is consistent with this policy.

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

Response: All facilities and services necessary to provide for the development of this site as proposed are readily available and adequate to meet the needs of this project. Please refer to the Improvement Plan (Sheet 4) submitted with this application for more information on availability and provision of these services.

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

Response: The subject property is level and has no areas of known natural hazards. Development as proposed is consistent with this policy. No wetland or other water body is found on the site.

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

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

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

2. Environmental Concerns Element

Policy No. 2-R: Canby shall maintain and protect surface water and groundwater resources.

Response: The proposed development is consistent with this policy in that sanitary sewer service will be provided via connection to the existing public sewer system. Further, impacts upon surface water and groundwater will be minimized through the use of a roadside swale system for storm drainage.

Policy No. 3-R: Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.

Response: The development proposed in this application will provide for professional office space and, therefore, will have minimal impact upon air, water, and land pollution. The proposed project will comply with all City standards to protect these resources.

Policy No. 4-R: Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.

Response: The proposed professional office development will not generate any significant noise impacts.

Policy No. 7-R: Canby shall seek to improve the overall scenic and aesthetic qualities of the city.

Response: The subject property contains no significant scenic resources. In satisfaction of this policy, site design review will be required prior to the development of individual office uses on the lots within this project. This review will include provisions for adequate landscaping and aesthetic signage.

Policy No. 8-R: Canby shall seek to preserve and maintain open space where appropriate and where compatible with other land uses.

Response: No significant open space resources are present on the subject property and it is not included in any City inventory of future park or open space sites. The plan does provide for effective access to the City park site to the north through installation of a new pathway alignment for pedestrian and bicycle access to the park and the Molalla Forest Road pathway.

Policy No. 9-R: Canby shall attempt to minimize the adverse impacts of new developments on fish and wildlife habitats.

Response: The subject property does not contain, nor is it in close proximity to, significant fish or wildlife habitat areas. The project will comply with all applicable City and State standards for site development that serve to protect such resources.

Policy No. 10-R: Canby shall attempt to minimize the adverse impacts of new developments on wetlands.

Response: There is no wetland on, or in close proximity to, the subject property.

Policy No. 1-H: Canby shall restrict urbanization in areas of identified steep slopes.

Response: Not applicable. The subject property does not contain any significant areas of steep slope.

Policy No. 2-H: Canby shall continue to participate in and shall actively support the Federal Flood Insurance program.

Response: The subject property is not located within a flood hazard area.

Policy No. 3-H: Canby shall seek to inform property owners and builders of the potential risks associated with construction in areas of expansive soils, high water tables, and shallow topsoil.

Response: The subject property is not located within a known area of expansive soils, high water tables, or shallow topsoil.

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

3. Economic Element

Policy No. 2: Canby shall encourage further commercial development and redevelopment at appropriate locations.

Response: Permitting the proposed subdivision and partition will provide for additional lots for the construction of commercial development. This site is designated and zoned for the proposed use and, therefore, complies with this policy.

LAND USE AND DEVELOPMENT ORDINANCE

Chapter 16.10 Off-Street Parking and Loading

The parking requirements for parking spaces for professional office use can be provided for the proposed development, as demonstrated by the Concept Plan (Sheet 2). Compliance with these standards can be satisfied when plans are submitted for each lot.

Chapter 16.30 C-M (Heavy Commercial Manufacturing Zone)

The proposal for subdivision will create 10 lots. One of these lots will contain the existing Canby Business Center and Western Storage facilities. The other nine new (buildable) lots will provide for construction of professional office space. The proposed professional office use is allowed outright in the zone (16.30.010). New lots in the C-M Zone are required to meet the development standards specified in Sec. 16.30.030. Development standards for structures can be verified when plans for building permits are submitted. The following table lists requirements and how the application proposes to satisfy each standard:

Section 16.30.030 CM Zone Dimensional Standards

Requirement	Proposed
16.30.030.A Minimum lot area: None.	Lot areas for proposed lots are depicted on the Subdivision Plan. Lot sizes range from 10,846 sq. ft. (Lot 7) to 4.22 Acres (Lot 10)
16.30.030.B Minimum width and frontage: None	The minimum lot width proposed is 80 feet (Lot 7). All lots have adequate access via either SE Redwood Street or the new private street serving the subdivision, SE 3 rd Ct.
16.30.030.C Minimum yard requirements: Street yard: None, except ten feet where abutting a residential zone Interior yards: None, except ten feet where abutting a residential zone	There are no residential zones abutting the subject property. The existing building on Parcel 1 maintains a setback of approximately 20 feet from SE Redwood. Other yards exceed 10 feet. The structures on Lot 10 maintain a minimum setback from SE Redwood Street of more than 40 feet. All other yards exceed 50 feet. For other lots in the subdivision, these requirements will be satisfied when building plans are submitted for structures on each proposed lot.
16.30.030.D Maximum building height: forty-five feet.	Existing structures on Parcel 1 and Lot 10 are less than 45 feet in height. For other lots in the subdivision, this requirement will be satisfied when building plans are submitted for structures on each proposed lot.
16.30.030.E Maximum lot coverage: sixty percent.	Existing lot coverage on Parcel 1 is 21.35%. Existing lot coverage on Lot 10 is 18.54%. For other lots in the subdivision, this requirement will be satisfied when building plans are submitted for structures on each proposed lot.
16.30.30.F Other regulations.	These requirements will be satisfied when building plans are submitted for structures on each proposed lot.

Chapter 16.49 Site & Design Review

Site and Design Review is required for all new development in the C-M zone. This requirement will be satisfied when plans are submitted for structures on each proposed lot. A conceptual site plan showing how standards could be met for the proposed subdivision site has been submitted with this application (See Sheet 2).

Division IV Land Division Regulation

Chapter 16.62 Subdivisions-Applications

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

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

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

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

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

The overall design and layout of the site is functional and provides adequate building sites, as all lots exceed minimum design standards. Each lot has access to a public or private street, via SE 3rd Court or SE Redwood Street.

All necessary public facilities and services are available to the site, as discussed in preceding sections of this narrative and as shown on the Sheet 4, Improvement Plan, included with the application.

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

Chapter 16.64 Subdivisions Design Standards

Section 16.64.010 Streets

The proposed new street in the project, SE 3rd Court, is designed as a private street and will provide access to Lots 1-9. Lot 10 and Parcel 1 of the partition have existing access to SE Redwood Street.

SE Redwood Street is a fully improved collector street within a 60-foot right-of-way. SE 3rd Court has a proposed pavement width of 26 feet within a 30-foot wide private street tract. Sidewalks and drainage swales will be located within a 12-foot public utility easement on either side of the private street tract. A 5-foot planter strip will be provided behind the curb and in front of the proposed sidewalks. Sidewalks will be 5 feet wide and will be constructed with the development of each individual lot. The street will have moderate grades and will comply with City standards for horizontal and vertical alignment. Intersection sight distance is unobstructed at the proposed intersection with SE Redwood Street.

There is no need to extend the street system to other properties as adjacent parcels to the north and south are developed with access to SE Redwood Street, and extension to the east is prevented by the Molalla Forest Road pathway and Southern Pacific Railroad tracks.

Section 16.64.015 Access

The site does not propose access to a state highway. The proposed design of SE 3rd Ct. follows natural terrain and does not require the removal of any significant natural features. Sight distance is excellent and there are no intersection or driveway spacing issues raised by the proposed design. The private road provides adequate access to the proposed lots for users of the proposed office facilities as well as for emergency vehicle and service vehicles. The proposed street will be provided with sidewalks along both sides. The design conforms to standards in the Transportation System Plan.

Section 16.64.020 Blocks

The proposed design provides for a single block of approximately 400 feet, in conformance with block standards. There is no opportunity to shorten block length due to barriers imposed by the location of the Molalla Forest Road pathway and the railroad tracks.

Section 16.64.030 Easements

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

Section 16.64.040 Lots

Lot areas comply with dimensional requirements for the C-M Zone. All lots have adequate frontage on the new street to provide for driveway access, as demonstrated by the Concept Plan (Sheet 2). No double frontage lots are proposed. Lot side lines all are at approximately right angles to the fronting streets. Only Lot 10 in this subdivision is large enough that it can be re-divided. Although further division of that lot is not anticipated at this time, nothing in this application would preclude such re-division from occurring. There is adequate frontage on SE Redwood Street to permit the creation of a flag lot to the rear of the existing storage building. An access strip could be created along the westerly lot line of that parcel. No hazardous situation related to flooding or soil instability has been identified on the site. No flag lots are proposed in this subdivision.

Section 16.64.050 Public Open Spaces.

No area is proposed for dedication for public open space within this subdivision. No need for such open space has been identified by the City for this site.

Section 16.64.060 Grading of Building Sites

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

Section 16.64.070 Improvements

Improvements for the subdivision will be accomplished as required by this section. Plans have been submitted as part of this application to show the arrangement of streets and sidewalks, public utilities, and other improvements necessary to provide for the convenience, health, and safety of future residents of this community and of the City. Please refer to specific plans for details; more detailed construction plans will be filed with the City following approval of the preliminary plan.

16.60.030 Minor partitions.

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

- A. Conformance with the text and applicable maps of the Comprehensive Plan;*
- B. Conformance with all other applicable requirements of the Land Development and Planning Ordinance;*
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties;*

- D. *No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels;*
- E. *It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division. (Ord. 740 section 10.4.30 (B)(1), 1984)*

Response:

Conformance of the proposed partition with the Comprehensive Plan has been addressed above in this narrative.

Conformance of the partition with other applicable requirements of the Land Development and Planning Ordinance has also been addressed above.

The partition creates Parcel 1, which provides a suitable lot for the Harrell Medical building and parking facilities as demonstrated by the plans submitted with this application. Parcel 2 is being incorporated into the subdivision and design issues for the subdivision are addressed above.

Access to Parcel 1 is via SE Redwood Street, a paved public roadway. Parcel 2 is incorporated in the subdivision design and access to the parcels contained therein is addressed above.

All required public facilities and services are readily available for the proposed partition. Please refer to the applicable narrative above for the subdivision application.

CONCLUSION

The foregoing narrative and accompanying plans and documents, together demonstrate that the subdivision and partition are generally in conformance with applicable criteria and standards of the City's Code. Therefore, the applicant requests that the Planning Commission approve our proposal.

NEIGHBORHOOD MEETING

SISUL ENGINEERING

A Division of Sisul Enterprises, Inc.

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027

(503) 657-0188

FAX (503) 657-5779

November 26, 2004

RE: Neighborhood Meeting – Proposed Development

S. Redwood Street – Tax Lots #1815, 1822, & a portion of 1800

Map 3 1E 34C

You are invited to attend a neighborhood meeting to discuss a proposed development on S. Redwood Street in Canby. The development being proposed is the Canby Health Village, a commercial subdivision being proposed by Dr. Don Perman of Canby south of the Canby Business Center. You are receiving this notice because you either live, own property or run a business within 500 feet of the proposed development. The meeting will occur at 6pm on Monday, December 13, 2004 at the Canby Adult Center, located at 1250 S. Ivy Street.

We will be providing general information on the proposed development and will have a site plan for viewing. If you have any questions, concerns or thoughts about the development we would like to discuss them at this meeting. Thank you for your time and we look forward to seeing you at the meeting.

Sincerely,

Pat Sisul, Sisul Engineering

Canby Medical Village neighborhood meeting
Canby Adult Center, Monday, December 13, 2004 at 6:00pm

The following people signed the attendance list at the meeting:

- Don Perman, 300 NW River Park Place – Canby – applicant
 - Gabe Dominek, 2304 NE Emerson Street – Portland – applicant's architect
 - Pat Sisul – 375 Portland Ave. – Gladstone – applicant's representative
 - Dave Anderson – 641 Baker Drive – Canby
 - Bruce Broetje – 431 S Redwood Street – Canby
-

The only neighbors in attendance were Dave Anderson, who owns a portion of the property and Bruce Broetje who owns land farther south along S Redwood Street. Don Perman and Pat Sisul described the project, a commercial subdivision that would be restricted to Medical and Dental professionals. The conceptual plan shown was 8 lots with one large parcel adjacent to Redwood that would be for Willamette Falls Hospital. The concept was discussed, as were utility services, architecture, and timing.

The following questions and comments were raised during the meeting:

- Who else is interested besides Willamette Falls Hospital?
 - How are you getting rid of stormwater?
 - Bruce has a well on his property located 60 feet south of the Intertia loading door that he uses for irrigation only.
 - Dave was unclear whether he still owned the property that the pathway is on or whether he dedicated it to the City. He was thinking that he dedicated an easement to the City.
 - Dave was unclear whether the waterline on his property was public or private, but he did know that it ran all the way back to the cell tower.
 - Bruce described how Redwood Street flooded after every hard rainfall right after it was built, then the City installed an overflow pipe.
 - Bruce stated that he was in favor of the development.
-

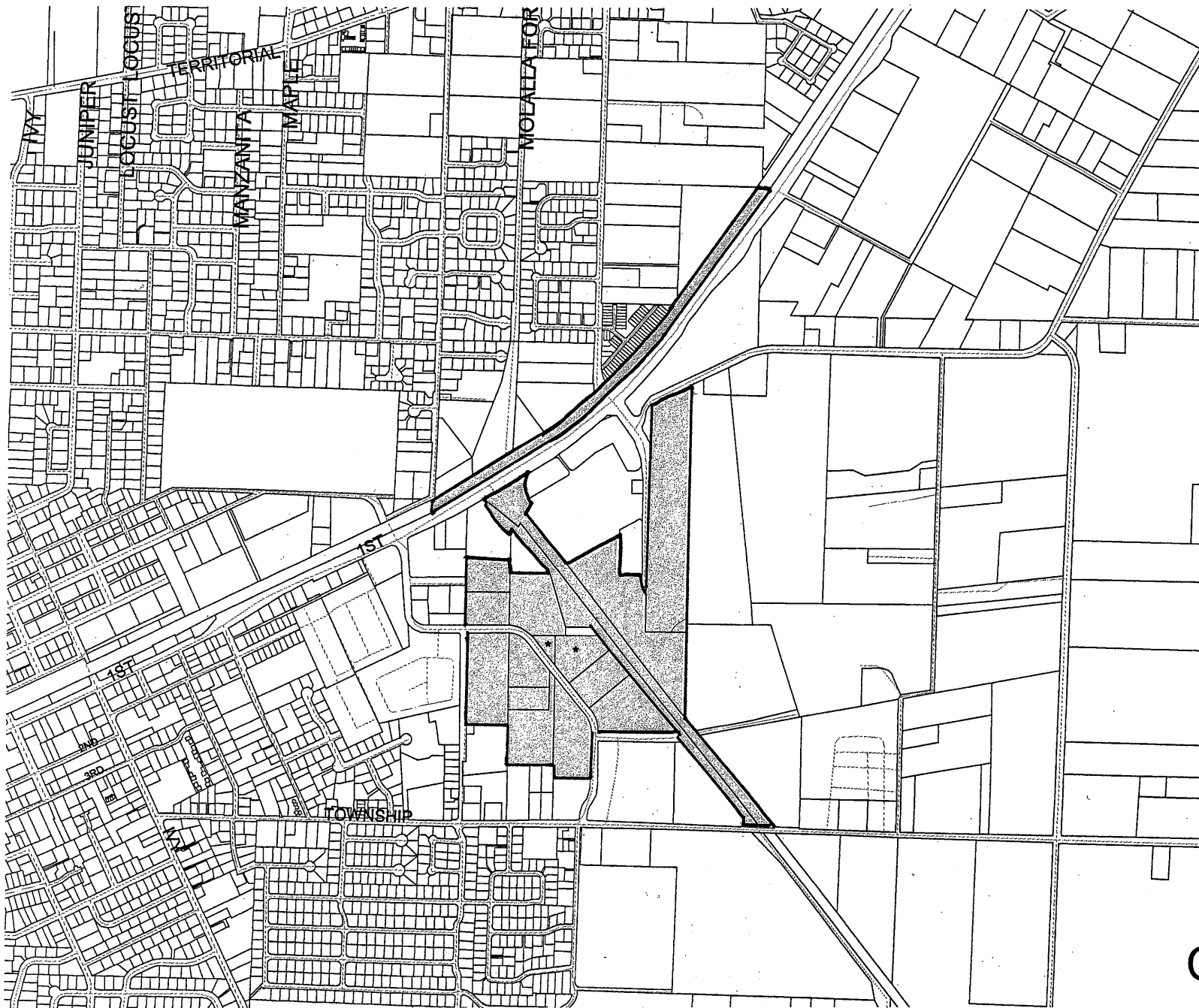
Notes prepared by
Patrick A. Sisul, Sisul Engineering

MAILING LABELS

500 ft Radius



CHICAGO TITLE
DEVELOPMENT SERVICES



 Tax Lots
All Streets

Perman/
Canby Health
Care Village

31E34 03200
UNION PACIFIC CORP
1700 FARNAM ST 10TH FLR S
CANBY OR 97013

31E34 00800
ZIMMER FAMILY LIMITED PARTNERSHI
1691 SE 1ST AVE
CANBY OR 97013

31E34C 00100
CITY OF CANBY
PO BOX 930
CANBY OR 97013

31E34C 02101
CANBY MARKET CENTER ASSOC
19767 SW 72ND AVE #100
TUALATIN OR 97062

31E34C 00303
JSL INVESTMENTS LLC
1200 SE 2ND AVE
CANBY OR 97013

31E34C 01800
ANDERSON PROPERTIES LLC
641 NW BAKER DR
CANBY OR 97013

31E34C 00302
DUPLEX PROPERTIES LLC
2801 NE 17TH AVE
PORTLAND OR 97212

31E34C 00800
BORG ELVIN G & ALICE E
PO BOX 381
WRANGELL AK 99929

31E34C 01811
SPECTRUM PROPERTIES LLC
301 S REDWOOD ST
CANBY OR 97013

31E34C 01815
CHRISTIAN CLAYTON JR & JANICE R
641 N BAKER DR
CANBY OR 97013

31E34C 01822
EAGLE PROPERTIES NORTHWEST LLC
11830 KERR PRKWY #395
LAKE OSWEGO OR 97035

31E34C 01821
POLLOCK DOUGLAS H & SANDRA S
5215 SE 32ND AVE
PORTLAND OR 97202

31E34C 01812
CHRISTIAN CLAYTON JR & JANICE R
641 N BAKER DR
CANBY OR 97013

31E34C 01803
PIERPONT INVESTMENTS LLC
390 S REDWOOD ST
CANBY OR 97013

31E34C 01806
BROETJE PROPERTIES LLC
PO BOX 547
CANBY OR 97013

31E34C 01820
SPECTRUM PROPERTIES LLC
301 S REDWOOD ST
CANBY OR 97013

DON PERMAN
249 NW 3RD
CANBY OR 97013

AMERICAN FAMILY INS
100 S REDWOOD
CANBY OR 97013

REDWOOD STREET BENTO
110 S REDWOOD
CANBY OR 97013

CANBY POLICE COMMUNITY
OUTREACH CENTER
125 S REDWOOD
CANBY OR 97013

AURORA CONST CONSULTANT
135 S REDWOOD
CANBY OR 97013

SRT SUPERIOR ROLLER TECH
140 S REDWOOD
CANBY OR 97013

MICROSCOPE SERVICE CENTER
120 S REDWOOD
CANBY OR 97013

CANBY DRYWALL INC
105 S REDWOOD
CANBY OR 97013

WESTERN STORAGE
1380 S REDWOOD
CANBY OR 97013

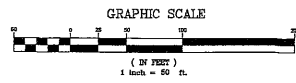
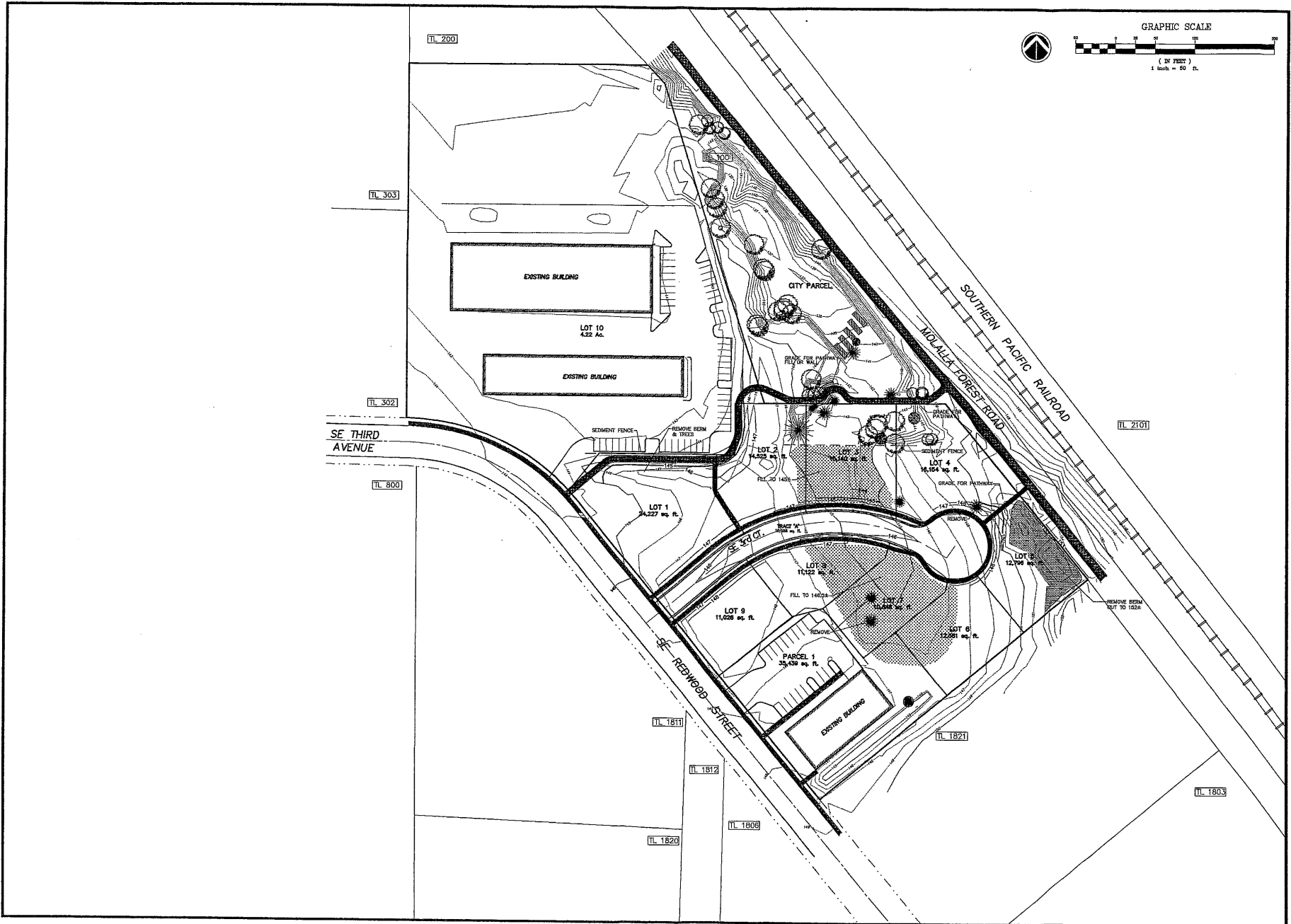
HARRELL MEDICAL INC
320 S REDWOOD
CANBY OR 97013

CLUB FIT
365 S REDWOOD
CANBY OR 97013

NORCOM AGENCY INC
375 S REDWOOD
CANBY OR 97013

INERTIA CONTROL
381 S REDWOOD
CANBY OR 97013

TENTATIVE PLAN



REVISIONS	BY

REDWOOD HEALTHCARE VILLAGE
DON PERMAN

Grading Plan

SISUL ENGINEERING
 2000 1/2 AVENUE, SUITE 100
 CLATSOP COUNTY, OREGON 97027
 (503) 887-0088
 202-0785486.DWG

DATE	APRIL, 2005
SCALE	1" = 50'
DRAWN	PS
APP	SQL 04-078
SHEET	5
OF 5 SHEETS	

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

- 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received **SUB 05-06/MLP 05-04 (Perman)**, an application by **Don Perman** to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to **Matilda Deas** by **Wednesday, June 1, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: *Lawrence*

Date: 5-23-05

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: May 6, 2005

- 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received **SUB 05-06/MLP 05-04 (Perman)**, an application by **Don Perman** to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to **Matilda Deas** by **Wednesday, June 1, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Van Pagan Date: 5-11-05

Title: Chief Agency: Police

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: May 6, 2005

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

The City has received **SUB 05-06/MLP 05-04 (Perman)**, an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

- ① Consider not tapping main on S. Redwood St.
 - ② Consider adding 8" valve to tee @ 90° tie-in. (C)
-
-
-
-
-
-
-
-
-
-

Please check one box and sign below:

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

Signature: Patricia Johnson Date: 5/13/05

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: May 6, 2005

TO:

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

The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Canby Utility will require the existing power line/
easement to be preserved.

Please check one box and sign below:

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

Signature: *Line Feldman* Date: 5-14-05

Title: Line Feldman Agency: Canby Utility Elect.

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

RECEIVED
MAY 09 2005
FAX 266-1574
CITY OF CANBY

DATE: May 6, 2005

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

The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Darwin James Date: 5/9/05

Title: Wastewater Supervisor Agency: WWTP

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

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

The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

- ① Provide 25 ft radius curb returns at the access of SE 3rd St and SE Redwood St.
- ② Obtain Concurrence from DEQ that the proposed grassy swale is not an UIC class V, submit a copy to the City.

Please check one box and sign below:

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

RECEIVED
MAY 11 2005
CURRAN-MCLEOD

Signature: [Handwritten Signature] Date: May 17, 2005

Title: Project Engineer Agency: Curran McLeod, Inc

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

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

The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

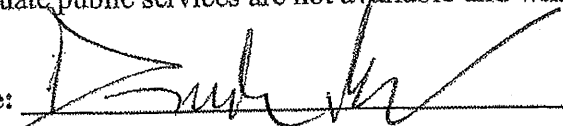
Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

CTA HAS THREE 4" CONDUITS ALONG THE NORTH SIDE EXISTING PROPERTY LINE, WITH THIS SUBDIVIDE DESIGN, WE MAY HAVE TO RELOCATE THE CONDUITS AT DEVELOPER'S COST. PLEASE SEE ATTACH MAP.

Please check one box and sign below:

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

Signature:  Date: 5-18-05

Title: ASSOCIATE ENGINEER Agency: CTA

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

- 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

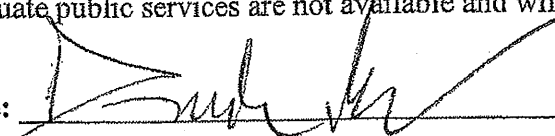
The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature:  Date: 5-10-05

Title: ASSOCIATE ENGINEER Agency: CTA

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

- 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"/> TRANSPORTATION ENGINEER |
| <input checked="" 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Brian Van Gosen Date: June 1

Title: District Supervisor Agency: NW Natural

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

- 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"/> TRANSPORTATION ENGINEER |
| <input checked="" 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by **Wednesday, June 1, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Bruce Van Swearingen **Date:** June 1

Title: District Supervisor **Agency:** NW Natural

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

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 checked="" type="checkbox"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE

The City has received SUB 05-06/MLP 05-04 (Perman), an application by Don Perman to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to Matilda Deas by Wednesday, June 1, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

THE TRAFFIC STUDY FOR THIS PROJECT DID NOT IDENTIFY ANY OPERATIONAL ISSUES AS THE SITE ADJACENT OR NEARBY TRAFFIC SIGNAL (AT PINE STREET AND HIGHWAY 99E)

THERE ARE SOME BUSHES THAT COULD EVENTUALLY OBSCURE THE SIGHT DISTANCE TO THE NORTH IF THEY ARE ALLOWED TO GROW TALL, THESE BUSHES ARE ON THE OPPOSITE SIDE OF REDWOOD STREET FROM THE SITE DRIVEWAY AND TO THE NORTH OF THE DRIVEWAY. THEY SHOULD BE KEPT TRIMMED.

Please check one box and sign below:

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

Signature: 

Date: 31 May 05

Title: ENGINEERING TECHNICIAN Agency: LANCASTER ENGINEERING.

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: May 6, 2005

- 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 checked="" type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input type="checkbox"/> CTA | <input type="checkbox"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received **SUB 05-06/MLP 05-04 (Perman)**, an application by **Don Perman** to partition tax lot 1815 (3 1E 34 C) into two parcels. Parcel 1 contains the existing Harrell Medical Complex. Parcel 2 is a proposed subdivision site. The applicant is requesting approval of a ten lot subdivision for development of medical and professional office space. The site is located on the east side of SE Redwood Street between SE 3rd and 4th Avenues.

Please review the enclosed application and return comments to **Matilda Deas** by **Wednesday, June 1, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

See attached.

Please check one box and sign below:

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

Signature: *Don Perman* **Date:** *5/11/05*

Title: *Superintendent* **Agency:** *Canby School District*

Canby School District

Attachment to Request for Comments

The property under consideration is in the Trost Elementary School attendance area. School district patrons approved a bond in November 2004 to build a new middle school to alleviate the pressure on Ackerman Middle School and reopen the Lee campus of AMS into an elementary school. A boundary committee will convene in September 2005 to determine the elementary school boundaries. It is unknown at this time which elementary school will ultimately be impacted by the annexation of this application.

Clackamas County Official Records
Sherry Hall, County Clerk

2005-020680

After Recording Return To:



\$41.00

Dr. Donald Perman
249 NW 3rd Avenue
Canby OR 97013

D-DEVA Cnt=1 Stn=9 DIANNAW
\$20.00 \$11.00 \$10.00

03/09/2005 04:21:04 PM

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made and entered into this 9th day of March, 2005, binds Eagle Properties NW and Donald D. Perman, Jr, the owners of property identified as Tax Lots 1822 and 1815 of Tax Map 3-1E-34C within the City of Canby, Oregon, and all subsequent owners of said property, their heirs, and assigns to the terms contained herein.

RECITALS

A. Eagle Properties NW, LLC and Donald D. Perman, Jr are the present owners of certain property consisting of approximately ~~2.4~~ acres of land, located generally on the east side of S. Redwood Street, north of SE 4th Ave and generally identified as Tax Lots 1822 and 1815 of Tax Map 3-1E-34C within the City of Canby, Oregon and as more particularly described in Exhibit A, attached hereto, incorporated by reference and referenced hereinafter as the "Property."

B. In order to develop the Property, Eagle Properties NW, LLC and Donald D. Perman, Jr. obtained a comprehensive plan land use map and zoning designation amendment from the Canby City Council, CPA 04-02/ZC 04-03, to allow the development of a professional office and health care village on the Property. To accomplish this result, the zoning on the property was changed from a Light Industrial (M-1) to a Heavy Commercial Manufacturing (C-M) zone.

C. As part of approving a comprehensive plan land use map and zone change on the Property, the City Council attached conditions of approval that required the property owner to record a development agreement containing terms as set forth in the following Agreement.

D. This Agreement is intended to provide certainty and assurance to the City and the surrounding community of particular uses continuing on the Property.

AGREEMENT

As owners of the Property, Eagle Properties NW, LLC and Donald D. Perman, Jr hereby agree to bind themselves, all future owners of the Property, their, heirs and assigns to the following covenants and conditions governing the use and development of the Property:

1. Eagle Properties NW, LLC and Donald D. Perman, Jr., all subsequent owners of the Property, their heirs, and assigns agree that as long as the Property retains a Heavy Commercial Manufacturing (C-M) zoning designation, or another commercial zoning designation, development and use of the Property shall be limited to business and professional offices, including medical, dental, and other similar healthcare uses. Use of the Property shall be limited in this way unless and until the Planning Commission or City Council approves alternative uses or until the Property's zoning is changed to a non-commercial use.

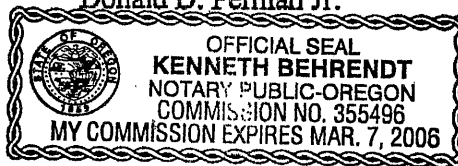
2. Eagle Properties NW, LLC and Donald D. Perman, Jr. for themselves and on behalf of all subsequent owners of the Property, their heirs, and assigns recognize that much of the land surrounding the Property is zoned Light Industrial where industrial uses including but not limited to automobile and heavy repair shops, railroad trackage and related facilities and lumber yards are located. Eagle Properties NW, LLC and Donald D. Perman, Jr. for themselves and on behalf of all subsequent owners of the Property, their heirs and assigns acknowledge that uses that are permitted in a Light Industrial zone can create noise, offensive odors or transportation delays resulting from truck traffic. As such, Eagle Properties NW, LLC and Donald D. Perman, Jr. for themselves and on behalf of all subsequent owners of the Property, their heirs and assigns agree that so long as the Property retains a Heavy Commercial Manufacturing (C-M) zoning designation, or another commercial zoning designation, they will not to complain to the City offices or to any other regulatory agency about noise, traffic or other aspects of a neighboring industrial and manufacturing operation so long as that operation is operating consistent with City regulation, agency rules and state law

Executed as of the day and year first above written.

By: *Ben Hukell*
Eagle Properties NW, LLC

By: *Donald D. Perman Jr.*
Donald D. Perman Jr.

STATE OF OREGON)
) ss.
County of Clackamas)



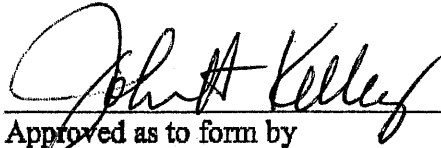
The foregoing instrument was acknowledged before me this 9 day of Mar, 2005, by Donald Perman, Eagle Properties LLC as an authorized agent of Eagle Properties NW, LLC, an Oregon corporation, on behalf of said corporation.

Kenneth Behrendt
Notary Public for Oregon
My Commission expires: Mar. 7 2006

STATE OF OREGON)
) ss.
County of Clackamas)

The foregoing instrument was acknowledged before me this ____ day of _____, 2005.

Notary Public for Oregon
My Commission expires: _____



Approved as to form by
John Kelley, City Attorney

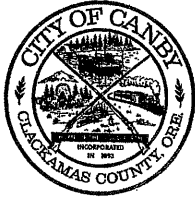
EXHIBIT A

The Legal Description for the property identified and encumbered herein is as follows:

Parcel 3, PARTITION PLAT NO. 2003-026, in the City of Canby, County of Clackamas and State of Oregon

Lot 5, TOWNSHIP INDUSTRIAL PARK, in the City of Canby, County of Clackamas and State of Oregon

PDX_DOCS:348841.1 [35401-00100]
03/9/05 9:47 AM



CITY OF CANBY COMMENT FORM

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

Please send comments

By mail: Planning Department, PO Box 930, Canby, OR 97013
In person: Canby Planning Department at 170 NW 2nd Avenue
E-mail: deasm@ci.canby.or.us.

Written comments must be received prior to the hearing at 7:00 PM July 25, 2005.

APPLICATION: Partition/ten lot Subdivision

APPLICANT: Don Perman

CITY FILE #: SUB 05-06/MLP 05-04 Perman

COMMENTS:

*Need to erect a sound
barrier between 390 S Redwood &
proposed development.*

DJ

YOUR NAME:

Don Jones

ORGANIZATION or BUSINESS (if any):

JVNW

ADDRESS:

390 S. Redwood ST.

PHONE # (optional):

503-263-2858

DATE:

7/8/05

Thank you!



