

- STAFF REPORT -

APPLICANT:

AirTouch Cellular, Christina Simon
100 Kerr Parkway, Suite 16
Lake Oswego, OR 97035

FILE NO.:

DR 96-14
(AirTouch/Western PCS/Nextel)

OWNER:

Warren Ltd. Partnership
12033 NE Marx
Portland, OR 97220

STAFF:

James S. Wheeler
Planning Director

LEGAL DESCRIPTION:

Tax Lot 300 of Tax Map 3-1E-34C

DATE OF REPORT:

October 18, 1996

LOCATION:

1233 S.E. 1st Ave., south side of Hwy 99-E,
just west of the Logging Road overpass

DATE OF HEARING:

October 28, 1996

COMP. PLAN DESIGNATION:

Commercial Manufacturing

ZONING DESIGNATION:

C-M (Commercial Manufacturing)

I. APPLICANT'S REQUEST:

The applicant is requesting site and design approval to replace the recently constructed 130-foot cellular monopole tower with a 175-foot (199 feet including antennas) lattice structure tower and additional equipment cabinets. The new tower will provide co-location ability for a total of 3 cellular communications carriers. The 1,943 square foot site is immediately adjacent to the current tower's 1,110 square foot site, and is located in the southeast corner of the Highway 99-E Mini-Storage facility, on the south side of Highway 99-E and the Logging Road overpass [Tax Lot 300 of Tax Map 3-1E-34C].

II. APPLICABLE REGULATIONS

- City of Canby General Ordinances:

16.10	Off-Street Parking and Loading
16.30	C-M - Commercial Manufacturing Zone
16.49	Site and Design Review
16.88	General Standards

III. MAJOR APPROVAL CRITERIA

Site and Design Review

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.

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.

IV. FINDINGS:

A. Background and Relationships:

The Planning Commission approved the Site and Design application for the 130-foot monopole cellular tower on February 12, 1996. The construction of the new tower will necessitate the elimination of a number of storage units that had been planned and approved for the Highway 99-E Mini-Storage facility. The owners of the storage facility are aware, and approve of the application. The existing monopole will be removed after the co-location on the new tower is completed, but the equipment cabinets will remain.

City staff found that the communication link between the land use permit (site and design review application) people and the construction people was very poor. During the construction of the tower, the contractors trenched and laid utility cables on both the City's property and another adjacent private property without easements, as were required by the Planning Commission's approval. That situation has since been resolved. However, there is the general impression, backed up by the City's recent experience, that communications companies are in such a hurry to locate and build their facilities, that local jurisdiction's requirements are sometimes dismissed as being insignificant and inconvenient.

B. Evaluation Regarding Site and Design Review Approval Criteria

1. **Part IV - Section 2, No. 2**
"Minimum area for landscaping is 15% of the total area to be developed."

The overall site has met the landscaping requirement of the City, through the Site and Design Review approval of the mini-storage expansion (DR 96-03, approved 5/13/96). The cell-tower proposal will remove approximately 610 square feet of the mini-storage's landscaping and replace it with 680 square feet of landscaping. Therefore, staff has determined that the landscaping requirement for the cell tower is met by the proposed development.

2. **Parking.**

There is no requirement for parking spaces as the structure will have no actual occupancy.

3. **Access**

Access will be provided through the Mini-Storage facility. A paved access drive to the tower and equipment cabinets will be provided for the monthly maintenance of the facility. No additional access drives will be necessary.

4. **Architecture**

The new tower will be a lattice tower instead of a monopole. A photo from the highway was taken of the existing tower and then altered to show what the proposed tower will look like. The photos are in the file and will be available at the public hearing. The lattice structure is much less visually appealing, and will provide a larger profile, both in height and width. There are currently two other lattice structure communications towers in the City, the AT&T tower next to the cemetery off of Township Road (approved and built while the property was in the County), and CTA's tower on SE 2nd Avenue (built prior to Site and Design Review requirements.)

The reason for the lattice structure instead of a monopole structure is because it is not possible to construct a monopole structure above 150 feet. The additional height is necessary to provide co-location and maintain antennae separation and clearance for 3 companies. With three communications companies co-locating on this tower, the need for additional towers is reduced. While the structure may be less appealing, there are no specific standards that restrict the construction of a lattice structure within a certain distance of the Highway, and 2 of the 4 existing towers are also lattice structures. The tower will house up to 7 omni-directional antennas, 9 panel antennas, and two microwave dome-type antennas. The equipment cabinets will be approximately 10 feet in height.

There are no new signs proposed for the site. A six foot high fence with three strands of barbed wire will encompass the facility.

5. Other Aspects

a. Utilities

Because of the problems regarding utility easement provisions during the construction of the existing monopole tower, it will be necessary for the applicant to furnish the Planning Office with written verification of adequate utility easements being in place from both Canby Telephone Association and Canby Utility Board. The utilities are available.

b. Landscaping

The landscaping will consist of a photinia hedge planted around the perimeter and ivy groundcover.

No other landscaping is proposed by the applicant or suggested by staff.

c. Parking Lot Landscaping

There is no new parking area. The amount of new paved surfacing is less than 3500 square feet (the total site development for both towers is 3000 square feet). No parking lot landscaping is required.

d. Density and yards and height

The setbacks and the height requirements for the C-M zone have been met by this development proposal. The height restriction for the zone is 45 feet. However, Section 16.08.100 covers height allowances. In the section, utility poles and other similar projections are not subject to the building height limitations. Therefore, the 175-foot (199 feet with the antennas) tower for cellular communication is permitted in the C-M zone.

