

A G E N D A
CANBY PLANNING COMMISSION
REGULAR MEETING
City Council Chambers
Monday, July 14, 1997
7:30 p.m.

I. ROLL CALL

II. MINUTES
June 23, 1997

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. FINDINGS
DR 97-03 - Les Schwab Tire Center
ANN 97-02 - City of Canby
MLP 97-04 - Michael and Patricia Moir

V. PUBLIC HEARINGS

DR 97-04, an application by H.O.P.E., Inc. for Site and Design Review approval to construct a 50 apartment, 2-story wood framed apartment building, which will also include a lobby, laundry facilities, and recreation space. The site is located on the west side of S. Ivy Street, south of S.W. 13th Avenue [Tax Lot 800 of Tax Map 4-1E-4D].

SUB 97-04 an application by Willow Creek Estates to subdivide a 5.04 acre parcel into 22 single family residential lots. The site is located northwest of Highway 99-E, on the south side of Territorial Road [Tax Lot 600 of Tax Map 3-1E-27DB].

ANN 97-03, an application by A. Wayne Scott for approval to annex a 4.84 acre parcel into the City of Canby. The site is located on the east side of S. Ivy Street, south of S.E. 13th Avenue [Tax Lot 700 of Tax Map 4-1E-4D].

VII. COMMUNICATIONS

VIII. NEW BUSINESS

IX. DIRECTOR'S REPORT

X. ADJOURNMENT

PLANNING COMMISSION
TESTIMONY SIGN-IN FORM

Date: July 14, 1997

PLEASE PRINT CLEARLY

NAME

ADDRESS

Jerry Barkman

137 NW Reed Ln. Dallas, OR 97338

George Wilhelm

P.O. Box 561 Wadsworth, OR 97071

RICHARD GREER

2147 NE TERRITORIAL RD, CANBY

Wayne S. Cox

1988 N.E. 19th Canby 97013

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

A REQUEST FOR SITE AND DESIGN) APPROVAL TO CONSTRUCT A SINGLE) STORY 50' X 80' ADDITION TO THE) EXISTING TIRE STORE)	FINDINGS, CONCLUSIONS & ORDER DR 97-03 (Les Schwab Tire Center)
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NATURE OF APPLICATION

The applicant is requesting site and design approval to construct a single story 50' x 80' addition to the existing tire store. The site is located on the south side of Highway 99-E, west of S. Grant Street (333 S.W. 1st Avenue) [Tax Lots 2400 and 3700 of Tax Map 3-1E-33CD].

HEARINGS

The Planning Commission held a public hearing and considered this application at its meeting of June 23, 1997.

CRITERIA AND STANDARDS

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

1. The Planning Commission, sitting as the Design Review Board, shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

4. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the June 23, 1997 public hearing, and incorporates the January 13, 1997 staff report, and Commission deliberations as support for its decision. The Planning Commission accepts the findings in the January 13, 1997 staff report, insofar as they do not conflict with the following findings:

1. The Commission found that the northernmost tree on S. Grant Street must be removed as it is in decline, there are indications of disease present, and that the root system has damaged the street and would continue to do so. Furthermore, the Commission found that as the new driveway would be constructed, roots on the southern side of the tree will be further damaged.
2. The Commission found that the replacement sidewalks should meet current City standards for a 5 foot sidewalk that also meets ADA requirements.
3. The Commission found that spotlights should be oriented so as not to disturb the nearby residential homes.
4. The Commission found that river rock, included in the landscaping design, was acceptable.
5. The Commission found that while the color scheme of the buildings is not aesthetically compatible, a more subdued color scheme would be incongruous with the existing building. Further, the Planning Commission found that when the buildings are repainted in the future, a more subdued color scheme, similar to the Les Schwab in Wilsonville, would be appropriate.

CONCLUSION

The Planning Commission concludes that, with appropriate conditions:

3. Two street trees shall be planted along S. Grant Street, the variety to be agreed upon by staff and the applicant.
4. The trees located away from the street shall be selected from the "Recommended Street Tree List."
5. Wheel stops shall be provided for all parking spaces located adjacent to landscaping. The wheel stops shall be placed two (2) feet in front of the end of the space.
6. The access drive to S. Grant Street shall be no wider than forty (40) feet.

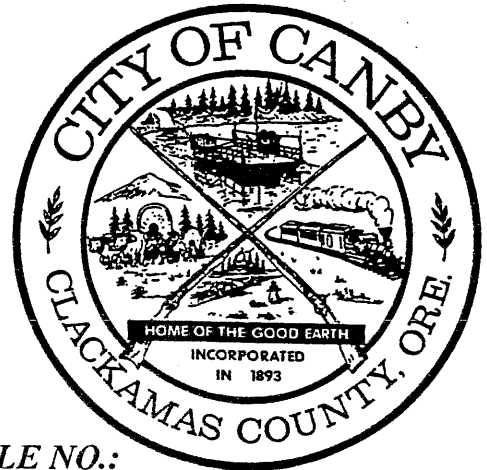
During Construction:

7. Erosion-control during construction shall be provided by following Clackamas County's Erosion Control measures.

Note:

8. The Commission expressed its desire that when the buildings require repainting, they shall be painted in a more subdued color scheme, similar to the Les Schwab in Wilsonville, that would be more aesthetically pleasing.

-STAFF REPORT-



APPLICANT:

Jerry Barkman, Executive Director
Housing & Outreach Project for Elderly, Inc.
P.O. Box 1128
Canby, OR 97013

FILE NO.:

DR 97-04
(H.O.P.E. Phase 3)

OWNER:

Housing & Outreach Project for Elderly, Inc.
P.O. Box 1128
Canby, OR 97013

STAFF:

Clint Chiavarini
Consultant Planner

LEGAL DESCRIPTION:

Tax Lot 800 of
Tax Map 4-1E-4D

DATE OF REPORT:

July 3, 1997

LOCATION:

Lot 8 of Hope Village
South of 13th Avenue between
S. Fir and S. Ivy Streets

DATE OF HEARING:

July 14, 1997

COMP. PLAN DESIGNATION:

Medium Density Residential

ZONING DESIGNATION:

R-1.5 (Medium Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting site and design approval to construct a two story, 46,512 square foot, 50 unit elderly living apartment building as phase 3 of the Hope Village Project. The site is located on Lot 8 of the project which lies between S. Fir Street and S. Ivy Street, south of 13th Avenue.

II. APPLICABLE REGULATIONS

b	City of Canby General Ordinances:
16.28	R-1.5 - Medium Density Residential
16.49	Site and Design Review
16.88	General Standards

III. MAJOR APPROVAL CRITERIA

16.49.040 Site and Design Review Criteria and standards.

1. The Planning Commission, sitting as the Design Review Board, shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

- A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
- B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
- C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
- D. The Board shall, in making its determination of compliance with subsections (B) and (C) above, use the following matrix to determine "compatibility". An application is considered to be "compatible", in regards to subsections (B) and (C) above, if a minimum of 65% of the total possible number of points (not including bonuses) are accumulated for the whole development.
- E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development.

2. The Design Review Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing.

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

4. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Section 12.20.080 of the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.20 of the City Tree Ordinance. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

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

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

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

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

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

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

IV. FINDINGS:

A. Background and Relationships:

The property bounded by S. Fir St. to the west, S. Ivy St. to the east, and 13th Ave. to the north. The proposed addition represents Phase 3 of the HOPE Village project. This phase incorporates 50 units of low-income apartment housing. The land for the project is lot 8 of the approved subdivision for Hope Village. Lot 8 is approximately (132,435 square feet) 3.04 acres in size and all development will conform to the Hope Village PUD/CUP issued in 1991.

Additional paving and landscaping will be provided with the development.

B. Evaluation Regarding Site and Design Review Approval Criteria

1. 16.49.080 - No. 2, Item c.

Minimum area for landscaping is 30% of the total area to be developed.

The minimum amount of landscaping required for the approximately 132,435 square feet of new development is 39,730 square feet (30%). The total amount of new landscaping proposed is approximately 49,200 square feet (37.2%).

Additionally, 4,580 square feet of landscaping needs to be located within 10 feet of the paved surface area (15% of paved surface). Approximately 6,500 square feet (approximately 21%) of landscaping is proposed to be located within 10 feet of the paved surface area. Ten trees are also required for the parking lot and 22 are proposed.

2. Landscaping - General.

The type of landscaping proposed is grass, shrubs, and trees. Shrubs are to be located in parking lot islands and in certain planters next to the building. Trees will be located in parking lot islands and dividers, along the front of the building and in the rear courtyard. The rest of the landscaping will be grass. The specific type of trees are listed on the landscaping portion of the site plan. The project will require the removal of a small grove of 65 year-old hazelnut trees.

3. Parking.

The number of parking spaces required is 65 (50 units times 1.3 spaces per unit as per conditions of the PUD approval). There are 65 additional spaces being proposed.

No loading facilities are proposed.

Wheel stops are not proposed for the new parking spaces fronting the landscaping or pedestrian access. However, since the sidewalks are only 5 feet wide, the Land Development and Planning Code, section 16.10.070(A)(8), requires wheel stops for these parking spaces.

4. Access

Access to phase three will be provided via a 24 ft. wide connection to the Village's main access on Ivy Street. Secondary access is provided on to 13th Ave. With completion of later phases, additional access will be available on to Fir Street.

5. Architecture

The proposed addition is designed to match the existing building in other phases of the village in material and color. Size is in conformance with the original PUD.

A sign advertising the name of the complex will be located to the southwest of the building. The sign will match, in color and style, the building. There is a proposed 32 square foot sign for the project. The permitted amount of signage for the site is 60 square foot.

6. Availability of Adequate Public Facilities and Services

Water, telephone/cable, and gas utilities are all available to the existing buildings, and will be extended within the village to the proposed phase. Sanitary facilities will be extended from 13th Avenue via S. Fir Street.

Positive responses were received from the Police Department, Public Works, Fire District, and the Sewer Treatment Plant. Additional 'requests for comments' were sent to Canby Telephone, Canby Utility Board, NW Natural Gas, and City Administration. There are no known problems, officially or otherwise, with providing adequate services to the proposed addition.

7. Compatibility Matrix

Five of the six main areas of critique apply (tree retention does not - as the trees are from an orchard and not suitable for urban landscaping). One of the sub-elements of the main areas also do not apply (screening of loading facilities - no loading facilities).

The proposed application receives, in staff's determination, a total of 25 points out of a total possible of 33 points (75.6%). The minimum percentage required to be considered "compatible" is 65%, therefore, this proposal is considered to be compatible. Following is staff's determination of the point totals.

CRITERIA**PTS/
POSS****NOTES****Parking**

Landscaping

1/1

Parking lot landscape islands are provided.

Parking lot lighting

1/1

Parking lot lighting coverage provided.

Location

0/2

Parking is to be located in front of the building.

Number of parking spaces

2/2

The applicant is providing 100% of the required parking.

Traffic

Distance of access to intersection

2/2

Intersection >100' away (future intersections anticipated to also be over 100' away).

Access drive width

0/1

Access to phase three will be provided by the main drive (32 feet) and a secondary drive to 13th Avenue (24 feet)

Pedestrian access from public sidewalk to bldg.

2/2

The main entrance is connected to a public sidewalk. It is a pre-existing situation.

Pedestrian access from parking lot to building

2/2

There is no more than one undesignated crossing of the access drive and no need to traverse the length of the access drive.

Signs

Dimensional size of sign

1/2

32 s.f. out of a possible 60 s.f. (53.3%).

Similarity of sign color to building

2/2

The proposed sign will be similar in color to existing signs, and to the building.

Pole sign

1/1

The proposed sign is not a pole sign.

Location of sign

0/1

The location of the sign is approximately 50 feet from the Fir Street driveway entrance (to be completed in a later phase).

Building Appearance

Style

2/2

The style of the new buildings will be similar to those in the previous phases.

Color

2/2

The colors of the new buildings will be similar to those in the previous phases.

Material

0/1

The predominant material is 6" hardiplank lap siding with wood trim.

Size

0/1

The size of the building overall will be 46,512 square feet.

Types of Landscaping

of non-required trees

0/1

The applicant is proposing 12 non-required trees. With the size of the landscaping, this comes to about 1 non-required tree per 3,300 s.f. of landscaping. This does not meet the point requirement.

Amount of grass

2/2

Over 50% of the landscaping will be grass.

Location of Shrubs

1/1

Shrubs will be located in the background.

Automatic Irrigation

4/4

Automatic irrigation will be provided for the landscaping..

Total**25/33 (75.6%)**

8. **Other Criteria.**

Approval of this application will increase the availability of affordable housing (specifically for the elderly) by 50 units.

V. CONCLUSION

The staff hereby concludes that, with appropriate conditions, the proposed development as described in the application, site plan, and this report:

1. is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
2. is compatible with the design of other developments in the same general vicinity; and
3. is compatible with the proposed development and appropriate to the design character of other structures in the same vicinity, in regards to the location, design, size, color and materials of the exterior of all structures and signs; and
4. is considered to be "compatible", in regards to subsections (B) and (C) above, because 75.6% of the total possible number of points (not including bonuses) are accumulated for the whole development; and
5. all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development; and
6. will have a positive effect on the availability and cost of needed housing.
7. Further, staff concludes that, the conditions listed are the minimum necessary to achieve the purposes of the Site and Design Review Ordinance, and do not unduly increase the cost of housing.