D R A F T

PERMAN HEALTH VILLAGE

Traffic Impact Study

Canby, Oregon

Prepared By

CATRIONA SUMRAIN

MICHAEL ARD, PE

June, 2005

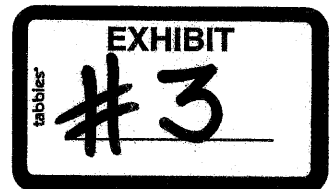




TABLE OF CONTENTS

Executive Summary 3

Introduction 4

Location Description 5

Trip Generation 10

Trip Distribution 11

Operational Analysis 15

Appendix 23



D R A F T

EXECUTIVE SUMMARY

1. Several medical office buildings are proposed to be developed on a site located on the northeast side of S Redwood Street between SE 3rd Avenue and SE 4th Avenue. The buildings will house a total of 23,900 square feet of medical office use. Access to the site will be through a driveway onto Redwood Street.
2. The trip generation calculations show the site will generate 59 trips during the morning peak hour, 89 trips during the evening peak hour, and 864 trip during an average weekday.
3. The intersection of Highway 99E at Pine Street is currently operating with low delays and will continue to operate with low delays through development of the site.
4. The intersection of Redwood Street and the site access is expected to operate with very low delays.
5. Sight distance is adequate in both directions. However, the rhododendron bushes on the opposite side of Redwood Street to the north of the site access should be kept trimmed to ensure adequate sight distance remains to the north.



D R A F T

INTRODUCTION

A site is proposed for development with medical offices. The site is located on the northeast side of S Redwood Street between SE 3rd Avenue and SE 4th Avenue. Several buildings totaling 23,900 square feet of medical office use are shown in the development plan. Access will be through a driveway onto Redwood Street.

The purpose of this study is to assess the traffic impact of the proposed development on the nearby street system and to recommend any required mitigative measures. The analysis will include level of service calculations and a discussion of site access.

Detailed information on level of service, traffic counts, trip generation calculations, and level of service calculations is included in the appendix to this report.



D R A F T

LOCATION DESCRIPTION

A site is proposed for a medical office development. The site is located on the northeast side of S Redwood Street between SE 3rd Avenue and SE 4th Avenue and will consist of a total of 23,900 square feet of medical office space. Figure 1 on page seven shows the site location, existing lane configurations and traffic control devices at the study area intersections.

Access to the site is proposed through a driveway onto Redwood Street, which will be a new road/driveway access. There is an existing driveway to an existing medical office in the southern portion of the site.

The intersections of S Pine Street at Highway 99E and the site access point onto Redwood Street are examined in this report.

Highway 99E is under the jurisdiction of the Oregon Department of Transportation (ODOT) and is classified a Regional Highway in the 1999 Oregon Highway Plan. The City of Canby classifies the roadway as an Arterial. It is generally a five-lane facility throughout the City with two travel lanes in each direction and a center turn lane, which becomes a left-turn lane at signalized intersections. The posted speed is 35 mph in the vicinity of the site, becoming 45 mph northeast of Pine Street. There are typically curbs and sidewalks on both sides of the road, although a section on the north side of the highway between Redwood Street and Locust Street has a paved shoulder. There are no bike lanes on either side of the road.

Pine Street is under the jurisdiction of the City of Canby and is classified as a Collector north of SE 3rd Avenue. South of SE 3rd Avenue, it is a Local Street in the City's Transportation System Plan (TSP). It is a three-lane road near the 99E intersection, narrowing to a two-lane road elsewhere. The posted speed is 25 mph and the road width is about 24 feet in underdeveloped areas and 44 feet in recently developed areas and near the site. South of Highway 99E, there are generally curbs, sidewalks and bike lanes on both sides of the road. North of the highway, there are typically unpaved shoulders. The intersection of Highway 99E and Pine Street is a slightly skewed four-legged intersection, which is controlled by a five-phase traffic signal with the north and south movements on Pine Street running concurrently. The Highway 99E approaches have left-turn lanes and protected left-turn phasing. The northbound Pine Street approach has a shared left/through lane and a channelized, yield-controlled right-turn lane. The southbound Pine Street approach has a left-turn lane and shared through/right-turn lane.

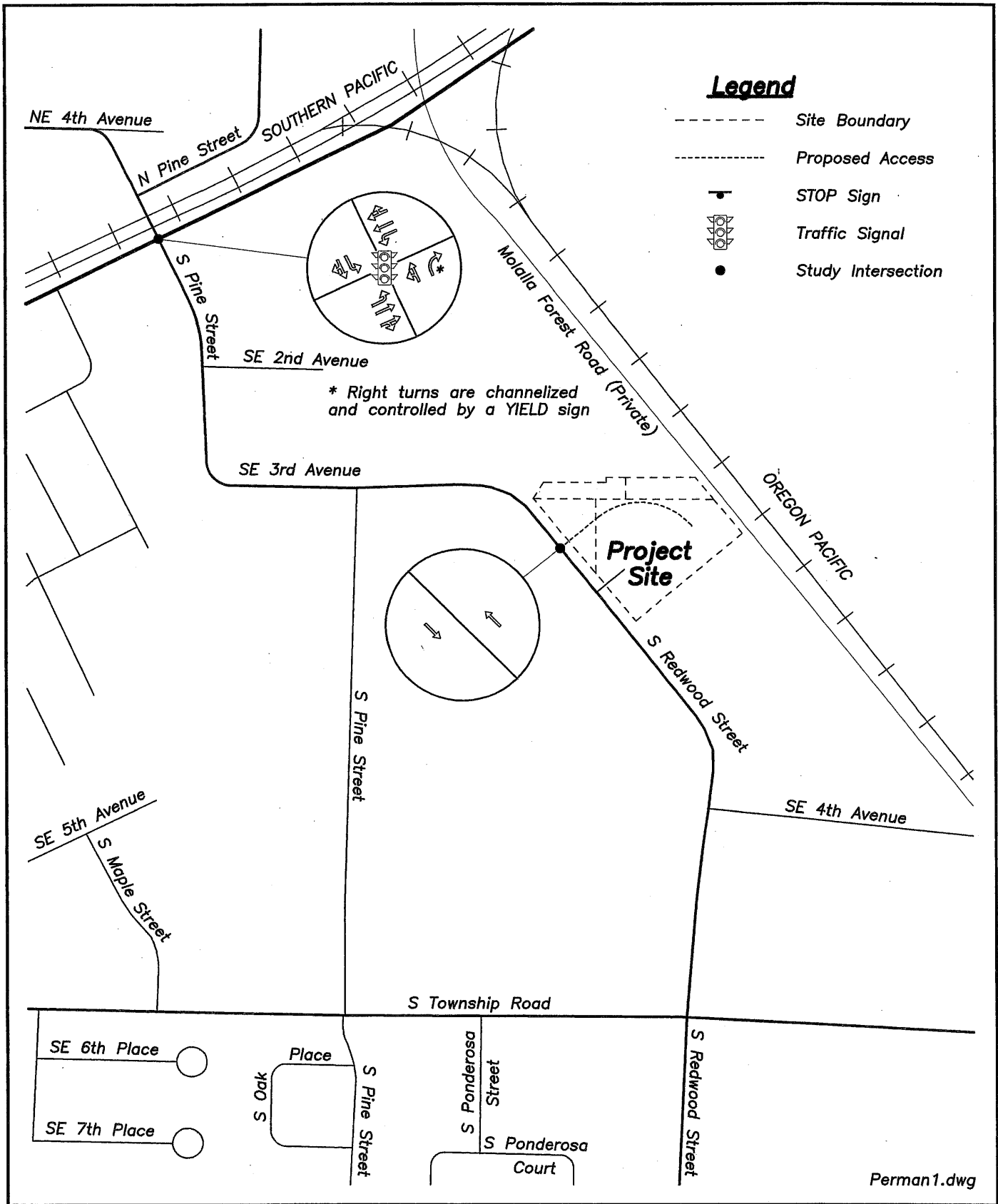


S Redwood Street is under the jurisdiction of and maintained by the City of Canby. It is classified as a Collector by the City. It is typically a two-lane facility widening to three lanes at major intersections. It has a posted speed of 25 mph and a width of about 44 feet. There are generally curbs, sidewalks and bike lanes on both sides of the road. The roadway is one of the major routes to the industrial areas of the City and typically has high volumes of truck traffic.

The area surrounding the site is predominantly industrial to the east and residential to the west of the site. Most of the residential zoning near the site is medium- to high-density residential. The site itself is located within the industrial area.

The closest public transit system is the Canby Area Transit (CAT) Route 2, *South Canby*, with the nearest stop located about one-half mile from the site. Service is every hour from 6:30 AM to about 8:00 PM, with buses leaving the transit center on the half hour. Saturday service is every hour from about 9:00 AM to about 3:00 PM. There is no service on Sundays.

Manual turning movement counts were made at the intersections of Highway 99E at N/S Pine Street and S Pine Street at SE 3rd Avenue during January 2005 from 7:00 to 9:00 AM and 4:00 to 6:00 PM. The peak hours typically occurred from 7:00 to 8:00 AM and from about 4:30 to 5:30 PM. The volumes for the morning and evening peak hours are shown in Figures 2 and 3 on pages eight and nine.

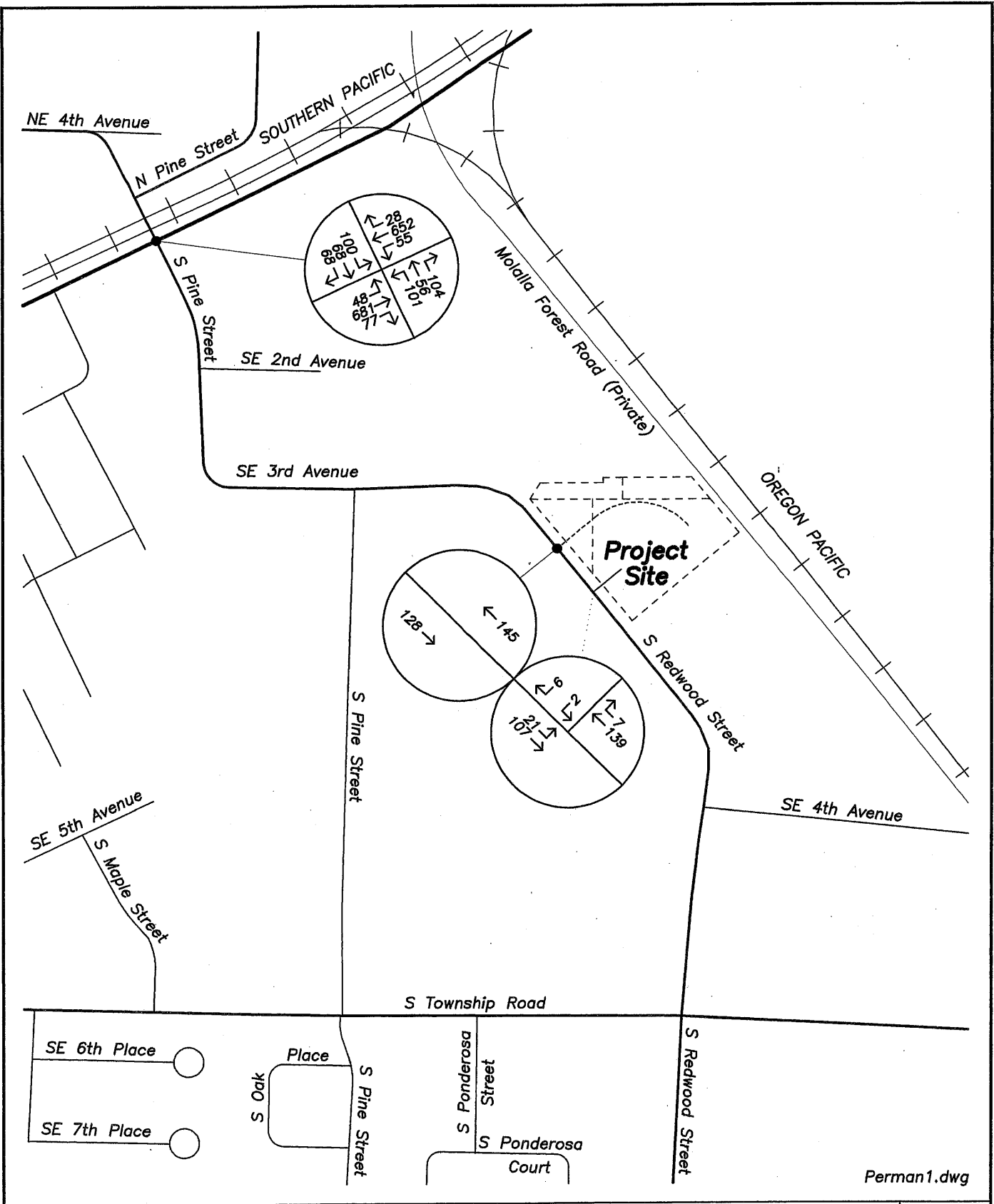


Perman1.dwg



VICINITY MAP
Existing Lane Configurations
& Traffic Control Devices





Perman1.dwg

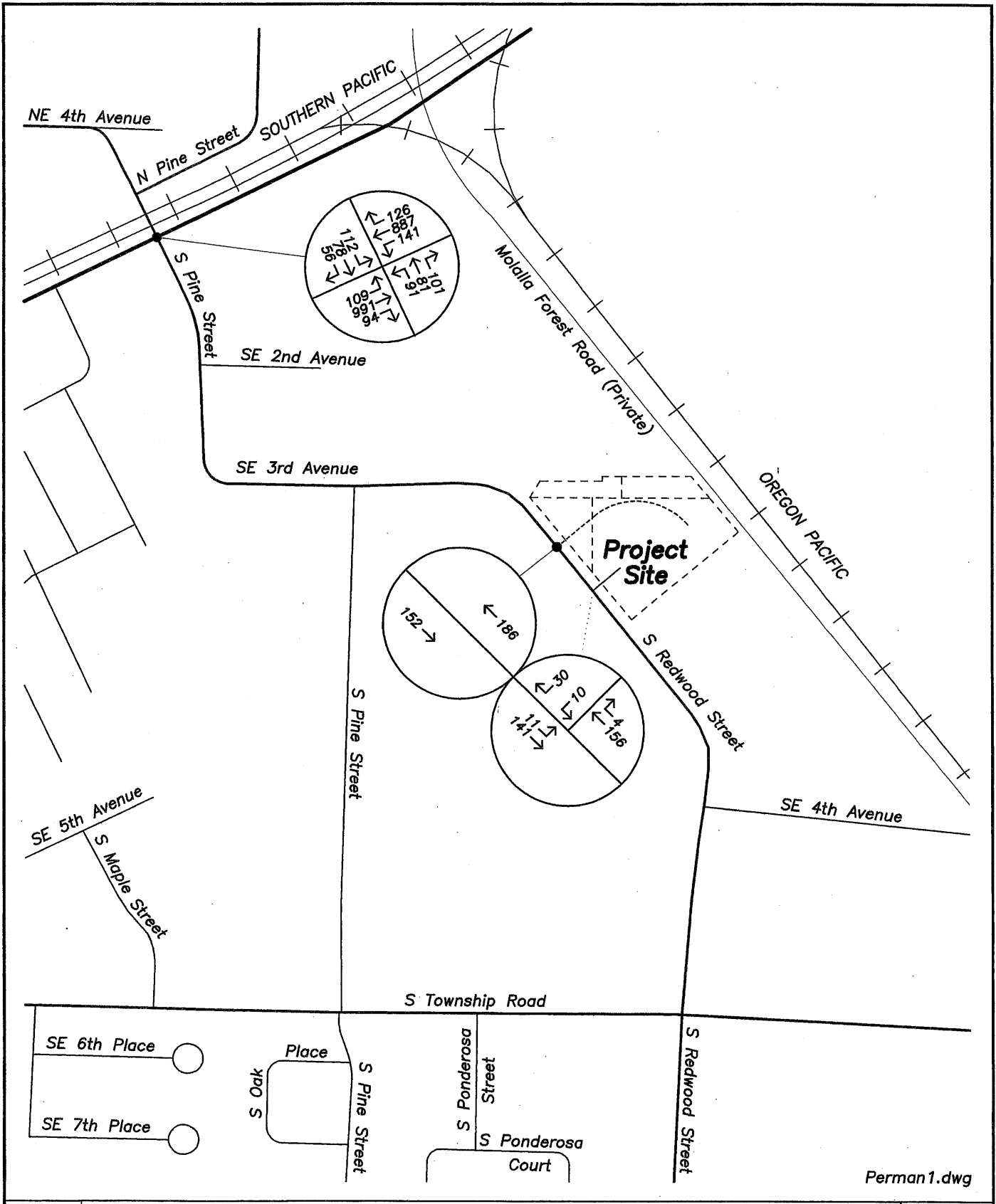
Le

TRAFFIC VOLUMES
Existing Conditions
AM Peak Hour



FIGURE
2

PAGE
8



Perman1.dwg

le

TRAFFIC VOLUMES
Existing Conditions
PM Peak Hour



FIGURE
3
PAGE
9



TRIP GENERATION

To estimate the number of trips that will be generated by the proposed medical office development, trip rates from *TRIP GENERATION*, Seventh Edition, published by the Institute of Transportation Engineers (ITE), were used. The trip rates used were for land-use code 720, *Medical-Dental Office*. The trip generation rates are based on the gross floor area and were calculated for 23,900 square feet of medical office space.

The trip generation calculations indicate that there will be an estimated total of 59 trips generated by the medical office development during the morning peak hour. Of these, 47 will be entering and 12 will be exiting the site. During the evening peak hour, there are 89 trips expected, with 24 entering and 65 exiting the site. A total of 864 weekday trips is expected, with half entering and half exiting.

Because an office development is typically an origin or destination for trips, no reduction was taken for pass-by trips. Also, because the closest transit is more than one-quarter of a mile from the site, no reduction was made for transit use.

A summary of the trip generation calculations for the office development is shown in the following table. Detailed trip generation calculations are included in the appendix to this report.

TRIP GENERATION SUMMARY			
Perman Health Village			
	<u>Entering Trips</u>	<u>Exiting Trips</u>	<u>Total Trips</u>
<i>23,900 sq ft Medical Office</i>			
AM Peak Hour	47	12	59
PM Peak Hour	24	65	89
Weekday	432	432	864

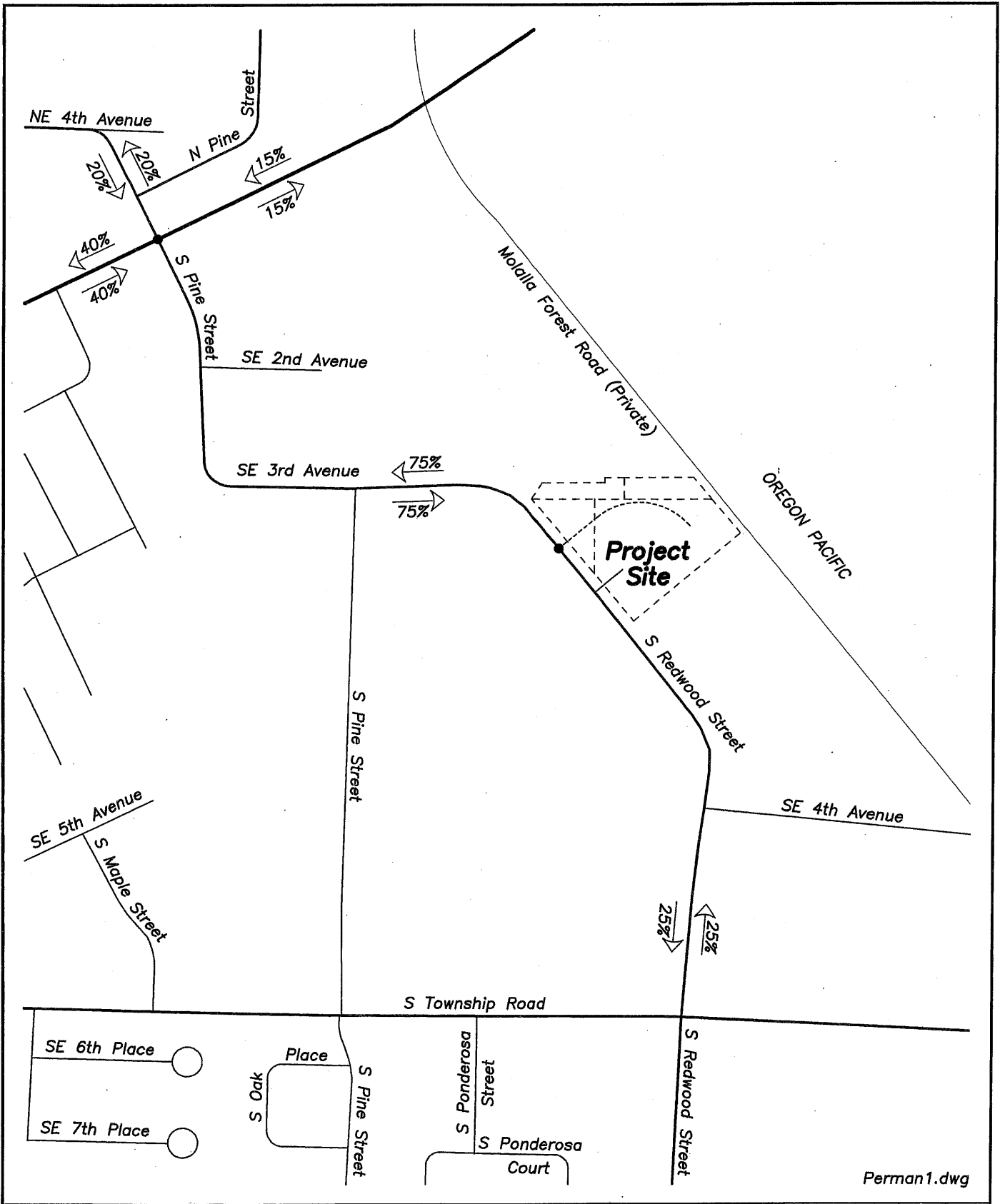


D R A F T

TRIP DISTRIBUTION

Since most of the trips to and from the site are expected to originate or terminate within the Canby area, the directional distribution of the site trips was based on the location and densities of the residential neighborhoods surrounding the site.

Figure 4 on page 12 shows the distribution of the site trips from the medical office development during the morning and evening peak hours. Figures 5 and 6 on pages 13 and 14 show the assignment of the site trips to the roadway network during the morning and evening peak hours.



Perman1.dwg

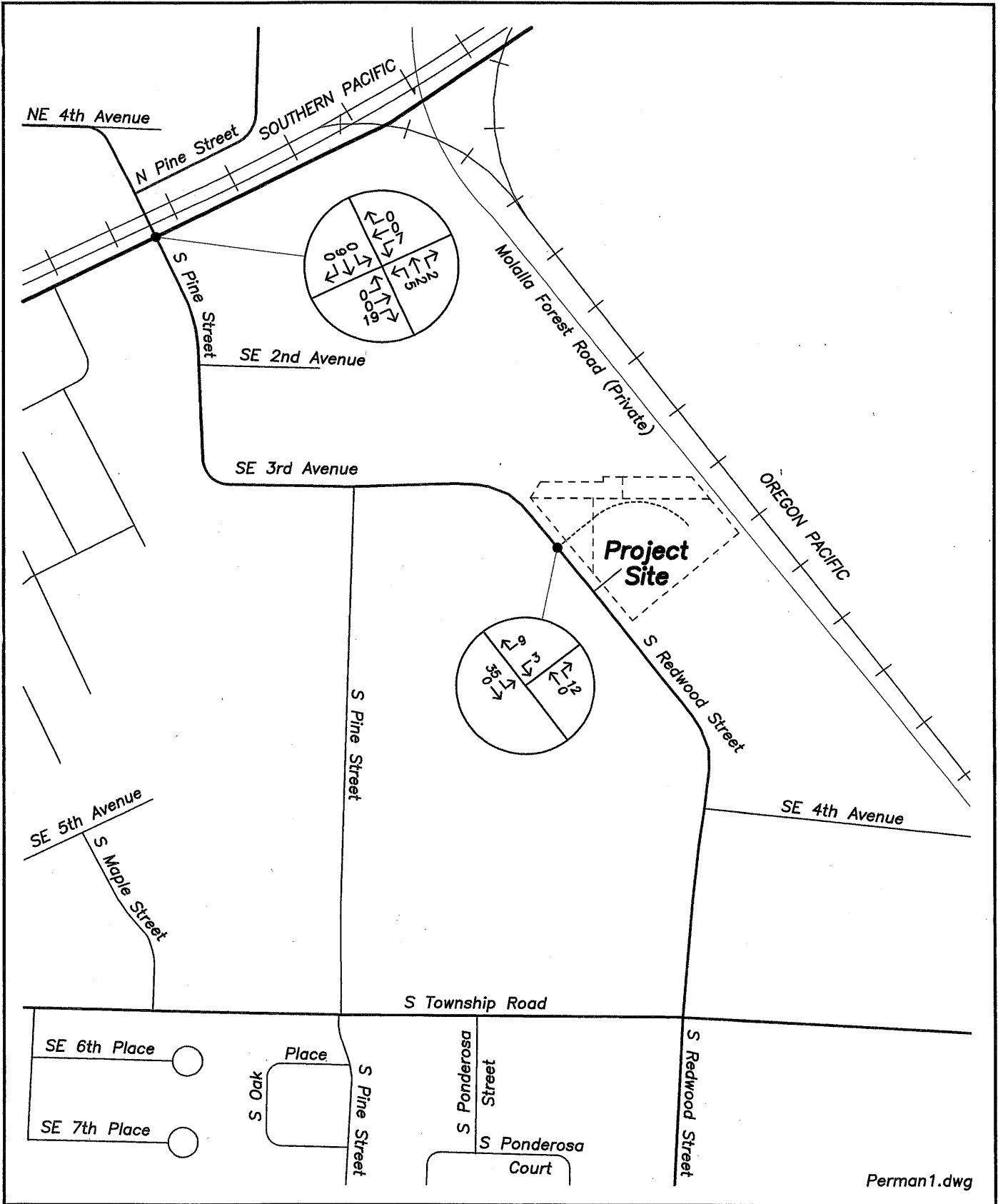
Le

SITE TRIP DISTRIBUTION
Inbound & Outbound Percentages
AM & PM Peak Hours



FIGURE
4

PAGE
12



Perman1.dwg

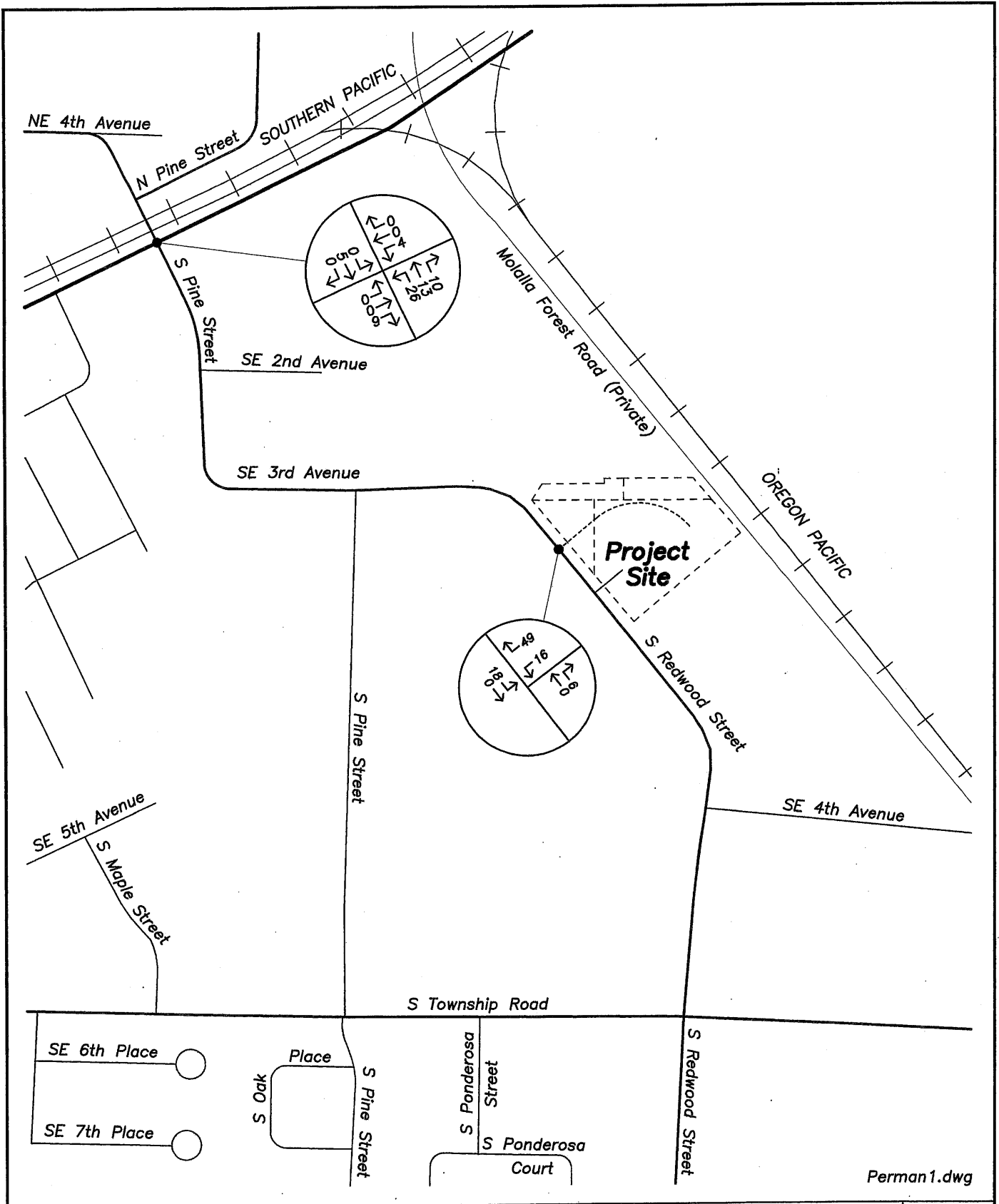
Le

SITE-GENERATED TRAFFIC
Proposed Development Plan
AM Peak Hour



FIGURE
5

PAGE
13



le

SITE-GENERATED TRAFFIC
Proposed Development Plan
PM Peak Hour



FIGURE
6
PAGE
14



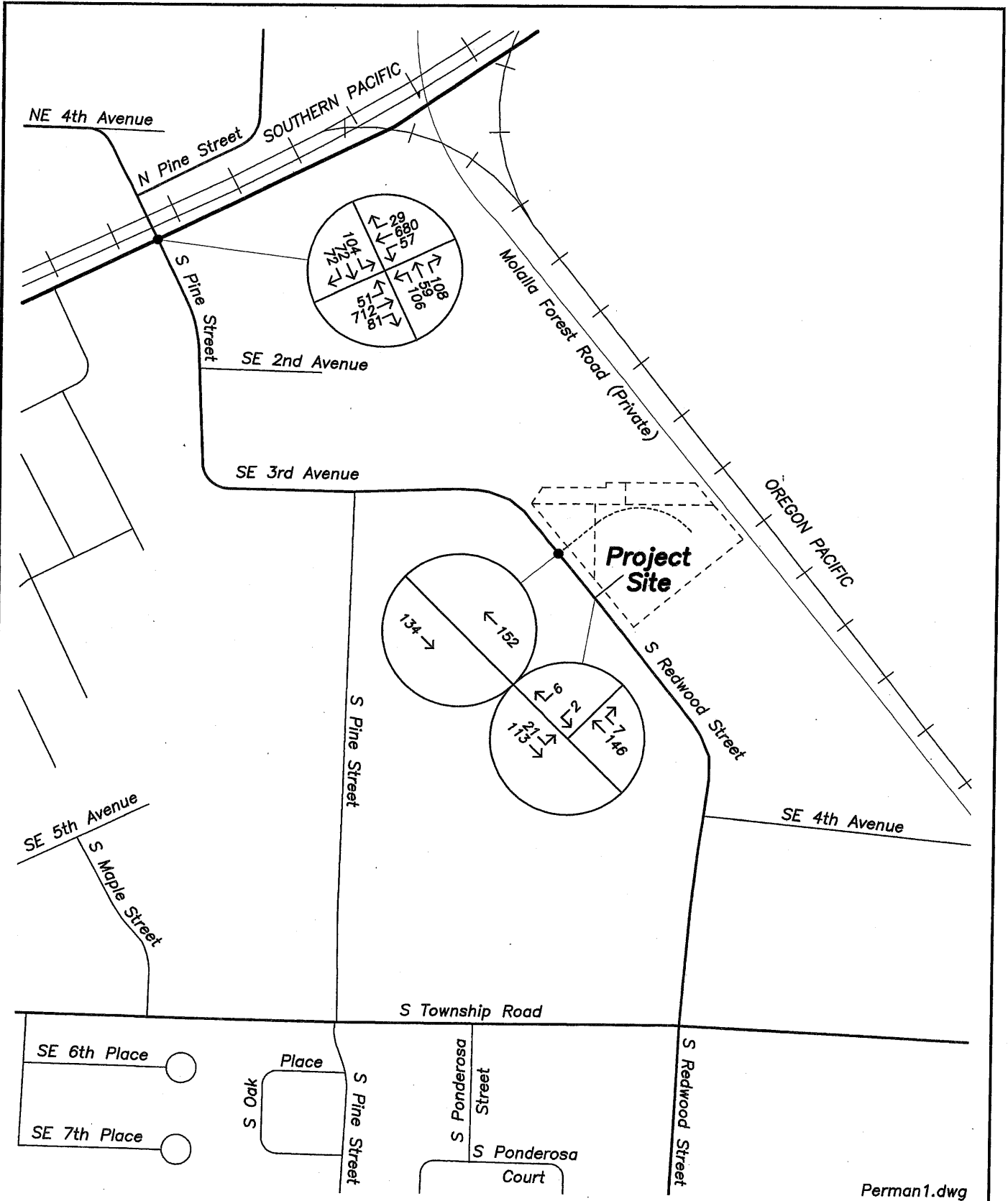
D R A F T

OPERATIONAL ANALYSIS

Background Traffic

No specific developments have been identified near the site that would contribute to the traffic volumes at the study area intersections. Therefore, to account for the growth, growth rates of 2.2 and 2.5 percent per year were applied to the traffic volumes on Highway 99E and Pine Street, respectively. The growth rate on Highway 99E was derived from historical count data in Transportation Volume Tables, published each year by the Oregon Department of Transportation (ODOT). The growth rate on Pine Street was derived from recent population estimates for Canby.

The background traffic volumes are comprised of the existing traffic with the growth rate applied. Figures 7 and 8 show the background traffic during the morning and evening peak hours on pages 16 and 17. Figures 9 and 10 show the background traffic with the site trips added on pages 18 and 19.