V. CONCLUSION

The staff hereby concludes that, with appropriate conditions, the proposed development as described in the application, site plan, and this report, is in conformance with the standards of this and other applicable ordinances; the design is compatible with the design of other developments in the vicinity; and the location, design, size, and materials of the exterior of the structure will be compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.

Further, staff concludes that, with approval conditions:

1. the proposed development of the site is consistent with the applicable standards and requirements of the Canby Municipal Code and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
2. the proposed design for the development is compatible with the design of other developments in the same general vicinity; and
3. the location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity; and
4. 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 96-01, the following conditions apply:

Prior to the Building Permit Issuance:

1. Written approval stating the adequacy of existing utility easements from the Canby Telephone Association and the Canby Utility Board shall be furnished to the Planning Office.
2. Proof of notification, giving the latitude and longitude coordinates of the unlighted tower, to the following agencies shall be furnished to the Planning Office:

Office of Emergency Management, Clackamas County
Oregon Department of Transportation, Tom Highland, Salem
McMinnville Flight Service, Pat Cates, McMinnville
LifeFlight, Larry Edeal, Portland

3. *Review.* A copy of the FAA permit approving the structure shall be furnished to the Planning Office.

During Construction:

4. Erosion-control during construction shall be provided by following Clackamas County's Erosion Control measures.
5. No rotating beacon shall be mounted unless it is required by the Federal Aviation Administration, and/or other laws.

*Not certified
to a tower*

Notes:

6. No more than the proposed 7 omni-directional antennas, 9 panel antennas, and 2 microwave dishes shall be placed on the tower without prior Site and Design Review approval. *or as soon as possible*
7. The existing monopole structure shall be removed within ~~one (1) year~~ *3 months with completion of new structure* of the issuance of ~~the building permit for the new tower.~~ *a*

shall meet lighting & marking requirements as specified by ODOT / FSA.

~~Not marked with w/ blinking~~

stop

HAJ

Exhibits:

1. Application for Design Review
2. Site Plans
3. Department Responses to "Request for Comments"
4. Highway 99-E view ~~(not provided)~~

SIT AND DESIGN REVIEW APPLICATION

Fee: \$750

OWNER

APPLICANT

NAME J. TIM WARREN / KEVIN HOWARD ADDRESS 12033 NE MARX CITY PORTLAND STATE OR ZIP 97220 SIGNATURE [Signature] NAME CHRISTINA SIMON for AIRTOUCH ADDRESS 15575 S.W. SEQUOIA PARKWAY CITY PORTLAND STATE OR ZIP 97224 PHONE: 503-260-3900

DESCRIPTION OF PROPERTY:

TAX MAP 31E34C TAX LOT(S) 300 LOT SIZE 130,680 (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 (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 MINI-STORAGE FACILITY w/ TELECOMMUNICATIONS ANTENNA MONOPOLE PROPOSED TELECOMMUNICATIONS ANTENNA LATTICE TOWER TO REPLACE EXISTING MONOPOLE AND CO-LOCATE TWO ADDITIONAL CARRIERS. EXISTING STRUCTURES STORAGE BUILDINGS AND 130' MONOPOLE

SURROUNDING USES M-1 LIGHT INDUSTRIAL; UNINCORPORATED RURAL

PROJECT DESCRIPTION SEE ATTACHED NARRATIVE

ZONING C-M COMPREHENSIVE PLAN DESIGNATION _____ PREVIOUS ACTION (IF ANY) _____

FILE NO. DR96-14 RECEIPT NO. 2123 RECEIVED BY Salasms DATE RECEIVED 9.20.96 COMPLETENESS DATE 10.3.96 PRE-AP MEETING _____ HEARING DATE 10.25.96

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

EXHIBIT 1 9 pages

SEP 17 1996 04:56PM KEVIN HOWARD REAL ESTATE 2551004

FILE
EXHIBIT "E"

September 17, 1996

Ms Christina Simon
AirTouch Cellular (formerly US WEST Cellular)
15575 SW Sequoia Parkway
Portland, OR 97224

RE: Letter of Authorization for Applications and Permits - PORCANBY ALT#1

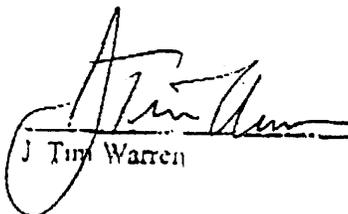
Dear Ms. Simon:

As the partners of Warren Limited Partnership II and Kevin Howard, owners of the subject property, we have prepared this letter of authorization for your use in the submittal of any and all development or permit applications. Please accept this *Letter of Authorization* for your records. We hereby give processing authority to AirTouch Cellular for any applications or permits directly related to their proposed communications facility.

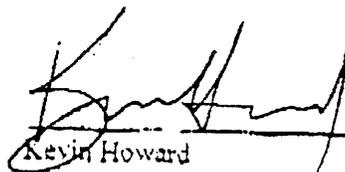
An Option and Lease Agreement has been executed between all parties for this installation.

If you are in further need of my assistance please contact us at (503) 255-5621. Thank you.