VI. RECOMMENDATION:

Based upon the application, elevations, the site plan received by the City, the facts, findings and conclusions of this report, and without the benefit of a public hearing, staff recommends that should the Planning Commission approve DR 97-04, the following conditions apply:

For the Building Permit Application:

1. A detailed landscape construction plan shall be submitted with the building permit. The detailed landscape plan shall show: the number of plants, plant spacing/location of planting, the type of plants, the size of plants, the schedule of planting, and irrigation plans. The irrigation plans shall show automatic irrigation from an on-site well.
2. The landscaping shall be planted at such a density so as to provide a minimum of 95% coverage of the landscape areas with vegetation, within a 3-year time period. Bark mulch and similar material shall consist of not more than 5% of the total landscape area after the 3-year period. The plant spacing and starting plant sizes shall meet the PUD plant spacing/starting size standards. Trees are to be a minimum of 2" caliper.
3. The trees and vegetation conform to the proposed lists included with the site Plan.
4. Wheel stops shall be provided for all parking spaces located adjacent to landscaping and pedestrian access ways. The wheel stops shall be placed two (2) feet in front of the end of the space.
5. In conformance with the Police Chief's recommendation, staff recommends that "and adequate and easily understood numbering system" exists for the units to aid in emergency response by both police and fire. Staff recommends a numbering system of 101-125 for the first floor units and 201-225 for the second floor units.

During Construction:

6. Erosion-control during construction shall be provided by following Clackamas County's Erosion Control measures.

Exhibits:

1. Applicant's Package (including site plan and landscape plan)
2. Vicinity Map
3. Responses to "Request for Comments"
4. Building Profile Drawings

SITUS AND DESIGN REVIEW APPLICATION

Fee: \$750

OWNER: Housing & Outreach Project for Elderly, Inc. APPLICANT: Same as Owner. ADDRESS: P.O. Box 1128. CITY: Canby, STATE OR: ZIP: 97013. PHONE: 266-4673. SIGNATURE: [Signature]

DESCRIPTION OF PROPERTY:

TAX MAP 4S 1E 04 DTAX LOT(S) 80D LOT SIZE 4.0 acres (Lot 8 of sub-division) (Acres/Sq. Ft.)

LEGAL DESCRIPTION, METES AND BOUNDS (ATTACH COPY)

PLAT NAME _____ LOT _____ BLOCK _____

PROPERTY OWNERSHIP LIST

ATTACH A LIST OF THE NAMES AND ADDRESSES OF THE OWNERS OF PROPERTIES LOCATED WITHIN 200 FEET OF THE SUBJECT PROPERTY... See Attached

USE

EXISTING Agricultural - Hazelnut Orchard. PROPOSED multi-family housing for elderly.

EXISTING STRUCTURES None

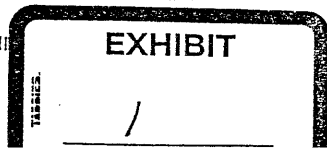
SURROUNDING USES Agriculture, Part of Hope Village

PROJECT DESCRIPTION Construction of 2 story wood framed apartment building to contain 50 apartments (average 680 sq ft in size) plus front lobby, laundry facilities and recreation space.

ZONING R1.5 COMPREHENSIVE PLAN DESIGNATION Residential Medium Density. PREVIOUS ACTION (IF ANY) Part of Hope Village PUD/CUP 1991.

FILE NO. DR 97-04. RECEIPT NO. 2511. RECEIVED BY QSW. DATE RECEIVED 5/27/97. COMPLETENESS DATE 6/18/97. PRE-AP MEETING. HEARING DATE 7/14/97.

IF THE APPLICANT IS NOT THE PROPERTY OWNER, HE MUST ATTACH DOCUMENTARY EVIDENCE OF HIS AUTHORITY TO ACT AS AGENT IN MAKING APPLICATION.



Addendum to Application for Site Plan Review of proposed Cascade House at Hope Village.

Cascade House at Hope Village LP is a limited partnership with Housing & Outreach Project for Elderly, Inc. serving as the general partner and developer. The land for this project is owned by H.O.P.E., Inc. and is lot 8 of proposed sub-division for Hope Village. This lot is approximately 3.04 acres in size and all developments on this lot will conform to the Hope Village PUD/CUP issued in 1991.

Cascade House at Hope Village is proposed to be a 2 story, wood framed building containing 50 apartments, each approximately 680 square feet in size plus a lobby/reception area, activity room, Laundromats, and other common areas. An elevator will be installed for second floor residents.

The exterior design of the building will be similar to the assisted living/nursing facility to be located just east of this project as well as the existing gardenhomes in phase I of the Hope Village Development.

The landscaping plan will be similar to the above mentioned facilities. The existing trees on the site are 65 year old hazelnut trees and will be removed prior to start of construction. The required construction of the linear park for this phase is also included in this development.

Access to the planned facility will be via the main entrance of Hope Village and also along Cascade Drive to Holly & 13th Street on the north. Parking lots are planned for the east and south sides of the facility. They will provide 1.3 parking stalls per housing unit including 4 handicapped parking stalls. Lighting for the parking lots will be the same as the lighting now installed at Hope Village.

Access to utilities will be through existing utility lines on the Hope Village campus plus sewer & water lines to be installed along Fir Street.

Jerry Barkman,
Executive Director

VICINITY MAP

- 1 My St. K-4
- 2 Juneau St. K-6
- 3 Knox St. L-7
- 4 Larch St. L-7
- 5 Locust St. K-7
- 6 Luane St. L-7
- 7 Madison Ct. L-7
- 8 Oak Circle K-8
- 9 Oak Place M-9
- 10 Pine St. L-3
- 11 Parkview Ct. L-3
- 12 E 1st Ave. (1 Hwy 99E) L-3
- 13 E 2nd Ave. K-8
- 14 E 3rd Ave. K-8
- 15 E 4th Ave. K-7
- 16 E 5th Ave. L-7
- 17 E 6th Ave. L-7
- 18 E 7th Ave. L-7
- 19 E 8th Ave. L-7
- 20 E 9th Ave. L-7
- 21 E 10th Ave. M-8
- 22 E 11th Loop M-8
- 23 E 12th Loop M-8
- 24 E 13th Ave. M-8
- 25 E 14th Ave. M-8
- 26 E 15th Ave. M-8
- 27 E 16th Ave. M-8
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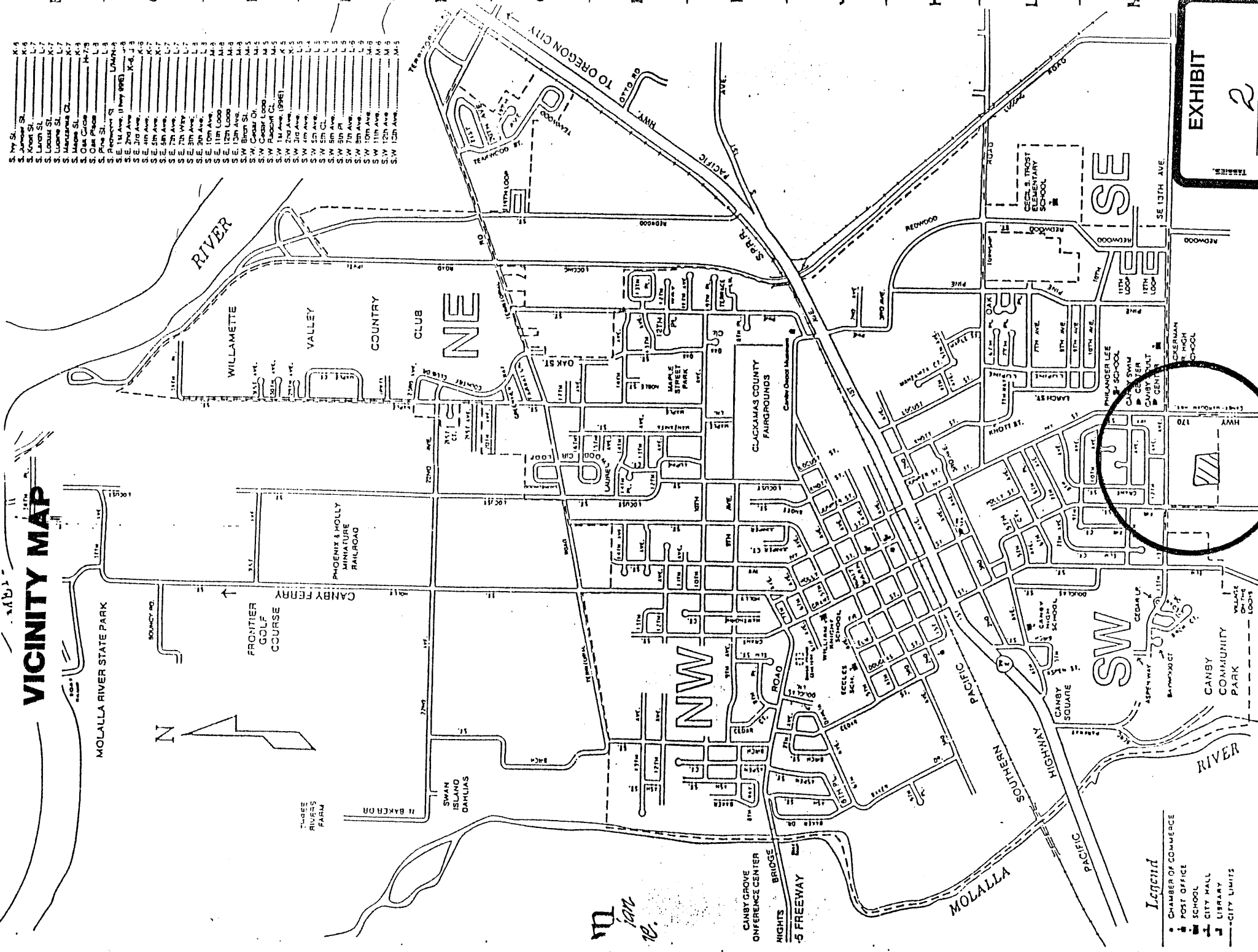


EXHIBIT
2

- Legend**
- CHAMBER OF COMMERCE
 - ☐ POST OFFICE
 - ☐ SCHOOL
 - ☐ CITY HALL
 - ☐ LIBRARY
 - CITY LIMITS

10/10/10
10

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY,
ROY, STEVE, CLACKAMAS COUNTY (Chris Christofferson)

The City has received DR 97-04, an application by H.O.P.E., Inc. for Site and Design Review approval to construct a 50 apartment, 2-story wood framed apartment building, which will also include a lobby, laundry facilities, and recreation space. The site is located on the west side of S. Ivy Street, south of S.W. 13th Avenue [Tax Lot 800 of Tax Map 4-1E-4D].

We would appreciate your reviewing the enclosed application and returning your comments by June 27, 1997 PLEASE. The Planning Commission plans to consider this application on July 14, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

none

Please check one box:

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

Signature: Steve Hansen

Date: 6/23/97

Title: WWTP Supervisor

Agency: City of Canby

EXHIBIT
3

PLEASE RETURN ATTACHMENTS!!!

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REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY,
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Comments or Proposed Conditions:

The Sewer main will be extended from S.W. 13th
for this complex. This project is acceptable.

Please check one box:

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

Signature: Don Hester Date: June 25, 1997
Title: Public Works Supervisor Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY,
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Comments or Proposed Conditions:

Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated

Adequate public services are not available and will not become available

Signature: Don Pacheco Date: 7-1-97
Title: Fire Marshall Agency: Canby FD #62

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY,
ROY, STEVE, CLACKAMAS COUNTY (Chris Christofferson)

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We would appreciate your reviewing the enclosed application and returning your comments by June 27, 1997 PLEASE. The Planning Commission plans to consider this application on July 14, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

The only concern at this time is adequate and easily understood numbering system identifying living units. This aids greatly in emergency response by both police and fire.

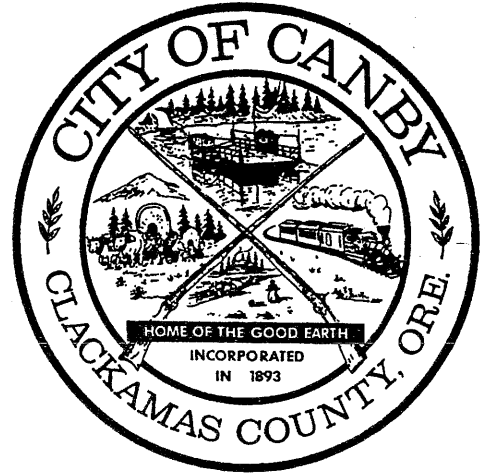
Please check one box:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated

Adequate public services are not available and will not become available

Signature: Jerry Stiger Date: 6/23/97
Title: Police Chief Agency: Police Dept.

- STAFF REPORT -

**APPLICANT:**

Willow Creek Estates
1988 N.E. 19th Avenue
Portland, OR 97202

FILE NO.:

SUB 97-04
(Vine Meadows)

OWNER:

Willow Creek Estates
1988 N.E. 19th Avenue
Canby, OR 97013

STAFF:

James S. Wheeler
Planning Director

LEGAL DESCRIPTION:

Tax Lot 600 of Tax Map 3-1E-27DB

DATE OF REPORT:

July 3, 1997

LOCATION:

South side of Territorial Road, east of
the Willow Creek Subdivisions (N. Teakwood St.),
and west of Highway 99-E.

DATE OF HEARING:

July 14, 1997

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1 (Low Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval for a twenty-two (22) lot subdivision. The subdivision includes the construction of N.E. 19th Avenue and N. Vine Court.