Perman1.dwg

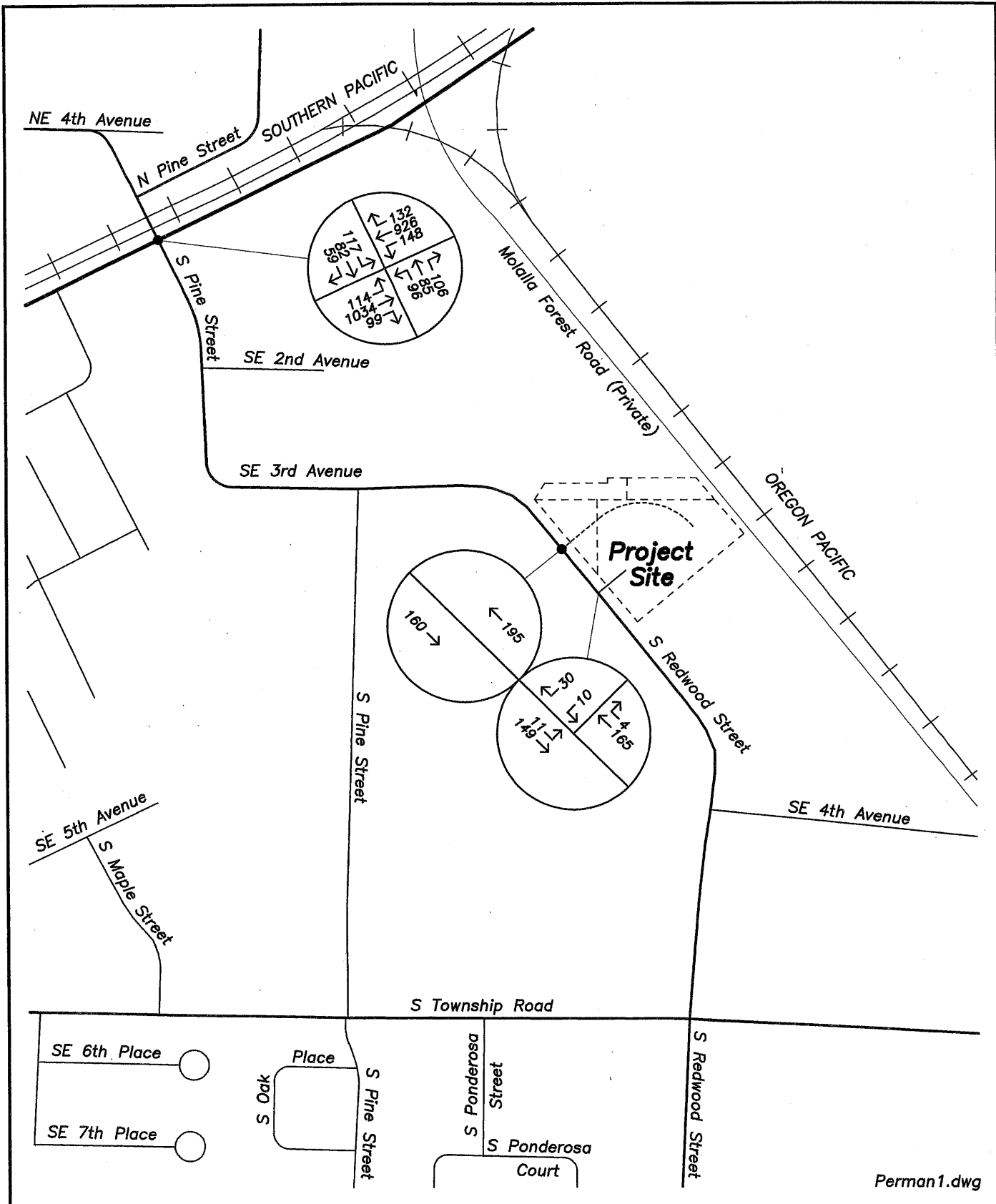
1e

TRAFFIC VOLUMES
 Year 2009 Background Conditions
 AM Peak Hour



FIGURE
7

PAGE
16



Perman1.dwg

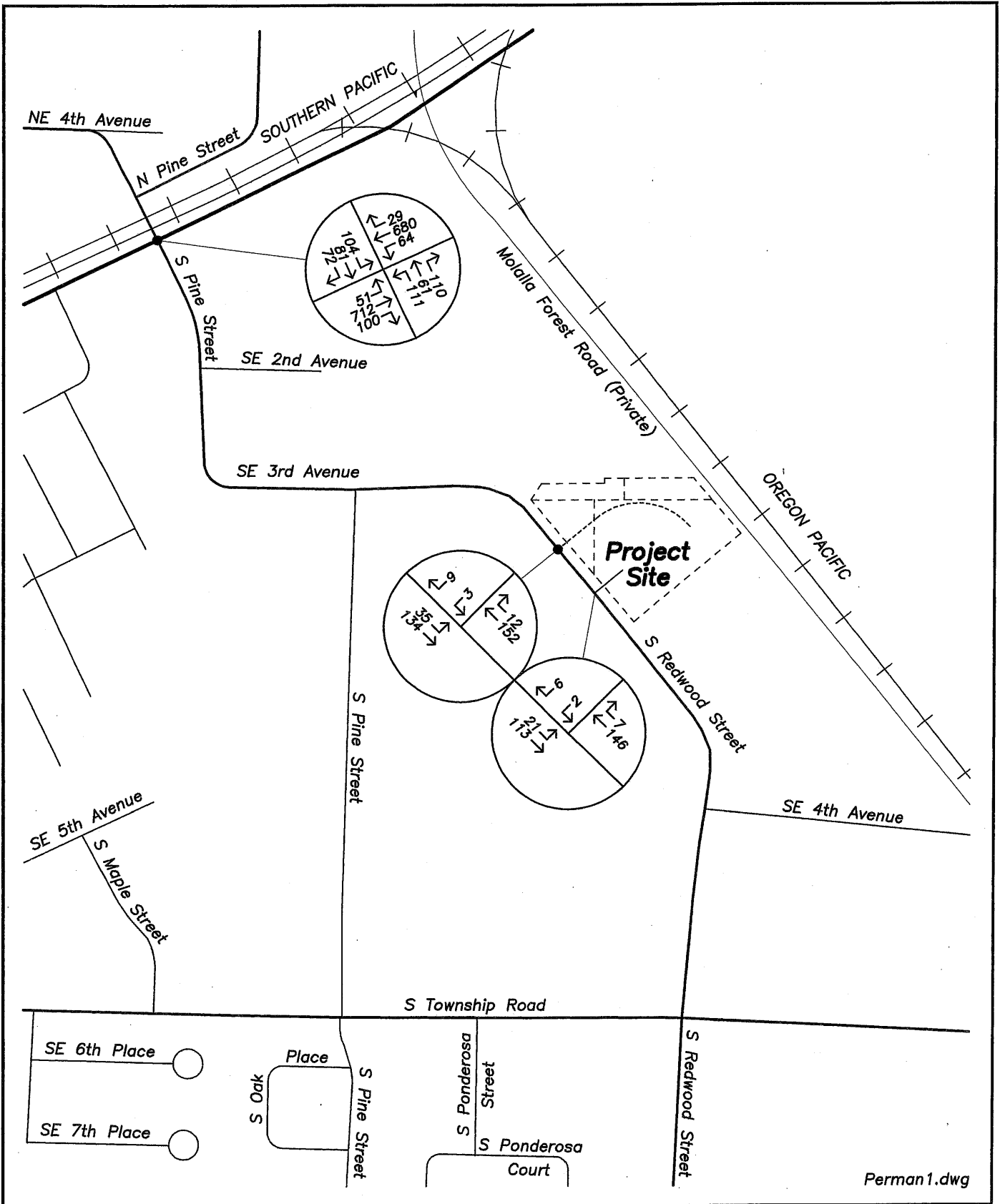


TRAFFIC VOLUMES
 Year 2009 Background Conditions
 PM Peak Hour



FIGURE
8

PAGE
17



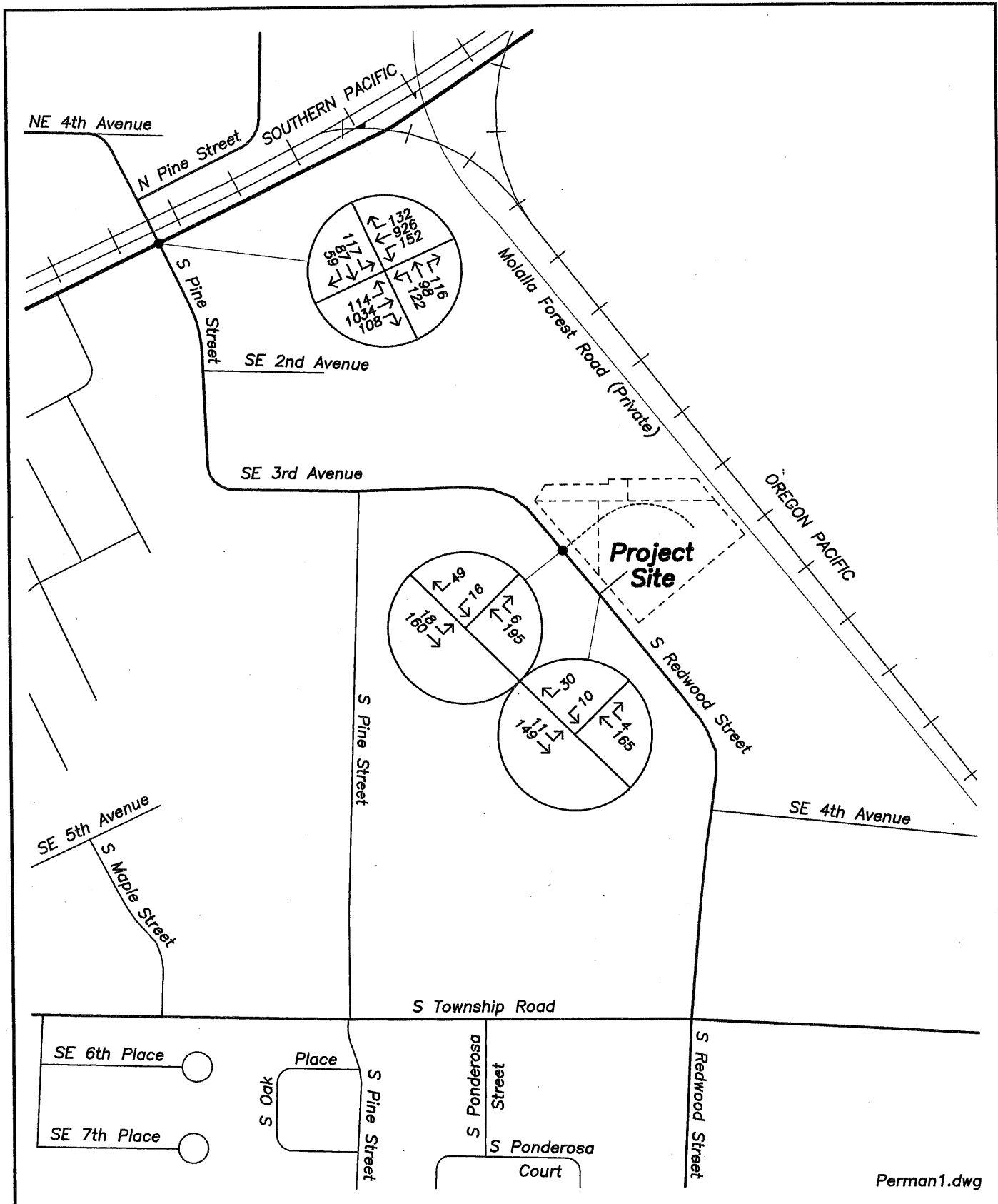
Perman1.dwg



TRAFFIC VOLUMES
 Year 2009 Background plus Site Trips Conditions
 AM Peak Hour



FIGURE
 9
PAGE
 18



TRAFFIC VOLUMES
 Year 2009 Background plus Site Trips Conditions
 PM Peak Hour



FIGURE 10

PAGE 19



Capacity Analysis

To determine the level of service at the study area intersections, a capacity analysis was conducted. The level of service can range from A, which indicates very little or no delay, to level F, which indicates a high degree of congestion and delay. The City of Canby has no formally adopted level of service standards, but generally accepts level of service D or better at signalized and unsignalized intersections.

The study area intersections were analyzed using the signalized and unsignalized intersection analysis methods in the *HIGHWAY CAPACITY MANUAL* published in 2000 by the Transportation Research Board. The analysis was made for the morning and evening peak hours for existing, background, and background plus site trips conditions.

The results of the capacity analysis showed the signalized intersection of Highway 99E and Pine Street is operating at level of service C or better during the morning and evening peak hours. The operation becomes C for both peak hours for background conditions and remains C through development of the site.

The unsignalized intersection of Redwood Street and the proposed site access is expected to function between levels of service A and B during both peak hours with development of the site.

The results of the capacity analysis, along with the Levels of Service (LOS) and delay are shown in the following table. Tables showing the relationships between delay and level of service are included in the appendix to this report.



LEVEL OF SERVICE SUMMARY

Perman Health Village

	AM Peak Hour		PM Peak Hour	
	<u>LOS</u>	<u>Delay</u>	<u>LOS</u>	<u>Delay</u>
<i>Highway 99E & Pine Street</i>				
Existing Conditions	B	19	C	23
Background Conditions	C	21	C	23
Background + Site Trips	C	24	C	25
<i>Pine Street & Site Access</i>				
Background + Site Trips	A/B	10	A/B	10

LOS = Level of Service

Delay = Average Delay per Vehicle in Seconds

N Pine Street & S Pine Street

Just north of the signalized Highway 99E/Pine Street intersection is the unsignalized N Pine Street/S Pine Street intersection. During the peak hours, the southbound queues from the traffic signal extend past the unsignalized intersection, occasionally blocking traffic at N Pine Street. These queues make it difficult for drivers on N Pine Street to make a left turn onto S Pine Street, which is the predominant traffic movement at the unsignalized intersection. This can lead to significant queuing on N Pine Street.

To improve the operation of the unsignalized intersection, the City of Canby wants to extend 4th Avenue east to N Pine Street. This would relocate the unsignalized intersection farther from the traffic signal and should place the intersection outside the influence of the southbound queues from the signal. It is recommended that the City construct a new alignment for 4th Avenue that connects to Pine Street as the properties within the future right-of-way re-develop.

Sight Distance

Sight distance was examined at the proposed location of site access onto Redwood Street. In accordance with guidelines in the 2004 Policy on Geometric Design of Highways and Streets, published by the American Association of State Highway and Transportation Offi-



cial (AASHTO), sight distance was measured at a point 15 feet from the edge of the travel lane from a driver's eye height of 3.5 feet to an oncoming driver's eye height of 3.5 feet. The posted speed on Redwood Street is 25 mph, requiring at least 280 feet of sight distance in either direction.

The sight distance measurements assumed the on-site vegetation would be removed with development and replaced with low-growing landscaping. Sight distance was found to be 340 feet to the north and in excess of 500 feet to the south. Sight distance will be adequate when the vegetation has been cleared.

There are rhododendron bushes used as landscaping on the opposite side of Redwood Street to the north of the site access. These bushes appear to have been recently planted and are currently small for rhododendrons. The sight distance measurements assumed the bushes had grown somewhat larger to ensure that sight distance for the exiting site traffic will be adequate in future years as the bushes grow. In order to ensure that sight distance remains adequate for exiting site traffic, it is recommended that the bushes not be allowed to grow within ten feet from the curb line.

The proposed driveway will be located near an existing driveway. In order to reduce the probability of conflicts between drivers exiting both driveways simultaneously, drivers at one driveway need a clear view of exiting vehicles at the adjacent driveway. No obstructions, such as buildings or tall bushes, should be located between the two driveways for a distance of ten feet from the curb line. Landscaping that is less than two feet tall at full growth or trees with no low-hanging branches will be acceptable.

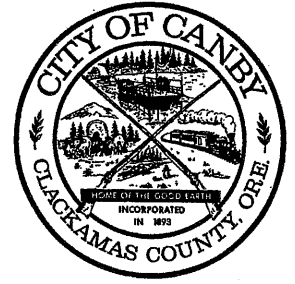
Conclusions and Recommendations

The study area intersections are functioning with low delays and will continue to function with low delays through development of the site. No mitigation is required.



D R A F T

APPENDIX



- STAFF REPORT -

APPLICANTS:

Willow Creek Estates, Inc.
214 SW 2nd Avenue
Canby, OR 97013

FILE NO.:

ANN 05-01
(Willow Creek Estates)

OWNERS:

Wayne and Marlene Scott, et al
1988 NE 19th Avenue
Canby, OR 97013

STAFF:

Kevin C. Cook
Associate Planner

LEGAL DESCRIPTION:

Tax Map 4-1E-4DA
Tax Lot 4700 (9.74 acres)

DATE OF REPORT:

June 7, 2005

LOCATION:

The parcel is located on the south side of SE 13th Avenue south of Ackerman Middle School and adjacent to the west boundary of Tofte Farms.

DATE OF PC HEARING:

June 25, 2005

COMPREHENSIVE PLAN DESIGNATION:

R-1 Low Density Residential

ZONING DESIGNATION:

Exclusive Farm Use (EFU)

I. APPLICANT'S REQUEST:

The applicants are seeking to annex one 9.74 acre tax lot into the City of Canby. If annexed, the applicants propose construction of 39 single family homes on low density individual lots. Access to an eventual subdivision development is proposed from SE 13th Avenue and from Tofte Farms via SE 13th Place, SE 14th Place and SE 15th Place. The applicant proposes eventual extensions of S Lupine and S Locust through the subject parcel. The parcel is located on the south side of SE 13th Avenue, south of Ackerman Middle School to the east of S Ivy Street and west of Tofte Farms subdivision. The parcel currently contains productive farmland with no structures or developed areas.

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 parcel is currently zoned EFU (Exclusive Farm Use) by Clackamas County. Canby's Comprehensive Plan designation of the subject parcel is R-1 Low Density Residential. If annexation is approved, zoning for the parcel would automatically be amended to reflect the R-1 Low Density Residential zoning in conformance with Canby's Comprehensive Plan.

Adjacent properties to the north and east are inside the city limits and zoned for Low Density Residential development. Adjacent parcels to the west include parcels along S Ivy Street, which are outside city limits but designated for eventual medium density development. Additional parcels to the west across S Ivy include the HOPE Village retirement community. To the south is land outside city limits but inside the Urban Growth Boundary and designated for additional R-1 Low Density Residential development.

The subject parcel is 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 in agricultural production and is adjacent to additional active farmland to the south.

Traffic analyses and utility information included in the application are based on anticipated residential use. In considering the application however, applicable criteria should be applied to the annexation only and not to any conceptual plan.

The applicant's proposal is essentially identical to two previously submitted annexation applications on the subject parcel. The Planning Commission recommended approval both times and City Council subsequently forwarded the application to Canby voters on both occasions. Voters have rejected the proposed annexation twice.

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..."

Canby's Comprehensive Plan designates the property priority "A" for annexation.

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 utility locations would require moderate extensions to serve the subject parcel with urban level services. These issues are discussed further in the Public Facilities and Services section below.

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 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."

Annexation of this parcel would permit future development according to the Comprehensive Plan. The proposal would bring 9.7 acres of land into the City under R-1 Low Density Residential zoning which would provide approximately 39 buildable home sites.

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 south 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 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.

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

Section 16.84.040(2) of the Canby Municipal Code states, "...A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient"; The City Council has determined that only platted lots and/or approved units should be included in the calculations; annexed land that has not been subdivided will not be included in the analysis. The Council has also determined that annexations that will significantly exceed the 3-year supply would not meet the annexation criteria for need.

Based on the number of vacant platted lots in the R-1 zoning district, the total supply of buildable lands available for low density residential development equals a 1.96 year supply. The proposed annexation would potentially add 39 new lots at the time of final subdivision plat approval. The 39 new lots would bring the buildable lands supply total to 2.35 years when added to today's availability.

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 farm use. The parcel is also designated priority "A" 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: Public facilities and service providers did not express storm water 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. There are no steep slopes and no identified flood prone areas. There are no wetlands or significant wildlife habitat in the areas anticipated for development and there are no historic sites on the property.

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 had responded as of the writing of this report. Access and services will be evaluated further at the time of development; no further conditions are 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 Canby Electric, Sewer, Canby Disposal, the City Engineer, the Canby School Dist., Water Dept., and Canby Telephone.

The School District indicated that the property is in the Ackerman Middle School attendance area, but it is unclear which elementary school will serve the site until after a Boundary Committee convenes in September of 2005.

Traffic Study: A traffic study update was prepared for the current application by Lancaster Engineering. The study shows that surrounding road systems are adequate to serve the proposed annexation. The update letter from Lancaster Engineering indicates there are some connectivity issues that should be addressed at the time of future development, and/or any additional development on adjacent parcels.

Neighborhood Comments:

One citizen comment in favor of the project was received.

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. 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 clearly consistent with many of the Comprehensive Plan policies for annexation. The provision of Public Facilities and Services may warrant additional discussion regarding eventual 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.

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 parcel is designated priority "A" for annexation.

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 actual lands platted for development (see Buildable Lands Analysis attached).

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

Analysis: At less than 10 acres, the property may be considered “smaller farm land”. The property is also designated priority “A” for annexation, thereby reserved for urban development before other properties which are considered priority “B” and “C”.

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 SE 13th is sufficient to serve the needs of the current and future use.

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, can 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. Staff believes the application 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. The annexation will not, in itself, significantly impact open space or natural resources.

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

Staff hereby 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 recommends that the Planning Commission recommend approval of ANN 05-01 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.
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.

Exhibits:

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

**CITY OF CANBY
ANNEXATION APPLICATION**

Fee: See last page
Election Costs Deposit: \$2,500.00
Process Type IV

OWNERS

APPLICANT**

Name: A. Wayne Scott, Marlene Scott, et al

Name: Willow Creek Estates, Inc.

Address: 1988 NE 19th Avenue

Address: 214 SW 2nd Avenue

City: Canby State: OR Zip: 97013

City: Canby State: OR Zip: 97013

Owners Signature: _____

Phone: _____

DESCRIPTION OF PROPERTY

Address: None

Tax Map: 4 1E 4DA

Tax Lot(s): 4700

Lot Size: 9.74 (Acres/Sq.Ft.)

Existing Use: Agricultural usage

Proposed Use: Annexation for future residential subdivision

Existing Structures: None

ZONING: **Current: County EFU**

Proposed: City R-1

COMPREHENSIVE PLAN DESIGNATION: **LDR - Low Density Res.**

PREVIOUS LAND USE ACTION (if any): **ANN 03-01, ANN 04-04**

FOR CITY USE ONLY	
File # :	
Date Received:	By:
Completeness:	
Pre-App Meeting:	
Hearing Date:	



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

ANNEXATION: INSTRUCTIONS TO APPLICANTS

Applicant City
Check Check

- One copy of pages 1, 3, and 4 of this application. The checklist on pages 3 and 4 should be included in the application with all relevant items checked by the applicant in the “applicant” column. If any items are considered to be not applicable, the omissions should be explained in the narrative. The City may request further information at any time before deeming the application complete.
- Payment of appropriate fee **and** an \$2,500.00 deposit to cover election costs. Cash or checks only. Checks should be made out to the City of Canby. All election costs shall be paid by the applicant. The City will record all of it’s costs related to the annexation election and will refund any unspent amount from the deposit to the applicant after the election takes place. If election costs exceed the deposit additional payment to cover remainder will be required. If no election takes place, the entire deposit will be refunded.
- A list of property owners within 500 feet of the subject property, on mailing labels (1" x 2-5/8"). **If the address of a property owner is different from the address of a site, a label for each unit on the site must also be prepared and addressed to “occupant.”** A list of property owners may be obtained from a title insurance company or from the County Assessor. If applicable, labels must be prepared for any property owners and sites that will be “islanded” by the proposed annexation.
- A full quarter-section tax assessor’s map, with the subject property outlined.
- Legal description of the property to be annexed and a boundary survey certified by a registered engineer or surveyor.
- Twenty-five (25) copies of a site plan, drawn to scale (not greater than 1"=40') on paper no less than 8.5" x 11". The map shall include the following information:
 - A. Vicinity map of the property;
 - B. The date, north point, scale, and sufficient description to define the location, size, and boundaries of the tract to be annexed;
 - C. Outline, location, and description of all existing buildings (if any);
 - D. For land adjacent to and within the tract to be annexed, the location, names, and existing right-of-way and pavement widths of streets, location, width, and purpose of any existing easements; and location and size of all utilities, including sewer, water, electric, telephone, and natural gas lines and power poles;
 - E. Location and direction of all watercourses on and abutting the tract, approximate location or areas subject to inundation, stormwater overflow or standing water, and base flood data showing elevations of all property subject to inundation in the event of a one-hundred-year flood;
 - F. Natural features, such as rock outcrops, marshes or wetlands (as delineated by the Division of State Lands), wooded areas, or isolated preservable trees (trees with trunks over six inches in diameter as measured four feet above the ground); and

- G. General land use plan indicating the types and intensities of the proposed, or potential, development (not required if all property to be annexed is located within an approved Master Planned area.).
- Twenty-five (25) copies of a written statement, on 8-1/2" x 11" paper, explaining the conditions surrounding the proposal and addressing the required criteria of Section 16.84.040 (see page 6), including:
 - A. Statement of availability, capacity, and status of existing water, sewer, drainage, transportation, park, and school facilities;
 - B. Statement of increased demand for such facilities to be generated by the proposed development, if any at this time;
 - C. Statement of additional facilities required to meet the increased demand and phasing of such facilities in accordance with projected demand;
 - D. Statement outlining method and source of financing required to provide additional facilities;
 - E. Statement of overall development concept and methods by which physical and related social environment of the site, surrounding area, and community will be enhanced;
 - F. Statement of potential positive and negative physical, aesthetic, and related social effects of the proposed, or potential, development on the community as a whole and on the smaller subcommunity or neighborhood of which it will become a part; and proposed action to mitigate such negative effects (if any);
 - G. Narrative demonstrating the need for urban development proposed for the annexation area; need should be demonstrated based upon a factual analysis of the following factors:
 - 1. Availability within the City of undeveloped land designated for proposed urban development;
 - 2. Analysis of immediate, short-term (1 to 5 years) demand for proposed urban development;
 - 3. Probable phasing of proposed urban development consistent with projected demand for period in which the annexation area is expected to be developed.
 - H. A statement indicating the type and nature of any Comprehensive Plan text or Map amendments or Land Development and Planning Ordinance or Zoning Map amendments that may be required to complete the planned development.
- Ten (10) copies of a traffic impact analysis, conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (through the City), including an accident report for the adjacent roads and nearby intersections, for any project that results in any one of the following:
 - A. More than one access onto any collector or arterial street (such streets being designated by the City of Canby Transportation System Plan);
 - B. More than six (6) residential units that enter onto any collector or arterial street;
 - C. Any multiple family dwellings (apartments, condominiums, townhouses, etc.) with more than six (6) units; or
 - D. Industrial or commercial enterprises which generate more than one hundred (100) vehicles per day.

Note: A traffic impact analysis is not required if all property to be annexed is located within an approved Master Planned area and a comprehensive traffic impact analysis is completed for the Master Planned area.

CITY OF CANBY ANNEXATION APPLICATION FEES

(Does not include \$2,500 election deposit)

Size (acres)	Fee
1	\$1,800
2	\$1,905
3	\$2,010
4	\$2,115
5	\$2,220
6	\$2,325
7	\$2,430
8	\$2,535
9	\$2,640
10	\$2,745
11	\$2,800
12	\$2,855
13	\$2,910
14	\$2,965
15	\$3,020
16	\$3,075
17	\$3,130
18	\$3,185
19	\$3,240
20	\$3,295
21	\$3,350
22	\$3,405
23	\$3,460
24	\$3,515
25	\$3,570

Size (acres)	Fee
26	\$3,625
27	\$3,680
28	\$3,735
29	\$3,790
30	\$3,845
31	\$3,900
32	\$3,955
33	\$4,010
34	\$4,065
35	\$4,120
36	\$4,175
37	\$4,230
38	\$4,285
39	\$4,340
40	\$4,395
41	\$4,450
42	\$4,505
43	\$4,560
44	\$4,615
45	\$4,670
46	\$4,725
47	\$4,780
48	\$4,835
49	\$4,890
50	\$4,945
50+	\$5,000 + \$10 for each acre over 50

Note: These fees are based on the following formula:

Base Fee	\$1,800 (less than one (1) acre)
1 to 10 acres	\$1,800 + \$105 per acre over one (1) acre
11 to 50 acres	\$2,745 + \$55 per acre over 10 acres
501 + acres	\$5,000 + \$10 per acre over 50 acres

NARRATIVE

Application for Annexation

Applicant	Willow Creek Estates, Inc. 214 SW Second Avenue Canby, OR 97013 (503) 266-5488 Contact: Tom Scott
Owner	Wayne, Marleen, Thomas, Jeffrey, and Shelene 214 SW Second Avenue Canby, OR 97013
Representative	Sisul Engineering, Inc. 375 Portland Avenue Gladstone, OR 97027 (503) 657-0188 Contact: Pat Sisul
Location	South of SE 13 th Avenue and Ackerman Middle School, east of S. Ivy Street and west of the Tofte Farms Phase 3 subdivision
Legal Description	Tax Lot 4700, Sec. 4, T4S R1E WM (Assessor Map 4DA)
Zone	County: EFU Proposed City: R-1
Site Size	9.7 Acres (site: 9.5; right of way .2)
Proposal	Annexation of 9.7 acres.

PROPOSAL

The applicant proposes annexation of 9.7 acres. Annexation will allow the development of approximately 39 new lots for single-family residences.

This proposal was recommended for approval by the Planning Commission and approved for voter consideration by the City Council in 2003. The proposal was not approved in the November 2003, election, but was defeated by 529 votes (Yes – 1,209, No – 1,738). The proposal was recommended for approval by the Planning Commission and approved for voter consideration by the City Council again in 2004. The voters rejected the second annexation request by 447 votes (Yes – 3,121, No – 3,568).

The circumstances and reasons supporting this annexation proposal have not materially changed since 2003, so the application is again presented to the City for approval.

SITE DESCRIPTION

The site is south of SE 13th Avenue, and is part of an island of County land surrounded by the City of Canby.

The site has frontage on SE 13th Avenue and is a part of an island of four County parcels surrounded by the City. To the northwest of the site is the Canby Adult Center and to the northeast is Ackerman Middle School. The site is bordered by the Tofte Farms III subdivision to the east, by Turners Nursery (specialty plant nursery) and three single family residences on large lots (located outside the City limits) to the west. South Ivy Street is located not far west of the site and beyond S. Ivy Street is the Hope Village development. The parcel immediately south of the site is a 5 acre undeveloped parcel located within the City limits, also owned by the applicant.

The site is presently vacant and is being farmed together with contiguous parcels.

The site is very nearly flat, with no identified natural resources or physical hazards.

Public sewer and water are available to the site in adjoining streets. No public storm drainage system is available.

Applicable Criteria and Standards

The requirements for a proposal for annexation are listed here and discussed in the following narrative:

Canby Comprehensive Plan

Canby Municipal Code Section 16.84.040

- 1. Annexation shall be in keeping with prioritization categories as designated on the adopted maps showing growth phasing....*
- 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....*
- 6. Compliance with other applicable city ordinances or policies....*
- 7. Compliance with applicable sections of ORS 222....*
- 8. Risk of natural hazards....*
- 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....*

CANBY COMPREHENSIVE PLAN

Urban Growth Element

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

Response: The site is designated "EFU" by Clackamas County, an agricultural zone. The site is being used for agricultural purposes. The soil type identified for the site is "Latourell Loam," which is suitable for agriculture or for development. Since the

property is within the City's Urban Growth Boundary, the policy has been established by the City and County that the site ultimately will be developed for urban uses.

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

Response: The site is in priority area "A" as identified on maps in the City's Comprehensive Plan. It is immediately south and west of land within the City limits that has been subdivided and a lot's width from developed land within the City limits on the west. Tax Lot 5100, to the west, was approved for voter consideration of an annexation request in 2004 but was denied annexation by the voters. This is an area that is in the process of converting to urban uses, where public utilities are available. However, the current pattern of development, with County land surrounded by land within the City limits, potentially makes provision of some services (e.g. fire and police) less efficient.

Policy 1. Canby shall coordinate its growth and development plans with Clackamas County.

Response: The Comprehensive Plan is the adopted policy for city and county.

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.

Response: Public facilities and services are generally available to the site.

Public sewer and water are available in SE 13th Avenue, SE 13th Place, SE 14th Place and SE 15th Place. The applicant has been advised that the City has adequate capacity to serve the site. Storm water will be managed through infiltration into the soil, as with surrounding developments.

Public schools are required by law to provide for students within the district. Schools in the City are generally nearing or over capacity. The School District is aware of capacity issues and a recently passed school bond will fund several facility improvements to increase capacity. Construction plans for a new middle school planned to open in the September, 2006 will go to bid shortly. When the new middle school is completed the District will change how facilities are used, so that school-age populations can be allocated reasonably through the available buildings. This will likely alleviate some of the projected over-capacity situation.

The following schools would serve the site: Howard Eccles Elementary, Ackerman Middle School, and Canby High School. Eccles has a capacity of 525 students, and a current enrollment of 441. The middle school has a capacity of 1,070 and a current enrollment of 1,028. The high school has a capacity of 1,660 and a current enrollment of 1,745. Enrollment figures are from the Oregon Department of Education, October 1, 2004 enrollment summary.

With the complex approval processes required for annexations and land development, lots will not become available for home construction before spring 2006. The first homes to be completed will likely not be ready for occupancy before late 2006, so new students from this property would not attend area schools until at least the fall of 2006, with the majority coming in the spring or fall of 2007. The applicant anticipates at least three phases for the subdivision (39 lots in the annexation area and 23 lots on an adjoining parcel in the city limits that abuts this site to the south).

Other public services: Police, fire, telephone, electricity, natural gas, and cable are available or can be made available to the site.

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.

Response: The City currently has somewhere about a 25 month supply of buildable land in the R-1 Zone.¹ The proposed annexation would add 9.7 Acres, potentially 39 lots or about a four-month's supply of buildable land.² However, this annexation would not be finalized until a public vote occurred in November, 2005. An application for subdivision would likely not be approved until spring, 2006. Construction might begin in the summer 2006 but could be delayed until fall or early in 2007. At the earliest, the first homes would not be completed in the proposed annexation site prior to fall 2006--a year and a half from now.

The length and complexity of the approval process, even without an annexation, makes it difficult to predict the rate at which lots are developed and used. Further, this applicant intends to retain the site for the land supply for their construction business. Their intention is to build homes in the subdivision in phases, to allow construction of new homes over a three to five year period.

If annexed, this property would add less than four months to the buildable land supply and, when subdivided, an equivalent time period to the platted land supply. The new lots would become platted in late 2006 or early 2007, at a point when the currently projected "three year supply" is likely to have substantially diminished.

¹ The average build-out historically is 172 lots/units per year (14.3 units per month), not segregated by zoning district or by housing type. In January, staff re-evaluated land consumption to better track available land by zoning district. Figures from the staff report for ANN 04-07 suggest that approximately 2.6 acres of R-1 land is needed per month, based on City records.

² R-1 land is consumed at a rate of approximately 2.6 acres per month, based on the calculations from ANN 04-07.

The site is located in an area that is currently developing and where public facilities are available. A traffic signal at SE 13th and South Ivy facilitates vehicular movements in the area and provides connections for destinations around the community. Annexation of the site would facilitate the orderly provision of public services by filling in the gap between portions of the city in this area.