Sincerely,



J. Tim Warren



Kevin Howard

9-17-96

Date

9-17-96

Date



20 September 1996

Chris Tigh
AirTouch Cellular/Cord Communications
15575 SW Sequoia Parkway
Portland, Oregon 97224

BY FACSIMILE TO 503-603-3377

Re: Canby Zoning Application

To: Whom It May Concern

Please accept this letter as authorization to allow AirTouch Cellular to represent Western PCS in the application for zoning of a new 175 foot lattice tower. It is Western's intent, upon granting of this application, to move our antennae from our present 130' monopole at the same location and to de-commission and remove our monopole from the site. This co-location approach will insure that the minimum number of towers are built consistent with the needs of multiple users.

We look forward once again to the cooperation of the City of Canby in this matter.

Sincerely yours,


Douglas P. Evans
Real Estate Manager



**AIRTOUCH
Cellular**

15575 SW Sequoia Parkway
Portland, OR 97224

September 20, 1996

EXHIBIT "C": SITE AND DESIGN REVIEW APPLICATION AND SUBMITTAL NARRATIVE

TO: James S. Wheeler, Planning Director
City of Canby Planning Department
182 N. Holly / PO Box 930
Canby, Oregon 97013

DATE: September 20, 1996

FILE NUMBER: _____

OWNER: Warren LTD Partnership
12033 NE Marx
Portland, OR 97220
Contact: Kevin Howard, tel. (503) 255-5621

APPLICANT: Christina Simon - (503) 260-3900
Manager of Construction and Acquisition
AirTouch Cellular (Formerly US WEST Cellular)
15575 S.W. Sequoia Parkway
Portland, OR 97224

Planning & Zoning Representative for AirTouch Cellular:
Christopher Tigh - (503) 260-2769
Cord Communications, Inc.
100 Kerr Parkway, Suite 16
Lake Oswego, OR 97035

COLLOCATING CARRIERS: **Western PCS Corp.**
7535 NE Ambassador Pl., Ste. B
Portland, OR 97220
Contact: Pat Evans, tel. (503)284-0402

Nextel Communications
represented by D. Garvey Corp.
1700 Westlake Avenue North, Suite 420
Seattle, WA 98109
Contact: Scott M. Greenberg tel. (206) 216-3355

LEGAL DESCRIPTION: Assessor's parcel number R31E34C 00300. See Exhibit "A" attached hereto.

LOCATION: 1233 SE 1st Ave., Canby, OR 97013. Site to be located on property of Highway 99 Mini Storage, at rear of property (SE corner), adjacent to existing Western PCS monopole compound. This project will be a collocation of three telecommunications carriers on a new tower, proposed as a replacement for the existing monopole in order to minimize the number and any negative impact of facilities in the community.

PROPOSAL: A Site and Design Review for a mobile telephone transmission/receiving site for **AirTouch Cellular, Onecomm / Nextel, and Western PCS Corp.**, consisting of two unoccupied radio equipment shelters; a total of up to 7 omni-directional antennas, 9 panel antennas, and two microwave dome-type antennas (one proposed plus one possible future), on a 175-foot lattice tower; fencing; electrical and telephone utility connections, all of which will be constructed on the site at 1233 SE 1st Ave.

EXHIBITS:

- "A" - Written Legal Description
- "B" - Vicinity Map
- "C" - Applicant's Narrative Materials
- "D" - Applicant's Design Review Plans
- "E" - Letter of Authorization from Owner

I. Foreword

The increased popularity of cellular phones has resulted in the need for greater cellular service. AirTouch Cellular (formerly US WEST Cellular) is adding to their existing network to provide increased coverage and quality to cellular subscribers. Since its inception in 1985, AirTouch Cellular has considered the position of planning officials and adjacent land owners, to help maintain livability in the community. AirTouch Cellular makes every effort to mitigate any potential adverse effects on the community, including the expensive option of pursuing collocations and providing structures capable of supporting the required equipment of multiple carriers.

The benefits of cellular communications are tangible and extensive. As the Canby region grows, cellular communications offer a method of accommodating the increased need for communication in a wireless fashion. Canby residents can benefit from a larger variety of communications options while at the same time preserving livability and valuable resources. Additionally, cellular telecommunication services provided by this facility will reduce the need to make a vehicle trip, thereby reducing traffic and the accompanying consumption of resources. Wireless communications infrastructure is easily installed without any impact to roadways or existing telephone infrastructure and reduces the need for new wire line services.

Another benefit of cellular technology is its ability to compliment the existing land-based telephone system. Coverage for emergency service providers like police, fire, and rescue, will be positively impacted by decreasing response times to reported emergencies. For example, the windstorm of December 12, 1995 interrupted standard phone service for as much as five days in many parts of the metropolitan area. The AirTouch Cellular network allowed emergency service providers and public utilities to continue operating under these difficult conditions. AirTouch Cellular is currently the emergency service provider for many cities, counties, and their emergency agencies, throughout the State of Oregon.

Cellular technology allows a higher level of personal safety for those traveling. The ability to stay in touch with your home and/or business permits greater peace of mind for cellular users, their families, and colleagues. In the event of an emergency, cellular users are able to quickly report an accident and/or to stay in touch with others.

AirTouch Cellular submits that the public benefits from this facility are significant. The use of the existing C-M (Heavy Commercial / Manufacturing) district allows this facility to be located in an appropriate zone with minimal impact to any nearby residential and commercial uses. The collocation of AirTouch Cellular, Nextel, and Western PCS on a new replacement tower at this site is the best evidence of their desire to perform a proactive role in the effort to reduce proliferation and any negative impact of telecommunication facilities upon the communities they serve.