II. APPLICABLE CRITERIA:

A. 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:

- i. Conformance with the text and applicable maps of the Comprehensive Plan.
- ii. Conformance with other applicable requirements of the Land Development and Planning Ordinance.
- iii. 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.
- iv. 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. Other Applicable Policies and Regulations:

■ City of Canby General Ordinances:

16.16	R-1 Low Density Residential Zone
16.60	Major and Minor Partitions (Subdivisions) (especially 16.64, Subdivision Design)
16.86	Street Alignment
16.88	General Standards

III. FINDINGS:

A. Background and Relationships

The property was annexed in 1997 (ANN 96-03, annexed 3/6/97). The principle concern regarding the annexation surrounded the intersection of Territorial Road and Highway 99-E. According to the traffic impact study prepared by Kittleson and Associates (Exhibit 2), the level of service of the intersection is currently "F" during the weekday PM peak hour (for at least a 15 minute period), and during the Sunday AM peak hour. The Region 1 office for ODOT concurred that the intersection warrants signalization at this time, and forwarded such a recommendation to the main office in Salem. The study

concluded that the impact from an additional 100 residential units would have a minimal impact on the level of service of the intersection. During the annexation hearings, it was calculated that the impact in the level of service would be approximately 1%.

The subject property was annexed, in part, because the development of the land would help to create a more "urban" feel to the area, thereby making it easier to get the intersection signalized.

The New Life Foursquare Church, located on the northeast corner of the Territorial Road/Highway 99-E intersection, has been seeking expansion. Clackamas County has recommended that no expansion be permitted without at least expansion of Territorial Road approaching the intersection (from the northeast), and possibly signalization of the intersection. In a letter responding to the Church's request for a signal at the intersection, ODOT's District 2B stated that, ". . . if the intersection does meet signal warrants, it will be placed on a Statewide Signal Priority List for funding consideration." The letter further states that ". . . a traffic signal at this location will be complicated by the railroad crossing and the higher elevation of the tracks to the west of Highway 99-E on Territorial Road. The railroad tracks will most likely need to be relocated by either raising the tracks over Territorial Road or lowering the tracks under Territorial Road to accommodate vehicle movement and eliminate interference with the operation of the railroad tracks. . . . Traffic signal installations in rural type areas also causes other safety concerns, including rear end collisions due to motorists not realizing a traffic signal is in a rural type area and side collisions from motorists pulling out into the paths of vehicles that did not stop for the traffic signal. These types of incidents occur more frequently when signals are placed in rural areas where motorists are not expecting traffic signals." (Exhibit 3)

B. Comprehensive Plan Consistency Analysis

ii. Urban Growth

- **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.

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

ANALYSIS

1. Clackamas County has been notified of the development proposal. At the time that this report was prepared, no response had been received. Implementation Measure D states that "lack of comment by either entity [city or county] to the requests of the other shall be considered the same as a "no objection" response."

iii. Land Use Element

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

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

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

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

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

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

1. The parcel is zoned R-1, Low Density Residential and is proposed to be developed with single family residential structures. The Comprehensive Plan land use designation of the subject parcel is also Low Density Residential. There is no current use of the property. The surrounding uses are both urban residential (south and west), and rural residential (north and east). The proposed development is compatible the surrounding uses.

The proposed development density for the subject parcel (5.3 lots per developable acre) is comparable to that of the Comprehensive Plan "density assumption" used to estimate the amount of area that is needed for low density residential areas (5.5 lots per developable acre, p.36). The "density assumptions" are averages with some areas developing above the "average" and other areas developing below the "average".

The project density [5.3 lots per developable acre] is higher than that of the subdivision located immediately to the south and east, Willow Creek Phase I [4.3 lots per developable acre], and higher than nearby Willow Creek Phase II [5.0 lots per developable acre], and is lower than that of next closest urban subdivision, Redwood Meadows [5.9 lots per developable acre - located on N. Redwood, south of Territorial Road]. Developable acres does not include streets.

2. The zoning of the property is R-1, Low Density Residential. The Comprehensive Plan land use designation of the property is Low Density Residential. The density of the subdivision is comparable to what the Comprehensive Plan calculates for the amount of land needed for low residential development [4.7 lots per developable acre]. Lands that are zoned R-1, Low Density Residential, that have been subdivided since 1988, have been developed at approximately 5.4 lots per developable acre. The development being proposed in this application will have approximately the same density than the average for recent developments of the same zone classification.

3. Request for comments have been sent to all public facility and service providers (see discussion under Public Services Element). The adequacy of the transportation capacity, specifically at Territorial and Highway 99-E, is in question. During the annexation hearings for the subject property, it was determined that it would be appropriate to annex and develop the property at this time, even with the known difficulty in the adequacy of the intersection of Highway 99-E and Territorial Road. Based on the previous approval of the annexation, staff has determined that all public facilities and services are available, with adequate capacity to service the proposed development.

4. No natural hazards have been identified on the subject property. The subject property is not within an official 100-year flood plain, as provided by the Federal Emergency Management Agency.

6. The subject property is not identified as one of the "unique" sites or "areas of special concern".

iv. **Environmental Concerns**

■ **GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.**

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

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

Policy #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.

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

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

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

Policy #9-R: Canby shall attempt to minimize the adverse impacts of new developments on fish and wildlife habitats.

Policy #10-R: Canby shall attempt to minimize the adverse impacts of new developments on wetlands.

Policy #1-H: Canby shall restrict urbanization in areas of identified steep slopes.

Policy #2-H: Canby shall continue to participate in and shall actively support the Federal flood insurance program.

Policy #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.

ANALYSIS

1-R-A. The property has not been used agriculturally in the recent past. There are no agricultural operations in the vicinity of the proposed development.

4-R. The nearby railroad is the only major producer of noise in the area. The distance of the railroad to the property (approximately 550 feet) is great enough not to warrant special buffering. In Willow Creek II, a wall was constructed and special construction standards required for the homes located within 280 feet of the tracks. In Willow Creek I, no buffering was required, with the homes being located as close as 550 feet to the tracks.

7-R. All new utilities (telephone, cable, electricity, gas, water, sewer) will be placed underground, with only street lights and ground-placed pedestals being above ground.

8-R. There are no density bonuses being sought to preserve open space or maximize open space. No portion of the subject property is located within a Hazard Overlay Zone.

9-R. There is no known wildlife habitat on the subject property, and no density bonuses being sought to preserve open space.

10-R. There are no wetlands on the subject property. During construction of the subdivision, Clackamas County's Erosion/Sedimentation Control Plan shall be followed.

1-H. The subject property has no steep slopes. The approximate slope in the steepest area is 5%, whereas "steep" slopes is considered to be 12% - 15%.

2-H. The subject property is not in a flood zone, and is not subject to periodic local flooding.

3-H. The soils on the site are generally Latourell loam, a deep, well drained soil, and Amity silt loam, a deep, somewhat poorly drained soil. For housing construction, drainage tile around the footings will most likely be necessary. Additional drainage considerations will likely be needed for the street drainage. Testing of the area for use of the standard drywell should take place prior to construction. The testing should cover the whole subdivision, for the street right-of-way and individual home site areas. If the results of the test are such that the standard drywell will not work (e.g. - the area between N. Pine Street and the Logging Road), then piping the drainage (including roof/footing drainage from the homes) to a surface channel will be necessary. Surface drainage would eventually end up in

the wetlands located between Willow Creek and Redwood Meadows Subdivisions. A culvert under Territorial Road drains these wetlands toward the Willamette River. According to the City Engineer, the culvert is large enough to handle the stormwater surcharge from the proposed development, as well as the development of the remaining areas enclosed between Territorial Road, Redwood Street, and Highway 99-E, without causing a backup and creating a potential flooding problem for the properties adjacent to the wetlands. If it is desired that stormwater runoff from individual home sites be drained into the street, 3 additional drywells will be required.

v. **Transportation**

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

- 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.
- 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.
- Policy #4: Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.
- 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.
- Policy #7: Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles.
- Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City.

ANALYSIS

1. The local street proposed in the development does not provide an adequate turnaround radius (90-foot diameter cul-de-sac right-of-way proposed). The minimum stated in the current public street standards is a minimum 50-foot radius for the right-of-way [Section 5.5(c)]. This standard will be changed as the Fire Code now requires a minimum curb radius for cul-de-sacs at 50 feet (paved diameter of the cul-de-sac will be 100 feet), with the needed right-of-way being 55 feet (Appendix III-E, Section 5.1). An exception to this rule is permitted if approved residential sprinkler system is installed on all residential units in the development. The changes in the street configuration that is proposed by staff (extending the street to the east), includes retaining the revised cul-de-sac as a temporary turn-around. With the eventual continuation of the road to the property to the east, the cul-de-sac could still remain. Such a design is frequently used (in a more modified version) within current developments (Valley Farms I & II, Township Village III, Villa Nova Estates).

The proposed cul-de-sac is also longer (550 feet, 600 feet as proposed by staff) than the stated maximum length of 400 feet [Section 5.5(b)]. Section 16.64.010(H) of the Land Development and Planning Ordinance states that cul-de-sacs shall be as short as possible and shall have a maximum length of 450 feet. The street standard section [5.5(b)] does provide an exception where no other alternatives are available for access, such as is the case for the subject property. It is also expected that another access onto Territorial Road will eventually be available, thus eliminating the "dead-end" characteristic of the current proposal.

2. In order to facilitate proper access for the undeveloped properties to the east, the local road proposed as a part of this development needs to be continued to the eastern property line. Such an extension will permit alternative access routes for the properties to the east, upon development. It is anticipated that another access onto Territorial Road will still be needed for the properties to the east of the subject property.

4. Sidewalks will be required for both sides of the local roads to be constructed within the subdivision. The sidewalks are proposed to be five (5) feet wide and placed alongside the curb. The sidewalks will be looped around mailboxes and other obstructions to provide a clear five (5) foot sidewalk.

6. The proposed access, as amended by staff, conforms to the implementation measures for this policy in that: the proposed dead-end street will have adequate turnaround area, there will be no "half-street" development (Territorial Road will have a "half-street" improvement, not development); the extension of the local road will provide a balance

between appropriate local traffic circulation and limitation on unnecessary traffic through the residential neighborhood (only local residential traffic will be present); and no proof that the staff proposed logical extension of the local street to the east is not needed.

7. The roads proposed in the subdivision are to be local roads. According to the Transportation Systems Plan, no special provision for bicycles or slow moving vehicles are considered necessary in the construction of local roads. The improvement, and additional right-of-way dedication, for Territorial Road will provide the necessary road width for eventual bicycle lanes.

8. The existing use and the proposed use of the property have no specific use for the rail facilities that exist in Canby.

12. Implementation Measure D is the only Implementation Measure that pertains to a proposed development, and this proposed development is not commercial in nature, nor does it require direct access to Highway 99-E.

vi. **Public Facilities and Services**

■ **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.

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

ANALYSIS

1. All needed public facility and service providers were sent a "Request for Comments" regarding this application. The Oregon Department of Transportation has stated that more time is needed to comment, specifically regarding the potential impact of the proposed development on the intersection of Highway 99-E and Territorial Road, and will attempt to have the comments in by July 9, 1997 (which is after the time that this report was prepared). The Public Works Supervisor has also stated concern regarding the traffic impact on the intersection of Territorial Road and Highway 99-E. Staff's finding of adequate transportation facilities is based on the discussion and determination of the annexation of the subject property. There has been no new evidence to change this finding.

Canby Utility Board requires that the water system to be looped. It is most logical that the looping of the water line occur at the southwestern corner of the property, where the sewer will be extended from the existing N.E. 19th Avenue, along the access drive for the two flag lot off of the existing N.E. 19th Avenue, to service the southern end of the proposed development.

The Fire District also requires that no parking be permitted on the access drives to the flag lots.

Easements for utility construction and maintenance will be required. The water and electric utilities, including street lights, need to conform to the Canby Utility Board requirements, and other utility provision and construction will need to conform to the respective utility requirements.

5. No public or private recreation facilities are proposed as a part of this development. The Parks Master Plan does not call for any new parks in the vicinity of the subject property. The improvement to Territorial Road will help facilitate the eventual placement of bicycle lanes on Territorial Road. No other off-road bicycle paths are proposed in the vicinity of the subject property.

vii. Economic

■ **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

4. There are no agricultural operations on or near the subject property.

viii. Housing

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

Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

- Policy #3: Canby shall coordinate the location of higher density housing with the ability of the City to provide utilities, public facilities, and a functional transportation network.
- Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the City.
- Policy #5: Canby shall provide opportunities for mobile home developments in all residential zones, subject to appropriate design standards.

ANALYSIS

2. The provisions of this policy have not yet been enacted through the implementing ordinance (the Land Development and Planning Ordinance), therefore the call for a lot size average, mixed housing types and improved aesthetics through density bonuses and creative lot layout and design is not possible without a planned unit development. The applicant is not proposing a planned unit development, and one is not required in accordance with the Land Development and Planning Ordinance.
3. The proposed development does not include higher density housing. The City has the ability to provide adequate water and sewage facilities, as well as other public facilities to service the proposed development.
4. The proposed development has not requested density bonuses due to special designs to serve handicapped or elderly persons. Further, as stated in the analysis of policy 2 above, "lot size averaging" outside of a planned unit development, is not permitted by the Land Development and Planning Ordinance.
5. The proposed development is not intended to be a manufacture home subdivision.

ix. Energy Conservation

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

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

ANALYSIS

2. Of the 22 proposed lots, as revised by staff (extension of the street to the east), 4 will meet the basic solar access standards for new residential developments (lots 13, 17, 18, and 22). It is realistically possible to utilize a protected solar building line (a setback line) for lots 9, 10, 11, 12, 14, 15, 20, and 21. It is technically possible, but unrealistic to use the solar building line for lots 16 and 19. The area remaining for the construction of a home would be severely limited for these two lots. Because the southern lot lines in the subdivision are oriented 32 degrees from true east-west, the protected solar building line would not be oriented parallel to the southern lot line, thus creating an somewhat odd-shaped buildable area (the setback line is the smallest on the west side of the lot and increases toward the east).