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

Response: The applicant has contacted the City and other service providers. No problem has been identified with the provision of any public facility or service. Even the school situation, which has posed a chronic problem for the community, is being addressed through the construction of additional facilities.

Environmental Concerns Element

Goal 1. To protect identified natural and historical resources.

Goal 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.

Response: The land is leased for agricultural use, however it is likely that it would not be a viable farm tract as an isolated parcel owing to the proximity of urban uses. As other properties around the site develop with urban uses, the parcel becomes less viable for agricultural uses because it will be separated from adjacent, farmed properties and will be subject to greater impacts from adjacent, residential uses. The site is presently part of an "island" that is surrounded by city land and its ultimate destiny was settled with establishment of the Urban Growth Boundary and annexation priority system.

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

Response: The proximity of non-agricultural uses makes agricultural use impractical for the property, owing to the possible impacts on adjacent residences and the school of noise, smell, dust, agricultural chemicals, etc. Therefore, the site is not desirable for farming but is well suited for residential development similar to adjacent subdivisions, with public sewer and water available in the adjacent streets.

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

Response: There are no surface water features on the site or in the vicinity. The applicant expects to manage storm water from a subdivision project on the site through filtration

and infiltration as is currently permitted by the City and the Department of Environmental Quality.

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.

Response: None of the referenced conditions affect the site.

Transportation Element

Goal: To develop and maintain a transportation system which is safe, convenient and economical.

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

Policy 2. Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the City's growth needs.

Response: SE 13th Avenue is classified as an arterial by the Transportation System Plan. A signal is located at the intersection of SE 13th and Ivy, facilitating vehicular movements in the area. The applicant would expect to construct the street frontage to "urban" standards to accommodate anticipated traffic at the time of any future development. In addition, all internal streets would be constructed to satisfy City standards.

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.

Response: The layout for any future development can be designed to provide multi-directional access for all lots and facilitate access for emergency vehicles. This will be demonstrated in the context of a subdivision application.

A traffic impact study has been conducted for the application.

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.

Response: To the best of the applicant's knowledge, all public facilities and services are available, or can be made available, to the site for the development proposed.

Housing Element

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

Response: The site is part of the land supply within the Urban Growth Boundary of the City of Canby that is planned to provide the housing needs of future citizens.

Conclusion: The proposed annexation supports applicable policies of the Canby Comprehensive Plan, based on the foregoing discussion of goals and policies.

ANNEXATION CRITERIA

(Canby Municipal Code Section 16.84.040)

1. Annexation shall be in keeping with prioritization categories as designated on the adopted maps showing growth phasing....

Response: The site is in Priority Area A, and the proposal is therefore consistent with the City's growth phasing plan.

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

Response: "Need" was discussed with relation to the "Land Use Element" of the Comprehensive Plan (pp. 5-6 of this narrative). The annexation would add 9.7 acres to the City's supply of available, buildable land, approximately a four months' supply when platted. The development process, from land acquisition to annexation to subdivision application to completion of public facilities improvements, can take well over a year. The estimated supply of land may vary, depending on rate of growth and difficulties involved in the development process, such as devising a suitable design for lot layout, obtaining financing, designing and constructing public improvements, and so on. The proposed annexation would add approximately four months' supply of single family lots (based on City projections of annual need for dwellings) that would become part of the available land supply within the City limits for use in 2006 through 2008, given the time involved in converting raw land to suitable lots ready for building permits and the applicant's business plans.

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

Response: The land is currently leased for farm use. It consists of one tax lot, approximately 9.7 acres in area. The site, by itself, would probably not constitute a viable farm, given the constraints posed by adjacent residential land uses.

4. Access shall be adequate to the site....

Response: The site fronts SE 13th Avenue and three streets are temporarily terminated along the site's east boundary. An internal street system would be constructed to provide public street frontage for every new lot.

5. Adequate public facilities and services shall be available....

Response: Public facilities and services are generally available or can be made available, as previously discussed.

6. Compliance with other applicable city ordinances or policies....

Response: The application complies with other city ordinances or policies, or can be made to comply through the development process.

7. Compliance with applicable sections of ORS 222....

Response: The applicant expects to comply with these provisions of state law.

8. Risk of natural hazards....

Response: The land is flat to gently sloped. No natural hazards have been identified on the site or in the vicinity.

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

Response: No designated open space, scenic, historic or natural resource areas are on the site.

10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts....

Response: The addition 9.7 acres to the City of Canby will have a minimal economic impact on the overall community.

Any annexation has an impact on the provision of services but also increases the tax base. Generally, increased revenues balance impacts. In addition, new residences provide opportunities for new citizens in Canby and create opportunities to support local businesses and civic affairs.

Conclusion: The criteria of Section 16.84.040 are satisfied, as demonstrated by the foregoing narrative.

Conclusion

The foregoing narrative describes a proposal for annexation of 9.7 acres. The annexation supports the City's goals and policies and satisfies applicable criteria identified in the City's Comprehensive Plan and Land Development and Planning Code. Therefore, the proposed annexation should be approved.

**VICINTY,
ASSESSOR &
COMPREHENSIVE
PLAN MAPS**

This map was prepared for
assessment purpose only

NE 1/4 SE 1/4 SF T.4S. R.1E. W.M.

CLACKAMAS COUNTY

1"=100'

4 IE 4A

SEE MAP 4 IE 4A

8900

9000

24500

86-02

CANCELLED
4701

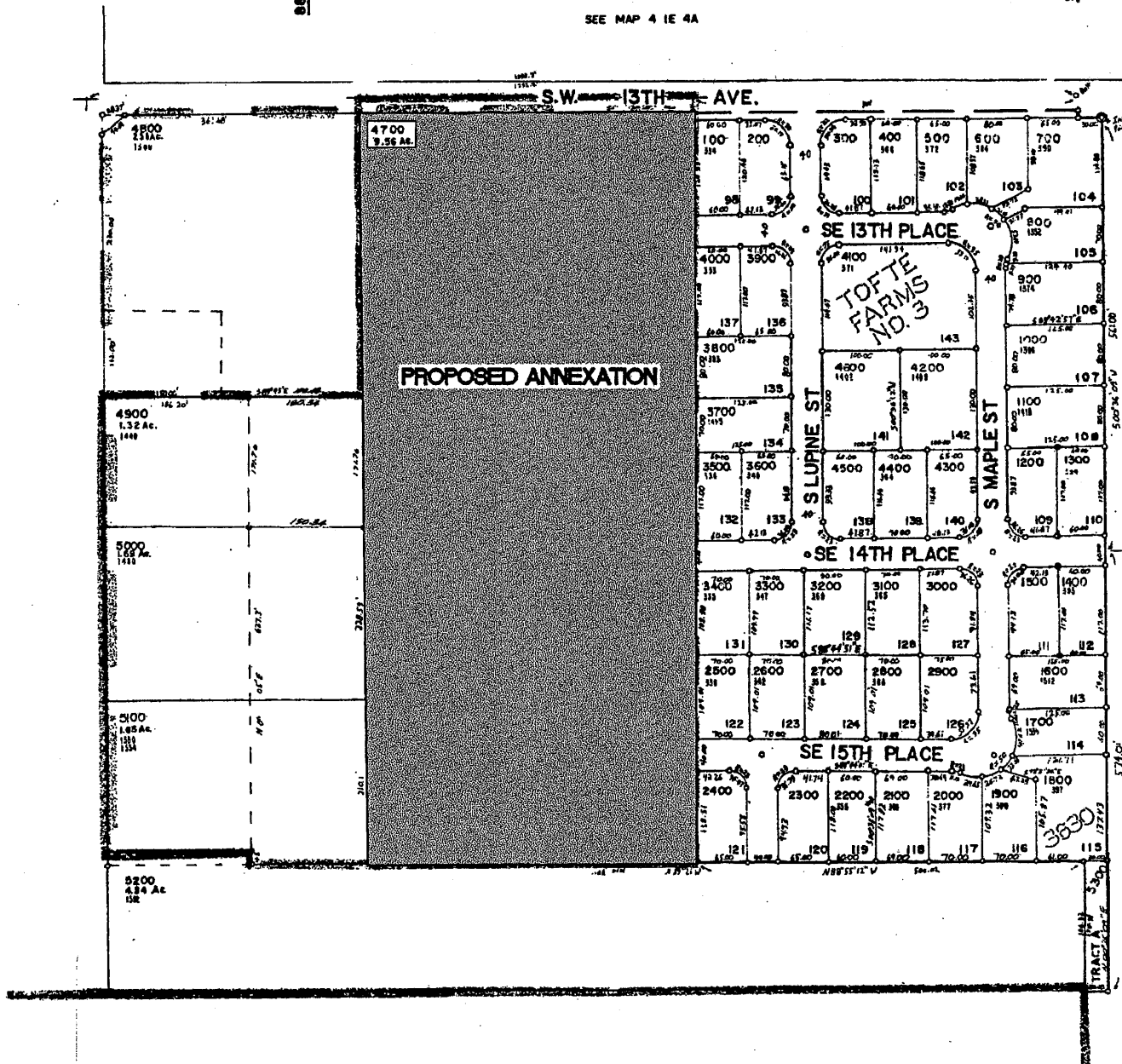
SEE MAP 4 IE 4D

SEE MAP 4 IE 3

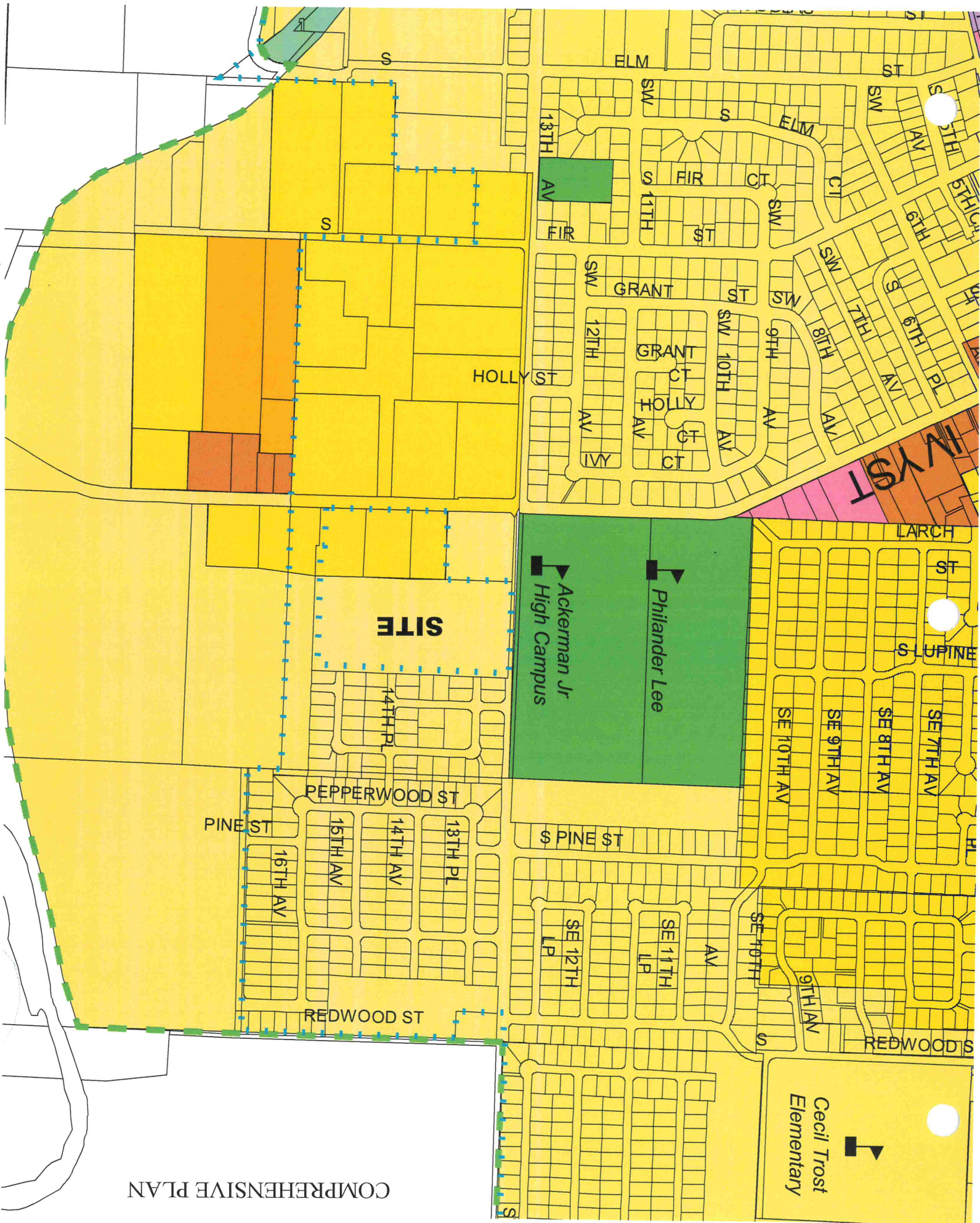
24700

SEE MAP 4 IE 4D

4 IE 4DA
BOOK 35



COMPREHENSIVE PLAN





**LEGAL
DESCRIPTION &
BOUNDARY
SURVEY**

GAYLORD LAND SURVEYING, INC.

2910 SE OAK GROVE BLVD. MILWAUKIE, OREGON 97267

PHONE (503) 654-1492 FAX (503) 654-7878

February 11, 2003

ANNEXATION BOUNDARY LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR A PROPOSED ANNEXATION TO THE CITY OF CANBY IN THE NORTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 4, T4S, R1E, W.M., CITY OF CANBY, CLACKAMAS COUNTY, OREGON, THE BOUNDARY OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF COUNTY ROAD NO. 562 (SE 13TH AVENUE) WHICH BEARS N 89°15'54" W 500.04 FEET FROM THE EAST ONE QUARTER CORNER OF SECTION 4; THENCE S 00°36'07" W ALONG THE WEST LINE OF TOFTE FARMS NO. 3, A DULY RECORDED PLAT, 991.17 FEET TO AN IRON ROD AT THE SOUTHWEST CORNER THEREOF; THENCE N 88°56'14" W 428.10 FEET TO AN IRON PIPE; THENCE N 00°27'42" E 988.73 FEET TO A POINT IN THE CENTERLINE OF SAID COUNTY ROAD NO. 562; THENCE ALONG THE SAID CENTERLINE S 89°15'54" E 430.51 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED. CONTAINING 9.74 ACRES MORE OR LESS.



**BOUNDARY SURVEY FOR WILLOW CREEK ESTATES, INC
IN THE NE 1/4, SE1/4 OF SECTION 4, T4S R1E, W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON**

SCALE 1" = 200' FEBRUARY 5, 2003

GAYLORD LAND SURVEYING, INC.
2910 S.E. OAK GROVE BLVD.
MILWAUKIE, OREGON 97267
(503)654-1492

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767
RENEWED THRU 06/30/03

NOTES & LEGEND

NO NEW MONUMENTS SET AT THIS TIME

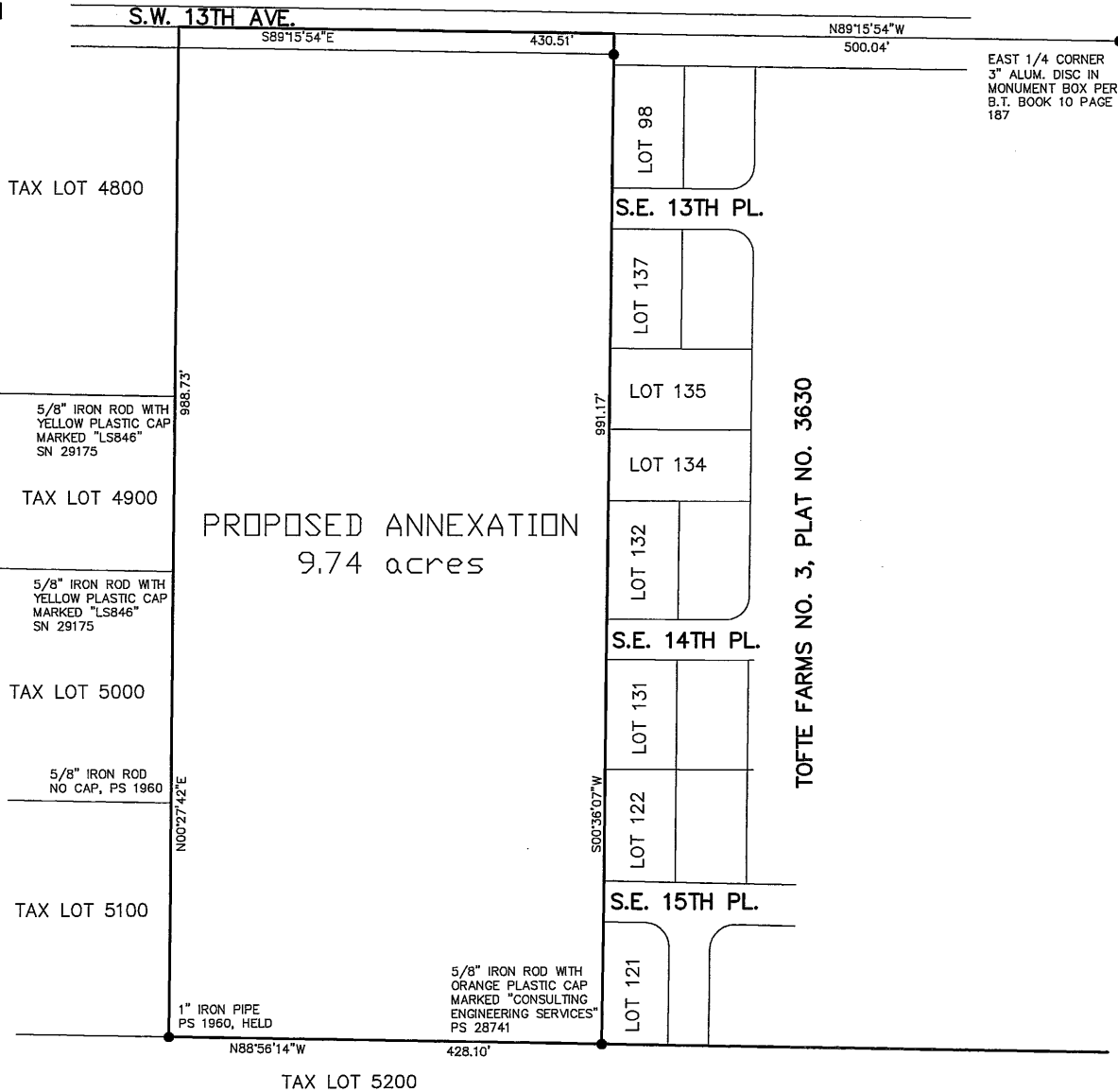
● - MONUMENT FOUND AS NOTED

ALL PIPE DIAMETERS ARE INSIDE MEASUREMENT

BASIS OF BEARINGS - EAST LINE OF TOFTE FARMS NO. 3

REFERENCES

PS 1960
SN 29175
PS 28741
TOFTE FARMS NO. 3, PLAT NO. 3630



**TOPOGRAPHIC
SURVEY &
GENERAL LAND
USE PLAN**

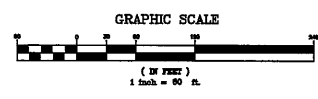
REVISIONS	BY

PROPOSED ANNEXATION
WILLOW CREEK ESTATES, INC.

Topographic Survey

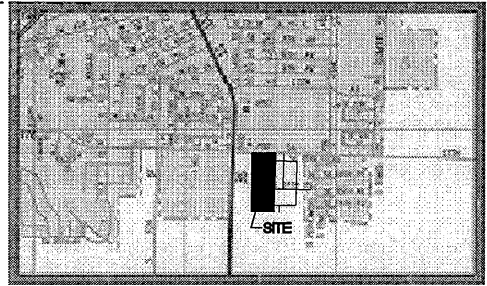
SBS ENGINEERING
 575 PORTLAND AVENUE
 SUITE 200
 MILWAUKIE, OREGON 97267
 (503) 654-1492
 (503) 654-1492

DATE	FEB., 2003
SCALE	1" = 60'
BY	FS
APP	SGJ, 02-112
SHEET	1
OF	1 SHEETS



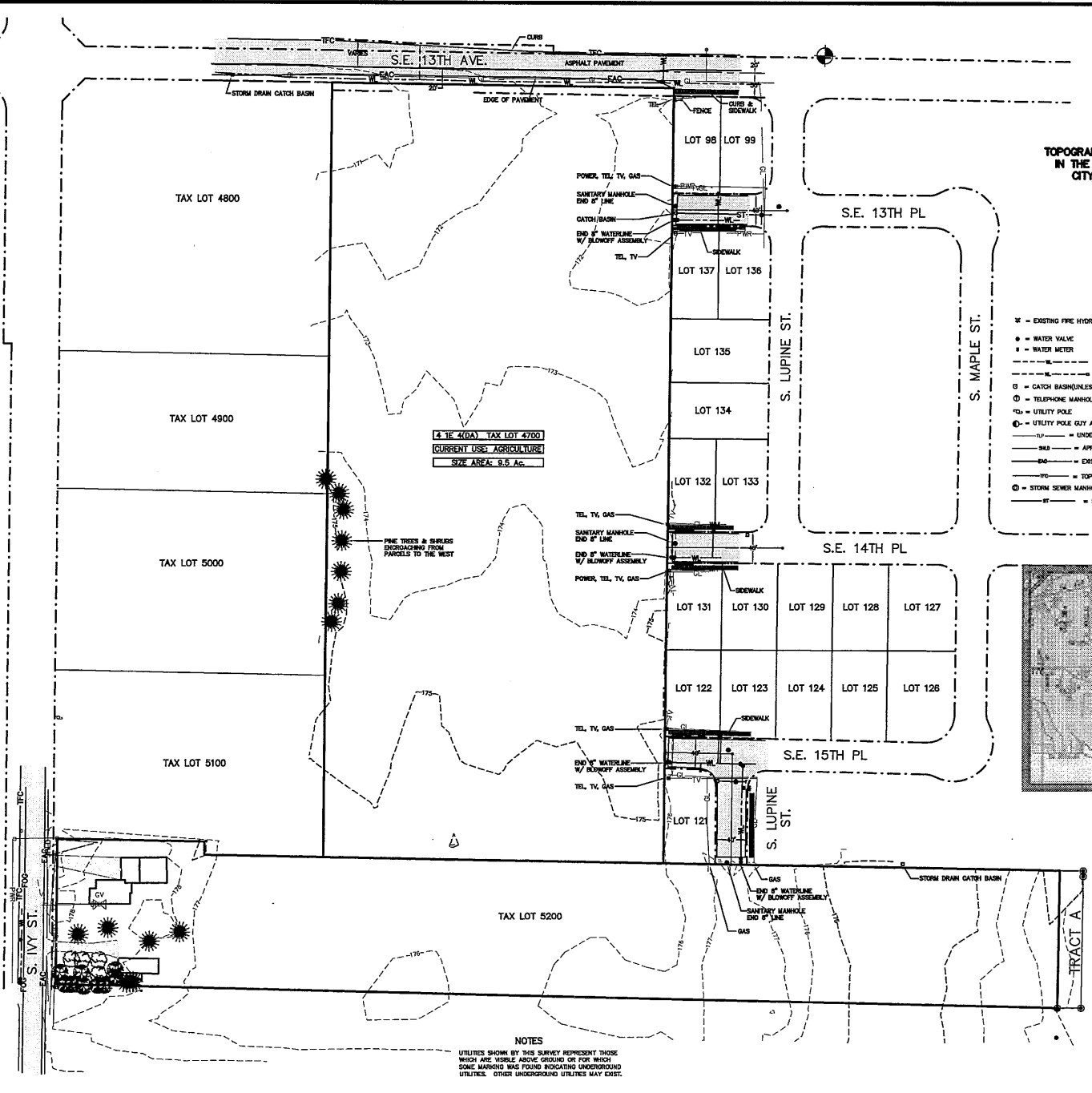
TOPOGRAPHIC SURVEY FOR WILLOW CREEK ESTATES, INC.
IN THE NE 1/4, SE1/4 OF SECTION 4, T4S R1E, W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON
 SCALE 1" = 60' FEBRUARY 5, 2003
 GAYLORD LAND SURVEYING, INC.
 2810 S.E. OAK GROVE BLVD.
 MILWAUKIE, OREGON 97267
 (503) 654-1492

- LEGEND**
- ⊕ = EXISTING FIRE HYDRANT
 - = WATER VALVE
 - = WATER METER
 - = WATER LINE
 - = WATER METER
 - = CATCH BASIN (UNLESS OTHERWISE NOTED) - INVERT DEPTH AS NOTED
 - = TELEPHONE MANHOLE
 - = UTILITY POLE
 - = UTILITY POLE GUY ANCHOR
 - = UNDERGROUND TELEPHONE LINES/CABLES
 - = APPROXIMATE ROAD SHOULDER (UNIMPROVED)
 - = EXISTING EDGE OF ASPHALTIC CONCRETE
 - = TOP FACE OF CURB
 - = STORM SEWER MANHOLE
 - = STORM SEWER LINE
 - ⊠ = VAULT (VERIFY TYPE)
 - = SANITARY SEWER CLEANOUT/MANHOLE
 - = SANITARY SEWER LINE
 - = GAS VALVE
 - = GAS LINE
 - = FRUIT TREE
 - = FIR TREE
 - = CEDAR TREE
 - = MAPLE TREE
 - = UNDERGROUND POWER LINE
 - = UNDERGROUND TV/TELEPHONE LINE
 - ⊕ = CONTROL POINT # 04 - PK NAIL & WAGON IN NORTH CURB VERTICAL DATUM = NAVD 1929 PER USGCS. BENCHMARK FOUND IN 1ST STEP OF KELLY BROS. REALTY AND INSURANCE BUILDING AT NW 1ST AVENUE AND N. GRANT STREET. BENCHMARK ELEVATION = 152.074



VICINITY MAP

- PLANNING NOTES:**
1. NO BUILDINGS ARE LOCATED ONSITE.
 2. NO WATERCOURSES ARE LOCATED ONSITE.
 3. NO PORTION OF THE SITE IS INUNDATED WITH STORMWATER OVERFLOW OR IS IN THE FLOOD PLAIN.
 4. NO ROCK OUTCROPPINGS, MARSHES, WETLANDS, OR WOODED AREAS ARE LOCATED ONSITE. ISOLATED TREES ARE NOTED ABOVE.



4.7E 4.0A TAX LOT 4700
 CURRENT USE: AGRICULTURE
 SIZE AREA: 6.5 Ac.

PINE TREES & SHRUBS
 ENCROACHING FROM
 PARCELS TO THE WEST

NOTES
 UTILITIES SHOWN BY THIS SURVEY REPRESENT THOSE WHICH ARE VISIBLE ABOVE GROUND OR FOR WHICH SOME MARKING WAS FOUND INDICATING UNDERGROUND UTILITIES. OTHER UNDERGROUND UTILITIES MAY EXIST.

FULL SIZE PLANS



June 27, 2005

John Williams
City of Canby
182 N Holly Street
Canby, OR 97013

Dear John:

This letter has been written to update the traffic study that was prepared for the Dinsmore property to include the influence of recent development in the area of the site. The original traffic study for this project was prepared in February 2003 and updated in April 2004. However, the update to the study is more than one year old and does not include the trips from the most recent phase of Hope Village. Nor does it incorporate some conclusions that resulted from a detailed study of the area conditions, which were reported in the traffic study for the McMartin annexation project on the west side of Ivy Street. These conclusions, discussing future access potential, are relevant to the subject property.

In order to determine if the conclusions and recommendations from the original traffic study remain valid, traffic counts were taken at the intersection of Ivy Street and 13th Avenue and compared to the counts previously obtained for the project. The recent traffic counts showed a slight decrease in volumes during the morning peak hour and about the same amount of traffic during the evening peak hour. Therefore, any analysis conducted using the recent counts would show similar or improved operation and the results and conclusions of the original traffic study remain the same.

Future Street System

There was a proposed annexation on the west side of Ivy Street in the vicinity of the site. The traffic study for the annexation project identified some inadequacies with the current street system. In particular, it found that the proposed access onto Ivy Street would not have adequate sight distance and that the existing local street system would be overloaded as a result of the annexation. One of the recommendations of the report was to provide a Connector or higher classification roadway to connect to Ivy Street near the northern boundary of the McMartin project, preferably in alignment with the proposed access for the Dinsmore site so that an aligned intersection could be constructed.





John Williams
June 27, 2005
Page 2 of 2

The City's Transportation System Plan (TSP) shows a Neighborhood Connector street connecting to Ivy Street near the southern boundary of the proposed Dinsmore site. As it is shown in the TSP, this connection was meant to be aligned with the existing private street for Hope Village on the west side of Ivy Street. However, the street connection used by Hope Village was constructed as a private street and will not serve to enhance future connectivity to the areas south and west of Hope Village.

The traffic study for the McMartin annexation to the southwest discussed sight distance issues along Ivy Street. In brief, the farther south a potential intersection is located, the more likely the sight distance will be restricted. Providing future connectivity through a street at the north boundary of the McMartin annexation site would serve tax lots 900, 1000, and 1101 on the west side of Ivy Street and tax lots 1200 and 1300 on the east side of Ivy Street while allowing adequate sight distance to both the north and south. This future street could still serve the subject site if street connections were provided via Tofte Farms. We recommend that the future street connection be planned to adequately serve future development occurring in the area.

Sight Distance

Sight distance was examined along Ivy Street at the site frontage in the original traffic study for the project. There were no sight distance issues identified in the traffic study and conditions have remained the same since the original sight distance measurements. Sight distance is adequate for site access onto Ivy Street.

If the planned intersection onto Ivy Street is located farther south at Tofte Farms, sight distance will remain adequate.

Yours truly,

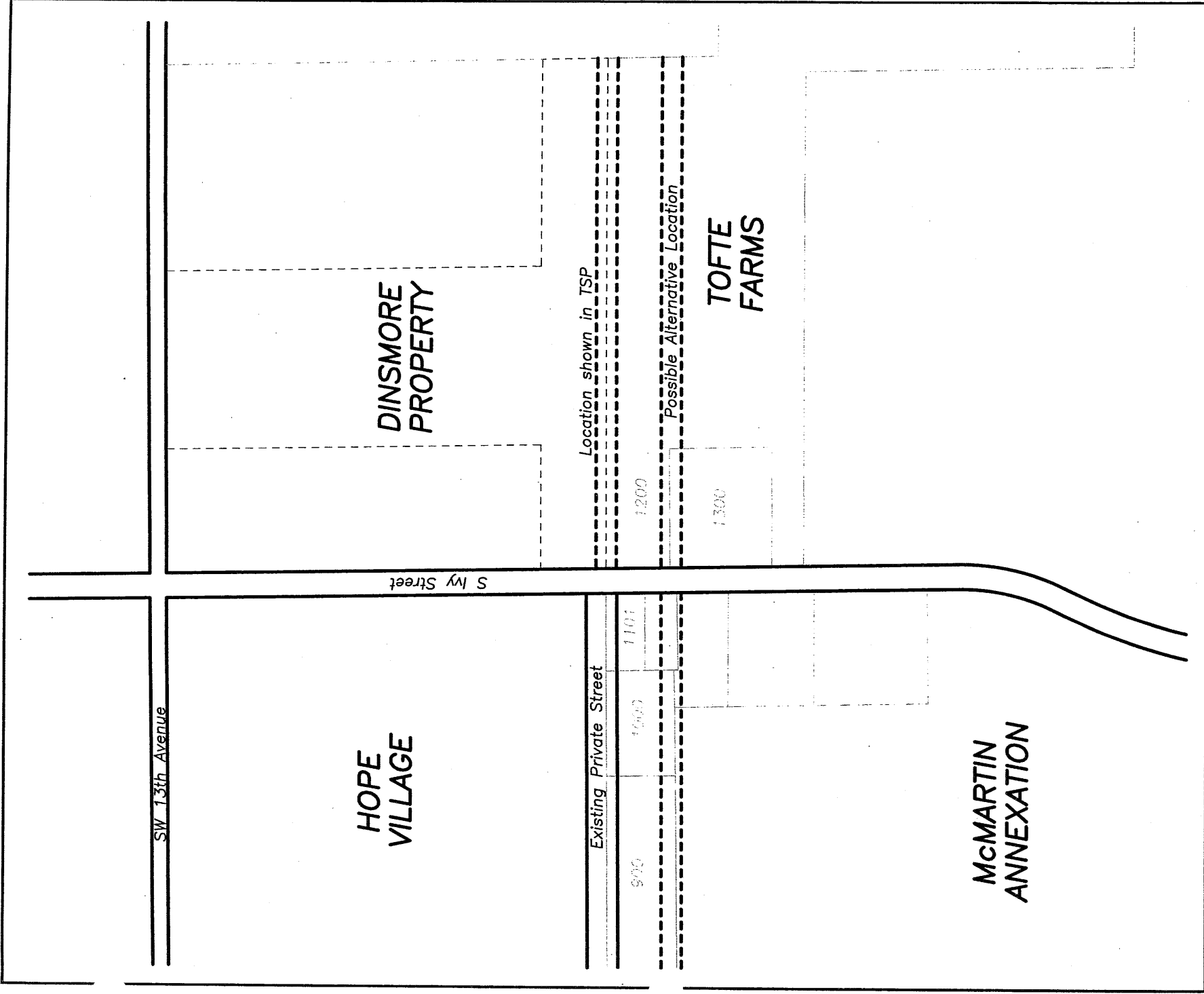
Catriona Sumrain
Engineering Technician

Attachment: Vicinity Drawing



EXPIRES: 12/31/05

6/29/05



12

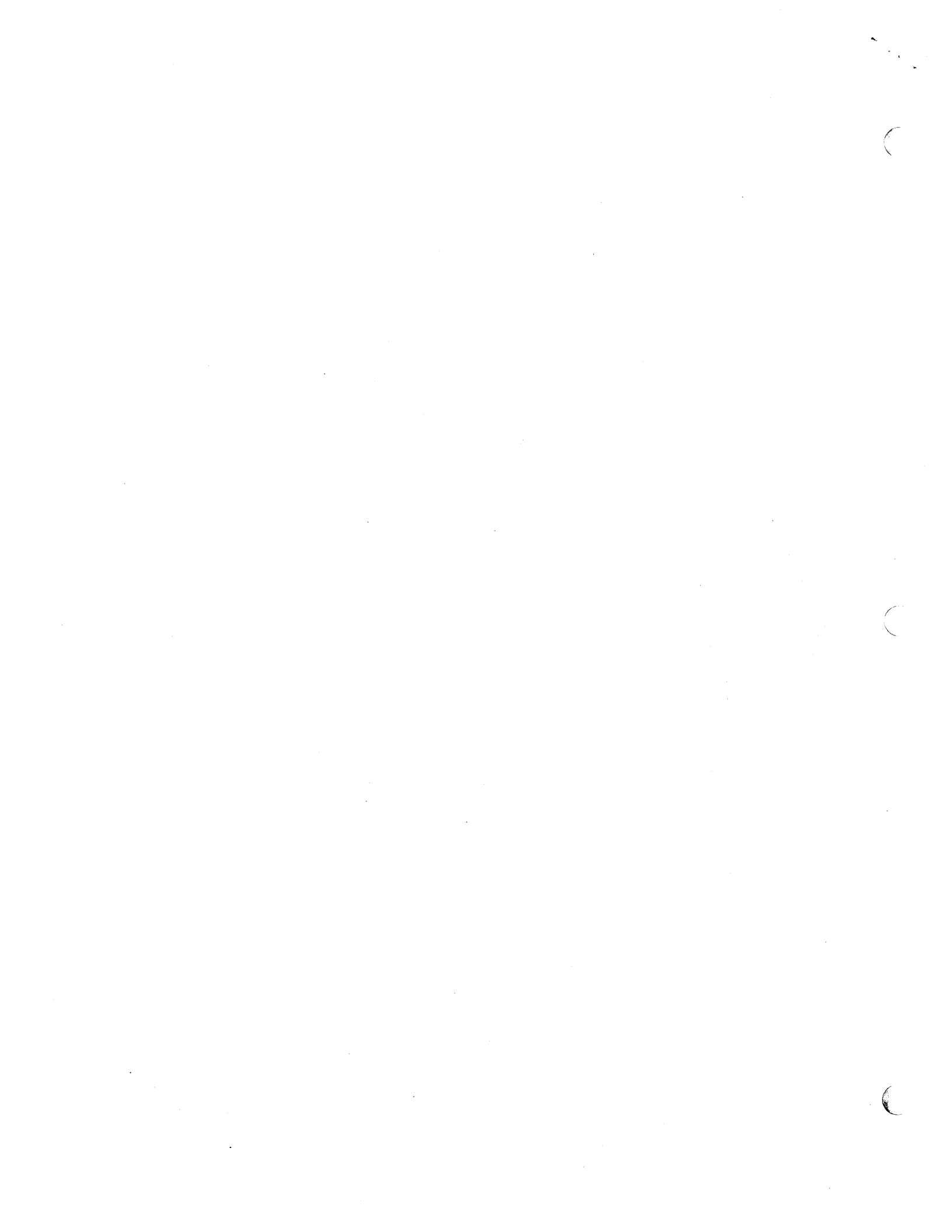
VICINITY MAP
with Future Street Connectivity

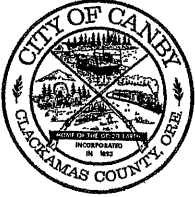


no scale

FIGURE
1

APPENDIX





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 Canby Planning Department at 170 NW. 2nd Avenue.
E-mail cookk@ci.canby.or.us

Written comments must be received prior to public hearings.

