

Canby

AGENDA
CANBY PLANNING COMMISSION
REGULAR MEETING
City Council Chambers
Monday, August 22, 1994

7:30 p.m.

I. ROLL CALL

II. MINUTES

July 11, 1994
July 25, 1994

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. COMMUNICATIONS

V. FINDINGS

VI. OLD BUSINESS

DR 93-04 - Jim Trenary, Chevron landscaping.

VII. PUBLIC HEARINGS

SUB 94-02, an application by Zarosinski-Tatone Engineers, Inc. for approval to develop a 7.25 acre parcel into a 26-lot single-family subdivision. The site is located north of N.E. 34th Place, on N. Maple Street (Tax Lot 2602 of Tax Map 3-1E-21). The City Council has remanded this application back to the Planning Commission for reconsideration.

DR 94-11 - an application by Kevin Howard (applicant) and Wilhelm Guttormsen (owner) for Design Review approval for a Mini Storage and R.V. Storage Center. The site is located on the south side of Highway 99-E, east of S. Pine (Tax Lot 300 [part] of Tax Map 3-1E-34C).

DR 94-12, an application by the City of Canby for Design Review approval of a proposed neighborhood park on the west side of S. Locust, between 2nd and 4th Avenues (Tax Lot 3202 of Tax Map 3-1E-33DC).

II. DIRECTOR'S REPORT

IX. ADJOURNMENT

The City of Canby Planning Commission welcomes your interest in these agenda items. Please feel free to come and go as you please.

Kurt Schrader, Chair
Stan Elliot
Wade Wiegand

Linda Mihata, Vice-Chair Bob Gustafson
Dan Ewert Tamara Maher



MEETING TIMELINES AND PROCEDURES

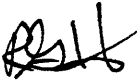
- *In order not to restrict any person from testifying but, rather, to encourage everyone to do so, the Canby Planning Commission shall try to adhere as closely as possible to the following timelines:*
 - Applicant (or representative[s]) - not more than 15 minutes*
 - Proponents - not more than 5 minutes*
 - Opponents - not more than 5 minutes*
 - Rebuttal - not more than 10 minutes*
- *Everyone present is encouraged to testify, even if it is only to concur with previous testimony. For more complete presentations, Proponents and Opponents may "buy" time from one another. In so doing, those either in favor, or opposed, may allocate their time to a spokesperson who can represent the entire group.*
- *All questions must be directed through the Chair.*
- *Any evidence to be considered must be submitted to the hearing body for public access.*
- *All written testimony received, both for and against, shall be summarized by staff and presented briefly to the hearing body at the beginning of the hearing.*

Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven (7) days after the hearing.



MEMORANDUM

TO: City Council/Planning Commission

FROM: Robert G. Hoffman, AICP 
Planning Director

RE: Staff Direction Needed at Workshop

DATE: August 12, 1994

-
1. Transportation System Plan - Draft (TSP)
 - a. Ready for public hearing?
 - b. Alternatives: Joint City Council/Planning Commission meeting
vs. separate hearings
 - c. Ultimate proposed action would be to approve an "Interim" Transportation System Plan (TSP)
 2. Transportation System Development Charge *METHODOLOGY*
 - a. Ready to publish report?
 - b. Ready to schedule public hearing?
 - c. Ultimate proposed action would be to approve the methodology and establish fee for Transportation Systems Development Charge (SDC)
 3. Transportation Maintenance Fee
 - a. Ready to start process to establish a road maintenance fee?
 - b. Is utility district the proper method to access fees?