II. Background

A. Surrounding Uses/Plan Map Designation:

North: Highway 99 (1st Ave.), with M-1 Light Industrial beyond

South: M-1 Light Industrial

East: undeveloped, unincorporated County land (Rural designation on Clackamas County Land Use Plan)

West: M-1 Light Industrial

B. Site Size: 1,943-square-ft. leased area entirely within the subject tax lot, which consists of approximately 130,680 square feet.

C. Site Conditions: Site will be located adjacent to an existing 1,110-square -ft. fenced compound leased by Western PCS, containing a radio equipment cabinet and a 130-foot monopole.

D. Proposal Description: This *collocation* proposal is being pursued by the carriers to minimize the proliferation and negative impact of the three individual structures which would otherwise be necessary to provide cellular coverage within the community of Canby. The proposed facility consists of collocated equipment and a new, *replacement* tower structure to provide service for three telecommunications carriers, thereby eliminating the need for two additional support structures.

The applicant wishes to construct a 175-ft. lattice tower to replace the existing monopole with a single structure capable of supporting the antenna equipment required for all three carriers.

The replacement tower will have a gray, galvanized steel finish. No more than four omni-directional antennas for **AirTouch Cellular**, approximately 6" in diameter, will be mounted on a platform attached to the top of the replacement tower, increasing the height of the structure to no more than 199 feet. Three 13-ft. omni-directional antennas, also approx. 6" in diameter, for **Onecomm / Nextel** will be located at the 150-ft. level of the replacement tower. Nine 4-ft.-long panel antennas and two 4-ft-diameter microwave dome-type antennas (one proposed plus one possible future) for **Western PCS Corp.** will be located at the 130-ft. level. The Western PCS monopole will be removed after the antenna equipment required by Western PCS is in place and on-air on the replacement tower.

One 12' wide x 20' long x 10' high pre-manufactured shelter for **AirTouch Cellular**, with a neutral tan exterior color, will be located adjacent to the replacement tower to house the radio equipment. One 11' wide x 20' long x 10' high pre-manufactured shelter for **Onecomm / Nextel**, also with a

neutral tan exterior color, will share the compound. **Western PCS Corp.** will require no additional equipment beyond the existing radio cabinet, to remain in the original Western PCS lease area.

For security and safety precautions, a seven-ft. chain link fence topped with barbed wire will enclose the shelter area. The shelter compound will be accessible by two 6-ft. wide gates. See Exhibit "D".

III. Standards and Criteria

This Site and Design Review application is generally consistent with applicable Standards and Requirements of the Canby Municipal Code and other applicable City ordinances which are addressed below:

A. Criteria and Standards for C-M Heavy Commercial / Manufacturing Zone (16.30):

16.30.10 **Uses permitted outright.** This use is permitted outright by item (A), "a use permitted outright in a C-2 zone..."; further, under 16.28 C-2 Highway Commercial, 16.28.010 (A), "a use permitted outright in the C-1 zone..."; further, under 16.22 C-1 Downtown Commercial, 16.22.010 (31) "Telephone or telegraph exchange."

16.30.30 **Development Standards.**

- (A) Minimum Lot Area - not applicable
- (B) Minimum width and frontage - not applicable
- (C) Minimum yard - The proposed facility exceeds the requirement of a twenty-foot street yard where abutting Highway 99. The subject parcel does not abut any residential zone, and therefore has no further interior or side yard requirements.
- (D) Maximum building height - The height restriction for the zone is 45 feet. However, Section 16.08.100 covers height allowances. In the section, utility poles and other similar projections are not subject to building height limitations. Therefore, the 175 foot replacement tower for cellular communication is permitted in the C-M zone. The required height of the replacement tower was calculated by AirTouch Cellular Radio Engineering based on radio testing analysis, topographic relief, nearby tree elevations and specific radio wave propagation calculations to provide adequate signal coverage with the minimal antenna height.
- (E) Maximum lot coverage: The addition of the proposed equipment buildings will increase the lot coverage by 460 square feet. At the same time, this proposal would require the deletion of 1300 SF of proposed storage units which are part of the parcel owner's approved application for expansion. Thus, there will be a net loss of 840 SF of building coverage on the subject parcel, and a corresponding decrease in permitted lot coverage.
- (F) Other regulations:
 - 1. Vision clearances: internal circulation as proposed in the property owner's approved expansion plans will not be affected.
 - 2. Sidewalks: not applicable.
 - 3. Setbacks: not applicable (see item C above).

B. Site and Design Review Criteria and Standards

1. General Provisions for Landscaping (16.49.080)

- (A) "The minimum area requirement for landscaping for developments coming under design review shall be the percentage of the total land area to be developed as follows: ... Fifteen (15%) percent for all ... commercial zones."

The owner of the subject parent parcel has received permit approvals for the proposed expansion of the mini-storage facility. In the course of that approval, the owner has been conditioned to provide landscaping based on the total area of the parent parcel. A portion of this landscape requirement will be satisfied on adjacent property, through agreement with the City, to assist in the landscape development along the Southern Pacific Railroad embankment and the old Molalla Forest Rd., now abandoned.