APPLICATION: Annexation of residential land into the City of Canby

APPLICANT: Willow Creek Estates, Inc.

CITY FILE #: ANN 05-01 (Willow Creek Estates, Inc)

COMMENTS: *I approve of the annexation. My comment is, "Let Canby grow."*

YOUR NAME: *Margaret Overholser*

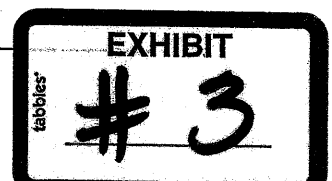
ORGANIZATION or BUSINESS: _____

ADDRESS: *1545 South Lorraine St*

PHONE (Optional): _____

DATE: _____

Thank you!



CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930 Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-01 (**Willow Creek Estates**), an application by Willow Creek Estates, Inc. requesting to annex 9.7 acres into the City of Canby. ~~The property is South of SE 13th Avenue and Ackerman Middle School, east of S. Ivy Street and west of Tofte Farms Phase 3 subdivision.~~ If annexed the parcel would be zoned R-1 Low Density in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: *Patrick [Signature]* Date: 7/14/05

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: July 7, 2005

- 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 checked="" type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input type="checkbox"/> CTA | <input type="checkbox"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-01 (**Willow Creek Estates**), an application by Willow Creek Estates, Inc. requesting to annex 9.7 acres into the City of Canby. The property is South of SE 13th Avenue and Ackerman Middle School, east of S. Ivy Street and west of Tofte Farms Phase 3 subdivision. If annexed the parcel would be zoned R-1 Low Density in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.

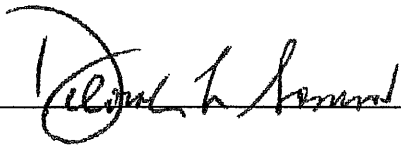
Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

see attached

Please check one box and sign below:

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

Signature:  Date: 7/11/05

Title: Superintendent Agency: Canby School District

Canby School District

Attachment to Request for Comments

The property under consideration is in the Ackerman Middle School attendance area. School district patrons approved a bond in November 2004 to build a new middle school to alleviate the pressure on Ackerman Middle School and reopen the Lee campus of AMS into an elementary school. A boundary committee will convene in September 2005 to determine the elementary school boundaries. It is unknown at this time which elementary school will ultimately be impacted by the annexation of this application.

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

[503] 266-9404

FAX 266-1574

Box 930, Canby, OR 97013

DATE: July 7, 2005

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

The City has received ANN 05-01 (**Willow Creek Estates**), an application by Willow Creek Estates, Inc. requesting to annex 9.7 acres into the City of Canby. The property is South of SE 13th Avenue and Ackerman Middle School, east of S. Ivy Street and west of Tofte Farms Phase 3 subdivision. If annexed the parcel would be zoned R-1 Low Density in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.

Please review the enclosed application and return comments to Kevin Cook by Tuesday, July 14, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

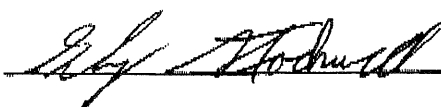
Comments or Proposed Conditions:

Canby Utility is Ready to serve this Property

The annexation policy will apply

Please check one box and sign below:

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

Signature:  Date: 7-13-05

Title: Line Foreman Agency: C.U. Elect

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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 checked="" 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-01 (**Willow Creek Estates**), an application by Willow Creek Estates, Inc. requesting to annex 9.7 acres into the City of Canby. The property is South of SE 13th Avenue and Ackerman Middle School, east of S. Ivy Street and west of Tofte Farms Phase 3 subdivision. If annexed the parcel would be zoned R-1 Low Density in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Darwin James Date: 7/11/05

Title: Supervisor Agency: WWTP

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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"/> TRANSPORTATION 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 checked="" type="checkbox"/> CANBY DISPOSAL | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION |
| <input type="checkbox"/> CITY ATTORNEY | <input type="checkbox"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-01 (**Willow Creek Estates**), an application by Willow Creek Estates, Inc. requesting to annex 9.7 acres into the City of Canby. The property is South of SE 13th Avenue and Ackerman Middle School, east of S. Ivy Street and west of Tofte Farms Phase 3 subdivision. If annexed the parcel would be zoned R-1 Low Density in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Fred Kahut Date: 7-8-05

Title: President Agency: Canby Disposal

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- TO:
- | | |
|--|--|
| <input type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input type="checkbox"/> POLICE CURRAN-MCLEOD | <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 checked="" type="checkbox"/> CITY ENGINEER | <input type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input type="checkbox"/> CTA | <input type="checkbox"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-01 (**Willow Creek Estates**), an application by Willow Creek Estates, Inc. requesting to annex 9.7 acres into the City of Canby. The property is South of SE 13th Avenue and Ackerman Middle School, east of S. Ivy Street and west of Tofte Farms Phase 3 subdivision. If annexed the parcel would be zoned R-1 Low Density in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

- ① Sanitary sewer is available on the east side of the subject property (Tofte farms #3). Depth ranges from ~ 3.5' to 6.0'.
- ② Storm sewer should be disposed on site.
- ③ No concerns about the proceedings.

Please check one box and sign below:

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

Signature: _____

Date: _____

Title: _____

Agency: _____

Handwritten signature: Paul Bohrer

Handwritten date: July 11, 2005

Handwritten title: Project Engineer

Handwritten agency: Curran-McLeod, Inc

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

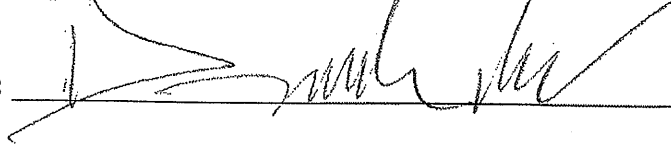
The City has received ANN 05-01 (**Willow Creek Estates**), an application by Willow Creek Estates, Inc. requesting to annex 9.7 acres into the City of Canby. The property is South of SE 13th Avenue and Ackerman Middle School, east of S. Ivy Street and west of Tofte Farms Phase 3 subdivision. If annexed the parcel would be zoned R-1 Low Density in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 39 single family homes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

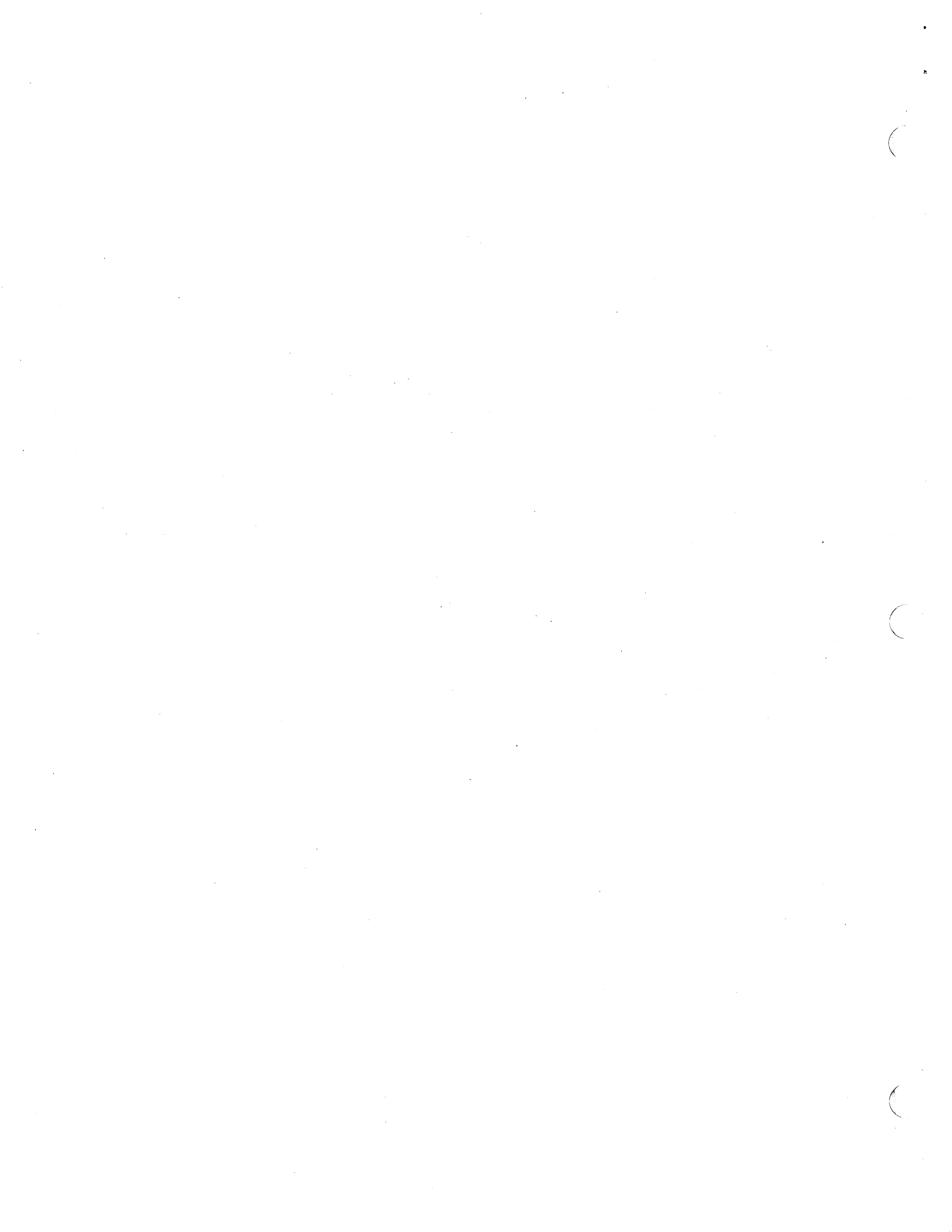
Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature:  Date: 7-14-05

Title: ASSOCIATE ENG. Agency: CTA



Buildable Lands Inventory - July 14, 2005

Residential lands platted

R-1 Low Density Residential

<i>Property Owner</i>	<i>Tax Map</i>	<i>Tax Lot</i>	<i>Size (acres)</i>	<i>Zoning</i>	<i>Units</i>	<i>Units Built</i>	<i>Units Available</i>
Walnut Crossing - Netter	3 1E 27 DB	602/700	2.98	R-1	11	3	8
Burbank Estates	3 1E 28CD	1400	3.9	R-1	20	2	18
Dupont Estates			13	R-1	30	0	30
Willow Creek Estates - Postlewait I	3 1E 27C	1500	4.47	R-1	31	11	20
Willow Creek Estates - Postlewait II	3 1E 34B	800	4.9	R-1	0	0	0
Auburn Farms (Simnitt) - Phase I			5	R-1	26	1	25
Auburn Farms (Simnitt) - Phase II			14	R-1	53	0	53
Miscellaneous Other Lots				R-1	40	0	40
R-1 Total Lots			48.25		211	17	194

5 year average 99 units/year = 1.96 years

R-1.5 Medium Density Residential

<i>Property Owner</i>	<i>Tax Map</i>	<i>Tax Lot</i>	<i>Size (acres)</i>	<i>Zoning</i>	<i>Units</i>	<i>Units Built</i>	<i>Units Available</i>
Township Trail				R-1.5	5	1	4
Willow Creek Estates - Sequoia Place	4 1E 04 CA	1200	1.89	R-1.5	12	12	0
R-1.5 Total Lots			1.89		17	13	4

5 year average 2.8 units/year = 1.429 years

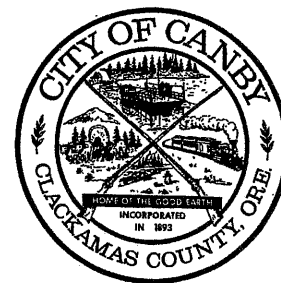
R-2 High Density Residential

<i>Property Owner</i>	<i>Tax Map</i>	<i>Tax Lot</i>	<i>Size (acres)</i>	<i>Zoning</i>	<i>Units</i>	<i>Units Built</i>	<i>Units Available</i>
Marnella - Garden Crossing	3 1E 34B	200	4.67	R-2	55	55	0
Valentine Meadows				R-2	16	16	0
Apollo Homes	4 1E 05	401	14.21	R-2	138	0	138
Pine Place				R-2	4	0	4
R-2 Total Lots			18.88		209	71	142

5 year average 51.6 units/year = 2.752 years

Subdivisions not yet approved for development





- STAFF REPORT -

APPLICANTS:

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

FILE NO.:

ANN 05-02
(S.T.J., LLC)

OWNERS:

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

STAFF:

Kevin C. Cook
Associate Planner

LEGAL DESCRIPTION:

Tax Map 3-1E-27CB
Tax Lot 1300 (1.7 acres)

DATE OF REPORT:

July 7, 2005

LOCATION:

1203 NE Territorial Road
The parcel is located south of Territorial Rd,
east of Pine St. and west of Logging Rd. Trail

DATE OF PC HEARING:

July 25, 2005

COMPREHENSIVE PLAN DESIGNATION:

R-2 High Density Residential

ZONING DESIGNATION:

Rural Residential Farm and Forest
(Clackamas County RRFF 5)

I. APPLICANT'S REQUEST:

The applicant is seeking to annex a single 1.7 acre tax lot into the City of Canby. If annexed, the applicant proposes to construct a 23-unit townhouse development with vehicle access from NE Territorial Rd. Access to the site is proposed by means of a 30 foot shared access drive. The site is located at the southwest corner of N Pine Street and NE Territorial Road. The parcel currently contains one single-family residence.

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 parcel is currently zoned RRFF 5 (Rural Residential Farm and Forest) by Clackamas County. Canby's Comprehensive Plan designation of the subject parcel is R-2 High Density Residential. If annexation is approved, City zoning for the parcel would automatically be amended to reflect the R-2 High Density Residential zoning in conformance with the Comprehensive Plan.

The parcel currently contains one single family residence and several trees. The parcel is essentially flat. Soil on the site is suitable for residential development and is not used in agricultural production. The parcel contains no steep slopes, no apparent waterways and no natural hazards that would prevent development of the site.

Adjacent properties on all sides of the subject parcel are inside the city limits and zoned for High Density Residential development.

Traffic analyses and utility information included in this application are based on anticipated residential use. In considering the application, however, applicable criteria should be applied to the annexation only and not to any conceptual plan.

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 provision of urban services. According to the Comprehensive Plan this property is designated priority "A" for annexation.

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 are sufficient to serve the subject parcel with urban level services. The subject parcel is a small property essentially surrounded by urban level services at or near the site. Utility issues are discussed further in the Public Facilities and Services section below.

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..."

The parcel meets criteria for both phasing of growth and nature of size and use. The parcel is small part of an island of county land that is not engaged in agricultural production. The parcel is also designated as priority "A" for annexation, indicating that it should be considered before other lands designated priority "B" and "C".

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 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." Annexation of this parcel would permit future development according to the*

Comprehensive Plan. The proposal would bring 1.70 acres of land into the City under R-2 High Density Residential zoning. See also the enclosed Buildable Lands Analysis.

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 are used in residential development. The subject parcel is also committed to residential development and is not used for 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.

Goal #2 addresses the need for buildable land in Canby. Canby generally considers a 3 year supply of buildable lands (for each residential zoning district) to be sufficient; The City Council has determined that only platted lots and/or approved units should be included in the calculations; annexed land that has not been subdivided will not be included in the analysis. The

Council has also determined that annexations that will significantly exceed the 3-year supply would not meet the annexation criteria for need.

Based on the number of vacant platted lots in the R-2 zoning district, the total supply of buildable lands available for high density residential development equals a 2.75 year supply. The proposed annexation would potentially add 23 new lots at the time of final subdivision plat approval. The 23 new lots would bring the buildable lands supply total to 3.2 years when added to today's availability.

The Pine Station subdivision (SUB 05-08), was approved by the Commission on July 11th of this year. At the time of this report the appeal period had not expired for Pine Station and no plat had yet been recorded. The Pine Station subdivision would add an additional 11 town home units in the R-2 zoning district. If Pine Station were counted in the analysis, the total supply of buildable land in the R-2 district today would be 2.97 years and this annexation would bring the total buildable lands supply to 3.41 years when coupled with the Pine Station subdivision.

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 not involved in agricultural production and is surrounded by residential uses. The property is also designated priority "A" for annexation, giving it precedence over larger agricultural uses.

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

Analysis: *Public facilities and service providers did not express storm water concerns with this 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. There are no steep slopes and no identified flood prone*

areas. There are no wetlands and there are no historic sites on the property.

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 returned comment on the proposal.

v. **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 city engineer, Canby Electric, the Water Dept., Canby Disposal, Sewer, and Canby Telephone.

All Service Providers indicate that services are available to serve the proposed annexation and subsequent development.

Traffic Study: A traffic study was commissioned for the

subject parcel. The study shows that surrounding road systems are adequate to serve the proposed annexation. The study indicates that surrounding street infrastructure is adequate to handle additional development on the subject parcel. The study recommends an internal street stub towards the east in anticipation of future tie in to undeveloped R-2 zoned parcels to the east of the site. Traffic impacts would be reviewed again at the time of future development, including any additional development on adjacent parcels.

Neighborhood Comments:

No citizen comments were received as of the writing of this report.

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 not currently used in agricultural production and is not likely to be used for any type of agricultural production. The subject parcel is designated 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. The parcel also provides an opportunity to provide affordable housing while infilling vacant land inside the city limits.

Conclusion Regarding Consistency with policies of Canby's Comprehensive Plan:
This application is clearly consistent with many of the Comprehensive Plan policies for annexation. The provision of Public Facilities and Services may warrant discussion regarding eventual access to the parcel. Typically, public facilities and services are also dealt with at the time of development and staff recommends that this remain the case.

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 parcel is designated priority "A" for annexation.

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

Analysis: The City of Canby monitors residential land supplies in order to determine the City's general need for buildable land. The "need" for developable land is a function of actual lands platted for development (see Buildable Lands Analysis for current land supplies).

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

Analysis: The property is a fragmented parcel of non-farm land islanded by parcels already inside the city limits. The property is also designated priority "A" for annexation, thereby reserved for urban development before other properties considered priority "B" and "C".

4. Access shall be adequate to the site.

Analysis: Access to the site will require street improvements at the time of development. Current access at N.E. Territorial Rd. is sufficient to serve the needs of annexation and development on the site. Development of the subject property will likely accommodate undeveloped parcels to the east, as is recommended in the traffic analysis for the site.

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

Analysis: Public facility and service providers indicate that services are currently available at the site or will become available through development to serve the needs of the subject parcel.

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. Staff believes the application 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 have been 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 spaces, scenic or historic areas identified on the subject property. There are however several large evergreen trees on the property that could be considered a natural scenic resource.

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 approximately 23 long-term residences.

IV. CONCLUSION

Staff hereby 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 recommends that the Planning Commission recommend approval of ANN 05-02 to the City Council, with the addition of the following understandings.

1. The zoning classification for the property will be R-2 High Density Residential.
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.

Exhibits:

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



June 27, 2005

John Williams
City of Canby
182 N Holly Street
Canby, OR 97013

RE: Annexation 05-02 (STJ LLC)

Dear John:

We have prepared this Transportation Analysis letter for the proposed annexation of the Dawes property on Territorial Road.

The property is located on the south side of NE Territorial Road between N Pine Street and the Molalla Forest Road. The site is about 1.78 acres in size and is proposed to be developed with 23 townhouse units when the site is annexed into the City limits. The site is currently zoned RRFF-5 (Rural Residential Farm Forest - 5 acre minimum) and will be zoned R-2 (High-Density Residential) with the annexation. Access to the site will be through a street connection onto Territorial Road. Figure 1 attached at the end of this letter gives the vicinity map of the site.

Territorial Road in the vicinity of the site is under the jurisdiction of the City of Canby and is classified as an Arterial by the City. It is a two-lane facility near the site with a road width of about 36 feet. There are curbs, but no sidewalks on the north side of the road and no curbs or sidewalks on the south side of the road along the site frontage, although there are curbs and sidewalks in areas of recent development.

The Speed Zone Order, obtained from the Oregon Department of Transportation, for Territorial Road shows the section from Highway 99E to Molalla Forest Road as a 45-mph section and from Molalla Forest Road to N Holly Street as a 35-mph section. Currently, the 45-mph speed sign is placed east of Redwood Street, but should be located at Molalla Forest Road to conform to ODOT's Speed Zone Order. At ODOT's request, the speed zone will be changed to 30 mph from Redwood Street to Highway 99E due to grade and stopping sight distance issues along Territorial Road near the railroad right-of-way. The application for the new speed zone will be submitted in the near future and the new speed zone will like





John Williams
June 27, 2005
Page 2 of 4

fect when the traffic signal at Territorial Road/Highway 99E intersection is installed. A copy of the current Speed Zone order for Territorial Road is attached at the end of this letter.

Territorial Road will eventually be widened to a three-lane section with bike lanes on both sides of the road. But at present, a typical cross-section of the road has on-street parking, bike lanes and two travel lanes.

Trip Generation and Distribution

Trip rates from ITE land-use code 230, *Residential Condominium/Townhouse*, were used to determine the number of trips that would be generated by the proposed annexation. The trip rates are based on the number of dwelling units and were calculated for a total of 23 townhouse units.

The results of the trip generation show the proposed annexation would generate ten trips during the morning peak hour, twelve trips during the evening peak hour, and 134 trips during an average weekday. A copy of the trip generation worksheet is attached at the end of this letter.

TRIP GENERATION SUMMARY			
Dawes Property			
	<u>Entering</u> <u>Trips</u>	<u>Exiting</u> <u>Trips</u>	<u>Total</u> <u>Trips</u>
<i>Residential Condominium/Townhouse (23 units)</i>			
AM Peak Hour	2	8	10
PM Peak Hour	8	4	12
Weekday	67	67	134

Since there is no Comprehensive Plan amendment proposed along with the annexation request, the trips generated by the site under the future R-2 zoning are included in the long-term transportation analyses in the City's TSP. The TSP does not identify any capacity improvements needed for Territorial Road and Pine Street. An examination of the projected traf-



John Williams
June 27, 2005
Page 3 of 4

fic volumes at the intersection of Territorial Road and Pine Street shown in the City's Transportation System Plan (TSP) do not indicate any capacity concerns. Therefore, the surrounding street system is able to support the proposed annexation without mitigation.

Sight Distance

Sight distance was examined at the proposed location of access onto Territorial Road. In accordance with guidelines in A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS (Green Book), published in 2004 by the American Association of State Highway and Transportation Officials (AASHTO), sight distance was measured at a point 15 feet from the edge of the travel lane from a driver's eye height of 3.5 feet to an object height of 3.5 feet. The posted speed on Territorial Road is 35 mph to the west and 45 mph to the east, requiring a minimum sight distance of 390 feet to the west and 500 feet to the east.

Sight distance was found to be in excess of 500 feet to the west and about 400 feet to the east. Sight distance is adequate to the west, but is restricted by trees to the east. Some of the trees that interfere with the sight distance are located on the site and were assumed to be removed as part of the frontage improvements. However, the trees on the adjacent property to the east also obstruct the sight distance. Any trees in the public right-of-way should be removed to provide adequate sight distance for the site traffic. It is also recommended that sight distance be measured after the trees are removed to ensure that site traffic has an adequate view of oncoming vehicles.

Access Management

There are approximately 15 acres of undeveloped lots surrounding the site. However, the lots south of the site front onto Pine Street and access would not be limited to Territorial Road. The site would likely serve the lots to the east, which are zoned R-2 and would be able to support about the same number of units as the site since the total size of the eastern lots is similar to the site. With a road stub to the east, the site access could serve approximately double the trips that the site itself would generate, or about 270 trips per day. The site access could accommodate this number of trips, and providing access to future developments to the east via the site road is recommended.



John Williams
June 27, 2005
Page 4 of 4

The delay on Highway 99E, which is the major route through the City, has been increasing over the years. Previous analyses of traffic at intersections along the highway have shown that some of these intersections are currently operating or will operate beyond ODOT's minimum standards in the future if the intersections are not mitigated. Some of the intersections, such as Ivy Street, cannot be easily mitigated since there is insufficient right-of-way to add lanes to the intersection. Therefore, the City has been constructing a road system that will provide alternative routes to Highway 99E, to reduce the volume of traffic on the highway.

Territorial Road is one of the streets that the City would prefer to use as an alternative route to Highway 99E. Provided the delay on Territorial Road does not exceed the delay experienced on Highway 99E, drivers will use Territorial Road. If the delay on Territorial Road becomes unacceptable, drivers may divert back to Highway 99E. Access points, whether driveways or streets, interrupt traffic flow on roadways and increase the delay on the road.

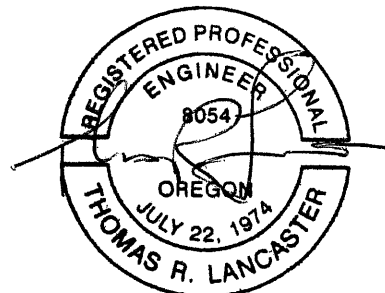
All roads serve multiple purposes and have to provide for varying degrees of access and traffic flow. The lowest classification roads, Local Streets, are designed for access rather than travel speeds. As the classification gets higher, traffic flow becomes more important. To improve traffic flow on the higher classification roadways, the number and location of access points is generally limited. The site plan for this project appears to show street stubs to the east and south. If the proposed site access could serve traffic from the future developments to the east and south, this would reduce the potential number of access points onto Territorial Road and preserve the traffic flow. It is recommended that the site road stub to the lots east and south of the site.

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

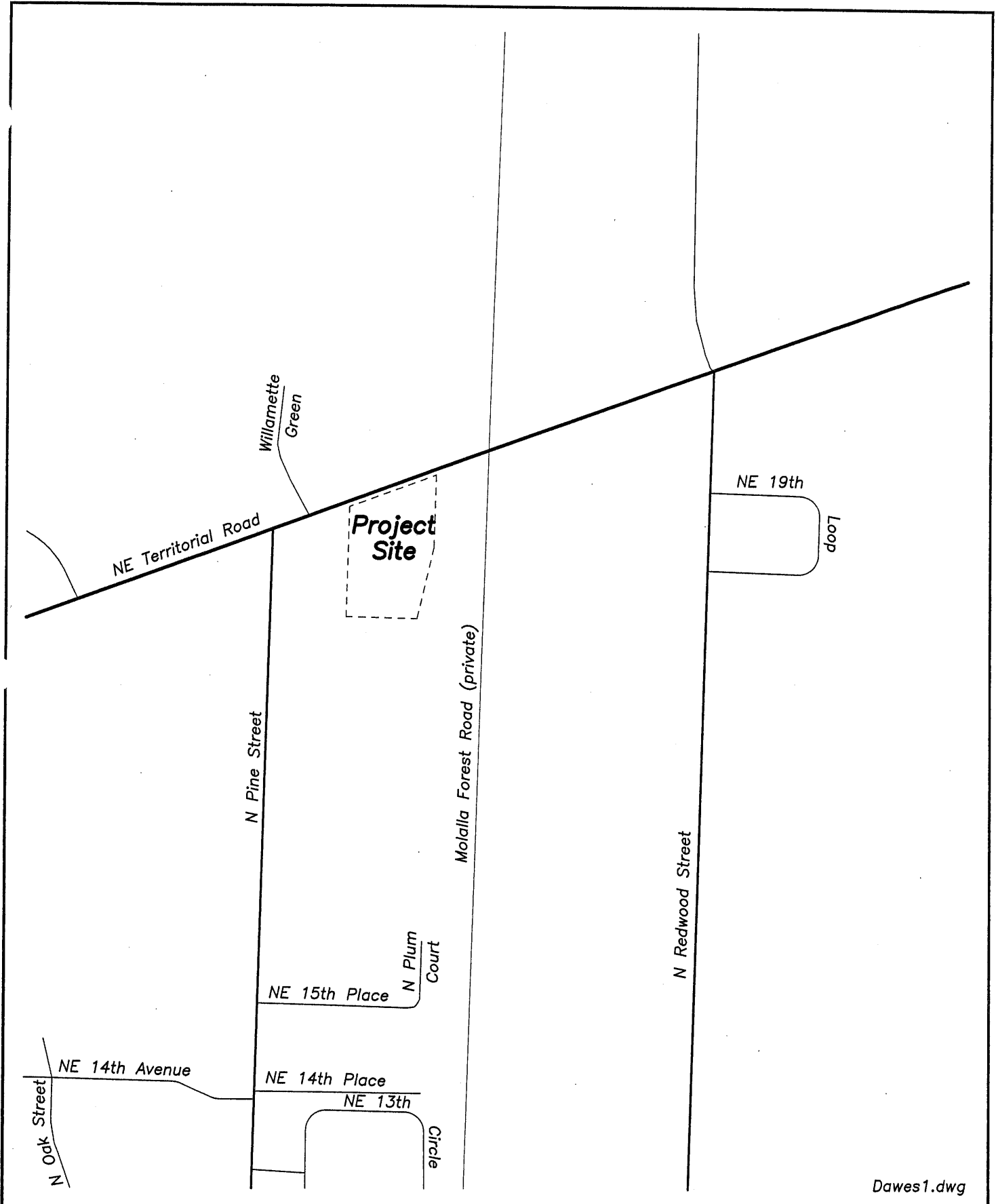
Yours truly,

Catriona Sumrain
Engineering Technician

attachments: Vicinity map
Speed Zone order
Trip Generation worksheet



12/06



Dawes1.dwg



VICINITY MAP



FIGURE
1
APPENDIX





Speed Zone Order

Date **October 27, 2004** Order No **J7537**

Jurisdiction(s)
Clackamas Co. Canby

Whereas, the Oregon Department of Transportation, has been requested to perform an investigation pursuant to the provisions of ORS 810.180, has caused an engineering and traffic investigation to be made for the section(s) of state highway, county highway, city highway, or highway under the jurisdiction of a federal agency described below (highway means public way); and

Whereas, the State Traffic Engineer has been authorized to act on behalf of the Oregon Transportation Commission; and

Whereas, the data, facts, and information obtained in connection with said engineering and traffic investigation are on file in the office of the Traffic Management Section of the Oregon Department of Transportation in Salem, Oregon; and

Whereas, based upon said engineering and traffic investigation, the Traffic Engineer has found that the speed designated in ORS 811.105 or ORS 811.111 is greater than is reasonable under the conditions found to exist upon the section(s) of highway for which a lesser speed is herein designated or that the speed designated in said statute is less than is reasonable under the conditions found to exist upon the section(s) of highway for which a greater speed is herein designated; and

Whereas, the provisions of ORS 810.180 respecting notice and hearing have been complied with:

It is **Therefore Ordered** that the designated speed for the following section(s) of highway be as follows:

Name S Territorial Road

LOCATION OF TERMINI

From	To	Designated Speed (Miles Per Hour)
Pacific Hwy East (OR 99E)	Molalla Forest Road	45
Molalla Forest Road	N Holly Street	35
Holly Street	Birch Street	25
<i>School speed zones may be posted within the limits of this order as determined to be appropriate by the Road Authority, based on an engineering investigation as per the provisions of ORS 811.111, Subsection 1(e) and ORS 810.200.</i>		
This rescinds SZRP Order 2552 of 8/13/1975, SZRP Order 2553 of 8/13/1975		

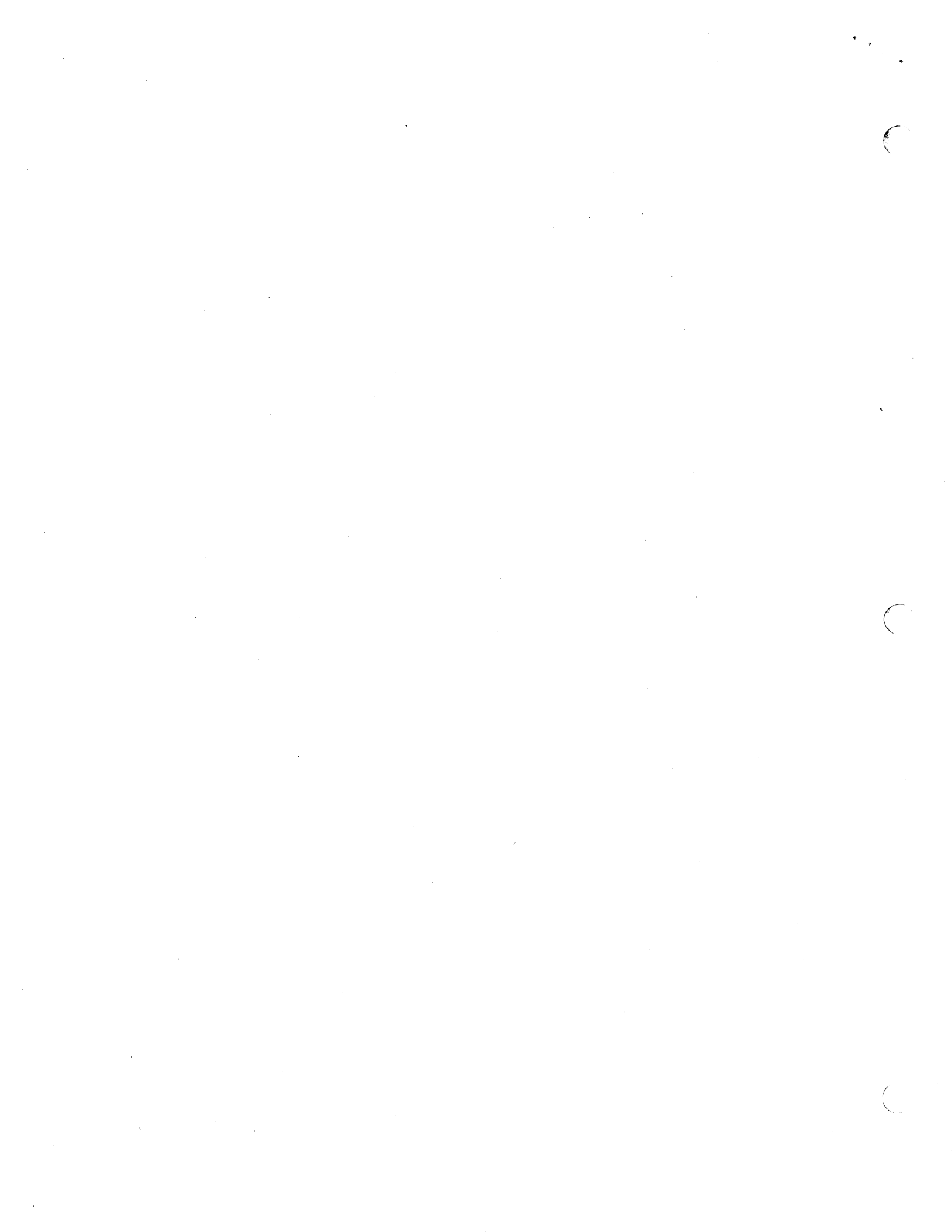
Be it further ordered that the roadway authority or authorities responsible for the above section(s) of highway install appropriate signs giving notice of the designated speed(s) therefore as per ORS 810.180, Subsection 5(e).