The result of the use of the protected solar building line is that 12 of the 22 lots (54/5%) will comply with the solar access standards for new developments (16.95.030 of the Land Development and Planning Ordinance), which requires 80% compliance. Section 16.95.050(A)(1)(c) permits an adjustment to the design standards if the public road plans are such that the required access prevents streets or lots in the development from being oriented for solar access (within 30 degrees of true east-west). The property is shaped such that only one access to Territorial Road is possible, thus necessitating a north-south orientation to the local road. Further, the orientation of the subject property is such that any east-west street is actually oriented 32 degrees from true east-west. For these reasons, staff finds that an acceptable adjustment to the design standards to 55%.

C. Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan and Compliance with Other Applicable City Ordinances:

Review of the above analysis will show that the proposed subdivision, with the recommended conditions of approval, is consistent with the policies of the Comprehensive Plan. Development of each 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.

D. Conformance with Applicable Requirements of the Land Development and Planning Ordinance

16.64.010 Streets.

The proposed street name (Vine Court) is not in accordance with the Street Naming Ordinance. The street is oriented, principally, east-west, and thus is required to have a number street name. Because of the location of the property,

N.E. 19th Avenue is the most appropriate street name. The additional street extension that staff is proposing, is principally a north-south street, and thus, N. Vine Court is an appropriate street name.

The design of the street is not in full compliance with the City's standards. The local road will be constructed at a paved width of thirty-six (36) feet, with a five (5) foot sidewalk provided against the curb, and utilities and street trees behind the sidewalk. It is the cul-de-sac that will need to be widened. In order to meet the Fire Code requirements, without requiring every home to be constructed with approved residential sprinkler systems, the cul-de-sac will need to have a 50-foot curb radius and a 55-foot right-of-way radius.

The length of the "dead-end" road is permitted to be longer than either 400 feet (street standards) or 450 feet [Section 16.64.010(H)] due to the temporary nature of the street layout (it will eventually be continued to the east with another access to Territorial Road).

Street trees are required as a part of land division development. The location of the planting of the trees needs to be both compatible with the placement of the utilities for the subdivision and such that the trees have adequate room to grow. With the right-of-way width of forty (40) feet and the paved street width of thirty-six (36) feet, and the provision for sidewalks, there is virtually no extra right-of-way space. In order to accommodate utilities and street trees, with the limited right-of-way space street trees are to be planted eleven (11) feet behind the curb. In order to insure, as best as possible, the proper planting of the trees, the trees will need to be planted by a licensed landscape contractor. The planting of the trees is a subdivision improvement, and improvements are required to be completed or bonded prior to the signing of the subdivision plat. Since the planting of street trees is inadvisable prior to the construction of the homes, the trees will need to be bonded. One other option is for the developer to pay the City to take responsibility for the planting of the trees. This option requires a payment to the City of \$165 a tree. The cost covers both the purchase of the trees and the cost to contract the work of planting the trees. CC&R's need to be filed for the subdivision, which include a statement that specifically permits the street trees to be planted within the utility easement along the street. This is necessary because the trees may not be planted until after the home has been occupied, and the new homeowner should know, at the earliest possible time, that the trees will be planted. One tree per interior lot (having frontage on a street, not including flag lot access drives), and two trees per corner lot is required. The location of the trees will be designated with the construction plans.

16.64.030 Easements.

Six foot utility easements will be required to be located along all interior lot lines, with ten foot utility easements for the eastern exterior property line of the

development, twelve foot utility, sidewalk, and tree easements for street lot lines, and mutual access and utility easements for flag lot access drives.

A stormwater easement shall be provided for surface drainage to the wetlands, if such stormwater drainage is necessary.

The sidewalks will be located against the curb, but will "swing" around obstacles (such as mailboxes, newspaper boxes and fire hydrants) that are located against the curb. The width of the sidewalk will be five feet, including the curb when the sidewalk is against the curb. The minimum distance between the garage and the back of the sidewalk is nineteen feet (allowing for a car to be parked in front of the garage without obstructing the sidewalk), regardless of the sidewalk's location. Locating the sidewalk in this manner will allow for the utilities and street trees to be placed with the least amount of conflict and hindrance on the "buildable" area of the lot. In addition, the sidewalk will be kept clear of obstacles to pedestrians.

16.64.040 Lots.

The lots will range in size from approximately 7,030 square feet to 15,277 square feet. All lots will meet the minimum required area of 7,000 square feet, and will be of such dimensions as not to preclude development with single-family homes for reasons of insufficient room for required setbacks. All lots are at least 60 feet in width for interior lots and at least 65 feet for corner lots. All lots are functional for residential uses. Lot frontages are permitted to be reduced for the properties fronting the cul-de-sac, as the proposed frontages provide sufficient access for the lot. A reconfiguration of some of the lots will be necessary to accommodate the street extension and increased size of the cul-de-sac.

16.64.070 Improvements.

A bond will be required for any improvements in the subdivision that are not completed prior to the signing of the final plat. Such agreement of assurance shall be in conformance with Paragraph (O) of Section 16.64.070 of the Land Development and Planning Ordinance. A pre-construction conference with the developer, the City, and the utility providers is necessary prior to any construction of the improvements.

E. Design and Lot Arrangement - The Overall design shall be functional in terms of sites, utility easements and access, without hindering adjacent development.

The layout and provision of services to the proposed subdivision has been described by staff in detail in the preceding sections (B & D). The design and arrangement of the lots and streets are functional.

IV. CONCLUSION

The proposed subdivision is consistent with the Comprehensive Plan, all applicable requirements of the Land Development and Planning Ordinance, and the overall design and arrangement of lots is functional and will not unduly hinder use or development of adjacent properties. Conditions are proposed herein to provide the necessary changes and details required to meet the City's standards for subdivisions.

V. RECOMMENDATION

Based on the application, site plan, the facts, findings and conclusions presented in this report, and without benefit of public testimony, staff recommends that should the Planning Commission approve, with conditions, SUB 97-04, that the following conditions apply:

For the Final Plat:

1. The final plat shall reference this land use application - City of Canby, File No. SUB 97-04, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.
2. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recordation.
3. Easements shall be provided as follows:
 - Six (6) foot wide public utility easements along all interior lot lines, except along the eastern property line of the subdivision, which shall be ten (10) feet wide.
 - Twelve (12) foot wide public utility, sidewalk, and tree planting easements along the street frontages.
 - Mutual access and maintenance, and public utility easements along all flag lot access drives.
4. The "protected solar building lines" shall be shown on the plat for lots 9-12, 14, 15, 20, and 21, and shall be shown at the designated distance north of the southern property line, as measured from the southwestern corner, and shall be provided at an orientation of no more than 30 degrees from true east-west, as follows:

Lot 9	17 feet	Lot 14	18 feet
Lot 10	17 feet	Lot 15	12 feet
Lot 11	27.5 feet	Lot 20	26 feet
Lot 12	27.5 feet	Lot 21	18 feet

If the "protected solar building lines" are not shown on the plat as stated above, they shall be included in the CC&R's that will be recorded at Clackamas County with the final plat.

5. The street names shall be N.E. 19th Avenue for the portion that accesses Territorial Road, and shall be N. Vine Court for the portion that extends east from the cul-de-sac.
6. The cul-de-sac shall have a right-of-way radius of fifty (50) feet.
7. The local road shall extend from the cul-de-sac to the eastern property line. The right-of-way width of the road extension shall be forty (40) feet.
8. A copy of the CC&R's that will be filed with the subdivision that includes: a statement that street trees will be planted along street frontages, within the tree planting easement; a prohibition against parking in the flag lot access drives.

Prior to construction:

9. A pre-construction conference shall be held prior to construction. The pre-construction plans shall be reviewed and approved by the Canby Utility Board, the Canby Telephone Association, and the City prior to the pre-construction conference. The City's review and approval shall be coordinated through the Planning Office. The construction plans shall include the street design, storm water, sewer, water, electric, telephone, gas, street lights, mail boxes and street trees. The street tree planting location shall be determined as a part of the pre-construction review process.
10. The type of street trees to be planted shall be determined by City staff prior to the pre-construction meeting. The number of street trees to be planted shall be one per interior lot, none for flag lots that do not have frontage on a street (excepting access drives), and two per corner lot. The trees shall be planted eleven (11) feet from the street curb. The street trees along Territorial Road shall be the same type as planted along Territorial Road in front of the Willow Creek Subdivision.
11. Testing of the site for drywells shall occur. The test shall include a minimum of 4 sites covering the homes sites and 3 sites covering the street area. The results of the tests shall be submitted to the City for review and determination as to whether drywells will be sufficient for handling stormwater drainage, or whether stormwater drainage will be required to be discharged through a surface channel.

If a surface channel drainage of stormwater runoff is required, stormwater easements to the wetlands located between the Willow Creek and Redwood Meadows Subdivisions shall be obtained prior to construction.

12. The storm water design for the subdivision shall conform to the Canby Public Works Department standards. The storm water design shall be as determined by the drywell tests.

As a part of construction:

13. Any necessary utilities shall be constructed to the specifications of the utility provider. The water system shall be looped to the existing water line in N.E. 19th Avenue.
14. Street name and traffic control signs shall be provided at the developer's expense. This shall include "Stop" street signs where required by the Director of Public Works.
15. Erosion-control during construction shall be provided by following the recommendations of the "Erosion Control Plans Technical Guidance Handbook," as used by Clackamas County, dated August 1991, and as revised.
16. The storm water construction for the subdivision shall conform to the Canby Public Works Department standards.
17. The construction of the sewer system for the subdivision shall be approved by the Public Works Supervisor.
18. The local roads shall be constructed to the City specifications and standards. The improvements shall include the street, curbs, sidewalks, street lights, utilities and street trees.
19. The paved radius of the cul-de-sac shall be fifty (50) feet.
20. Half-street improvement shall be provided for Territorial Road, constructed to the City and Clackamas County's specifications and standards. The improvement shall include the street, curb, sidewalk, street lights, utilities and street trees, matching with the existing improvements located in front of the Willow Creek Subdivision.

Prior to the signing of the Final Plat:

21. The subdivision development fee, as provided in the Land Development and Planning Ordinance Section 16.68.040(C), shall be paid.

22. 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 subdivision improvements for any improvement not completed prior to the signing of the final plat. The bond shall provide for the City to complete the required improvements and recover the full cost of the improvements.
23. A copy of the CC&R's that will be filed with the subdivision shall be submitted to the City Planning Department with the final plat, prior to the signing of the final plat, that includes: a statement that street trees will be planted along street frontages, within the tree planting easement; a prohibition against parking in the flag lot access drives.
24. One of two options shall be fulfilled for the planting of street trees prior to the signing of the final plat: Option 1, a contract, with a licensed landscape contractor, shall be executed. The contract shall include the City as the contractee: Option 2, the developer shall pay the City \$3,135 for the 19 trees to be planted (\$165 a tree). If option 2 is chosen, the City becomes responsible for the planting of the street trees.

After construction:

25. The sidewalks shall be located against the curb, and shall be five-feet wide, including the curb. Where mailboxes, newspaper boxes or other obstructions (such as fire hydrants) are located at the curb, the sidewalk shall be set away from the curb such that the sidewalk remains unobstructed for a full five-foot width.
26. "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 computer disk in an AutoCAD format.
27. Garages shall be set back a minimum of nineteen (19) feet from the back of the sidewalk. The distance shall be measured from the closest edge of the sidewalk at the driveway.

Notes:

28. The final plat must be submitted to the City within one (1) year of the approval of the preliminary plat approval according to Section 16.68.020.
29. The approval will be null and void if the final plat is not submitted to the County within six (6) months after signing of the plat by the chairman of the Planning Commission (Section 16.68.070).

30. A copy of all recorded CC&R's, easements for storm water (if necessary) shall be submitted to the City, prior to issuance of building permits (beyond one single family residence).
31. The road length for the cul-de-sac and extension, beyond either of the two City standards of 400 and 450 feet, is permitted.
32. No parking is permitted in the flag lot access drives.

Exhibits:

1. Applicant's Package & Vicinity Map
2. Traffic Study
3. ODOT Letter
4. Responses to Request for Comments
5. Tentative Plat (too large to reproduce)

SUBDIVISION APPLICATION

Fee: \$900+
\$30/lot

OWNER

APPLICANT

Name Willow Creek Estates

Name Same as Owner

Address 1988 NE 19th Avenue

Address _____

City Canby State OR Zip 97013

City _____ State _____ Zip _____

Signature *[Handwritten Signature]*

Phone 503-266-3837

DESCRIPTION OF PROPERTY:

Tax Map 3S 1E 27 DB Tax Lot(s) 600 Lot size (acres/sq. Ft.) 5.04 Acres

OR

Legal Description, metes and bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP 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

Existing Property is vacant.

Proposed 21 Single family residential lots.