Through this agreement with the City, the property owner has already met the minimum area requirement for landscaping for the *entire* subject parent parcel, which entirely includes the leased area described in this application. Approximately 610 square feet of landscaping proposed in the original agreement between the property owner and the City, which would be removed by the development of this proposal, will be replaced with approximately 680 square feet of new landscaping, within the leased area or elsewhere on the subject parent parcel (see Exhibit D, Landscape Plan). This represents 35% of the leased area. For these reasons, the applicant concludes that no *additional* 15% landscape requirement should be further applied to the leased area of this proposal.

C. Other Applicable Regulations

1. **Offstreet Parking and Loading** - The facility proposed is unstaffed, requiring only occasional servicing (one visit approximately every 30 to 60 days for routine maintenance). Adequate parking is available for the single vehicle required for such maintenance within the service lanes of the storage facility.
2. **Access** - Access will be provided through the Mini-Storage facility. No additional access drives will be required.
3. **Signs** - No signs are proposed for the site.
4. **Utilities** - Final utility easements will be indicated in the Building Permit application.
5. **Lighting** - No lighting will be provided on the tower unless required by the Federal Aviation Administration or the F.C.C. A small light fixture will be installed on the exterior of each equipment shelter, at the door, for security and safety purposes.

III. CONCLUSION

This development proposal for a multiple-carrier cellular communications facility will pre-empt the need for three individual-carrier structures to provide cellular coverage within the community. The applicant believes that the development is appropriate to the site and consistent with applicable Site and Design Review Criteria and Standards.

- END -

CLACKAMAS COUNTY
FAIRGROUNDS

N. GRANT ST.

HIGHWAY 99

S. PINE ST.

SITE

SITE ADDRESS
1239 SE 1ST
CANBY, OR 97013

S. IVY STREET

TOWNSHIP ROAD

EXHIBIT "B"

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: October 7, 1996

TO: FIRE, POLICE, CUB, CTA/NWT, MIKE JORDAN, JOHN KELLEY, ROY, ODOT

The City has received DR 96-14 an application by Airtouch Cellular for Design Review approval to replace the existing 130' monopole with a 199' [including antennae] lattice tower with two additional carriers. The site is located in the southeast corner of the Mini-Storage facility on the south side of Highway 99-E, east of S. Pine Street [Tax Lot 300 of Tax Map 3-1E-34C].

We would appreciate your reviewing the enclosed application and returning your comments by **October 14, 1996 PLEASE**. The Planning Commission plans to consider this application on **October 28, 1996**. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

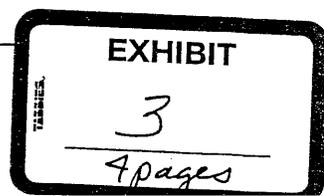
Comments or Proposed Conditions:

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: Michael Jordan Date: _____

Title: _____ Agency: _____



PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: October 7, 1996

TO: FIRE/POLICE/CUB, CTA/NWT, MIKE JORDAN, JOHN KELLEY, ROY, ODOT

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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: _____ Date: _____

Title: _____ Agency: _____

PLEASE RETURN ATTACHMENTS!!!



CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

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Comments or Proposed Conditions:

NO COMMENTS FROM THIS OFFICE (DISTRICT 2B)

Please check one box:

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

Signature: [Signature] Date: 10/10/96

Title: permits - ODOT Agency: ODOT

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

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Comments or Proposed Conditions:

EASEMENTS HAVE BEEN SOMEWHAT
TROUBLESOME

CANBY TEL WILL NEED AN EASEMENT

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:

10-8-96

Title:

ENG. DEPT.

Agency:

CTA - NWT



APN: R31E34C 00300

EXISTING

**CANBY CELLULAR
ANTENNA SITE**
1233 SE 1st. Ave.
CANBY, OR. 97013

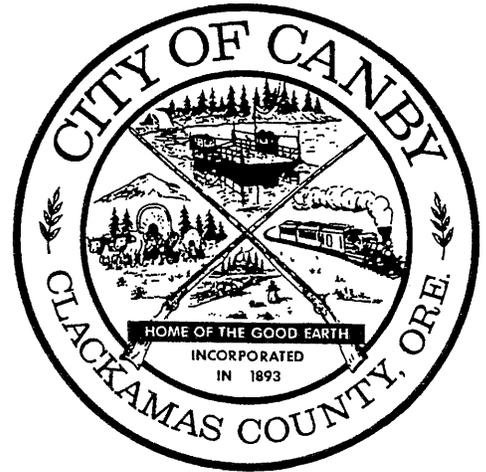


APN: R31E34C 00300

PROPOSED

CANBY CELLULAR
ANTENNA SITE
1233 SE 1st. Ave.
CANBY, OR. 97013





- STAFF REPORT -

APPLICANT:

Scott Beck
361 N.E. 3rd Avenue
Canby, OR 97013

FILE NO.:

DR 96-13
(Canby Telephone)

OWNER:

Canby Telephone Association
P.O. Box 880
Canby, OR 97013

STAFF:

Lawrence Vasquez
Assistant City Planner

LEGAL DESCRIPTION:

Tax Lots 7300 (partial), 7301, and 6700
of Tax Map 3-1E-33DC

DATE OF REPORT:

October 18, 1996

LOCATION:

220 S. Ivy Street
East side of S. Ivy Street, south
of S.E. 2nd Avenue.

DATE OF HEARING:

October 28, 1996

COMP. PLAN DESIGNATION:

Highway Commercial

ZONING DESIGNATION:

C-2 (Highway Commercial)

I. APPLICANT'S REQUEST:

The applicant is requesting site and design approval to construct a 1,815 square foot addition and make alterations to the existing 6,125 square foot Canby Telephone Association office/warehouse complex. The property is located at 200 S. Ivy Street, on the east side of S. Ivy Street and south of S.E. 2nd Avenue.