Be it further ordered that signs installed pursuant to this order comply with the provisions of ORS 810.210 and 810.220.

Be it further ordered that any previous order made by the Department with respect to the designated speed for the above section(s) of highway which is in conflict with the provisions of this order is hereby rescinded.

Be it further ordered that the Traffic Engineer of the Oregon Department of Transportation is hereby delegated the authority to sign this order for and on behalf of the Department.

Ed Fischer
For Ed Fischer, State Traffic Engineer





TRIP GENERATION CALCULATIONS

Land Use: Residential Condominium/Townhouse
Land Use Code: 230
Variable: Dwelling Units
Variable Value: 23

AM PEAK HOUR

Trip Rate: 0.44

	Enter	Exit	Total
Directional Distribution	17%	83%	
Trip Ends	2	8	10

PM PEAK HOUR

Trip Rate: 0.52

	Enter	Exit	Total
Directional Distribution	67%	33%	
Trip Ends	8	4	12

WEEKDAY

Trip Rate: 5.86

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	67	67	134

SATURDAY

Trip Rate: 5.67

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	65	65	130

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 1, 2005

- TO:
- | | |
|--|---|
| <input checked="" type="checkbox"/> FIRE | <input type="checkbox"/> CANBY POST OFFICE |
| <input checked="" type="checkbox"/> POLICE | <input checked="" type="checkbox"/> CLACKAMAS COUNTY ASSESSOR |
| <input checked="" type="checkbox"/> PUBLIC WORKS | <input checked="" type="checkbox"/> CLACKAMAS COUNTY 911 |
| <input checked="" type="checkbox"/> CANBY ELECTRIC | <input checked="" type="checkbox"/> CLACKAMAS COUNTY TRANSPORTATION |
| <input checked="" type="checkbox"/> CANBY WATER | <input checked="" type="checkbox"/> TRAFFIC SAFETY COMMITTEE |
| <input checked="" type="checkbox"/> WWTP | <input type="checkbox"/> CLACKAMAS COUNTY |
| <input checked="" type="checkbox"/> CITY ENGINEER | <input checked="" type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input checked="" type="checkbox"/> CTA | <input type="checkbox"/> TRANSPORTATION ENGINEER |
| <input checked="" 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 checked="" type="checkbox"/> CANBY DISPOSAL | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION |
| <input type="checkbox"/> CITY ATTORNEY | <input checked="" type="checkbox"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-02 (1203 NE Territorial), an application by S. T. J., LLC. requesting to annex 1.70 acres into the City of Canby. The property is South of Territorial Road, east of Pine Street and west of the Logging Road Trail. If annexed the parcel would be zoned R-2 in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 23 townhomes.

Please review the enclosed application and return comments to **Kevin Cook** by ^{Tuesday} ~~Wednesday~~, July ¹⁴ ~~15~~, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: _____ Date: _____

Title: _____ Agency: _____



CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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 checked="" 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-02 (1203 NE Territorial), an application by S. T. J., LLC. requesting to annex 1.70 acres into the City of Canby. The property is South of Territorial Road, east of Pine Street and west of the Logging Road Trail. If annexed the parcel would be zoned R-2 in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 23 townhomes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Darwin Tramel Date: 7/11/05

Title: SUPERVISOR Agency: WWTP

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

2. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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"/> TRANSPORTATION 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 checked="" type="checkbox"/> CANBY DISPOSAL | <input type="checkbox"/> CANBY BUSINESS REVITALIZATION |
| <input type="checkbox"/> CITY ATTORNEY | <input type="checkbox"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-02 (1203 NE Territorial), an application by S. T. J., LLC. requesting to annex 1.70 acres into the City of Canby. The property is South of Territorial Road, east of Pine Street and west of the Logging Road Trail. If annexed the parcel would be zoned R-2 in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 23 townhomes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature: Steve Cabert **Date:** 7-8-05

Title: President **Agency:** Canby Disposal

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-02 (1203 NE Territorial), an application by S. T. J. LLC, requesting to annex 1.70 acres into the City of Canby. The property is South of Territorial Road, east of Pine Street and west of the Logging Road Trail. If annexed the parcel would be zoned R-2 in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 23 townhomes.

Please review the enclosed application and return comments to Kevin Cook by Tuesday, July 14, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

THERE MUST BE A LOOP FEED WATER SUPPLY OR CONTINUING OF EXISTING
LINE. NO DEAD END LINES.
23 townhomes @ \$1841⁰⁰ ea = \$42343⁰⁰
23 meters @ \$100⁰⁰ = \$2300⁰⁰ drop in fee.
Water fees = \$44,643⁰⁰ TOTAL
Water service locations to be determined.

Please check one box and sign below:

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

Signature: Bruce Johnson Date: 7/11/05

Title: Water Dept. Foreman Agency: Canby Utility

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

[503] 266-9404

FAX 266-1574

P.O. Box 930, Canby, OR 97013

DATE: July 7, 2005

- 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-02 (1203 NE Territorial), an application by S. T. J., LLC. requesting to annex 1.70 acres into the City of Canby. The property is South of Territorial Road, east of Pine Street and west of the Logging Road Trail. If annexed the parcel would be zoned R-2 in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 23 townhomes.

Please review the enclosed application and return comments to Kevin Cook by Tuesday, July 14, 2005. Please state any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

annexation Policy will apply

Please check one box and sign below:

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

Signature: *Ray Hochmull* Date: 7-13-05

Title: Line Foreman Agency: C.U. Elect.

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- 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 checked="" type="checkbox"/> CITY ENGINEER | <input type="checkbox"/> CANBY SCHOOL DISTRICT |
| <input type="checkbox"/> CTA | <input type="checkbox"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

The City has received ANN 05-02 (1203 NE Territorial), an application by S. T. J., LLC. requesting to annex 1.70 acres into the City of Canby. The property is South of Territorial Road, east of Pine Street and west of the Logging Road Trail. If annexed the parcel would be zoned R-2 in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 23 townhomes.

Please review the enclosed application and return comments to **Kevin Cook** by **Tuesday, July 14, 2005**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

- ① ~~Sanitary sewer is available in Territorial Rd.~~
- ② ~~No Concerns about the proceedings.~~

Please check one box and sign below:

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

Signature: _____

Date: _____

Title: _____

Agency: _____

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

Box 930, Canby, OR 97013

[503] 266-9404

FAX 266-1574

DATE: July 7, 2005

- | | | |
|-----|---|--|
| 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"/> TRANSPORTATION 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"/> BIKE AND PEDESTRIAN COMMITTEE |

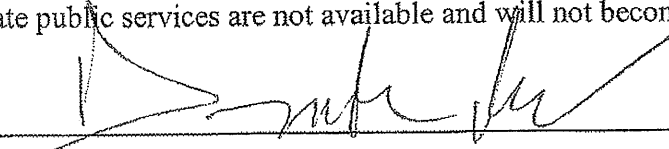
The City has received ANN 05-02 (1203 NE Territorial), an application by S. T. J., LLC. requesting to annex 1.70 acres into the City of Canby. The property is South of Territorial Road, east of Pine Street and west of the Logging Road Trail. If annexed the parcel would be zoned R-2 in conformance with Canby's Comprehensive Plan. If approved, the applicant proposes to construct 23 townhomes.

Please review the enclosed application and return comments to Kevin Cook by Tuesday, July 14, 2005. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

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

Signature:  Date: 7-14-05

Title: ASSOCIATE ENG. Agency: CTA



Buildable Lands Inventory - July 14, 2005

Residential lands platted

R-1 Low Density Residential

<i>Property Owner</i>	<i>Tax Map</i>	<i>Tax Lot</i>	<i>Size (acres)</i>	<i>Zoning</i>	<i>Units</i>	<i>Units Built</i>	<i>Units Available</i>
Walnut Crossing - Netter	3 1E 27 DB	602/700	2.98	R-1	11	3	8
Burbank Estates	3 1E 28CD	1400	3.9	R-1	20	2	18
Dupont Estates			13	R-1	30	0	30
Willow Creek Estates - Postlewait I	3 1E 27C	1500	4.47	R-1	31	11	20
Willow Creek Estates - Postlewait II	3 1E 34B	800	4.9	R-1	0	0	0
Auburn Farms (Simnitt) - Phase I			5	R-1	26	1	25
Auburn Farms (Simnitt) - Phase II			14	R-1	53	0	53
Miscellaneous Other Lots				R-1	40	0	40
R-1 Total Lots			48.25		211	17	194

5 year average 99 units/year = 1.96 years

R-1.5 Medium Density Residential

<i>Property Owner</i>	<i>Tax Map</i>	<i>Tax Lot</i>	<i>Size (acres)</i>	<i>Zoning</i>	<i>Units</i>	<i>Units Built</i>	<i>Units Available</i>
Township Trail				R-1.5	5	1	4
Willow Creek Estates - Sequoia Place	4 1E 04 CA	1200	1.89	R-1.5	12	12	0
R-1.5 Total Lots			1.89		17	13	4

5 year average 2.8 units/year = 1.429 years

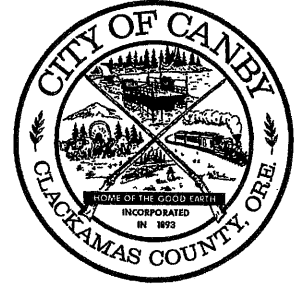
R-2 High Density Residential

<i>Property Owner</i>	<i>Tax Map</i>	<i>Tax Lot</i>	<i>Size (acres)</i>	<i>Zoning</i>	<i>Units</i>	<i>Units Built</i>	<i>Units Available</i>
Marnella - Garden Crossing	3 1E 34B	200	4.67	R-2	55	55	0
Valentine Meadows				R-2	16	16	0
Apollo Homes	4 1E 05	401	14.21	R-2	138	0	138
Pine Place				R-2	4	0	4
R-2 Total Lots			18.88		209	71	142

5 year average 51.6 units/year = 2.752 years

Subdivisions not yet approved for development





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

A REQUEST FOR APPROVAL TO)	FINDINGS, CONCLUSIONS & FINAL ORDER
PARTITION AN EXISTING 14,800)	MLP 05-05
SQUARE FOOT PARCEL INTO)	(Mees)
ONE PARCEL OF 7,575 SF AND ONE)	
PARCEL OF 7,225 SF)	

NATURE OF APPLICATION

The applicant is seeking approval to partition one 14,800 square foot parcel into two separate tax lots of 7,575 SF (lot #1) and 7,225 SF (lot #2). The existing house, which has access from NE 11th Place, will remain on the front lot (#1), creating one buildable lot to the rear of the parent parcel. The applicant proposes to provide access to the rear lot by means of a 12 foot wide access drive off NE 11th Place, which will terminate in a 12' by 20' turn around. The application meets current zoning and comprehensive plan designations of R-1 Low Density Residential.

HEARINGS

The Planning Commission held a public hearing to consider this application on July 11, 2005.

CRITERIA AND STANDARDS

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

- A. Conformance with the text and the applicable maps of the Comprehensive Plan;
- B. Conformance with all other requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties;
- D. In no case shall the use of a private road be approved for the partitioning unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for

unhindered use by emergency vehicles, and unless it is found that the construction of a street to City standards is not necessary to insure safe and efficient access to the parcels.

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

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the July 11, 2005 public hearing, and includes the July 1, 2005 staff report. The Planning Commission accepts the findings in the July 1, 2005 staff report inasmuch as they do not conflict with the following additional considerations:

1. The Planning Commission discussed the large tree that will be sacrificed through the development and determined the applicant should plant a new tree in the front yard of the existing home. The new tree should be larger than 2" caliper.

CONCLUSION

Based on the staff report and Commission deliberation, the Planning Commission concludes that:

1. The partition request, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
2. The partition request is in conformance with the applicable requirements of the Municipal Code regarding access to the site and hindrance of developing adjacent parcels;
3. Necessary public services are available or will become available through the development of the property to adequately meet the needs of the proposed partition.

ORDER

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

For the Final Plat:

1. A final partition plat modified to illustrate the conditions of approval shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application: *City of Canby File Number MLP 05-05*
2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The partition map shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department upon

completion.

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

Notes:

5. The final plat must be recorded with the Clackamas County Recorder within one (1) year of the preliminary plat approval in accordance with Canby Ordinance 16.60.060. The Mylar for the final plat must be signed by the City Planning Director prior to recording the plat.
6. All house numbers shall be clearly visible from the street but numbers painted on the curb shall not be the primary method of meeting this requirement.

Prior to Construction:

7. A stormwater permit shall be obtained from the State of Oregon (DEQ) prior to issuance of a building permit. The approved stormwater system plan shall be approved by DEQ and by the Canby Public Works Department.

During Construction:

8. A five (5) foot sidewalk inclusive of curb shall be constructed for the full frontage of the parent parcel along NE 11th Place. Where mailboxes, fire hydrants or other obstructions are located at the curb, sidewalks shall swing away from the curb in order to remain unobstructed for a full five-foot width.
9. The applicant is responsible for all costs associated with the relocation of utilities and services.
10. A new sewer main and/or new laterals shall be installed by the applicant at the time of development. The location and construction of the sewer main and/or laterals shall be approved by the Public Works Supervisor prior to excavation.
11. Parking shall be prohibited in the access drive in order to provide continuous, unhindered emergency vehicle access. A "**Private Drive: No Parking**" sign shall be installed by the developer in compliance with City standards.
12. The applicant shall construct an approved curb cut, approach apron and sidewalk ramp at each drive entrance to the parcels. Access improvements and sidewalks shall be inspected and approved by Canby Public Works prior to installation.

I CERTIFY THAT THIS ORDER approving **MLP 05-05** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 25th day of July, 2005.

James R. Brown, Chairman
Canby Planning Commission

Matilda Deas AICP
Project Planner

ATTEST:

ORAL DECISION – July 11, 2005

AYES: Brown, Helbling, Manley, Molamphy, Tessman

NOES: None

ABSTAIN: None

ABSENT: Lucas, Ewert

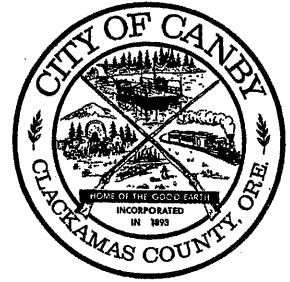
WRITTEN DECISION – July 25, 2005

AYES:

NOES:

ABSTAIN:

ABSENT:



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

AN APPLICATION TO)	FINDINGS, CONCLUSIONS & FINAL ORDER
PARTITION ONE 17,250 SQUARE)	MLP 05-06
FOOT RESIDENTIAL PARCEL)	(Thompson)
INTO THREE PARCELS)	

NATURE OF APPLICATION

The applicant is seeking approval to partition one 17,250 square foot parcel into three separate tax lots. Parcel 1 (west) would contain 6,210 sq. ft. and a new duplex residential building; Parcel 2 (southeast) would contain 6,000 sq. ft. and a new duplex, and Parcel 3 (northeast) would contain 5,040 sq. ft. where the existing single family residence would remain. The applicant proposes to provide access to lot 1 by way of NW 5th St. and to lot 2 by way of N Fir St.

HEARINGS

The Planning Commission held a public hearing to consider this application on July 11, 2005.

CRITERIA AND STANDARDS

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

- A. Conformance with the text and the applicable maps of the Comprehensive Plan;
- B. Conformance with all other requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties;
- D. In no case shall the use of a private road be approved for the partitioning unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to City standards is not necessary to insure safe and efficient access to the parcels; and
- E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the July 11, 2005 public hearing, including the June 9, 2005 staff report. The Planning Commission hereby accepts and incorporates the findings in the June 9, 2005 staff report, in so far as it does not conflict with the following supplemental finding:

The Commission found that a possible 10-foot wide sewer easement across one or more of the new lots would not be acceptable due to the possible conflict with the future placement of structures on the new lots. The Commission recommended that any existing sewer laterals serving the existing house be relocated within a designated easement area along exterior property lines.

CONCLUSION

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

1. The partition request, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
2. The partition request is in conformance with the applicable requirements of the Municipal Code regarding access to the site and hindrance of developing adjacent parcels;
3. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties;
4. No private streets are proposed; and
5. Necessary public services are available or will become available through the development of the property to adequately meet the needs of the proposed partition.

ORDER

IT IS ORDERED by the Planning Commission of the City of Canby that **MLP 05-06** is **APPROVED** subject to the following conditions:

For the Final Plat:

1. A final partition plat illustrating the conditions of approval shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application: *City of Canby File Number MLP 05-06*
2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. The partition map shall be recorded with the Clackamas County Surveyor and with the Clackamas County Clerk; a final copy of the signed and recorded map shall be provided to the Canby Planning Department upon completion.
3. A new deed and legal description for the proposed parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
4. All monumentation and recording fees shall be borne by the applicant.
5. Twelve (12) foot utility easements shall be provided along street lot lines. Ten (10) foot utility easements shall be provided along non-street exterior lot lines unless adjacent lots have recorded utility easements of four (4) or more feet, in which case the non-street exterior lot lines shall have six (6) foot utility easements. All interior lot lines shall have six (6) foot utility easements. Any existing sewer laterals shall be relocated to a designated utility easement area along an exterior property line.

Notes:

7. The final plat must be recorded with the Clackamas County Surveyor within one (1) year of the preliminary plat approval in accordance with Canby Ordinance 16.60.060. Mylar copies of the final plat must be signed by the City Planning Director prior to recording the plat with Clackamas County.
8. House numbers shall be visible from the street but numbers painted on the curb shall not be the primary method of meeting this requirement.

Prior to Construction:

9. A stormwater permit shall be obtained from the State of Oregon (DEQ) prior to issuance of a building permit. An acceptable stormwater system plan shall be approved by the State of Oregon - DEQ and the Canby Public Works Department.
10. Prior to the issuance of a building permit, the applicant shall demonstrate compliance with offstreet parking requirements as listed in Chapter 16.10 of the CMC.

During Construction:

11. The applicant is responsible for all costs associated with the relocation of utilities.
12. Any new sewer main and/or new laterals shall be installed by the applicant at the time of development. Location and construction of the sewer main and/or laterals shall be approved by the Public Works Supervisor *prior to excavation*.
13. The applicant shall construct an approved curb cut, approach apron and sidewalk ramps at each drive entrance to the parcels. The alleyway shall be repaved along the entire width of the property frontage abutting the alley. Access improvements shall be inspected and approved by Canby Public Works prior to installation.
14. The applicant shall plant a minimum of one street tree along the street frontage of each unit (two trees per duplex building). Street trees shall be placed 11' behind the back of sidewalk.
15. Duplex unit #1 (on the west parcel) will be required to comply with the standards for infill homes as listed in Section 16.21.050.

I CERTIFY THAT THIS ORDER approving **MLP 05-06** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 25th day of July, 2005.

James R. Brown
Chairman, Canby Planning Commission

Kevin C. Cook
Associate Planner

ATTEST:

ORAL DECISION – July 11, 2005

AYES: Brown, Helbling, Ewert, Molamphy, Tessman, Manley

NOES: None

ABSTAIN: None

ABSENT: Lucas

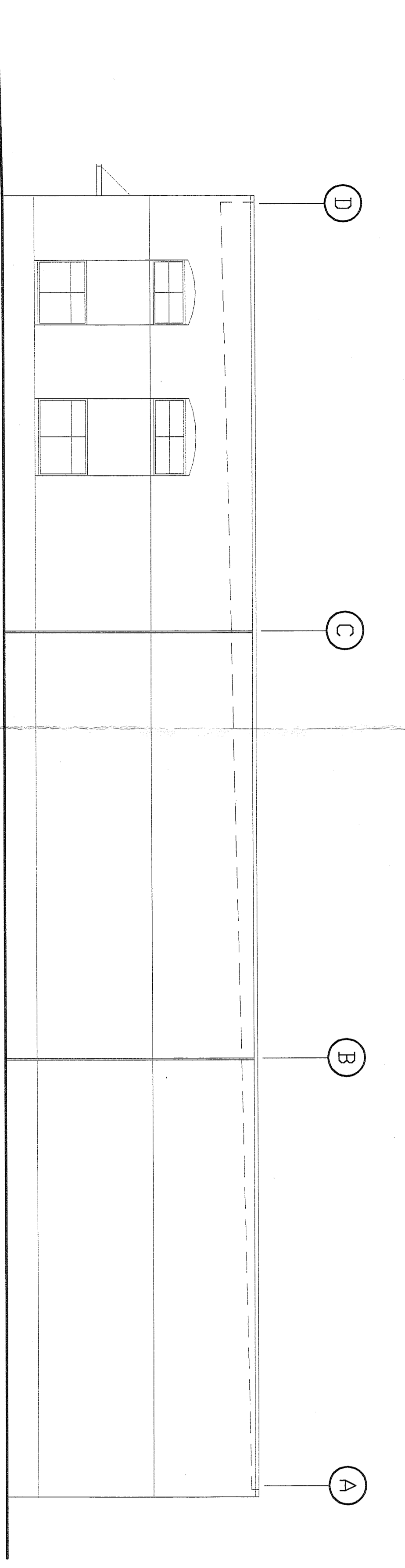
WRITTEN DECISION – July 25, 2005

AYES:

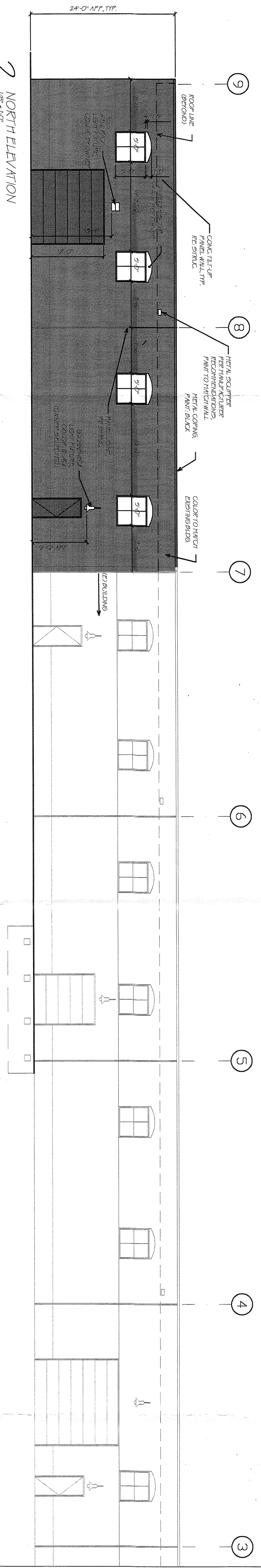
NOES:

ABSTAIN:

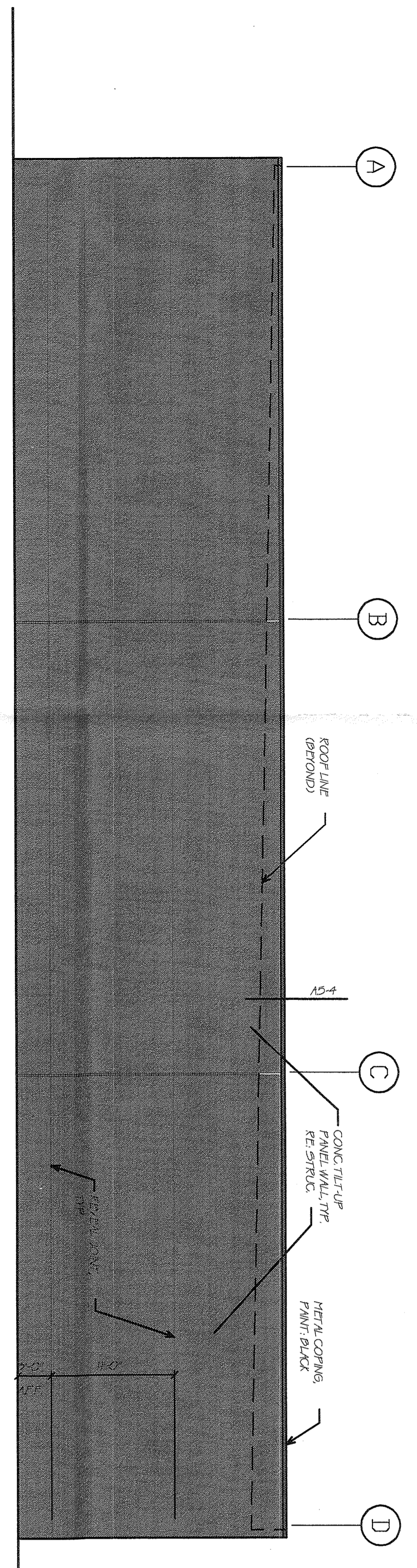
ABSENT:



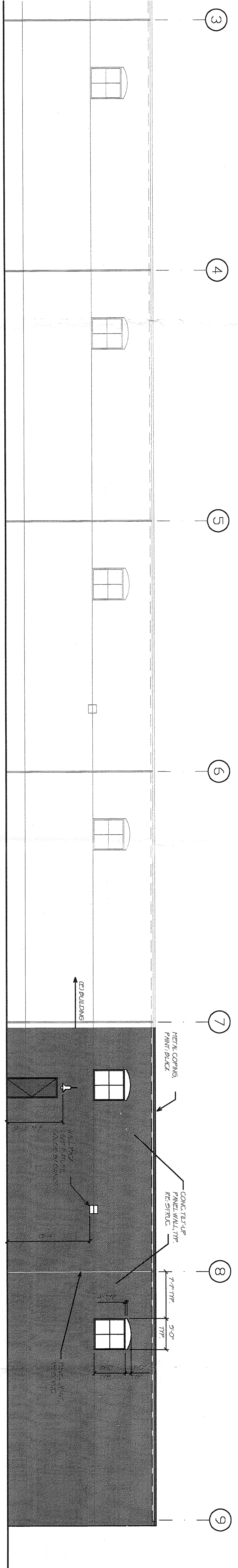
1 WEST ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



3 EAST ELEVATION
1/8" = 1'-0"



4 SOUTH ELEVATION
1/8" = 1'-0"

- GENERAL NOTES**
1. ALL EXTERIOR MATERIAL COLORS SELECTED BY OWNER.
 2. ALL REVEAL JOINTS IN CONC. TO BE 3/4" V-JOINT.
 3. PAINT ALL CORNERS BLACK UNLESS OTHERWISE SPECIFIED.
 4. COORDINATE CONC. PANEL DIMENSIONS W/ STRUCT. DIMENSIONS. NOTIFY ARCH. IF CONFLICTS. SET FOUND.
 5. COORDINATE LOCATION AND INSTALLATION OF ALL DIMENSIONS BY OTHERS. NOTIFY ARCH. IF CONFLICTS. SET FOUND.
 6. PAINT ALL CORNERS BLACK UNLESS OTHERWISE SPECIFIED.
 7. PAINT ALL EXTERIOR DOORS & FRAMES COLOR SELECTED BY OWNER.
 8. OBTAIN TOTAL JOINTS TO BE PAINTED WITH ALL EXTERIOR DOORS & FRAMES. NOTIFY ARCH. IF CONFLICTS. SET FOUND.
 9. ALL DIMENSION JOINTS SHOWN SHALL BE SCHEDULE THE S-2 ELECTROSTATIC SEALANT WITH BSH 0320.

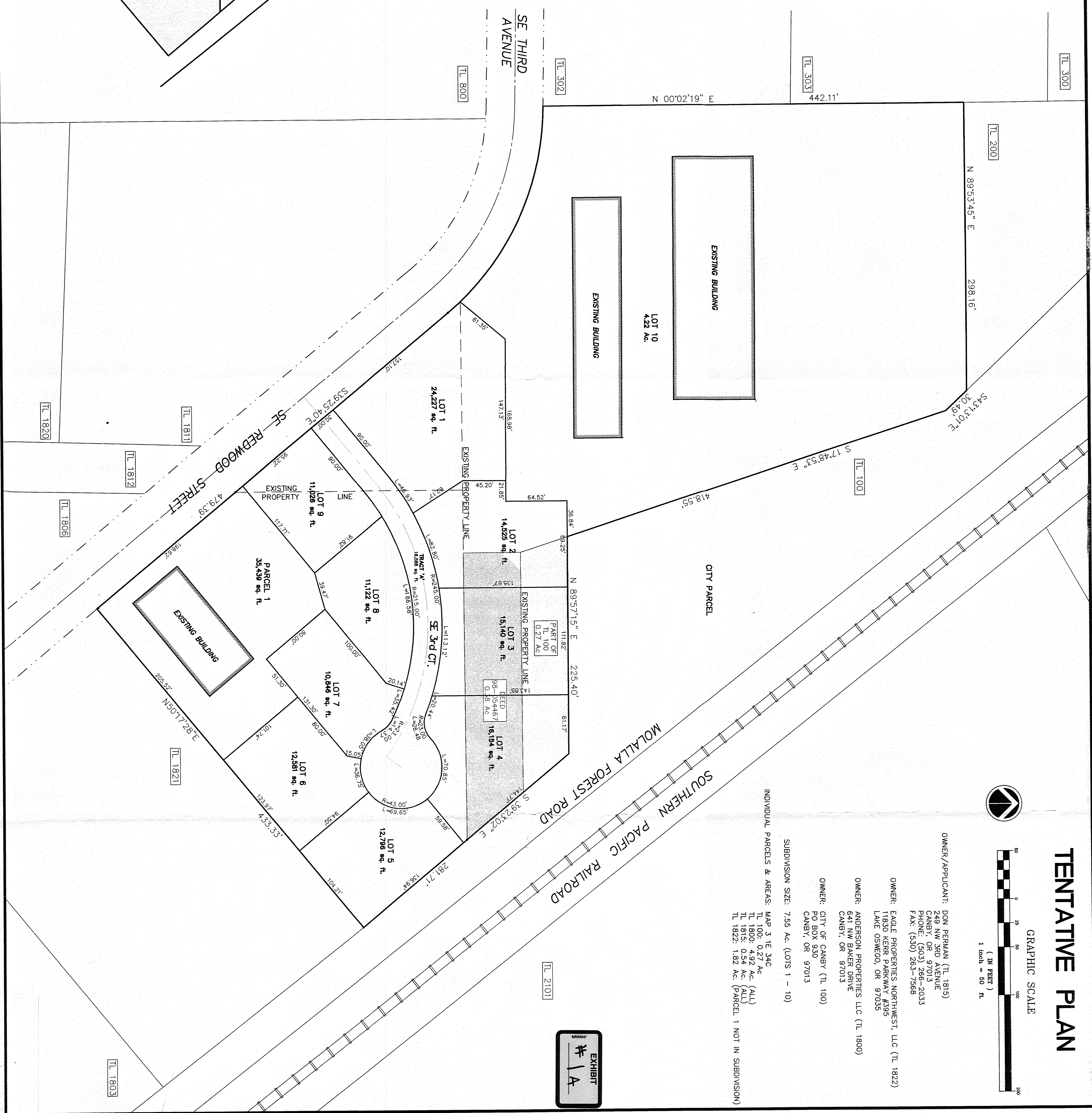
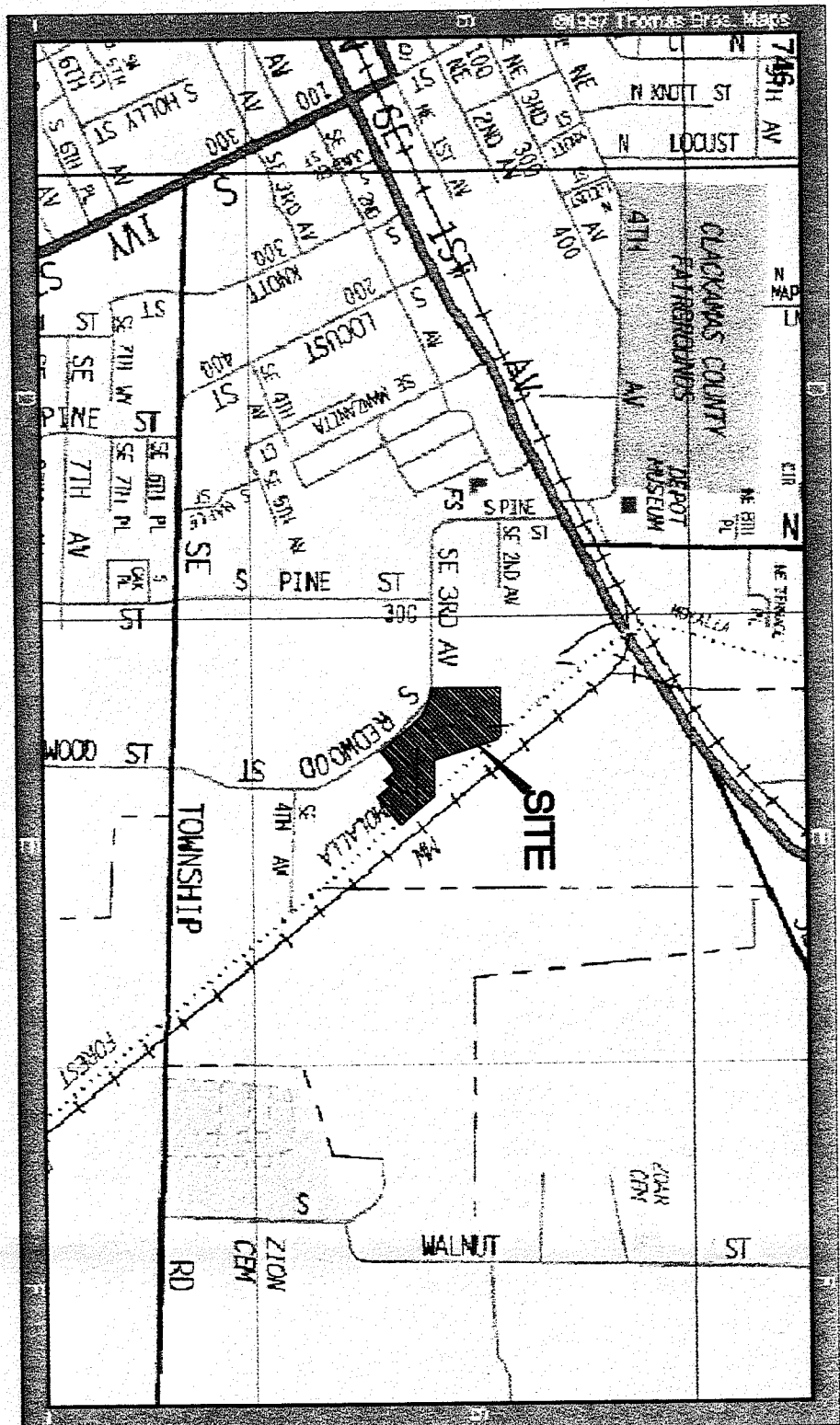
SMS AUTO FABRICS WAREHOUSE
CANBY, OREGON