Existing Structures No Existing Structures

PROJECT DESCRIPTION

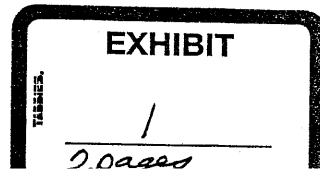
Applicant desires to subdivide Tax Lot 600; 3S; 1E; Section 27 DB into 21 single family residential Lots for Single Family Residences, according to the Comprehensive Plan.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION R-1

PREVIOUS ACTION (if any) : Annexation Ann 96-03

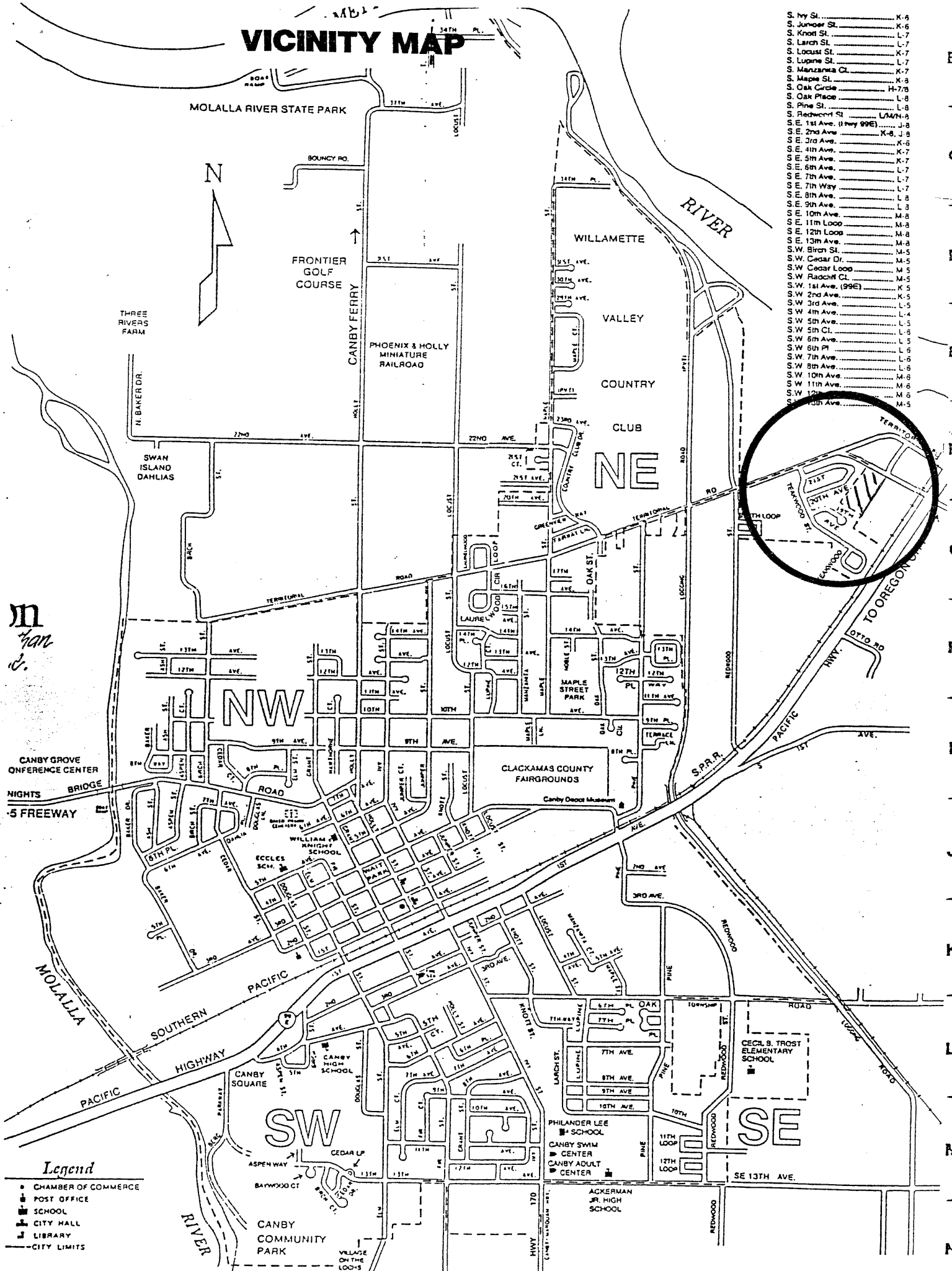
File No. SUB 97-04
Receipt No. 2493 + 2494
Received by [Signature]
Date Received 5.19.97
Completeness Date 6.18.97
Pre-App Meeting _____
Hearing Date 7.14.97

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



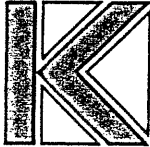
VICINITY MAP

S. Ivy St.	K-4
S. Juniper St.	K-6
S. Knot St.	L-7
S. Larch St.	L-7
S. Locust St.	K-7
S. Lupine St.	L-7
S. Manzanita Ct.	K-7
S. Maple St.	K-8
S. Oak Circle	H-7/8
S. Oak Place	L-8
S. Pine St.	L-8
S. Redwood St.	L-8
S. E. 1st Ave. (Hwy 99E)	J-8
S. E. 2nd Ave.	K-8, J-8
S. E. 3rd Ave.	K-6
S. E. 4th Ave.	K-7
S. E. 5th Ave.	K-7
S. E. 6th Ave.	L-7
S. E. 7th Ave.	L-7
S. E. 7th Way	L-7
S. E. 8th Ave.	L-8
S. E. 9th Ave.	L-8
S. E. 10th Ave.	L-8
S. E. 11th Loop	M-8
S. E. 12th Loop	M-8
S. E. 13th Ave.	M-8
S. W. Birch St.	M-5
S. W. Cedar Dr.	M-5
S. W. Cedar Loop	M-5
S. W. Reach Ct.	M-5
S. W. 1st Ave. (99E)	K-5
S. W. 2nd Ave.	K-5
S. W. 3rd Ave.	L-5
S. W. 4th Ave.	L-4
S. W. 5th Ave.	L-5
S. W. 5th Ct.	L-6
S. W. 6th Ave.	L-5
S. W. 6th Pl.	L-6
S. W. 7th Ave.	L-6
S. W. 8th Ave.	L-6
S. W. 10th Ave.	M-6
S. W. 11th Ave.	M-6
S. W. 12th Ave.	M-6
S. W. 13th Ave.	M-5



m than d.

- Legend**
- ◆ CHAMBER OF COMMERCE
 - POST OFFICE
 - ▣ SCHOOL
 - ⌂ CITY HALL
 - 📖 LIBRARY
 - CITY LIMITS



KITTELSON & ASSOCIATES, INC.
TRANSPORTATION PLANNING/TRAFFIC ENGINEERING

610 S.W. ALDER, SUITE 700 • PORTLAND, OR 97205 • (503) 228-5230 • FAX (503) 273-8169

September 3, 1996

Project #: 2198

Jim Wheeler, Planning Director
City of Canby
182 North Holly
Canby, OR 97013

RE: *Transportation Impact Study for the proposed Residential Subdivision - Highway 99E/Territorial Road, Canby, Oregon*

Dear Mr. Wheeler:

As you requested, Kittelson & Associates, Inc. has performed a transportation impact analysis for the proposed residential subdivision to be located off of Territorial Road in the vicinity of Highway 99E in Canby, Oregon. The purpose of our analysis was to determine the impacts of the proposed development on traffic operations and safety at the proposed site access driveway and at the intersection of Territorial Road/Highway 99E.

Conclusions

In summary, weekday p.m. peak hour travel demands at the intersection of Highway 99E/Territorial Road are currently very close to capacity and as a result delay and congestion performance measures indicate an unacceptable level of service at the intersection. Including the forecast growth in through traffic volumes on Highway 99E, any further development in the study area (Willow Creek, Willamette Commons, or the proposed development) will cause congestion and delay at the intersection of Territorial Road/Highway 99E to worsen. However, given the background development that is currently anticipated to occur, the proposed development will result in an incrementally small increase in delay and queuing at the study intersection. The site access point can be developed to ensure adequate sight distance to and from Territorial Road, and is expected to operate acceptably as a two-way stop controlled intersection.

Specifically, the results of the traffic analyses indicate that:

- The intersection of Territorial Road/Highway 99E operates at LOS F during the weekday p.m. peak hour. The average vehicle delay is 94 seconds, with a five vehicle 95th percentile queue.
- Existing p.m. peak hour conditions warrant a traffic signal at the intersection of Territorial Road/Highway 99E. A traffic signal would improve intersection operations to LOS B. Installation of a traffic signal at this intersection would have to include a railroad pre-emption device, and would likely be constructed with City, State, or Local Improvement District funds.

EXHIBIT

2

- The proposed development will add approximately nine p.m. peak hour trips to the intersection of Highway 99E/Territorial Road
- The site access driveway will operate at acceptable levels of service, and can be located to maintain adequate sight distance to and from Territorial Road.
- There is no data indicating that there is an existing accident problem specifically at the intersection of Territorial Road/Highway 99E.

Analysis Scenarios

The proposed development calls for 25 single family homes to be located west of Highway 99E on the south side of Territorial Road adjacent to Willow Creek Residential subdivision. It is anticipated that the site would be constructed and occupied sometime in 1998.

Four development scenarios were considered in this analysis:

- 1) Scenario 1 - Existing Conditions: Representing existing 1996 development conditions
- 2) Scenario 2 - Background Conditions: Representing full build-out of the Willow Creek Subdivision (18 additional homes), full buildout of the Willamette Commons Condominiums (30 condominiums), and general growth in traffic volumes to the forecast completion year of the proposed development (1998).
- 3) Scenario 3 - Proposed Development: Representing the background traffic conditions **plus** the traffic generated by the proposed development.
- 4) Scenario 4 - Cumulative Development: Representing forecast future development of the additional vacant parcels of land in the vicinity of the proposed development.

For each of these scenarios, the trip generation, trip distribution and traffic operations impacts of the proposed developments were evaluated. The following summarizes the results of our analysis.

Existing Conditions

The existing conditions analysis included a review of traffic operating conditions at the intersection of Territorial Road/Highway 99E, a trip generation study at the Willow Creek Subdivision, and a trip distribution study also at the Willow Creek Subdivision.

Traffic Operations

At the intersection of Territorial Road/Highway 99E, a.m.(7:00-9:00 a.m.), p.m.(4:00 to 6:00 p.m.) and Sunday morning (10:30 a.m. to 1:00 p.m.) traffic counts were performed and intersection operations evaluated. It was determined that of the three study peak periods, the p.m. peak hour had the worst traffic operating conditions. Under existing conditions, this intersection operates level of service (LOS) F during the p.m. peak hour. During the observed a.m. and Sunday morning peak periods the intersection operates at LOS D and LOS E respectively. Because the p.m. peak hour exhibited the worst operating conditions of the peak periods considered, the remainder of this analysis focuses on p.m. peak hour operating conditions.

Trip Generation

To determine the number of a.m. (7:00-9:00 a.m.), p.m. (4:00 to 6:00 p.m.) and Sunday morning (10:30 a.m. to 12:30 p.m.) trips generated by the proposed development, a trip generation study was performed at the Willow Creek Subdivision access point onto Territorial Road - the intersection of Teakwood Road/Territorial Road. The results of the trip generation analysis were compared to standard trip generation rates used in the trip generation reference manual, *Trip Generation*, 5th Edition (Institute of Transportation Engineers, 1991). This manual summarizes trip generation rates (developed from field surveyed data throughout the nation) for a wide range of commercial, retail and residential developments. The comparison showed that the a.m. and p.m. peak trip generation rates for the Willow Creek development are consistent with the corresponding peak residential trip generation rates included in the *Trip Generation Manual*. The manual does not include Sunday morning trip generation rates. Because the field measured trip generation rates for the residential subdivision in Canby compared so favorably to comparable trip generation rates in the Trip Generation Manual, this confirms that the trip making characteristics of residents of Canby are comparable to national average trip making characteristics. Thus, trip generation rates from the ITE Trip Generation Manual were applied in the remainder of this analysis. Table 1 summarizes the p.m. peak hour trips generated by the assumed development in each of the study scenarios.

As shown in this table, in Scenario 2, 35 additional p.m. peak hour trips will be added to the roadway system as a result of completing construction of Willow Creek and Willamette Commons developments. Scenario 3 information shows that the proposed development will add a total of 25 additional trips to the roadways surrounding the proposed site. Further, the cumulative trip generation (Scenario 4) will be approximately 75 trips during the p.m. peak hour. Thus, full buildout of the potential developments in the site vicinity will add approximately 135 p.m. peak hour trips.

Table 1 - Trip Generation

Description	Size (units)	ITE Code	Daily Trips	Weekday P.M. Peak Hour Trips		
				Total	In	Out
Scenario 2 - Background Developments						
Willow Creek Residential Subdivision Single Family Homes	18	210	172	18	12	6
Willamette Commons Condominiums/Townhomes	30	230	176	17	11	6
Total New Trips			348	35	23	12
Scenario 3 - Proposed Development						
Proposed Development Single Family Homes	25	210	239	25	16	9
Total New Trips			239	25	16	9
Scenario 4 - Cumulative Development						
75 Additional Homes Single Family Homes	75	210	716	76	49	27
Total New Trips			716	76	49	27
Total New Trips Within Site Vicinity			1,303	136	88	48

Figure 1 summarizes the p.m. peak hour intersection turning movement volumes for the four study scenarios.

Trip Distribution

A trip distribution study was also performed at the intersection of Teakwood/Territorial Road. The purpose of this analysis was to estimate the percentage of motorists traveling to and from the subdivision that would travel through the intersection of Territorial Road/Highway 99E. The results of the analysis indicated that 35% of the trips generated by this subdivision traveled to and from Willow Creek via Territorial Road to the east of the subdivision (toward Highway 99E) and 65% traveled to and from the subdivision via Territorial Road to the west of Willow Creek. This distribution was applied in the remainder of the project.

Specific to the proposed subdivision, the assumed trip distributions translates to a total of nine additional p.m. peak hour trips traveling through the intersection of Territorial Road/Highway 99E (5 trips total from northbound and southbound Highway 99E and 4 trips from the eastbound approach to Highway 99E Road).