<p>Note: Enclosed are revised Figures 4-1 and 4-2 for the Draft TSP to incorporate revisions discussed at the last workshop.</p>
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MEMORANDUM

TO: Planning Commission

FROM: James S. Wheeler, Assistant Planner

DATE: August 12, 1994

**RE: City Council Remand of SUB 94-02 for further review and
submittal of additional information by the applicant
SUPPLEMENTAL STAFF REPORT**

The City Council, at their July 20, 1994 meeting, remanded the SUB 94-02 (Country Club Estates Annex No. 4) back to the Planning Commission for reconsideration. Specifically, the City Council is asking the Planning Commission to reconsider the school capacity issue and once that issue has been resolved for this application, to reconsider other issues without regard to the school capacity issue. Reconsideration of this application has been scheduled for the August 22, 1994 Planning Commission meeting. Public hearing notices have been sent to all property owners within 200 feet of the subject property and to all interested parties who attended and spoke at previous meetings.

On August 5, 1994, the applicant has submitted a revised subdivision plat. The number of total lots have been reduced from 26 to 25, to better comply with the solar ordinance requirements. The applicant has also submitted a detailed description of how the revised subdivision plat can meet the requirements of the solar ordinance.

There are a number of issues that have been discussed and questioned during the previous public hearings regarding this subdivision application. The issues are, to the best of staff's recollection, as follows: school capacity, police/fire service capacity, sewer capacity, electric service capacity, tree retention, solar ordinance compliance, wetland definition/protection, drainage of any overflow of the "wetland" area and subsurface drainage, fencing between the development and Montecucco Farms and the logging road, emergency access to the development, overall traffic pattern and volume, the amount of fill that will be placed on the site, and the potential of flooding. The following is staff's view of the information that has been presented thus far.

1. School capacity.

The Planning Commission, the City Council, and the School District met and came to a resolution regarding the capacity of the school district to service new residential developments. It appears that the City Council believes that this issue is now resolved to the point that it is no longer a valid reason for denial of the application.

2. Police/fire service capacity.

The fire district submitted a response to the original request for comments which stated that the looped water main design should be slightly altered. The police chief provided a second response on May 9, 1994 that stated capacity to serve and concern regarding "one way in and out traffic".

3. Sewer capacity.

Originally questioned by the Planning Commission, this issue was searched out by staff. It was reported to the Planning Commission, at a public hearing, that the sewer lift station that would be servicing this development was recently upgraded and has the capacity to service this development. The most constrictive part of the sewer infrastructure is the sewer line from the lift station to the sewer treatment plant, which Roy Hester has stated is large enough to service this development.

4. Electric service capacity.

The current electric lines that service the existing homes along N. Maple Street were laid down in the mid-70's, according the standards at that time. The wires were laid bare, not in a pipe conduit, and have since suffered degradation. The occasional power outages experiences by the residents in the area result from the line degradation, not from insufficient voltage to service the area. Maintenance of the lines, essentially replacing them, has been budgeted by the Canby Utility Board. However, due to the new construction activity over the past couple of years, CUB's maintenance projects, including N. Maple Street, have been delayed.

5. Solar ordinance compliance.

The applicant has submitted a detailed narrative on how they believe the proposal complies with the Solar Ordinance. The applicant has reduced the total number of lots in the proposed development from 26 to 25 and has provided "protected solar building setback lines" for a few of the lots. At the August 22, 1994 public hearing, staff will have a plat showing shadow patterns for trees that could be retained. The retention of some of the trees would be in excess of what was originally proposed by staff. The additional trees to be retained would not greatly hinder the buildability of the lots and

would be necessary for a couple of the lots to be considered "shade exempt". The shadow pattern shown on the plat was based on a 40-foot height for the trees. Many of the trees are in excess of that height, and a few a less.

6. Tree retention.

Staff, during the initial presentation of the staff report, recommended a revision in the condition of approval regarding tree retention. That revision required retention of trees within the utility easements (except where the water and sewer lines would be located), the "wetland" area, and within twenty feet of the rear property line. With the recent plat submittal, specific trees can be identified to be saved. The trees are specifically numbered and located on the plat.