INDUSTRIAL DESIGN
2501 W. PARK AVE
PORTLAND, OR 97209
503.224.2943 FAX
Portland@ind.com

DATE	06/02/05
PROJECT	BUILDING ELEVATIONS
SCALE	AS SHOWN
DRWING NO.	A-4

A-4



TENTATIVE PLAN



OWNER/APPLICANT: DON PERMAN (TL 1815)
 249 NW 3RD AVENUE
 CANBY, OR 97013
 PHONE: (503) 268-2033
 FAX: (530) 283-7568

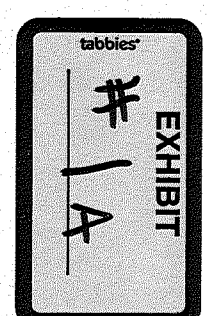
OWNER: EAGLE PROPERTIES NORTHWEST, LLC (TL 1822)
 11830 KERR PARKWAY #395
 LAKE OSWEGO, OR 97035

OWNER: ANDERSON PROPERTIES LLC (TL 1800)
 641 NW BAKER DRIVE
 CANBY, OR 97013

OWNER: CITY OF CANBY (TL 100)
 PO BOX 930
 CANBY, OR 97013

SUBDIVISION SIZE: 7.55 Ac. (LOTS 1 - 10)

INDIVIDUAL PARCELS & AREAS: MAP 3 1E 34C
 TL 100: 0.27 Ac. (ALL)
 TL 1800: 4.92 Ac. (ALL)
 TL 1815: 0.38 Ac. (ALL)
 TL 1822: 1.82 Ac. (PARCEL 1 NOT IN SUBDIVISION)

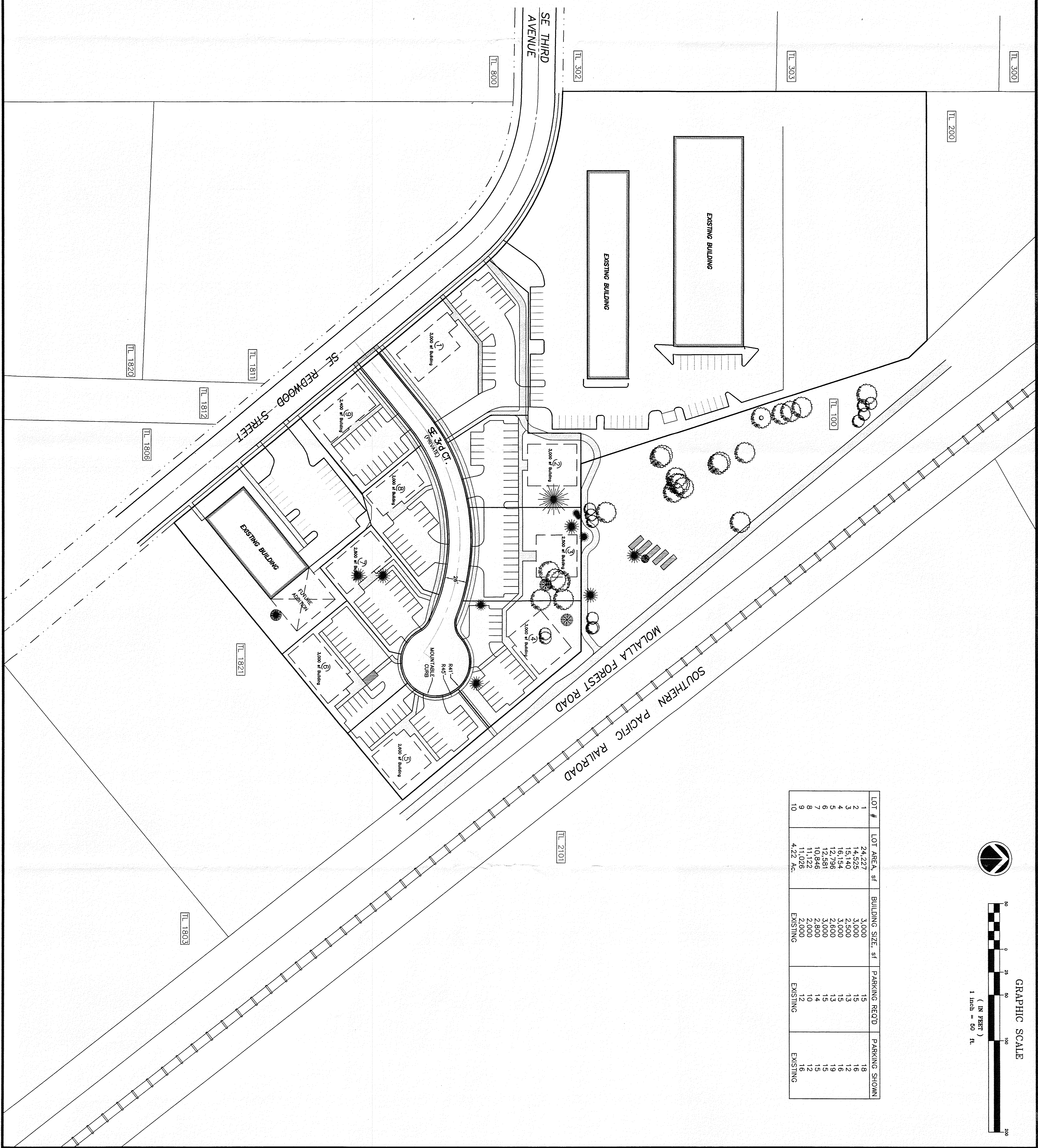


Subdivision Plan
 REDWOOD HEALTHCARE VILLAGE
 DON PERMAN

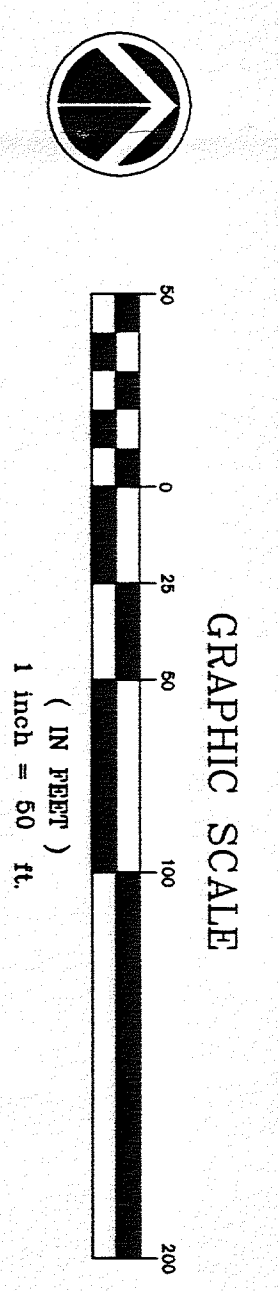
REVISIONS	BY

SISUL ENGINEERING
 875 PORTLAND AVENUE
 CLADSTONE, OREGON 97027
 (503) 657-0188

DATE: APRIL, 2005
 SCALE: 1" = 50'
 DRAWN: PS
 JOB: SOL 04-078
 SHEET: 1
 OF 5 SHEETS



LOT #	LOT AREA, sf	BUILDING SIZE, sf	PARKING REQ'D	PARKING SHOWN
1	24,227	3,000	15	18
2	14,525	3,000	15	16
3	15,140	2,500	13	12
4	16,154	3,000	15	16
5	12,796	2,800	13	19
6	12,581	3,000	15	15
7	10,122	2,000	10	12
8	11,025	2,000	12	16
9	4.22 Ac.	EXISTING	EXISTING	EXISTING
10				

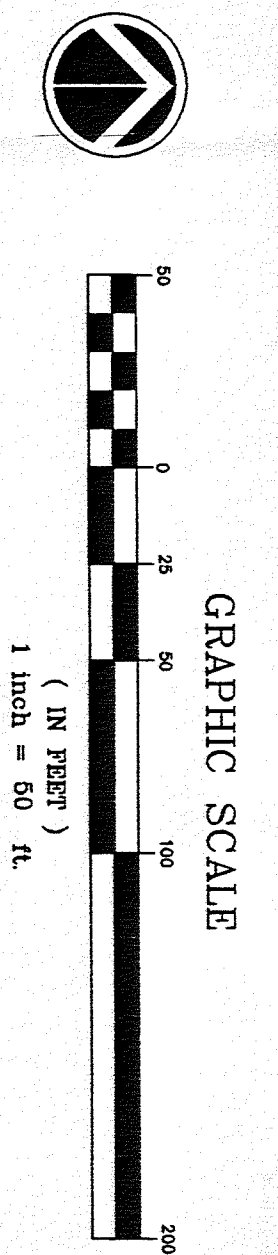
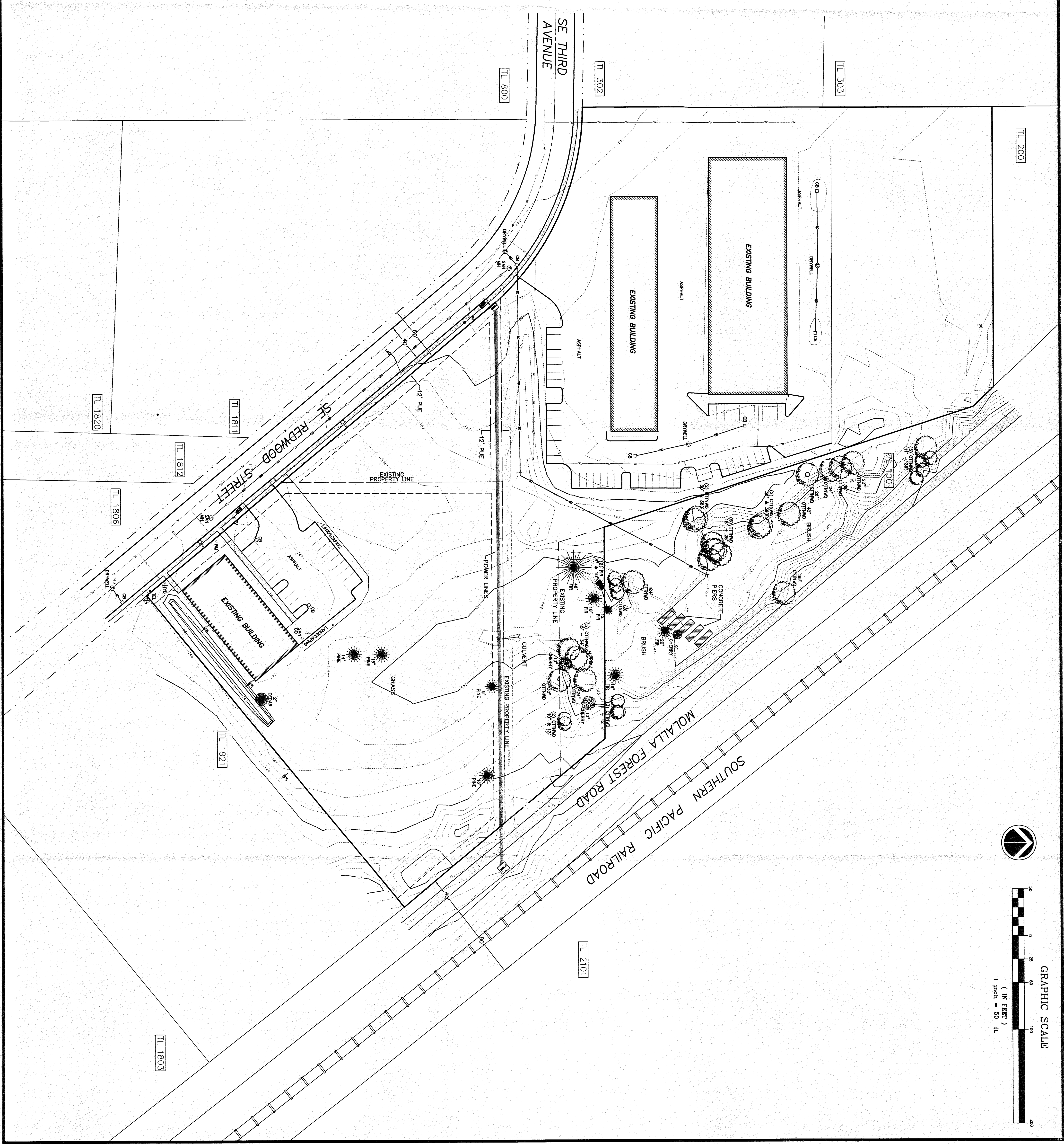


SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 857-0188
 DATE: APRIL, 2005
 SCALE: H: 1" = 50'
 DRAWN: PS
 JOB: SGL 04--078
 SHEET: 2
 OF 5 SHEETS

Concept Plan

REDWOOD HEALTHCARE VILLAGE
 DON PERMAN

REVISIONS	BY



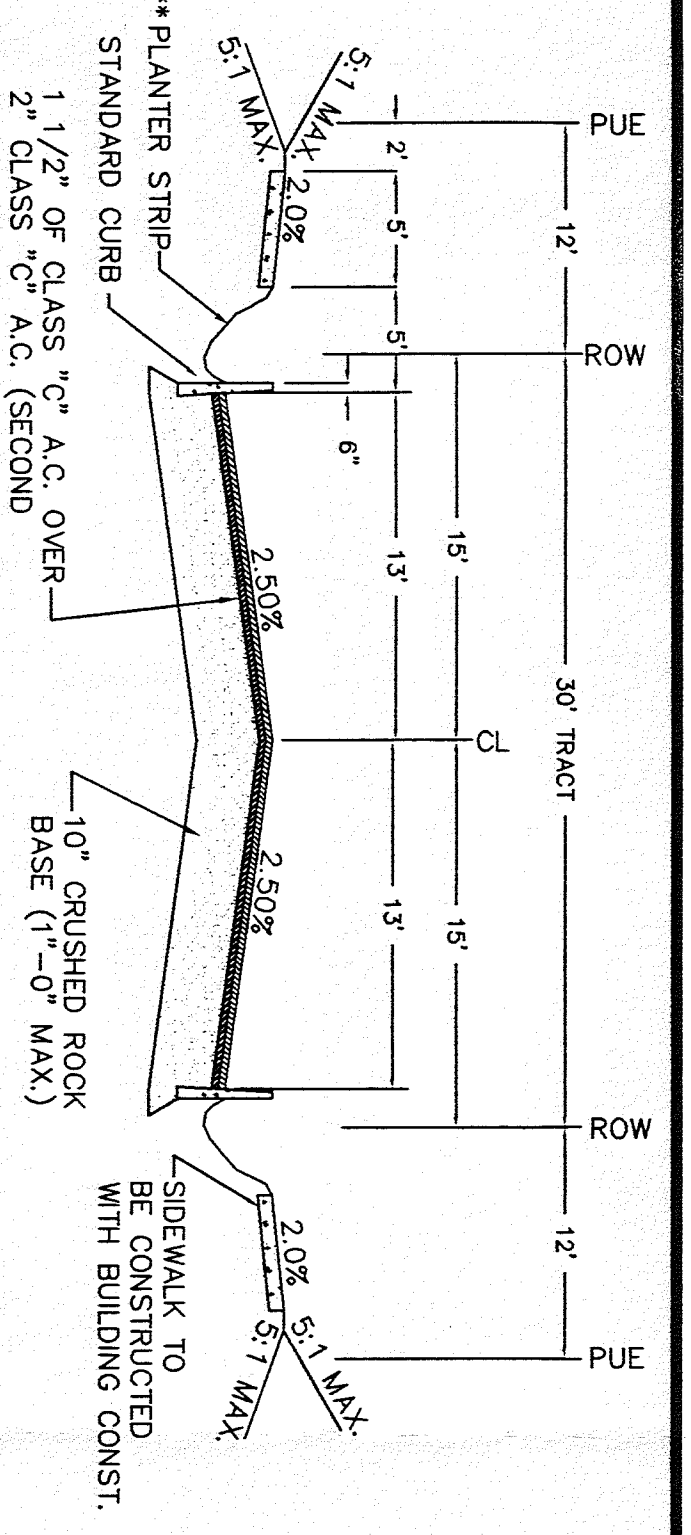
REVISIONS	BY

REDWOOD HEALTHCARE VILLAGE
DON PERMAN

Existing Conditions

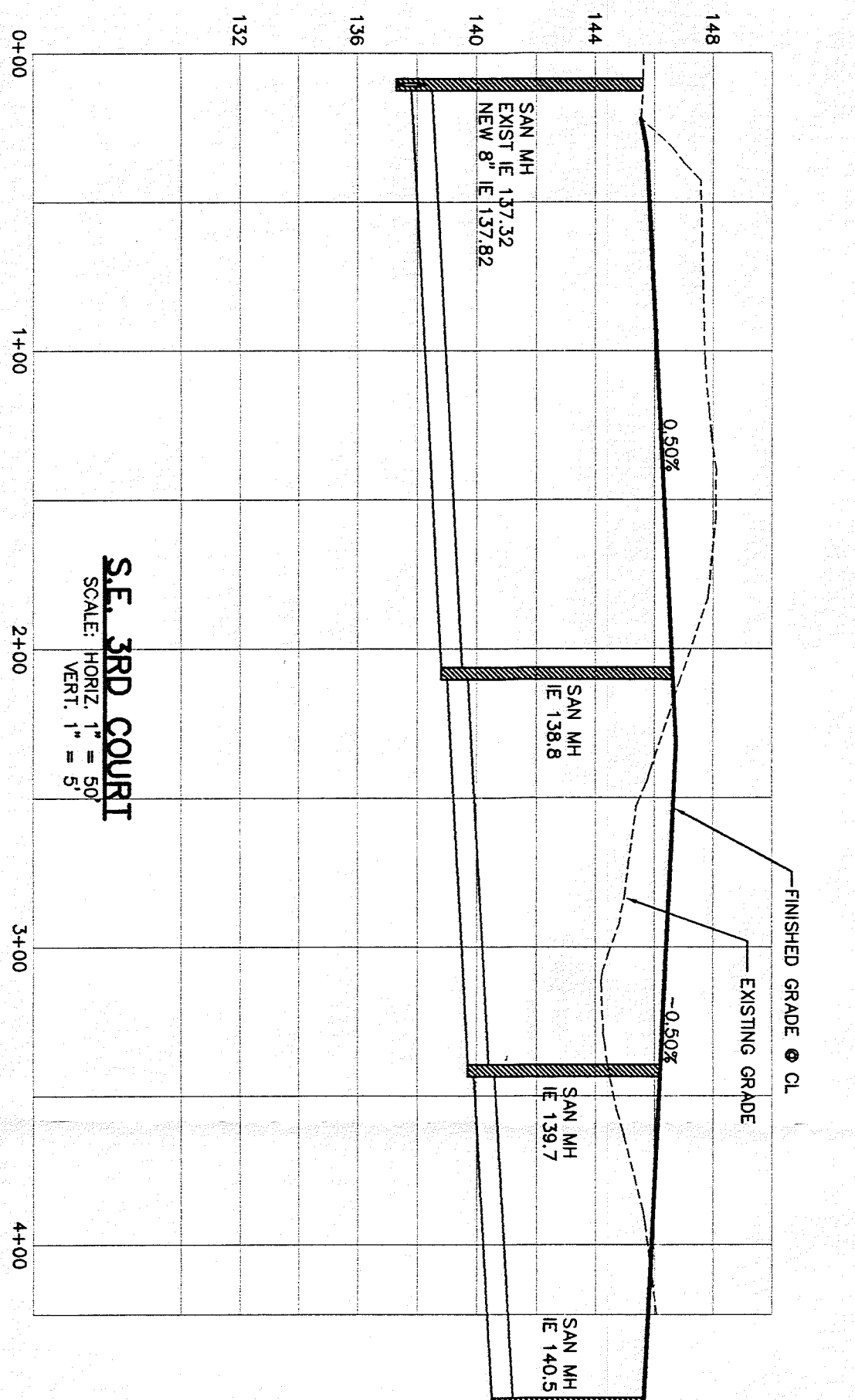
SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DATE: APRIL, 2005
SCALE: 1/4" = 50'
DRAWN: PS
JOB: SGL 04-078
SHEET: 3
SHEETS: 5

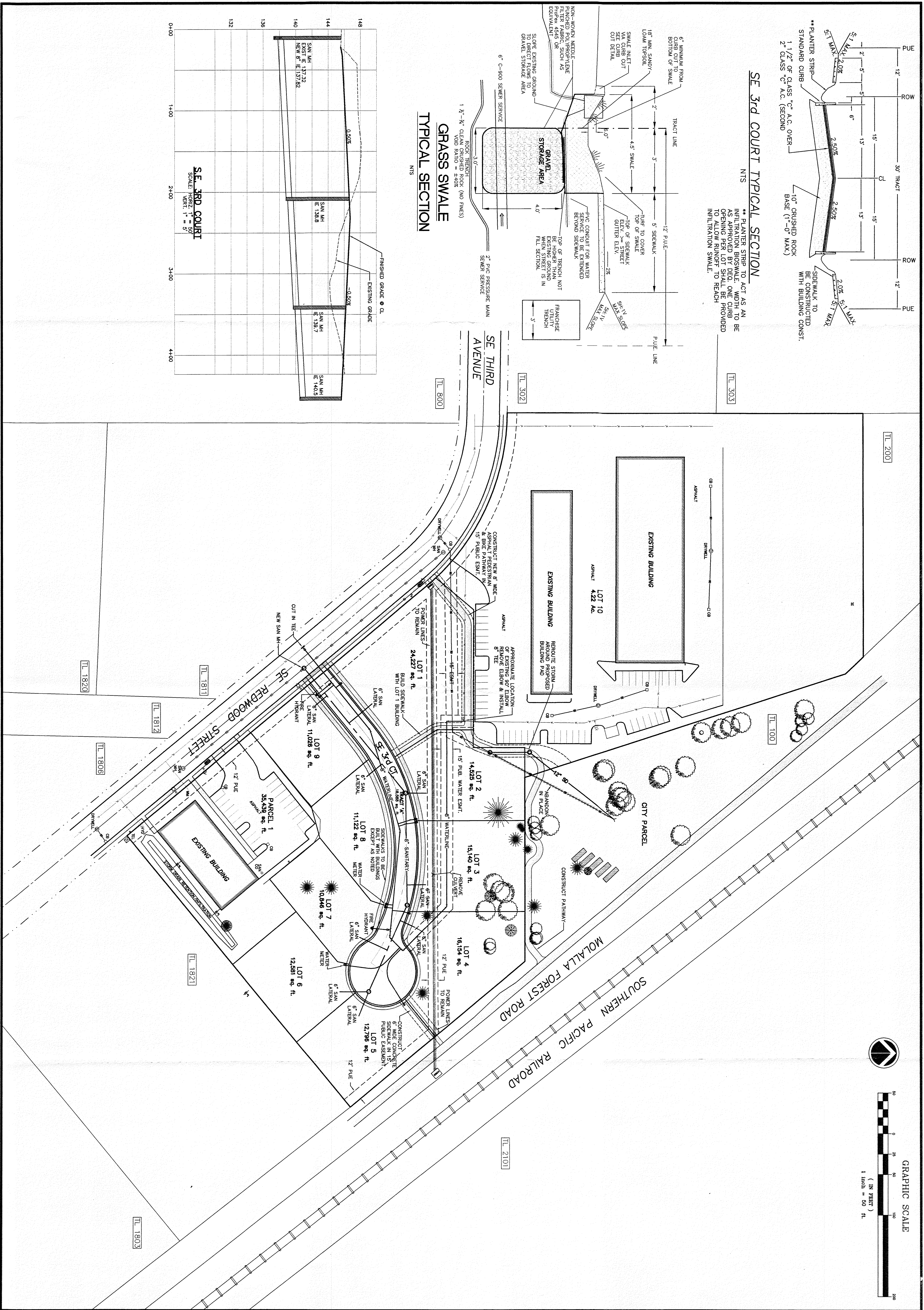


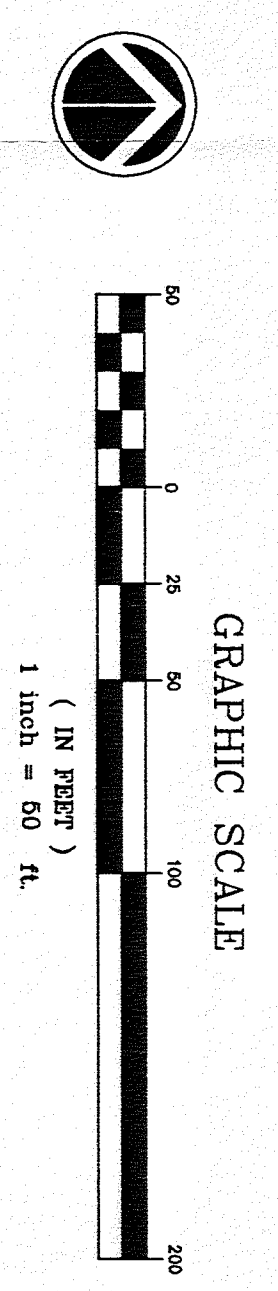
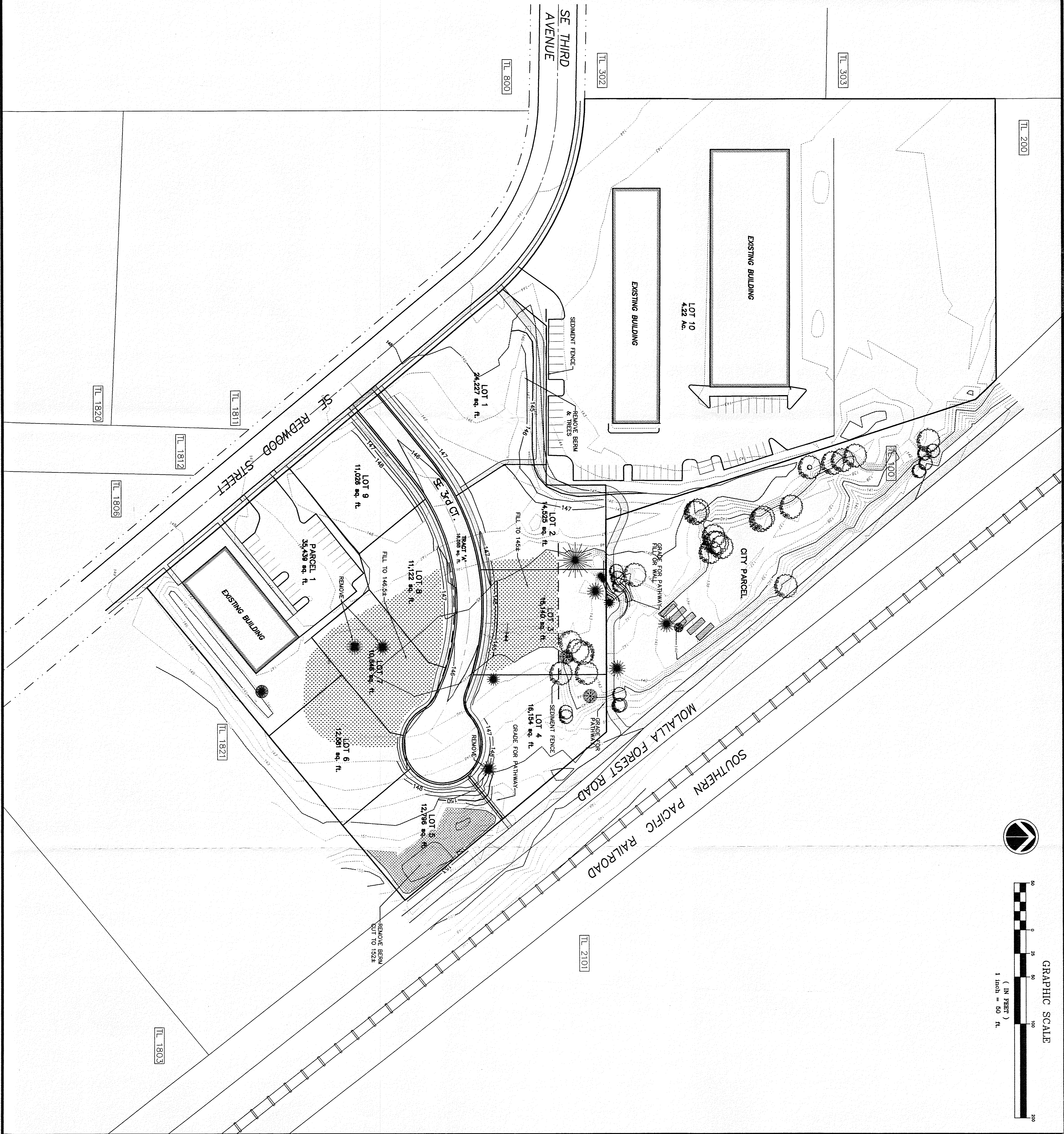
SE 3rd COURT TYPICAL SECTION
 NTS
 ** PLANTER STRIP TO ACT AS AN INFILTRATION BIOSWALE WIDTH TO BE AS APPROVED BY DEQ. ONE CURB OPENING PER LOT SHALL BE PROVIDED TO ALLOW RUNOFF TO REACH INFILTRATION SWALE.

TYPICAL SECTION
GRASS SWALE
 NTS



SE 3RD COURT
 SCALE: HORIZ. 1" = 50'
 VERT. 1" = 5'





DATE APRIL, 2005
 SCALE H: 1" = 50'
 DRAWN PS
 JOB SGL 04-078
 SHEET 5
 OF 5 SHEETS

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 657-0188
 X04-078BASE.DWG

Grading Plan

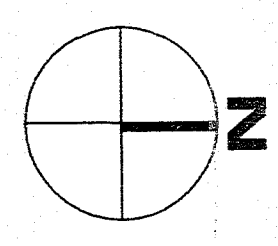
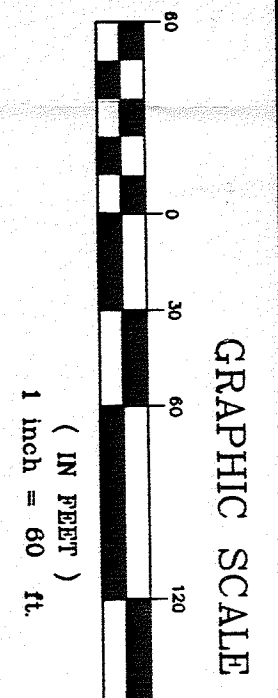
REDWOOD HEALTHCARE VILLAGE
 DON PERMAN

REVISIONS	BY

GANBY
ADULT CENTER

ACKERMAN MIDDLE SCHOOL

TL 1100
Map 4 1E 4A



HOPE
VILLAGE
CAMPUS

S IVY ST

S LOCUST ST

S LUPINE ST

S LUPINE ST

S MAPLE ST

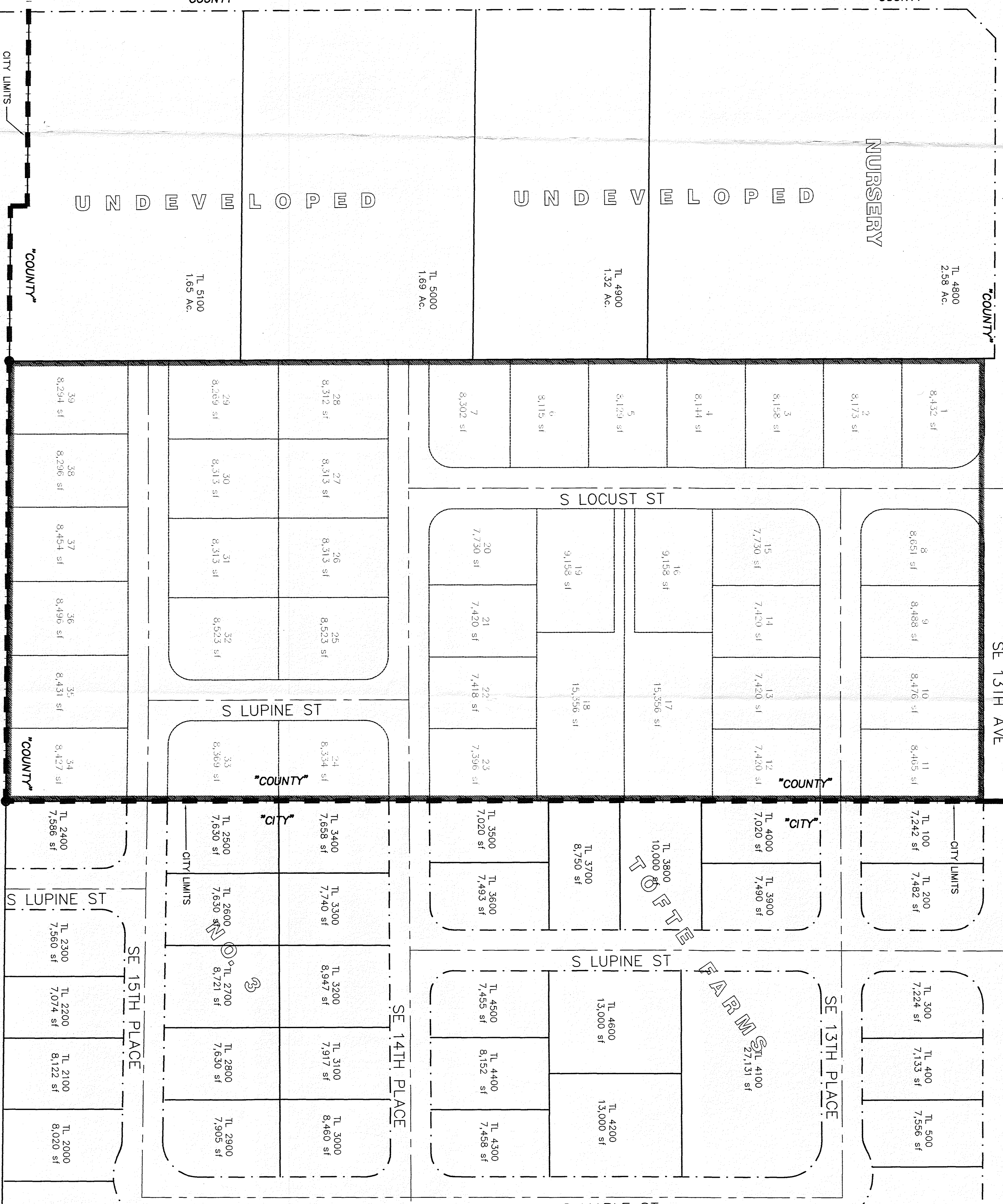
SE 13TH AVE

NURSERY

UNDEVELOPED

UNDEVELOPED

UNDEVELOPED



ANNEXATION AREA: 9.7 Ac.
DEVELOPMENT POTENTIAL: 39 LOT R-1 SUBDIVISION

NO.	REVISIONS	BY

PROPOSED ANNEXATION
WILLOW CREEK ESTATES, INC.