Future Conditions

Given the above trip generation and trip distribution analyses, a future conditions p.m. peak hour intersection delay and queuing analysis were performed at the study intersection of Territorial Road/Highway 99E. These analyses were based on standard procedures outlined in the *1994 Highway Capacity Manual*. These procedures outline a means for estimating vehicle delay at an intersection, approach queuing, and intersection Level of Service (LOS). Intersection LOS is defined as a function of delay and ranges from LOS A to LOS F with A being the best operating condition and F indicating that delay to motorists will be unacceptable. The level of service for an intersection is typically defined by the movement at the intersection with the highest delay. Further, the level of service for the study intersection is based on the peak 15 minutes of the weekday p.m. peak hour.

Intersection Delay and Level of Service Analysis

The results of the intersection delay and level of service analysis for the four scenarios are summarized in Table 2. As shown in Table 2, significant delays are currently experienced on the eastbound approach of the Territorial Road/Highway 99E intersection during the peak 15 minutes of the weekday p.m. peak hour. Average vehicle delay at the eastbound approach to the intersection is 94 seconds and the intersection operates at LOS F. All other movements at this intersection will operate with less delay than the movements on the eastbound approach.

By 1998, when the Willow Creek Subdivision and Willamette Commons are complete, traffic volumes on Highway 99E will have grown (based on historical trends) approximately 7%. At this time, it is forecasted that the weekday p.m. peak hour eastbound approach delay to the intersection will have grown to 186 seconds. This growth in delay is largely due to the growth in traffic volumes on Highway 99E. Construction of the proposed subdivision will further increase the delay at this approach to the intersection by eight seconds to 194 seconds. Thus, relative to existing conditions, the proposed development is responsible for 8% of the total increase in delay at the eastbound approach to the intersection of Territorial Road/Highway 99E.

Table 2 - Level of Service

Intersection	Unsignalized			Vehicle Queues
	Critical Approach	Average Delay	LOS	95% (vehicles)
Scenario 1 - 1996 Existing Conditions				
Territorial Road/Highway 99E	Eastbound	94	F	5
Scenario 2 - 1998 Background Development Conditions				
Territorial Road/Highway 99E	Eastbound	186	F	6
Scenario 3 - 1998 Total Proposed Development Conditions				
Territorial Road/Highway 99E	Eastbound	194	F	6
Scenario 4 - 1998 Additional Development Conditions				
Territorial Road/Highway 99E	Eastbound	220	F	7

Intersection Queuing

Typically, the 95th percentile queue is the standard queue length used to estimate worst-case queuing conditions. The 95th percentile vehicle queue represents conditions in which 95% of the time, the vehicle queue will be equal to or less than the queue cited. As shown in Table 2, under existing conditions the 95th percentile queue is 5 vehicles and is forecast to grow to 7 vehicles with full buildout in the study area. The proposed development is not forecast to add significantly to the vehicle queues. It should be noted that field observations revealed a maximum queue of 8 vehicles.

Train Traffic

The Southern Pacific train tracks run parallel to Highway 99E on the west side of Highway 99E. Field observations revealed that during the observed p.m. peak hour, trains traveled through the study intersection twice. Trains crossing Territorial Road temporarily block traffic on the west leg of the intersection creating additional delays and vehicle queues. The level of service results shown in Table 2 above do not account for train traffic in the site vicinity. Additional delays can be expected at times when trains cross Territorial Road during the weekday p.m. peak hour.

Signal Warrants

According to the *Manual on Uniform Traffic Control Devices*, based on existing p.m. peak hour traffic volumes, a traffic signal is warranted at the intersection of Territorial Road/Highway 99E. Installation of a traffic signal at this location will decrease the delays and vehicle queues on the minor street approaches, and create small delays and queues at the major street approaches. Overall, installation of a traffic signal would improve intersection operations to LOS B. The issue of installing a traffic signal at this intersection has been raised in the development of both the City of Canby Transportation System Plan, and the Canby Highway 99E Access Management Plan. In both cases the Oregon Department of Transportation (ODOT) indicated that they were reluctant to install a traffic signal at this location.

Site Access

The proposed site-access driveway on Territorial Road is expected to operate within acceptable levels of service with development of the site. The low volumes on Territorial Road will result in minimal traffic delays and vehicle queues on both Territorial Road and the site-access driveway.

An analysis of intersection sight distance for the proposed site-access on Territorial Road was conducted to ensure that the proposed driveway would operate safely and efficiently. If the proposed site access were constructed at the existing dirt road on the parcel, adequate sight distance is available to and from the site onto and off of Territorial Road. It should be noted that, due to the horizontal curve on Territorial road and the topography, the sight distance to the west is within close tolerance of the 450 foot minimum distance. Thus, when a site plan is developed for the project, special emphasis should be made to ensure that the driveway is placed to provide adequate sight distance.

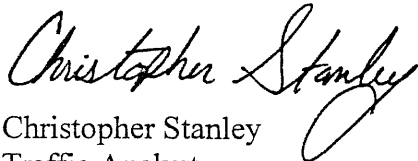
Historical Accident Review


Accident data from the Oregon Department of Transportation revealed within the last three years (1993 to 1995) zero accidents have been recorded within 100 feet of the intersection of Territorial Road/Highway 99E intersection. There were four accidents recorded in this period within 500 feet of the intersection. One of these accidents included a fatality. Accident data from City of Canby Transportation System Plan (TSP) reveals that between 1990 and 1992 there have been 10 in the vicinity of Territorial Road at Highway 99E. The TSP also shows that the roadway accident rate in this area (accidents per million vehicle miles) is relatively low compared to other sections of roadway in Canby. Accidents on Highway 99E in this area appear to be caused by excessive speeding and/or driver inattention. These are not issues related to the physical conditions or traffic control conditions at the intersection of Highway 99E/Territorial Road.

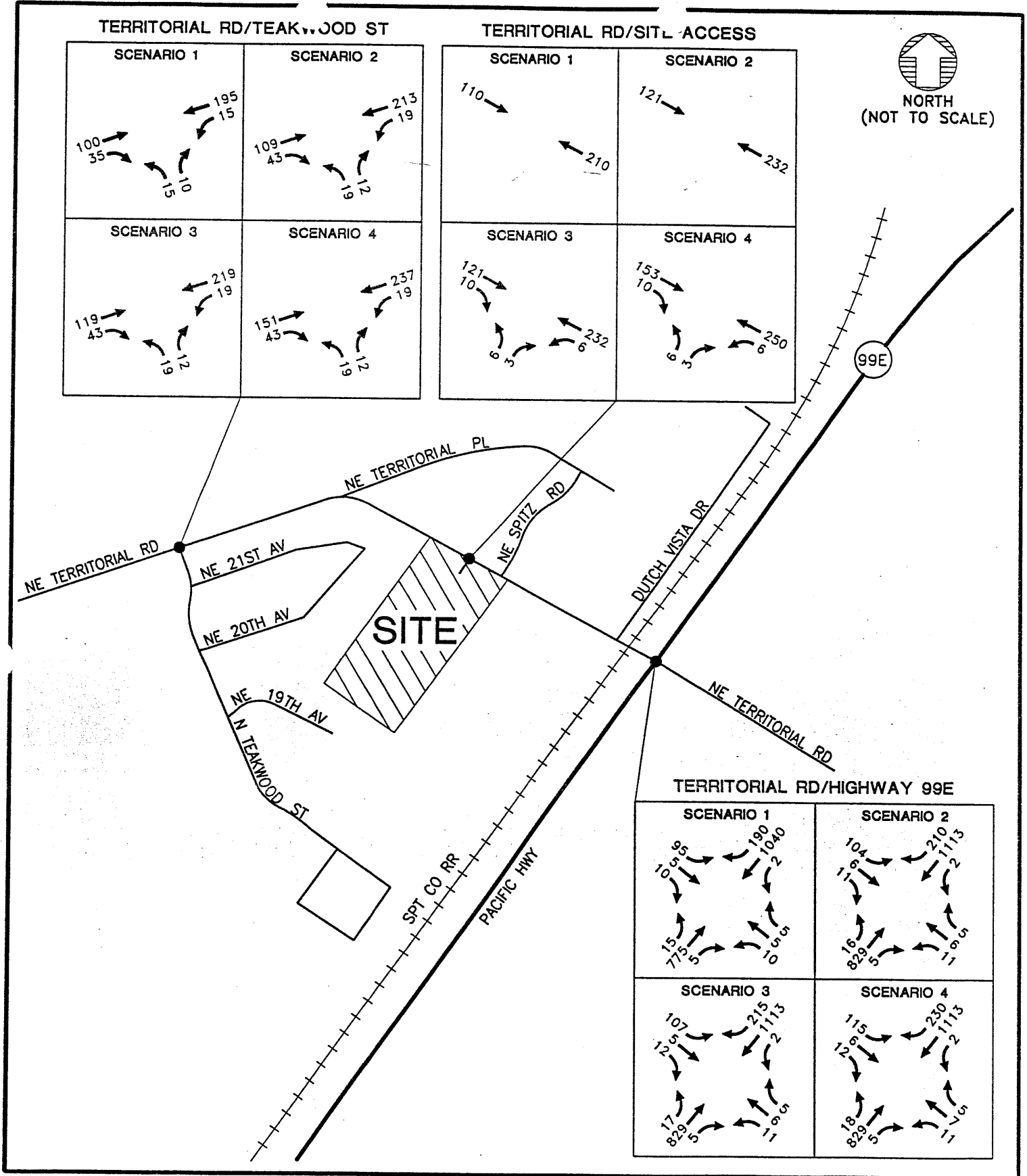
As traffic volumes grow on Highway 99E, and buildout of residential development within the area occurs, congestion at the intersection of Highway 99E/Territorial Road will worsen. Greater congestion and vehicle delay, will encourage motorists to accept smaller gaps in the traffic stream; therefore, increasing the potential for conflicts at this intersection. This condition will only be negligibly affected with the development of the proposed subdivision.

I trust that this letter adequately addresses the transportation-related issues associated with the proposed residential subdivision. Please call if you have any questions or concerns or comments.

Sincerely,
KITTELSON & ASSOCIATES, INC.


Christopher Stanley
Traffic Analyst


Elizabeth A. Wemple, P.E.
Project Manager



Oregon

DEPARTMENT OF
TRANSPORTATION

District 2B

File Code

April 17, 1997

Bruce Makowski and Ron Swor
New Life Foursquare Church
2350 SE Territorial Road
Canby, OR 97013

Dear Mr. Makowski and Mr. Swor,

Governor Kitzhaber asked me to respond to your recent contact with his office. Thank you for your letter concerning safety issues on State Highway 99 East between Canby and Oregon City, in particular, the intersection of 99E and Territorial Road. Oregon Department of Transportation (ODOT) shares your concerns and is very committed to work towards a safer corridor.

ODOT is currently working with the City of Canby in developing the City Of Canby's Transportation System Plan (TSP). The City's TSP is considered an Interim Draft Plan dated August 18, 1994 and addresses traffic signals within the City of Canby. This Interim TSP indicates the need for a signal in the future at this intersection, specifically in the next five to ten years. ODOT will continue to work with the City of Canby to complete the TSP and determine appropriate projects on the 99 East corridor within the area of the City Limits. The final TSP will be completed in the future. If you have questions regarding the status of the City of Canby's TSP, you can contact Jim Wheeler, City of Canby, Planning Manager, at 266-4021.

A traffic signal at this location will be complicated by the railroad crossing and the higher elevation of the tracks to the west of Highway 99 East on Territorial Road. The railroad tracks will most likely need to be relocated by either raising the tracks over Territorial Road or lowering the tracks under Territorial Road to accommodate vehicle movement and eliminate interference with the operation of the railroad tracks. The railroad tracks are seeing increased freight volumes and are part of the High Speed Rail Corridor between Eugene, Oregon and Vancouver, British Columbia. In the future, to ensure the High Speed Rail can proceed safely and with fewer conflicts, the relocation of the tracks over or under Territorial Road becomes very important to the success of freight movement and the High Speed Rail.

ODOT has a safety priority system for installation of traffic signals. If the intersection does meet signal warrants, it will be placed on a Statewide Signal Priority List for funding consideration. Traffic signal installations in rural type areas also causes other safety concerns, including rear end collisions due to motorists not realizing a traffic signal is in a rural type area and side collisions from motorists pulling out into the paths of vehicles that did not stop for the traffic signal. These types of incidents occur more frequently when signals are placed in rural areas where motorists are not expecting traffic signals.

To heighten public awareness along this stretch of Highway 99 East, a Safety Corridor will soon be designated. The Safety Corridor will include enhanced signing, education, and enforcement of the existing speed limits. The Safety Corridor will be a combined effort of the local schools, the police agencies, State Representative Larry Sowa's office, and the ODOT. As this Safety Corridor moves forward, I am sure you will hear more about it in the near future.



9200 SE Lawnfield Rd
PO Box 1339
Clackamas OR 97015
(503) 653-3086
FAX (503) 653-5655

EXHIBIT

3

3 pages

Also I would like to share with you that there have been many projects in this corridor between Canby and Oregon City in the past few years. These projects have been for safety and surface preservation. The following is a list of projects that have been completed or are nearing completion:

1. **Haines Road Connection** - The intersection was realigned and a left turn lane was constructed for southbound 99 East turning east.
2. **Restriping** - Just north of Canby up to the Haines Road project, ODOT restriped this section to widen the paved center median. This widened median has made left turn movements safer for all concerned.
3. **Rock Screen Project** - Just south of Oregon City several rock screens and dangerous rock falls were removed during the summer of 1996 to protect motorists from falling rocks.
4. **Preservation Project** - A paving project was recently completed from Oregon City to the Haines Road project. Minor improvements to the roadway width, guardrail upgrades and ditches were also included in the scope of the project. A significant improvement to the South End Road connection was raising the elevation of the approach to increase the line of sight for drivers entering on to 99 East and to make for easier acceleration.
5. **Flashing Beacons** - Installation of flashing beacons at 2nd Avenue and Tumwater Street in Oregon City was completed in July 1995.
6. **1997 Paving Preservation Project** - A surface preservation project is scheduled during the summer of 1997 from Haines Road to Pine Street in Canby.