7. Wetland definition/protection.

The "wetland" in question on the property has not been identified as an official wetland by the State Division of Lands, or the City's Comprehensive Plan. The Corps of Engineers, however, apparently do consider it a wetland. An original plat showing a street layout, east-west, across the southern portion of the subject parcel, was submitted to the Corps of Engineers. Apparently, the Corps told the applicant that this was not acceptable. A resubmittal, the one originally received by the City in this application, was given to the Corps. It is the Corps' comments on this resubmittal that the City has on file, which states that this development does not disturb any wetlands or waterways under the Corps jurisdiction. The applicant is proposing to retain this area as an open area, and it, at the very least, has the appearance of a wetland, thus staff's consideration of this area as a natural feature. The maintenance of a "wetland" is minimal. A "wetland" is a natural area that should not be "manicured". Maintenance of any overflow of water in the "wetland" area is discussed below. A fifteen foot buffer can be placed around the two "wetland" areas. The only place that this would be encroached is with the road, which would come to within 10 feet of the northern "wetland".

8. Drainage of any overflow of the "wetland" area and subsurface drainage.

The storm water runoff from the streets, the roof drains, and the foundation drains will be collected into a storm water system and piped off site to the Willamette River. This collection system will take runoff from at least 25% of the site and pipe it to the Willamette River, thus reducing on-site subsurface drainage demand by a minimal 25%. A catch basin has been proposed to handle any water accumulation that will exceed the area of the open space. The excess water will be drained into an existing storm drain line and piped to the Willamette River. The City will maintain the catch basin and the storm water drain line.

9. Fencing between the development and Montecucco Farms and the logging road.

The applicant has come to an agreement with both Montecucco Farms and Caffal Brothers regarding perimeter fencing along the east and west of the development. Fences are not a normal requirement for a subdivision development. The agreement is between the private parties involved, so no suggestion of including a requirement for fences has been forwarded by staff.

10. Emergency access to the development.

Emergency vehicle access to the development will be by way of N. Maple Street. This is the existing situation for N. Maple Court, N.E. 29th Place, N.E. 30th Place, N.E. 31st Place, and N.E. 34th Place. A secondary emergency access was proposed for the development across the privately owned logging road. The secondary access could also service the above mentioned residential areas. The secondary emergency access is not necessary for the development.

11. Overall traffic pattern and volume.

North Maple Street north of N.E. 23rd Avenue is not a full-width street. There is no land within the City limits currently available to widen N. Maple Street. The width of N. Maple is approximately 20 feet. Parking on the east side of the street does occur, limiting the effective width to a one-lane street in certain spots. This is the current situation for the 70 homes that exist north of N.E. 23rd Avenue. A traffic report has been submitted in which the traffic engineer maintains that the existing traffic load and pattern will not be significantly altered by this development proposal.

12. The amount of fill that will be placed on the site.

The applicant has submitted fill patterns for two different amounts of fill to be placed on site. Setting a maximum amount of fill to be placed on the site is a possibility, the fill elevations presented by the applicant are 84.5 feet and 86 feet. The lowest elevation for the properties to the south is approximately 86 feet. Any fill placed on site for either roads or homes will be tested according to specified engineering standards. These standards are not discretionary in nature, they are set and measurable, and either the fill meets these standards or it does not.

13. The potential for flooding.

The Corps of Engineers are responsible for establishing flood plain designations and elevations for the Federal Flood Insurance Program. The methods that are used by the Corps are standards throughout the country as well as here in Canby. In 1984, the Corps provided the last major update to the flood plain along the Willamette, Pudding, and Molalla Rivers. The subject parcel was designated as being a "Zone B", a 500-year flood

plain zone. This was done after the 1964 and 1974 floods. There is a process by which a municipality can attempt to change the designation of the flood zone of a piece of property. Due to the elevation of the subdivision to the south, and the elevation of Holly/Locust Street to the west, staff believes that flooding from river levels will result only if there is a flood with elevations greater than a "100-year" level, as determined by the Corps (approximately 84.5 feet). Any flooding that has occurred recently, is the result of flooding from neighboring fields, not from the river. The existing storm drain line that handles runoff from the Montecucco Farms has had problems. Proposed as a part of the development would be redirecting the runoff into a new storm drain line that would better handle the capacity. Other features, discussed under subsurface drainage (8) would also help alleviate any flooding or standing water.