General Land Use
Plan

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188

DATE FEB. 2003
SCALE H: 1" = 60'
DRAWN GAN/PS
JOB SQL 02-112
SHEET 1
OF 1 SHEETS

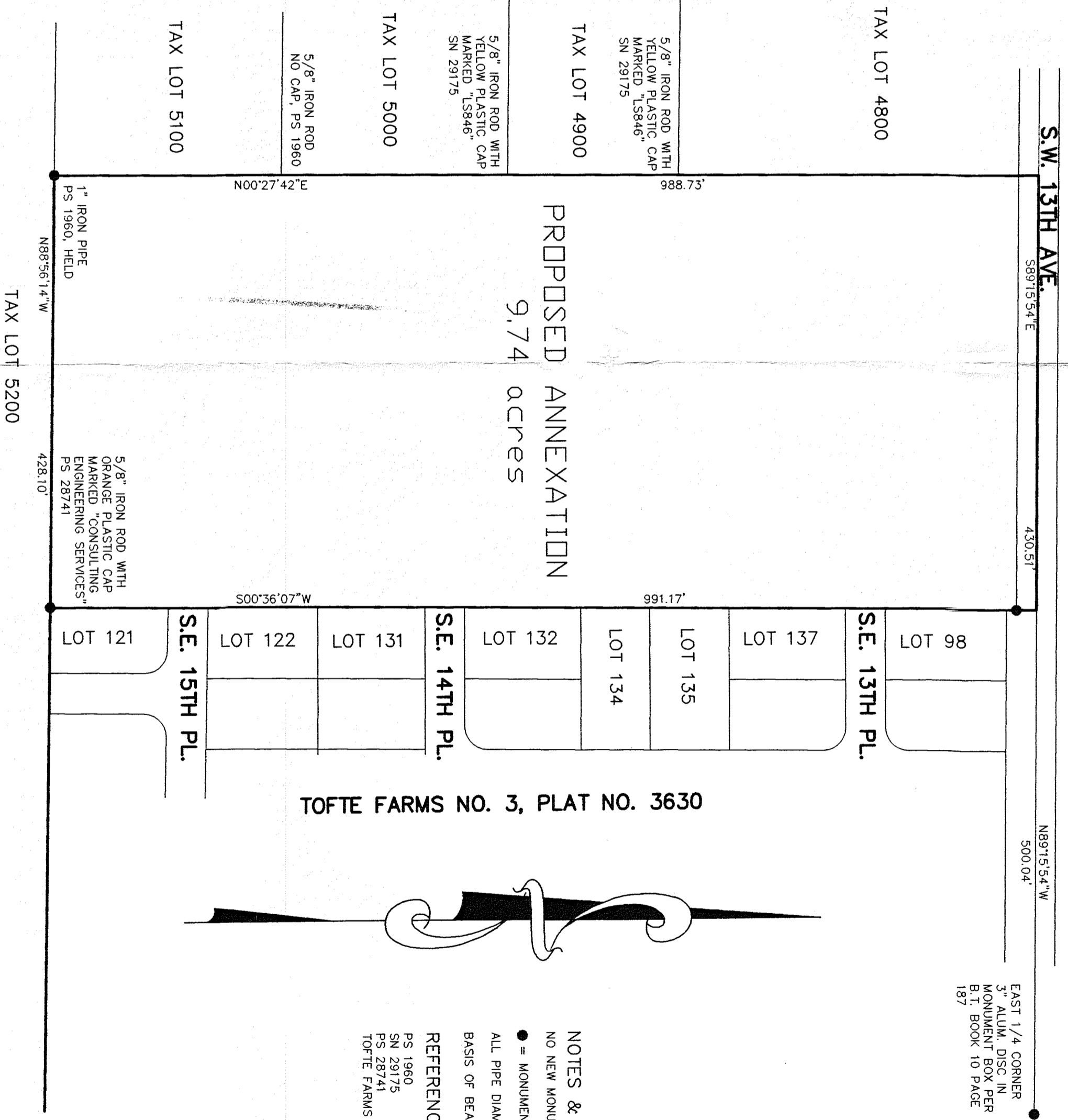
**BOUNDARY SURVEY FOR WILLOW CREEK ESTATES, INC
IN THE NE 1/4, SE1/4 OF SECTION 4, T4S R1E, W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON**

SCALE 1" = 100' FEBRUARY 5, 2003

GAYLORD LAND SURVEYING, INC.
2910 S.E. OAK GROVE BLVD.
MILWAUKIE, OREGON 97267
(503)654-1492

REGISTERED
PROFESSIONAL
LAND SURVEYOR

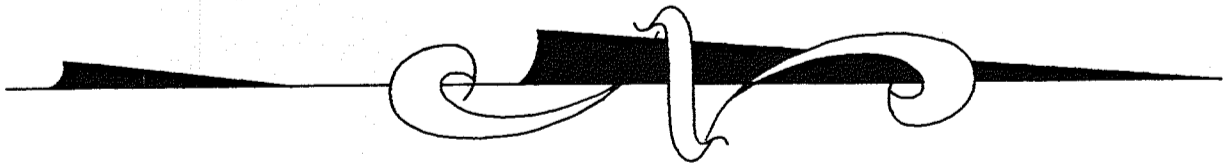
OREGON
JUL 1 10 1996
PATRICK M. GAYLORD
2/5/03
RENEWED THRU 06/30/03



EAST 1/4 CORNER
3" ALUM. DISC IN
MONUMENT BOX PER
B.T. BOOK 10 PAGE
187

NOTES & LEGEND
NO NEW MONUMENTS SET AT THIS TIME
● = MONUMENT FOUND AS NOTED
ALL PIPE DIAMETERS ARE INSIDE MEASUREMENT
BASIS OF BEARINGS - EAST LINE OF TOFTE FARMS NO. 3

REFERENCES
PS 1960
SN 29175
PS 28741
TOFTE FARMS NO. 3, PLAT NO. 3630



This map was prepared for
assessment purpose only

1" = 100'

8800

9000

SEE MAP 4 IE 4A

S.W. 13TH AVE.

24500

CANCELLED
4701

86-02

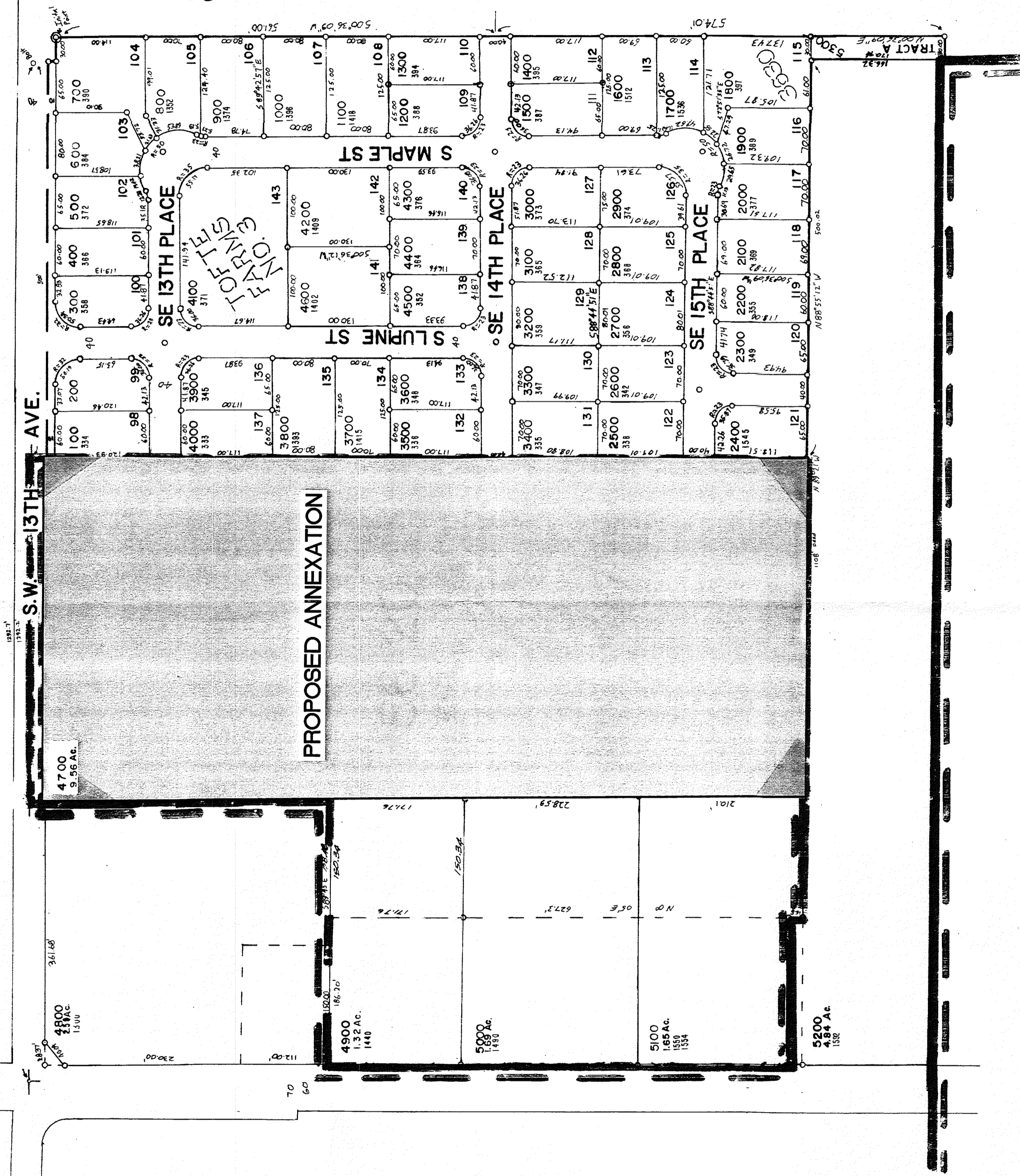
PROPOSED ANNEXATION

SEE MAP 4 IE 4D

SEE MAP 4 IE 3

24700

SEE MAP 4 IE 4D



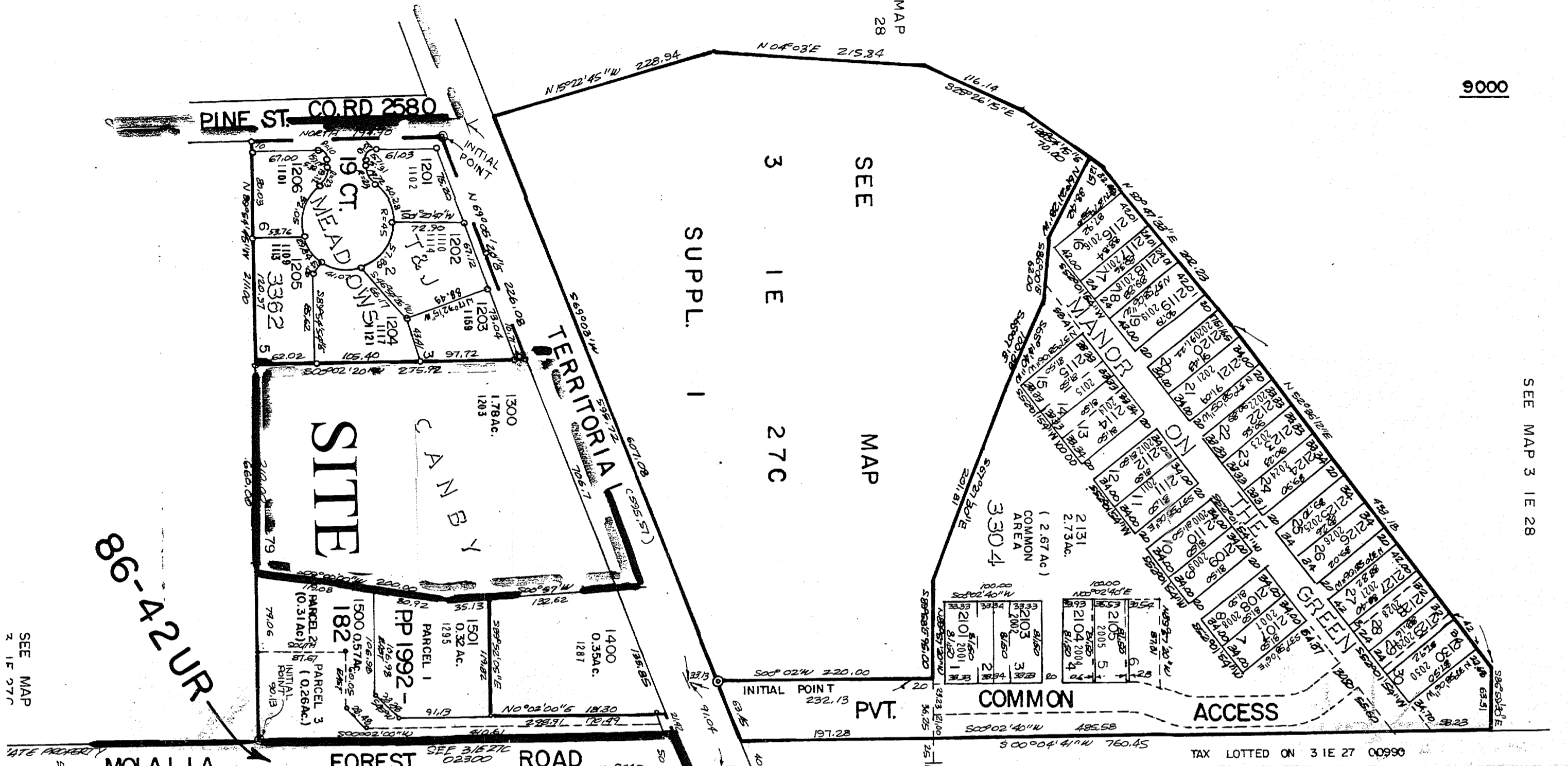
235 1/4/01

redrawn Map 7-19-99

SEE MAP
3 IE 28

9000

SEE MAP 3 IE 28



SEE MAP
3 IE 27C
SUPPL. 1

COMMON ACCESS

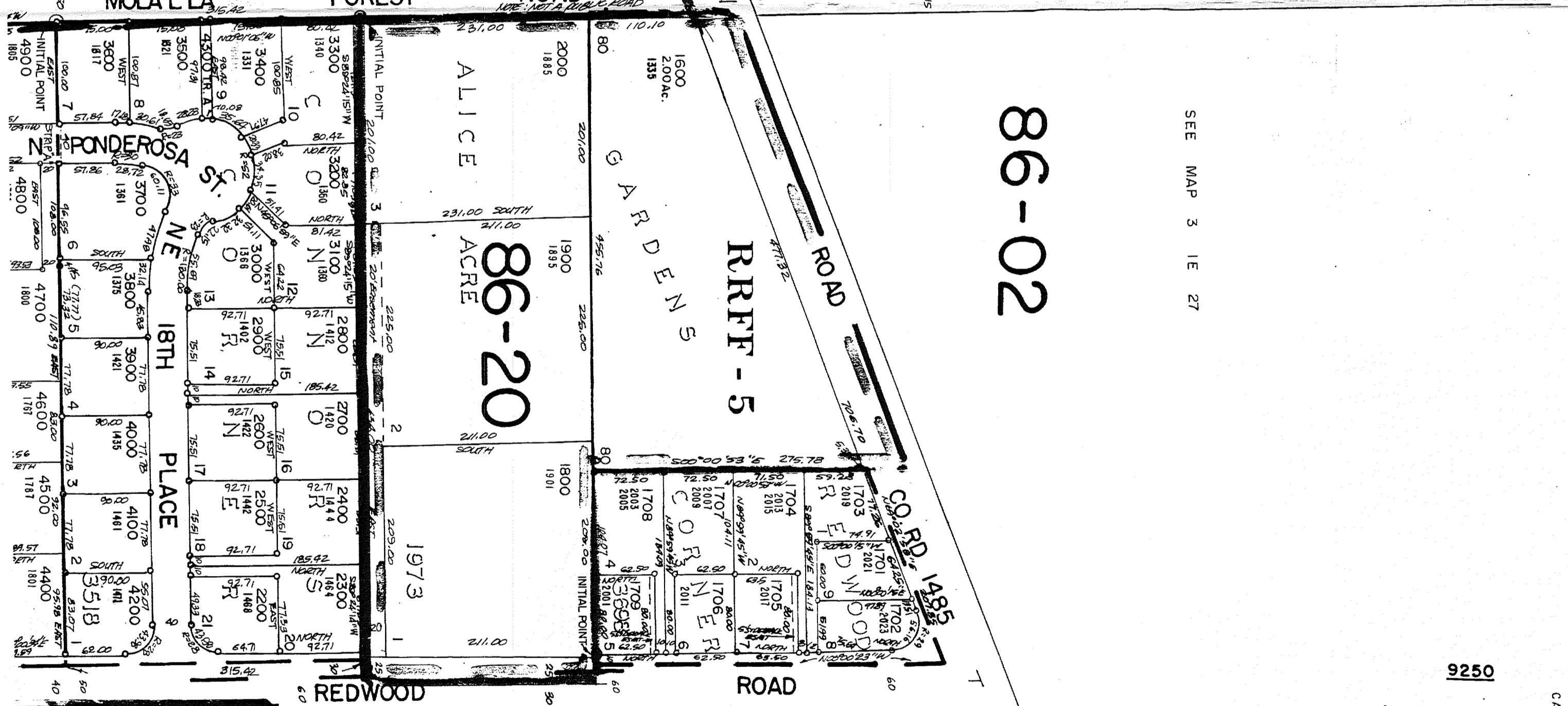
TAX LOTTED ON 3 IE 27 00990

SEE MAP
2 IE 27C

86-02

SEE MAP 3 IE 27

SCALE 1"=100'



RRFF-5

ALICE ACRE
86-20

9250

CANCELLED
100'
200'
300'
400'
500'
600'
700'
800'
900'
1000'
1100'
1200'
2106
2102
1700

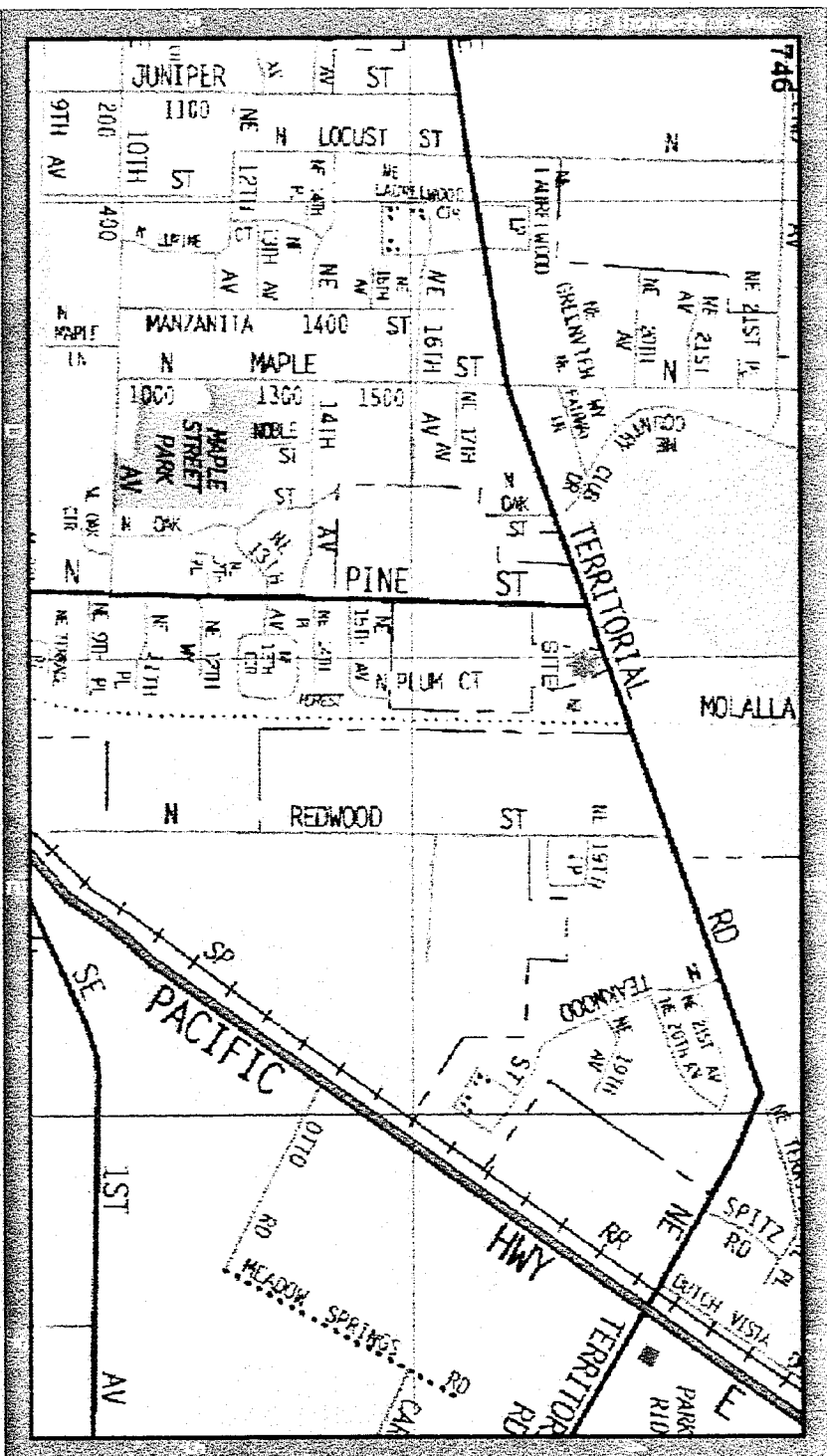
22500

SEE MAP 3 IE 27CA

RRFF-5

22750

F.H.D.
3 IE 27CB



OWNER/APPLICANT: S.T.J., LLC
 214 S.W. 2nd AVENUE
 CANBY, OR 97013
 PHONE: (503) 266-5488
 FAX: (503) 266-4570

SITE ADDRESS: 1203 NE TERRITORIAL ROAD
 LEGAL: T3S, R1E, SECT 27CB,
 TAX LOT 1300
 SITE SIZE: 1.70 AC.

- PLANNING NOTES:
1. EXISTING BUILDINGS ARE SHOWN BELOW.
 2. NO WATERCOURSES OR AREAS SUBJECT TO INUNDATION, OVERFLOW, OR FLOODING ARE LOCATED ON-SITE.
 3. NO ROCK OUTCROPPINGS, MARSHES OR WETLANDS ARE LOCATED ON-SITE.
 4. TREES ARE IDENTIFIED BELOW.

TOPOGRAPHIC SURVEY FOR TOM SCOTT
 PART OF TRACT 79, CANBY GARDENS
 IN THE NW1/4 OF THE SW1/4 OF SEC. 27, T3S, R1E, W.M.
 CITY OF CANBY, CLACKAMAS COUNTY, OREGON

SCALE 1" = 40' APRIL 11, 2005
 GAYLORD LAND SURVEYING, INC.
 2910 S.E. OAK GROVE BLVD.
 MILWAUKIE, OREGON 97267
 (503)654-1492

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 10, 1996
 PATRICK M. GAYLORD
 2767
 RENEWED THRU 06/30/05

NOTES

UTILITIES SHOWN BY THIS SURVEY REPRESENT THOSE WHICH ARE VISIBLE ABOVE GROUND OR FOR WHICH SOME MARKING WAS FOUND INDICATING UNDERGROUND UTILITIES. OTHER UNDERGROUND UTILITIES MAY EXIST. UTILITY CONNECTIONS AS DRAWN ARE FOR ILLUSTRATION PURPOSES EXACT CONNECTIONS SHOULD BE VERIFIED

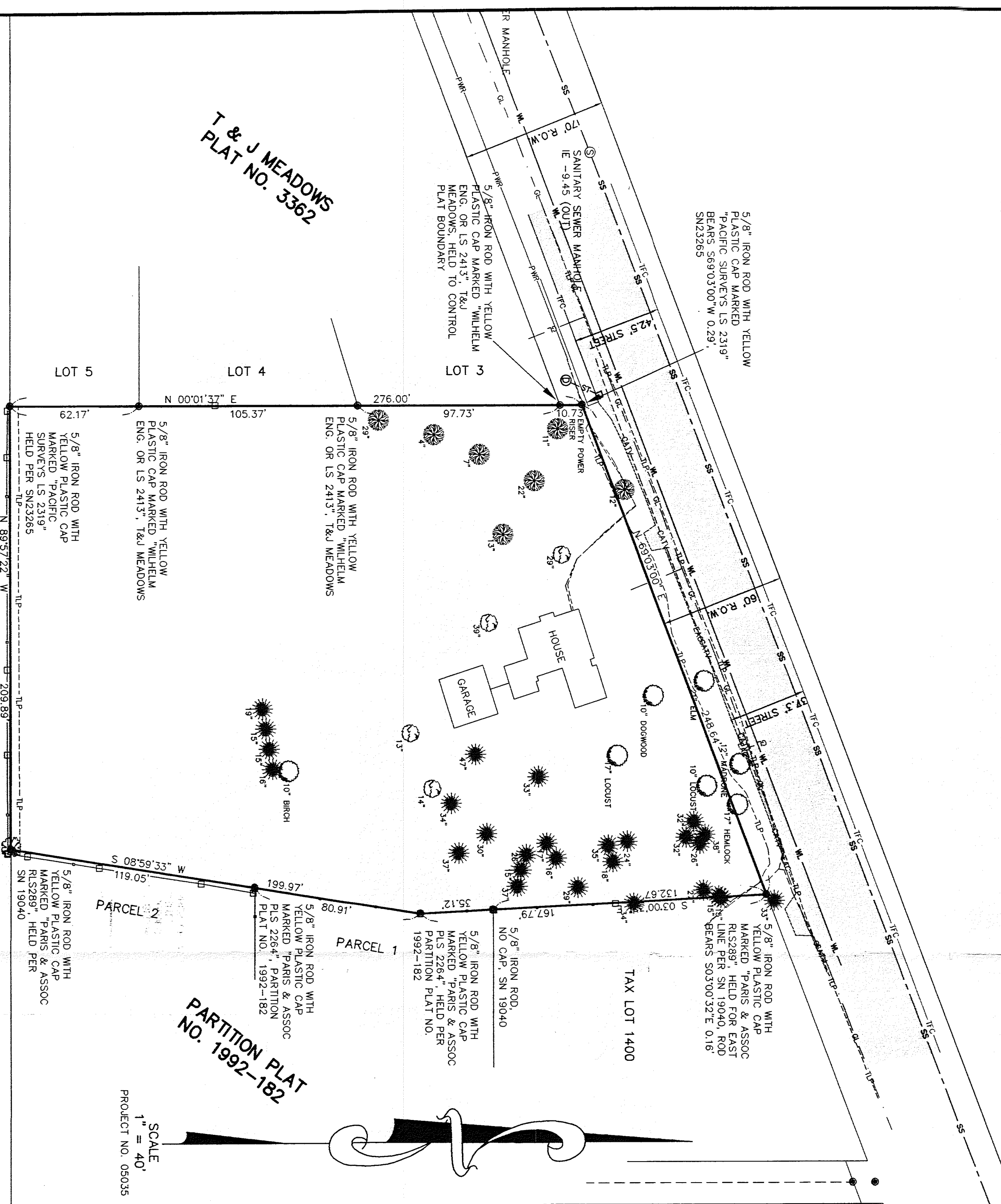
○ = 5/8"x30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC." SET _____

● = MONUMENT FOUND AS NOTED

ALL PIPE DIAMETERS ARE INSIDE MEASUREMENT

LEGEND

- ☼ = EXISTING FIRE HYDRANT
- ⊗ = WATER VALVE
- W — = WATER LINE
- M — = WATER METER
- = CATCH BASIN (UNLESS OTHERWISE NOTED) - INVERT DEPTH AS NOTED
- U — = UTILITY POLE
- = UTILITY POLE GUY ANCHOR
- TP — = UNDERGROUND TELEPHONE LINES/DUCTS
- SHO — = APPROXIMATE ROAD SHOULDER (UNIMPROVED)
- EAC — = EXISTING EDGE OF ASPHALTIC CONCRETE
- TFC — = TOP FACE OF CURB
- ⊙ = STORM SEWER MANHOLE
- ST — = STORM SEWER LINE
- ⊙ = SANITARY SEWER CLEANOUT/MANHOLE
- SS — = SANITARY SEWER LINE
- ⊗ = GAS VALVE
- G — = GAS LINE
- ⊗ = WALNUT TREE
- ⊗ = FRUIT TREE
- ⊗ = FIR TREE
- ⊗ = TREE, SPECIES AS LABELED
- ⊗ = CEDAR TREE
- ⊗ = MAPLE TREE
- CAT — = CABLE TELEVISION LINES
- PWR — = UNDERGROUND POWER LINE
- ⊙ = TEMPORARY BENCH MARK DATUM



T & J MEADOWS
 PLAT NO. 3362

PARTITION PLAT
 NO. 1992-182

SCALE
 1" = 40'
 PROJECT NO. 05035

DATE	APRIL, 2005
SCALE	1" = 40'
DRAWN	PS
JOB	SGL 05-033
SHEET	1
OF 2 SHEETS	

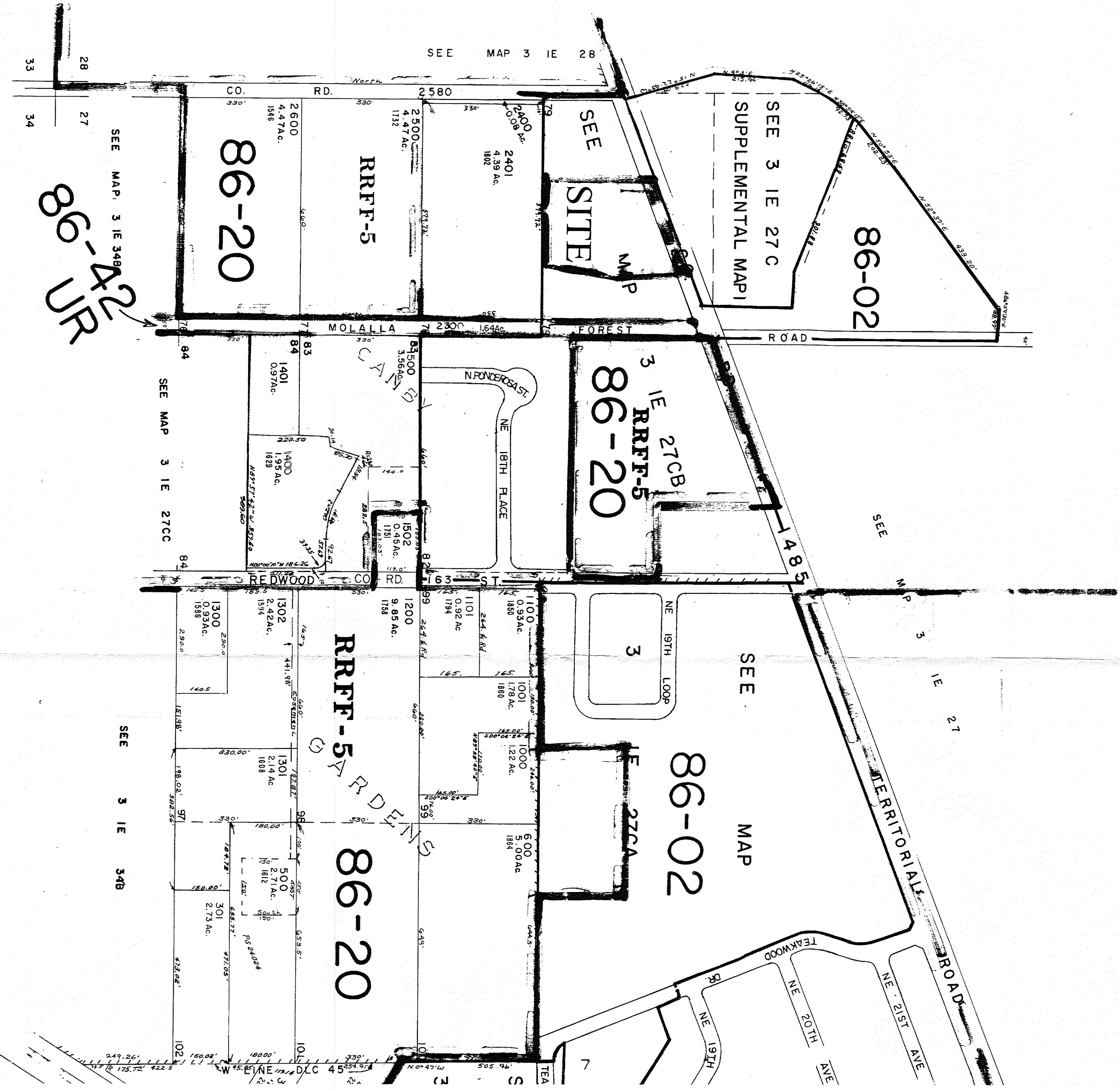
SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 857-0188

PROPOSED ANNEXATION
 1203 NE TERRITORIAL RD.
 S.T.J., LLC

REVISIONS	BY

This map was prepared for assessment purpose only.

CLACKAMAS COUNTY
WALTER FISHER
D. L.
1"=200'



4-25-68 JCP
327 60-22-1

SEE MAP 3 IE 34B
86-42R

28
27
33
34

SEE MAP 3 IE 27C

SEE MAP 3 IE 27CC

SEE 3 IE 34B

SEE MAP 3 IE 28

SEE SITE MAP

SEE 3 IE 27C
SUPPLEMENTAL MAP 1

3 IE 27CB
RRF-5
86-20

86-02

SEE MAP

RRF-5
86-20

86-20

RRF-5

86-02

2600
4.47Ac.
1546

2500
11.47Ac.
1132

2401
4.39Ac.
1802

1401
0.97Ac.
1828

1502
0.45Ac.
1751

1200
9.85Ac.
1138

1302
2.42Ac.
1594

1301
2.14Ac.
1808

500
2.71Ac.
1812

301
2.73Ac.

1101
0.92Ac.
1794

1001
1.78Ac.
1880

1000
1.22Ac.

600
5.00Ac.
1884

500
2.71Ac.
1812

301
2.73Ac.

1101
0.92Ac.
1794

1001
1.78Ac.
1880

1000
1.22Ac.

600
5.00Ac.
1884

500
2.71Ac.
1812

301
2.73Ac.

1101
0.92Ac.
1794

1001
1.78Ac.
1880

1000
1.22Ac.

600
5.00Ac.
1884

500
2.71Ac.
1812

301
2.73Ac.

1101
0.92Ac.
1794

1001
1.78Ac.
1880

1000
1.22Ac.

600
5.00Ac.
1884

500
2.71Ac.
1812

301
2.73Ac.