II. APPLICABLE REGULATIONS

- City of Canby General Ordinances:

16.10	Off-Street Parking and Loading
16.28	C-2 Highway Commercial Zone
16.49	Site and Design Review
16.88	General Standards

III. MAJOR APPROVAL CRITERIA

Site and Design Review

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.

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.

IV. FINDINGS:

A. Background and Relationships:

The applicant is requesting approval for a building addition and alteration to the existing Canby Telephone Association office/warehouse complex at 200 S. Ivy Street. The project includes the construction of approximately 1,815 square feet of new and 6,125 square feet of remodeled general office and warehouse storage area. All new construction will occur under the existing roof area with the exception of a 252 square foot flammable storage area which will adjoin the existing westerly concrete wall of the building. The total proposed area of the facility, including covered walkway, area is 14,764 square feet.

B. Evaluation Regarding Site and Design Review Approval Criteria

1. Part IV - Section 2, No. 2

"Minimum area for landscaping is 15% of the total area to be developed."

Landscaping required for this project was determined on the total new or remodeled floor area of the project. The minimum amount of landscaping required for the 7,490 square foot of the project is 1,124 square feet (15%). The total amount of landscaping proposed is approximately 3,120 square feet (41.6%).

2. Parking.

The required parking for the 14,764 square foot building is 29 spaces (23.17 for the 6,619 square feet of office, 5.69 for the 5,688 square feet of warehouse area). There are 32 existing parking spaces. The project proposes to re-stripe 2 ADA (American Disabilities Act) parking spaces.

3. Access

Access will be provided by two existing gated access entrances, 20' and 28' in width, that are located north and northeast of the building complex. The entrances provide both egress and ingress and lead to a paved asphalt drive that provides for travel to the cable storage yard and the building's parking lot area. The clear aisle width of the access drive varies through out the project area but maintains a minimum width of 26' as it runs to the north and west of the building. The minimum clear aisle width requirement is 24'.

4. Architecture

The existing structure is constructed of tilt-up concrete panels, exposed wood and has a steel roof. The proposed addition and remodel of the office/warehouse complex will incorporate exterior masonry and stucco that is intended to complement the earthen tones of the existing structure. Sheet metal accents, blue in color, will be placed on the entry roof fascias, the aluminum window system, and along the exterior service doors.

No new signage is proposed at this time.

Color samples are available in the file and will be available at the public hearing.

5. Other Aspects

a. Utilities

Service providers have not indicated that there would not be any problem in servicing this proposal.

b. Landscaping

The project proposes a new 10' wide landscaping strip along S. Ivy Street and a portion of the southerly site boundary. The total area of proposed landscaping is 3,120 square feet. The amount required for the 7,490 square feet of project is 1,124 square feet (15%).

Landscaping will consist of Kinnickinnick ground cover, assorted azaleas and rhododendrons, and Flowering Pear and Eastern Redbud trees. Power lines run along S. Ivy Street and the proposed planting of Eastern Redbud trees are in conformance with the Portland General Electric's recommended tree list.

c. Parking Lot Landscaping

There is no parking lot landscaping requirement as the project proposes no new paved parking lot areas.

d. Density and yards and height

The setbacks and the height requirements for the C-2, Highway Commercial zone have been met by this development proposal.

V. CONCLUSION

The staff hereby concludes that, with appropriate conditions, the proposed development as described in the application, site plan, and this report, is in conformance with the standards of this and other applicable ordinances, the design is compatible with the design of other developments in the vicinity, and, the location, design, size, and materials of the exterior of the structure will be compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.

Further, staff concludes that, with approval conditions:

1. the proposed development of the site is consistent with the applicable standards and requirements of the Canby Municipal Code and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved, and
2. the proposed design for the development is compatible with the design of other developments in the same general vicinity, and
3. the location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity, and

4. 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 96-13, 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.
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 ODOT plant spacing/starting size standards. Trees are to be a minimum of 2" in diameter at the 4-foot height.
3. Eastern Redbud trees shall be planted along S. Ivy Street and shall meet the plant spacing/starting size standards of the ODOT and the Portland General Electric guidelines for landscape and tree planting.
4. The re-striping of the two (2) ADA stalls near the building's main entrance shall have an access aisle a minimum width of eight (8) feet.
5. A five (5) foot wide ADA walkway shall be located between the front ends of the proposed ADA parking spaces.