These above listed projects have been mainly to preserve the existing transportation system. Although your letter was specifically asking about a traffic signal at the intersection of Territorial Road and Highway 99 East, I believed it may have been of interest to you to indicate the work that ODOT has done in the area to preserve the existing infrastructure.

In summary, ODOT will continue to work with the City of Canby regarding their TSP, including the possibility of future signalization at this intersection. If you have any questions concerning this information, please contact me at 653-3086.

ODOT thanks you for taking the time to write and express your concerns along with the concerns of The New Life Foursquare Church. ODOT shares your concerns and will continue to seek ways to improve safety along the Highway 99 East Corridor.

Sincerely,



Karla Keller
District 2B Manager

cc: Oregon Governor John Kitzhaber
Grace Crunican, ODOT Director
Don Wagner, ODOT Region 1 Manager
Tom Lauer, ODOT Region 1 Maintenance and Operations Manager
Dave Williams, ODOT Planning and Development Manager
Bill Ciz, ODOT Traffic Manager
Mike Jordan, City of Canby, City Manager
Jim Wheeler, City of Canby Planning Manager
State Representative Larry Sowa

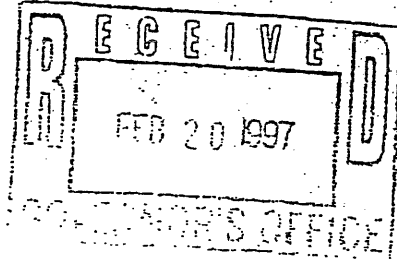


New Life Foursquare Church

2350 SE Territorial Rd • Canby, OR 97013 • (503) 266-4444 • Fax (503) 266-7659 • Ron Swor, Pastor

#12392

✓ CAT
0007-unsafe
Hwy 99E intersection



The Honorable Governor Kitzhaber
State Capitol Building
Salem, Oregon 97303

Dear Governor Kitzhaber:

Thank you for your interest in highway safety.

I am writing on behalf of people attending New Life Foursquare Church. We have witnessed phenomenal growth in the Canby community, as well in our church. With a weekly attendance of nearly 1,800 people, naturally we have a concern as people travel Highway 99E.

A particular concern is the use of the intersection of Highway 99E and Territorial Road. We have concern because of our interest in expanding our current facilities and the high number of accidents at this intersection. To date, we are thankful that people attending church here have experienced no injuries at this intersection.

We believe a traffic signal light, installed at this intersection, would in the long term reduce the loss of life and property. The City of Canby, Canby Schools, private developers, local residents and our church have all voiced concern and interest in this particular intersection. Your attention to this need would be appreciated.

Thank you again for your efforts to make the State of Oregon one of our country's finest.

Sincerely,

Bruce Makowski

Bruce Makowski

RECEIVED						
DOT DIRECTOR						
REFER TO						
MAR 05 1997						
FOR						
Info	INS	REG	TRANS	SALES	TR	TR

If anyone is in Christ, he is a new creation: the old has gone, the new has come!

PLEASE RETURN ATTACHMENTS!!!

ODOT File code:
2B-CAN-1E

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, SCHOOLS, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS,
CLACKAMAS COUNTY (O.D.O.T), MIKE JORDAN, JOHN KELLEY, ROY, STEVE

The City has received SUB 97-04 an application by Willow Creek Estates to subdivide a 5.04 acre parcel into 22 single family residential lots. The site is located northwest of Highway 99-E, on the south side of Territorial Road [Tax Lot 600 of Tax Map 3-1E-27DB].

We would appreciate your reviewing the enclosed application and returning your comments by June 27, 1997 PLEASE. The Planning Commission plans to consider this application on July 14, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

We did not receive this information until 6/25/97. Two days is insufficient time for our review. ODOT rail section will also need to review the ~~Willow Creek Estates~~ potential impact to the crossing @ 99E.

We will try to have comments returned to you by 7/9/97.

Please check one box:

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

Signature: John Roy
Title: Devel. Review Coordinator

Date: 6/25/97

Agency: ODOT Reg.

EXHIBIT
4
7 pages

PLEASE RETURN ATTACHMENTS!!!

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Comments or Proposed Conditions:

None

Please check one box:

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

Signature: Steve Hanson
Title: Wastewater Supervisor

Date: 6/20/97

Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

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Signature: Tom Pierson

Date: 6/24/97

Title: ENG. DEPT.

Agency: OTA - NWT

PLEASE RETURN ATTACHMENTS!!!

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Comments or Proposed Conditions:

AGAIN This brings up TRAFFIC IMPACT at
99E - Territorial. Will this Sub-division create
a higher Accident ratio?
Do we know the STATUS OF Full Function
TRAFFIC signal at 99E?

Please check one box:

- Adequate Public Services (of your agency) are available
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Signature: Don Hester Date: 6-30-97
Title: Public Works Supervisor Agency: City

PLEASE RETURN ATTACHMENTS!!!

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DATE: June 18, 1997

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- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: J. Stiles Date: 6/27/97
Title: Police Chief Agency: Police Dept

PLEASE RETURN ATTACHMENTS!!!

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[503] 266-4021

DATE: June 18, 1997

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- Adequate public services are not available and will not become available

Signature: Stephen Miller
Title: Supt.

Date: 6-24-97
Agency: Canby School Dist.

PLEASE RETURN ATTACHMENTS!!!

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P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, SCHOOLS, CUB, TELEPHONE/N. Willamette, NW NATURAL GAS,
CLACKAMAS COUNTY, O.D.O.T., MIKE JORDAN, JOHN KELLEY, ROY, STEVE

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Comments or Proposed Conditions:

APPENDIX III-E SECTION 4 - ROAD WIDTH - NO PARKING ON
20' WIDE ROADS
SECTION 5 - CUL-DE-SACS

Please check one box:

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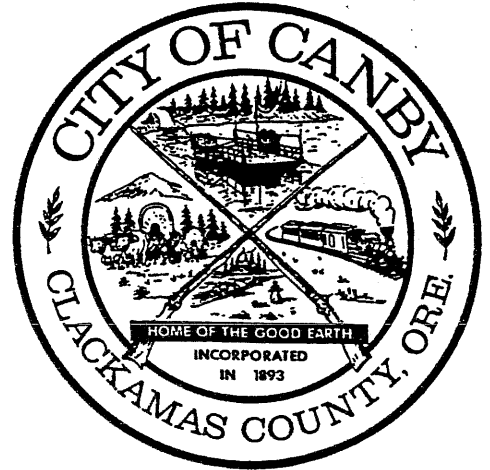
Signature: Ron Huber

Date: 7-1-97

Title: Fire Marshal

Agency: Canby FD #62

- STAFF REPORT -



APPLICANT:

A. Wayne Scott
1988 N.E. 19th Ave.
Canby, OR 97013

FILE NO.:

ANN 97-03
(Wayne Scott/S. Ivy)

OWNER:

A. Wayne Scott
1988 N.E. 19th Ave.
Canby, OR 97013

STAFF:

James S. Wheeler
Planning Director

LEGAL DESCRIPTION:

Tax Lot 700 of Tax Map 4-1E-4D

DATE OF REPORT:

July 3, 1997

LOCATION:

On the east side of S. Ivy Street, south
of S.E. 13th Ave., across from the southern
portion of the HOPE Village

DATE OF HEARING:

July 14, 1997

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

EFU (will be zoned R-1, Low Density
Residential upon annexation)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to annex 4.84 acres, located on the east side of S. Ivy Street, approximately 1000 feet south of S.E. 13th Avenue.

II. MAJOR APPROVAL CRITERIA:

The Planning Commission forms a recommendation that the City Council may consider while conducting a public hearing. The City Council then forwards their recommendation to the Portland Metropolitan Area Local Government Boundary Commission (PMALGBC), where a final hearing and decision will be made.

- A. 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. Compatibility with the text and maps of the Comprehensive Plan, giving special consideration to those portions of policies relating to the Urban Growth Boundary.
 2. Compliance with other applicable City ordinances or policies.
 3. Capability of the City and other affected service-providing entities to amply provide the area with urban level services.
 4. Compliance of the application with the applicable section of ORS 222.
 5. Appropriateness of the annexation of the specific area proposed, when compared to other properties that may be annexed to the City.
 6. Risk of natural hazards that might be expected to occur on the subject property.
 7. Effect of the urbanization of the subject property on specially designated open space, scenic, historic, or natural resource areas.
 8. Economic impacts which are likely to result from the annexation.
- B. If the proposed annexation involves property beyond the City's Urban Growth Boundary, or if the annexation is proposed prior to the acknowledgment of compliance of the City Comprehensive Plan by the State Land Conservation and Development Commission, the proposal shall be reviewed for compliance with the statewide planning goals. (Not Applicable since Canby's Comprehensive Plan has been acknowledged)

III. FINDINGS:

A. Background and Relationships:

The Comprehensive Plan Land Use designation of the subject parcel is for Low Density Residential. City zoning for the subject parcel will be R-1, Low Density Residential. S. Ivy Street is an arterial street. The subject parcel is currently zoned EFU (Exclusive Farm Use). The properties to the north and south are not in the City, but are within the Urban Growth Boundary, and are zoned EFU. These properties are used as rural residential and farm land. The property to the west is in the City and is zoned R-1.5 (Medium Density Residential - HOPE Village). The properties to the east are in the City and are zoned R-1 (Low Density Residential - Tofte Farms, Phase 1).

B. Comprehensive Plan Consistency Analysis

ii. Urban Growth

p 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, WITH IN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.

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

ANALYSIS

1. Clackamas County has been notified of the development proposal. At the time that this report was prepared, no response had been received. Implementation Measure D states that "lack of comment by either entity [city or county] to the requests of the other shall be considered the same as a "no objection" response."

3. The proposal is to bring 4.84 acres into the City, thus allowing future development of the property to be serviced with all necessary urban services. The availability of urban level public facilities and services will be discussed under the Public Services Element discussion. Sewer and water services are available for servicing the property.

The property is located in "Area A" for annexation priority. Implementation measure D of Policy 3 states the following.

"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 property is Type "A" for annexation priority. The only problem that arises with the annexation of this property at this time, is that it will create an island of 6 properties (approximately 28 acres). The Portland Metropolitan Local Area Boundary Commission has consistently expressed concern and reservation regarding annexations that create "islands" of properties not in the City, but surrounded by properties that are in the City. There concern revolves around the statutory capability of the City to annex islanded properties without consent of the property owners. It has been the long-standing practice of the City not to force annexation of any property. As a matter of record, there has been no forced annexations in the history of the City of Canby.

iii. Land Use Element

b 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.

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

ANALYSIS

2. The annexation of the 4.84-acre parcel will permit future development of the property according to the Comprehensive Plan. There are 455 lots and/or units that have been approved, but not yet built, within the City limits (258 of which are a part of the HOPE Village development). There is an additional, approximate, 54 undeveloped acres inside the City limits, which could yield approximately 230 lots and/or units. If the HOPE Village development is excluded, and all developable lands within the City limits are approved for development, there will be enough developed land to provide approximately 427 lot and/or units. At the rate of current building activity (196 units/lots per year, excluding the HOPE Village development), this potential inventory will last approximately 2 years and 2 months. Because not all of the 54 acres currently inside the City limits will be developed any time soon (at least 24 acres have been inside the City limits since prior to the acknowledgment of the Comprehensive Plan), and because it takes approximately six months to one year to take land from the undeveloped stage to building units, annexation of this property will not create a surplus of undeveloped land within the City limits.

3. Request for comments have been sent to all public facility and service providers (see discussion under Public Services Element). The property is located Trost Elementary School subdistrict and the School District has stated that they will be able to adequately handled annexation (and future development) of the property. The intersection of S. 13th Avenue and S. Ivy Street will be signalized. The signal is under construction and has been scheduled to be complete by the time that the public hearing is held.

iv. Environmental Concerns Element

p 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.

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

ANALYSIS

1-R-A. The subject property has not had any agricultural operations in the recent past. Properties to the north and south are used for agricultural operations. Development of the subject property will need to be sensitive to the existing operations. The City does have a "Agricultural Use Protection" ordinance which specifically excludes the type of agricultural operations that occurs in the area from being considered a nuisance.

1-R-B. The property is considered to be one of the "least productive" agricultural properties within the Urban Growth Boundary, in that the property is currently not being used for agricultural purposes, and is of insufficient size to be of use as a viable agricultural operation. Additionally, annexation of the property is in accordance with the phasing priority for annexations.

v. *Transportation Element*

p 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

6. Both the fire district and police department have responded to the Request for Comments and have indicated that both adequate services are available and no further conditions related to the proposed annexation are necessary at this time, in view of the functions of both the fire district and the police department. Access to the property will be from S. Ivy Street. The Transportation Systems Plan calls for a collector connection between S.E. 13th Avenue, at S. Redwood Street, to S. Ivy Street, approximately

where this property is. Future phases of the Tofte Farms subdivision development to the east will include a major portion of this connection. However, a direct connection of the road to S. Ivy Street, through the subject property is not possible, as the eastern border of the subject property abut residential lots already platted. Access to this property will need to occur via one of two methods: either by an internal network of local road in conjunction with development of other surrounding properties; or by aligning the east-west connection of the collector road through the southern portion of the subjection property, which will necessitate an alignment adjustment to the south at the eastern end of the subject property. It is the latter possibility that staff is considering to be appropriate at this point in time.