It is the Planning Commission's prerogative to determine the adequacy and sufficiency of the information provided with an application and during the public hearing. It is further the Planning Commission's prerogative to make the discretionary decision as to whether the proposed development should occur, and/or what conditions on an approval would be appropriate to ensure a development that meets the standards of the City. It is staff's opinion that this development can meet the standards of the City with certain conditions and requirements. Should the Planning Commission decide to approve this application, staff recommends the following conditions:

For the Final Plat:

1. Twelve (12) foot utility easements shall be provided along all exterior lot lines, except the southern property line. The southern property line has an existing ten (10) foot utility easement, and that shall remain as is. The interior lot lines shall have six (6) foot utility easements as proposed. An easement to, and including, the catch basin shall be on the final plat.
2. The final plat shall reference this land use application - City of Canby, File No. SUB 94-02, 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.
3. 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.
4. The "protected solar building line" shall either be shown on the plat or recorded on a separate instrument recorded with the plat. The "protected solar building line" shall be recorded or shown on the plat for lots #1 through #5, and #23.

5. The following trees, as identified on the tree inventory plat submitted 8/5/94, shall be retained, through a recorded covenants, conditions and restrictions (CC&R's): 16-31, 35-39, 41-45, 48-55, 58-64, 79-83, 85-89, 96, 101-107, 109-110, 116, 127-129, 136, 141-143, 145-151, 156-159, 169, 178, 198-199, 204, 210-212, 215, 224.
6. The specific "wetland" areas shown on the plat submitted August 5, 1994, shall be shown on the final plat. A restriction against buildings within fifteen (15) of these "wetland" areas shall be on the final plat.

As a part of construction:

7. Any necessary utilities shall be constructed to the specifications of the utility provider.
8. 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.
9. Erosion-control during construction shall be provided by following the recommendations of the "Erosion/Sedimentation Control Plans Technical Guidance Handbook," by Clackamas County, dated August 1991, as revised.
10. No construction activities shall occur within fifteen (15) feet of the specific "wetland" area, as shown on the plat submitted August 5, 1994. Orange construction netting shall be staked out fifteen (15) feet around the "wetland" areas. Where the "wetland" areas are within fifteen (15) feet of the right-of-way, the netting shall be staked at the edge of the right-of-way.
11. Storm water design and construction for the subdivision shall conform to the Canby Public Works Department standards. The catch basin for the "wetland" area overflow shall be "environmental" in design, similar to that of the ones used in the Willow Creek Estates subdivision.
12. The field drains for the neighboring farm land to the west shall be drained through the subdivision's storm drainage system. All on-site storm water runoff for the individual lots shall be handled through the subdivision's storm drainage system.
13. The design and construction of the sewer system for the subdivision shall conform to the Canby Public Works Department standards.
14. Street improvements shall be built to the City specifications and standards. The improvements shall include the street, curbs, sidewalks, and street trees. A preconstruction conference shall be held with the City, the utility providers, and the developer/contractor prior to commencement of construction activities.

15. An excavation/grading permit shall be applied for and issued for the fill that had been placed on the site prior to this development application. The permit shall precede any further development of the site.
16. The sidewalks shall be located against the curb, and shall be five-feet wide. 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.
17. The type of street tree to be planted shall be selected from the Recommended Street Tree list. The number of street trees to be planted shall be in accordance with the recommended spacing for the selected tree. The trees shall be planted twelve (11) feet from the street curb. The trees shall be planted along the street frontages of lots 1-12, 18, and 21-25.
18. Trees to be retained shall be clearly marked and protected from construction activity. Protection shall include, but not be limited to, avoiding compacting the soil underneath the drip lines of the trees with construction equipment, filling over the areas underneath the dripline, and felling of other trees into the trees to be retained. Protection of the trees, until the subdivision construction is completed, shall be staking orange construction netting around the drip line of the trees. Sidewalk, street, and utility construction activity within 10 feet of the drip line of a tree that is to be retained shall be reviewed by the City Arborist.
19. The sewer extension from the subdivision's sewer to the sewer in N.E. 34th Place shall be tunneled under the existing trees between lots 22 and 23 of Country Club Estates Annex No. 3. The "roof" of the tunnel shall not be within three (3) feet of the surface.
20. Vacation of the existing cul-de-sac at the end of N. Maple Street shall be applied for and decided upon prior to the filing of the final plat.