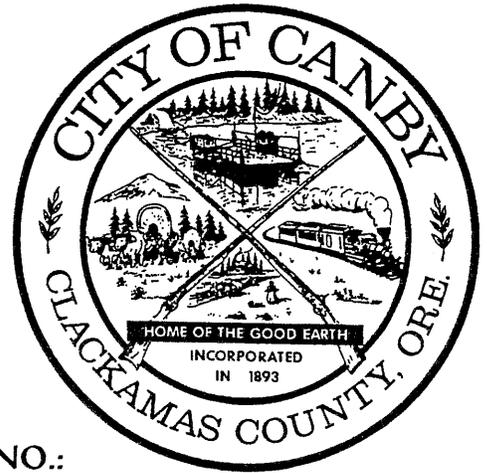
During Construction:

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

Exhibits:

1. Application for Design Review
2. Vicinity Map
3. Site Plan Maps *(Too large to reproduce)*
4. Department Responses to "Request for Comments"

- STAFF REPORT -



APPLICANT:

Tom Scott
1988 N.E. 19th Avenue
Canby, OR 97013

FILE NO.:

DR 95-15
(Tom Scott)

OWNER:

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

STAFF:

James S. Wheeler
Planning Director

LEGAL DESCRIPTION:

Tax Lot 6300 of Tax Map 3-1E-33DB

DATE OF REPORT:

October 18, 1996

LOCATION:

Northeast corner of S. Ivy Street and
Highway 99-E

DATE OF HEARING:

October 28, 1996

COMP. PLAN DESIGNATION:

Highway Commercial

ZONING DESIGNATION:

C-2 (Highway Commercial)

I. APPLICANT'S REQUEST:

The applicant is requesting site and design approval to construct an upscale conveyORIZED exterior car wash, and a 2-bay oil lube facility.

II. APPLICABLE REGULATIONS

- City of Canby General Ordinances:
 - 16.10 Off-Street Parking and Loading
 - 16.28 C-2 - Highway Commercial Zone
 - 16.49 Site and Design Review
 - 16.88 General Standards

III. MAJOR APPROVAL CRITERIA

Site and Design Review

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.

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.

IV. FINDINGS:

A. Background and Relationships:

A gas station/car wash facility was approved last year (DR 95-12, 10/18/95). This application changes the proposed use of the property to a car wash/oil lube facility. The proposed change will reduce the impact of the development of the property on the Highway, a specific and contested concern of the previously approved development proposal. The use, a car wash and oil lube facility, is permitted outright in the C-2 zone (16.28.010[C]). The most recent permanent use of the property was a Chevron gas station, however, at that time access was permitted onto S. Ivy Street, and no car wash facility was present. The property is currently being used by a temporary retail nursery operation.

The property is located on the northeast corner of the intersection of S. Ivy Street and Highway 99-E. The old Chevron Station was removed in 1989.

B. Evaluation Regarding Site and Design Review Approval Criteria

1. Part IV - Section 2, No. 2

"Minimum area for landscaping is 15% of the total area to be developed."

The minimum amount of landscaping required for the 17,881 square foot developed portion of the parcel is 2,682 square feet (15%). The total amount of landscaping proposed is approximately 2,384 square feet (13.3%). The applicant is counting 595 square feet of sidewalk in the landscaping area, thereby stating that 2,979 square feet of landscaping is being proposed. Section 16.49.080(F)(7) states that no more than 5% of the landscape area (134 square feet of the minimum required landscaping) may be covered with rock, stones, walkways, or other similar material. It further states that "required sidewalks shall not be used to meet the landscaping requirements." Therefore, another 298 square feet of landscaping is required. One possibility to provide this additional amount of landscaping, is to landscape the back 3 feet between the parking spaces and the car wash building, and to landscape the eastern 3 feet of the property, between the southeastern and northeastern landscaping areas.

2. Parking.

There is approximately 1620 square feet of office space proposed, and 2930 square feet of car wash/oil lube building. There is no specific number of parking spaces given as a requirement for a car wash or oil lube facility. Under the "all other commercial uses" category, at 1 parking space per 550 square feet of building, a total of 8 parking spaces are required. Eight parking spaces are proposed. Practically speaking, no more than 5 employees could be expected at any time, and the number of non-business visitors is expected to be nominal.

Because of the internal flow and operation of the facility, it is recommended that the office space be specifically limited to the operation of the car wash and oil lube facility and not be permitted to be rented/leased out for other businesses, without further review by the Planning Commission.

No loading berths are required.

3. Access

Access to the proposed development will be from Highway 99-E. The only proposed access point will be 30 feet wide and will be located approximately 5 feet from the eastern property line (the closest point of the access drive). The Oregon Department of Transportation is requiring, at this time, that an access permit be obtained for the access point. ODOT is requiring that a 40-foot radius corner be constructed for the northeast corner of the intersection of Highway 99-E and S. Ivy Street, with the necessary signal/utility adjustments for the

relocation of the curb, a main water control valve, accessible to ODOT personnel, for the irrigation system, sidewalk and driveway construction must comply with ADA requirements, and surface water storm drainage must comply with NPDES and Water Quality treatment requirements. Additionally, separate permits are required for all utility connections that will occur within the highway right-of-way.

Curbs are needed for both of the property's frontages along S. Ivy Street and Highway 99-E. The sidewalk will need to be 8 feet wide along Highway 99-E and 5 feet along S. Ivy Street.

The internal circulation of the facility appears to be greatly improved over the proposed gas station/car wash facility that was previously approved. It appears that there will be sufficient traffic flow separation and room for stacking for either the car wash or the oil lube facility, without interfering with the traffic for the other facility.

The location of the access point is as far away from the intersection of Highway 99-E and S. Ivy Street as possible, and will therefore provide the safest access onto the Highway that is possible, at this point in time.

The Planning Commission, during the previous review, had expressed concern regarding pedestrian traffic crossing the railroad in places other than at street crossings. A fence along the northern property line, except where the building is located along that property line, will deter pedestrian railroad crossings on this property.