Because the subject property is approximately 166 feet wide in the north-south dimension for the majority of the length of the property, a 50-foot right-of-way will result in lot depths of 116 feet. This lot depth dimension is not excessive and will result in appropriately dimensioned and buildable lots. Construction of such a road would be eligible to receive advanced financing reimbursement as it would benefit the property to the south.

vi. *Public Facilities and Services Element*

p 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

1. All needed public facility and service providers were sent a "Request for Comments" regarding this application. Positive responses were received from the School District, Sewer Department, Police Department, Fire District, Canby Telephone Association, and Public Works Department. Clackamas County, Canby Utility Board, and NW Natural Gas have not responded. There has been no recent indication, unofficial or otherwise, of potential inadequacy of facilities or service from these providers. The sewer line in S. Ivy Street does not have the capacity to service this property, or any property on the east side of S. Ivy Street, south of S.E.

13th Avenue. Sewer service will have to be provided through the Tofte Farms subdivision development. It would be best, overall, if the sewer were provided in the street right-of-way of the collector street. However, there are utility easements that could facilitate a sewer connection between lots that can provide adequate sewer service to the subject property.

vii. Economic Element

p 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

4. The property is considered to be one of the "least productive" agricultural properties within the Urban Growth Boundary, in that the property is currently not being used for agricultural purposes, and is of insufficient size to be of use as a viable agricultural operation. Additionally, annexation of the property is in accordance with the phasing priority for annexations.

viii. Housing Element

p 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.

Policy #3: Canby shall coordinate the location of higher density housing with the ability of the city to provide utilities, public facilities, and a functional transportation network.

ANALYSIS

1. Implementation Measure B for this policy states that the City will utilize annexation criteria which will provide adequate space for anticipated short-term population growth (two or three years). Further, the measure states that the amount of land will include ample considerations of additional vacant area which, for various reasons, may be held off the market. The population growth that can be expected over the next 3 years is approximately 1500 people (at the 1990's growth rate of 4.08%). At the Comprehensive Plan average of approximately 2.5 people per household (pp. 36 & 37), this means that 600 units/lots are needed over the next 3 years. Based on the analysis under the Land Use Element Policy 2, excluding 24 acres of land (for the land remaining undeveloped factor), there is land for approximately 575 lots/units, including the HOPE Village development. The maximum number of lots that could be developed on the subject property (accounting for the 50-foot collector street and two local street stubs to the north), appears to be 19.

While it appears that the existing amount of land appears to be close to meeting the needed amount of land to provide housing for the expected population growth over the next 2 to 3 years, annexation of this property will not create an overabundance of land for development within the City limits. Additionally, not including the HOPE Village, and accounting for land remaining undeveloped, there is land available for building housing units for an estimated 1 year and 7 months.

3. The timing of annexation and potential development of the property does coincide with the City's ability to provide adequate water and sewage facilities (Implementation Measure C).

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

In staff's review of this application, staff concludes that the proposed annexation is consistent with the policies of the Canby Comprehensive Plan.

C. *Evaluation Regarding Annexation Consideration Criteria*

1. This application is consistent with the text and maps of the Comprehensive Plan.
2. The annexation of this property complies with all City ordinances and policies.
3. Adequate capacity is available for the following services: water, sewer, electric, phone, gas, transportation, schools, police, fire.
4. The annexation of this property complies with, all applicable sections of Oregon Revised Statutes.
5. The property is classified as a Type "A" property for annexation prioritization. The only difficulty with annexation of this property at this time is that it will create an "island" of six properties (approximately 28 acres). The City has a long-standing policy not to force annexations of "islanded" properties. Additionally, provision of services will not be hindered by the annexation at this time.
6. There are no apparent natural hazards on this property.
7. The effect of urbanization of this property to designated open space, scenic, historic or natural resource areas is limited, in that the open space designation and requirements as found in the Parks Master Plan will be adhered to. There are no scenic, historic, or natural resources that have been identified in the area.
8. The annexation of this property will not result in reduction of economically viable agricultural land. Improvements to road infrastructure will be required with development of the property, and will be borne by the developer. Development will pay for economic impacts on existing systems through System Development Charges. No other adverse economic impacts are anticipated.

III. 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, specifically related to : 1) Comprehensive Plan consistency; 2) Compliance with other applicable Codes and Ordinances; 3) Capability to provide urban level of services; 4) Compliance with ORS 222 (and ORS 199) regarding annexations of contiguous properties; 5) Appropriateness of area for annexation compared to other properties; 6) Risk of natural hazards; 7) Effect of urbanization on designated open space, scenic, historic or natural resource area; and 8) Economic impacts are correct and adequate.

IV. 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 97-03 to the PMALGBC (Boundary Commission), through the City Council, with the following understandings:

1. The zoning classification for the property upon annexation will be R-1, Low Density Residential.
2. All development and recording costs are to be borne by the developer when the property is developed.
3. All City and service provider regulations are to be adhered to at the time of development.
4. A collector street will provide access to the subject property, upon development. The collector street will be oriented east-west, and will be located on the southern property line of the subject property. This location can be modified if development occurs in conjunction with other surrounding properties.

Exhibits:

1. Application
2. Vicinity Map
3. Request for Comments

ANNEXATION APPLICATION

Fee: \$1500

OWNER

APPLICANT

Name A. Wayne Scott

Name Same

Address 1988 NE 19th Avenue

Address _____

City Canby State OR Zip 97013

City _____ State _____ Zip _____

Signature [Signature]

Phone 266-3837

DESCRIPTION OF PROPERTY:

Tax Map 4S 1E 4D Tax Lot(s) 700 Lot size (acres/sq. Ft.) 4.84 acres

OR

Legal Description, metes and bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP 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 be **typed onto an 8 1/2 x 11 sheet of labels**, just as you would address an envelope.

USE

Existing Farm Use with a Single Family Residence.

Proposed R-1 Single Family Residential in accordance with the Comprehensive Plan

Existing Structures: Single Family Residence.

PRODUCT DESCRIPTION

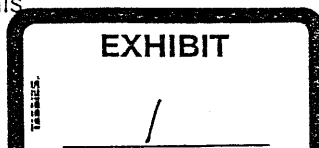
Applicant proposes annexation as a first step in developing Residential housing on this land. No specific proposal for development is available at this time. At this time the applicant believes that future development will occur in accordance with the Comprehensive Plan.

ZONING EFU COMPREHENSIVE PLAN DESIGNATION R-1

PREVIOUS ACTION (if any) _____

File No. ANN 97-02
Receipt No. 2798
Received by [Signature]
Date Received 5-21-97
Completeness Date 6-18-97
Pre-App Meeting _____
Hearing Date 7-14-97

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



VICINITY MAP

- S.W. Cedar Loop M-5
- S.W. Raccliff Ct. M-3
- S.W. 1st Ave. (99E) M-3
- S.W. 2nd Ave. K-3
- S.W. 3rd Ave. L-3
- S.W. 4th Ave. L-3
- S.W. 5th Ave. L-3
- S.W. 5th Ct. L-3
- S.W. 6th Ave. L-3
- S.W. 6th Pl. L-3
- S.W. 7th Ave. L-3
- S.W. 8th Ave. L-3
- S.W. 9th Ave. L-3
- S.W. 10th Ave. L-3
- S.W. 11th Ave. M-3
- S.W. 13th Ave. M-3

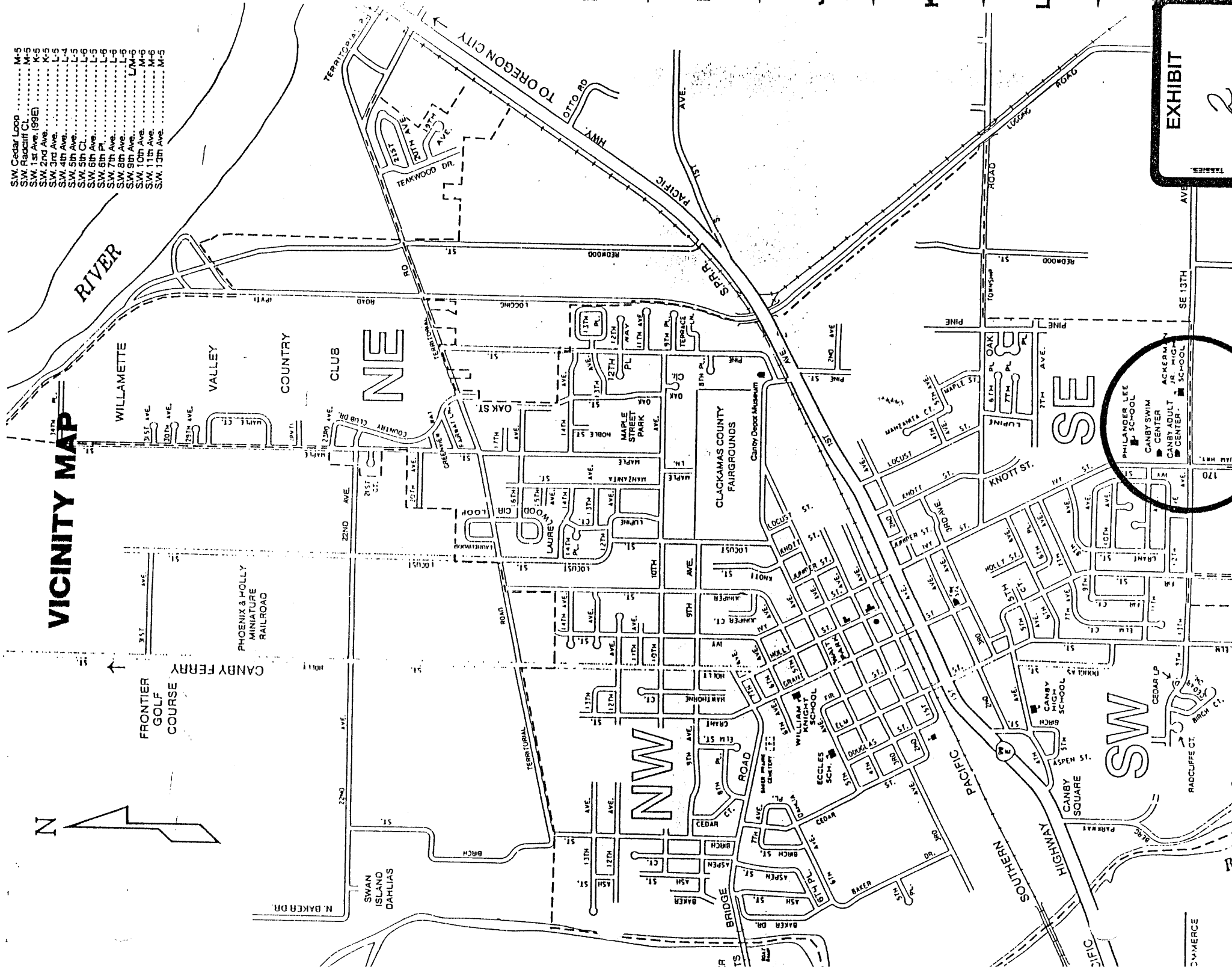


EXHIBIT
2

PHILANDER LEE
 SCHOOL
 CANBY SWIM
 CENTER
 CANBY ADULT
 CENTER
 ACKERMAN
 JR. HIGH
 SCHOOL

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, SCHOOL, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY (Bill Spears)

The City has received ANN 97-03, an application by A. Wayne Scott for approval to annex a 4.84 acre parcel into the City of Canby. The site is located on the east side of S. Ivy Street, south of S.E. 13th Avenue [Tax Lot 700 of Tax Map 4-1E-4D].

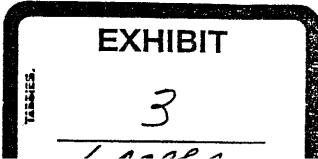
We would appreciate your reviewing the enclosed application and returning your comments by June 27, 1997 PLEASE. The Planning Commission plans to consider this application on July 14, 1997. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

Please check one box:

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

Signature: Tom Pearson Date: 6/24/97
Title: ENG DEPT Agency: NWT - CTA



PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, SCHOOL, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY STEVE, CLACKAMAS COUNTY (Bill Spears)

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Comments or Proposed Conditions:

We will be doing a Sewer Flow Analysis on the Sewer MAIN in S. Ivy. The ANNEXATION is acceptable. Before we approve a Sub-division we will need the data from the Flow Analysis. This data will be Available by Aug. 15, 1997.

Please check one box:

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

Signature: Roy Hester Date: June 25, 1997
Title: Public Works Supervisor Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, SCHOOL, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY (STEVE), CLACKAMAS COUNTY (Bill Spears)

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Comments or Proposed Conditions:

None

Please check one box:

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

Signature: Steve Hone Date: 6/23/97
Title: WWTP Supervisor Agency: City of Canby

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

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- 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: Stephen Miller Date: 6-24-97

Title: Supt. Agency: Canby Sch. Dist.

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE, POLICE, CUB, SCHOOL, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY (Bill Spears)

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Comments or Proposed Conditions:

STREETS RUNNING PARALLEL TO HIGHWAY IN MOST CASES
GET NUMBERS -

Please check one box:

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

Signature: Jerry Tiger Date: 6/23/97
Title: Police Chief Agency: Police Dept.

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: June 18, 1997

TO: FIRE POLICE, CUB, SCHOOL, CTA/NWT, NW NATURAL GAS, MIKE JORDAN, JOHN KELLEY, ROY, STEVE, CLACKAMAS COUNTY (Bill Spears)

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Please check one box:

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

Signature: *Ken Harbrough* Date: 7-1-97
Title: *Fire Marshal* Agency: *Canby FD #62*