4. **Architecture**

The structure will have red brick sides and a dark green metal roof. The entrance of the car wash facility will be facing S. Ivy Street and two 10' x 12' roll doors for the oil lube bays will be facing Highway 99-E.

Approximately 36 square feet of signage for the car wash facility, and 32 square feet of signage for the oil lube facility, is shown on the elevations of the proposed buildings. No pole or monument signs are proposed. The total amount of signage that is permitted for these uses are 80 square feet each.

No material or color for the signs were proposed.

5. **Other Aspects**

a. **Utilities**

Service providers have not indicated that there would be any problem in servicing this proposal. To coordinate efforts for construction activity with the utility providers, developers, and City departments, a pre-construction conference will be necessary.

A Data Disclosure Form will need to be completed and submitted to the Wastewater Treatment Plant prior to issuance of the building permit. This form is the best means the City has to assure the City's compliance with water quality discharges under the Department of Environmental Quality compliance rules and standards.

b. Landscaping

The landscaping is primarily on the street frontages of the property. The type of plants (groundcover, shrubs and trees) to be planted has not been specified. Raywood Ash trees have been approved for the west side of S. Ivy Street between the railroad tracks and Highway 99-E. Two Raywood Ash trees should be planted on this side of S. Ivy Street. Crimson Sentry Maples have been planted along the north side of Highway 99-E, immediately west of S. Ivy Street. Six Crimson Sentry Maples should be planted on this side of Highway 99-E.

c. Parking Lot Landscaping

The amount of paved area for parking and vehicle maneuvering is approximately 10,186 square feet. The amount of landscaping required for that amount of area is 1,528 square feet (15%), and is to be within ten feet of the parking/maneuvering area. Only a small portion of the landscaping will be more than ten feet from the proposed paving. A rough calculation of the amount of landscaping provided within ten feet of the parking/maneuvering area is approximately 2,600 square feet (15.5%), including the additional landscaping area recommended.

A total of six (6) non-street trees has been proposed. A minimum of four (4) trees are required, at the ratio of 1 tree per 2800 square feet of paved surface.

d. Density and yards and height

With the recommended revisions or a variance, the setbacks and the height requirements for the C-2 zone have been met by this development proposal.

V. CONCLUSION

The staff hereby concludes that, with appropriate conditions and the recommended revisions, the proposed development as described in the application, site plan, and this report, is in conformance with the standards of this and other applicable ordinances, the design is compatible with the design of other developments in the vicinity, and, the location, design, size, and materials of the exterior of the structure will be compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.

Further, staff concludes that, with approval conditions:

1. the proposed development of the site is consistent with the applicable standards and requirements of the Canby Municipal Code and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved, and
2. the proposed design for the development is compatible with the design of other developments in the same general vicinity, and
3. the location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity, and
4. 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 96-15, the following conditions apply:

Prior to the Issuance of the Building Permit:

1. A preconstruction conference shall be held prior to the issuance of the building permit. The conference shall be coordinated through the Planning Office.
2. A Data Disclosure Form shall be completed and submitted to the Wastewater Treatment Plant.
3. The additional right-of-way needed to include all of the street and curb for the 40-foot radius shall be dedicated to the City or State.

For the Building Permit Application:

4. Access/driveway permits shall be obtained from the Oregon Department of Transportation (ODOT) for the access point. Separate permits from ODOT shall be obtained for any utility connections that occur within the right-of-way of Highway 99-E.
5. The curb return for the intersection of S. Ivy Street and Highway 99-E shall be constructed at a forty (40) foot radius. All utilities shall be relocated, if necessary, behind the sidewalk.
6. Curbs and sidewalks shall be constructed along the property's frontages of S. Ivy Street and Highway 99-E. The sidewalk shall be five (5) feet in width, including the curb, along S. Ivy Street, and shall be eight (8) feet in width, including the curb, along Highway 99-E. A sidewalk ramp meeting the American Disabilities Act (ADA) standards shall be constructed at the curb intersection of S. Ivy Street and Highway 99-E. All sidewalk and driveway construction shall comply with the American with Disabilities Act (ADA) requirements.

7. 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.
8. 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 ODOT plant spacing/starting size standards.
9. Two (2) Raywood Ash trees shall be planted along S. Ivy Street, a minimum of thirty (30) feet apart. Six (6) Crimson Sentry Maple trees shall be planted along Highway 99-E, a minimum of twenty (20) feet apart. All street trees shall be planted at least two (2) feet behind the sidewalk, and all trees shall be at least 2" caliper trees when planted.
10. An additional 298 square feet of landscaping shall be provided.
11. Wheel stops shall be provided for each of the parking spaces.
12. The total signage area is not to exceed eighty (80) square feet, for each use.

Prior to Occupancy:

13. A fence shall be constructed along the north property line, from twenty (20) feet east of the S. Ivy Street property line to the west end of the building, and from the east end of the building to the eastern property line.

Notes:

14. The office space is not permitted to be used for any business other than the car wash and oil lube businesses, without further review and approval by the Planning Commission.
15. Prior to the placement of any monument or pole signs that require a sign permit, approval from the Planning Commission shall be received. This condition shall expire twenty-four (24) months after the final occupancy of the building. The Planning Commission's review of the signage shall be in accordance with 16.49.040 and shall be conducted through a limited land use process.

Exhibits:

1. Application for Design Review
2. Vicinity Map
3. Site Plan/Landscape Plan
4. Department Responses to "Request for Comments"