Prior to the signing of the Final Plat:

21. 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.
22. A copy of the easements for emergency vehicle access on the Logging Road and for the storm water drainage across the Logging Road shall be submitted with the Final Plat. A copy of the signed recorded easements shall be submitted to the City after the recording of the Final Plat and prior to the issuance of any building permit for homes in the subdivision. A copy of all CC&R's, protected solar building line recording instruments, and other recording instruments shall be submitted with the final plat to the City.

23. A written acceptance of the dedication of the wetland to the school district shall be submitted to the City with the Final Plat, if such dedication is feasible. If the wetland will not be dedicated to the school district, a maintenance agreement for maintaining the private open space shall be submitted to the City with the Final Plat. A copy of the recorded agreement shall be submitted to the City after the recording of the Final Plat and prior to the issuance of any building permit for homes in the subdivision.

After construction:

24. "As-built" drawings shall be submitted to the City within sixty (60) days of completion.
25. 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.
26. The soils for each lot shall be tested for compaction and the results shall be submitted with the building permit.
27. Prior to the issuance of a building permit, the property owner's written acknowledgement of the trees to be retained shall be submitted to the City. The trees to be retained shall only be removed due to health or safety reasons, and shall only be removed upon recommendation of a certified arborist.

Exhibits:

1. Applicant's "appeal" package
2. Applicant's solar ordinance review
3. Letter's received concerning the development
4. Revised subdivision plats (*too large to reproduce*)

August 8, 1994

City of Canby
Planning Department
182 North Holly Street
Canby, OR 97013

To Whom It May Concern;

I will be unable to attend the meeting on Monday, August 22, 1994 regarding the SUB 94-02 Proposal for a 7.25 acre parcel north of North East 34th Place on North Maple; however, I would like to express two major concerns:

1. Maple Street is too narrow and congested to handle additional traffic.
2. I do not believe there is adequate police and fire service in Canby to continue developments without the need for additional taxes.

Unless both of these issues are resolved prior to the development, I would be opposed to the project.

Sincerely,



C.N. Michael
815 N. E. 34th Place
Canby, OR 97013

RECEIVED

AUG 10 1994

CITY OF CANBY

676 N.E. 21st Place
Canby, Oregon 97013
August 1, 1994

City of Canby
City Council and Planning Commissioners

I am a homeowner on Maple at N.E. 21st Place. The proposed 26 house development would directly impact me in traffic increase. However, I see a number of other issues which, I hope, will cause you to question the validity and pursuance of this project. Let me list them:

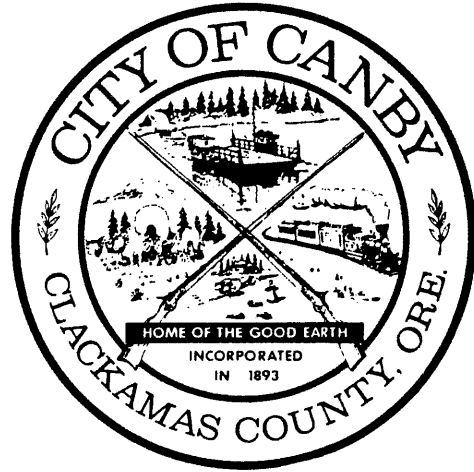
- *The proposed development, sited on flood plane, was under water in the 1964 Christmas flood. Is building on flood plane wise? Will potential home buyers be informed of this fact?
- * Wetlands are proven to be extraordinarily important in our food chain. Relatively few remain. Will the intrinsic value of this wetland remain, as it is surrounded by the construction and habitation of 26 houses? Will homeowners have the expertise to maintain the wetland?
- * Canby sits on prime agricultural land. Will you sacrifice more rich food production acreage to development?
- * Solar orientation of new homes is energy efficient. Canby, wisely, has had the foresight to require a solar orientation in 80 percent of homes in new developments. Yet, Zarosinski-Tatone Engineers, Inc. has used wetlands as an excuse to ignore this wise city ordinance.
- * Homeowners in the area of the proposed development now have ground water problems, despite the use of sump pumps. Will building more homes on still wetter land alleviate this problem? What does Mr. Tatone mean when he states that ground water will be "enhanced"?
- * Will you ignore the Canby School District reporting the possible inability to handle continued growth.
- * Have you carefully analyzed the impact on sewage and water?
- * Traffic, now exceedingly heavy on Maple, and including delivery trucks to the golf course, will be increased by at least 52 vehicles (minimum of 2 cars per house). The impact on this residential neighborhood will be tremendous.

I respectfully ask that you carefully re-analyze these considerations before your denial of the proposed development is reversed.

Sincerely,

Ethel Boardman

Ethel Boardman



- STAFF REPORT -

APPLICANT:

Nevue Ngan Associates
P.O. Box 9068
Portland, OR 97207

OWNER:

City of Canby
and Clarence and Sylvia C. Atkins

LEGAL DESCRIPTION:

Tax Lots 3200, 3202, 3203 of
Tax Map 3-1E-33DC

LOCATION:

West side of S. Locust Street,
between 2nd and 4th Avenues

COMP. PLAN DESIGNATION:

High Density Residential LU

FILE NO.:

DR 94-12

STAFF:

Robert G. Hoffman, AICP
Planning Director

DATE OF REPORT:

August 12, 1994

DATE OF HEARING:

August 22, 1994

ZONING DESIGNATION:

R-2 (High Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting site and design approval to construct a new neighborhood park, including rest room and future picnic shelter, on a 0.9 acre site (Tax Lot 3202 only). The remainder of the site on Knott Street (Tax Lot 3203) will remain with residential use.

II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

16.20	R-2 - High Density Residential 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 portion of the site has been acquired and is proposed to be developed as a neighborhood park with a combination of Community Development Block Grant Funding and Parks Systems Development Charges. The site design was prepared by the landscape architect after a weekend on-site design workshop with full neighborhood participation.

A park and playground are outright permitted uses in R-2 zoned property. Residential structures (apartments) are located on each side of the proposed park and residential structures are located to the rear and across S. Locust Street. A partition of the parent parcel is being processed as a separate application. This apparently was not done when the property was divided in 1980 and sold in 1988. The site of the proposed neighborhood park is currently vacant.

B. Evaluation Regarding Site and Design Review Approval Criteria

1. Part IV - Section 2, No. 2

"Minimum area for landscaping is 30% (in residentially zoned areas) of the total area to be developed."

The minimum amount of landscaping required for the 39,200 square foot lot is 11,760 square feet. The total amount of landscaping proposed is the entire site, less the area of the rest room and future picnic shelter. (Only Tax Lot 3202 is proposed for development as a park.)

$$39,200 - 600 = 38,600/39,200 = 98\% \text{ of the site area}$$

2. Parking

There are no required number of parking spaces for a neighborhood park. Traditionally, this minimal amount of need is supplied on the adjacent street. The Public Works Supervisor has recommended no parking be allowed on the street. The Police Department has not expressed a traffic control concern. Parking restrictions could be added in the future if there is a need to restrict parking.

No loading facilities are required.

3. Access

Access to the proposed development will be from Locust Street. The Public Works Supervisor has proposed a driveway for maintenance. Unless chained, this would encourage on-site parking.

4. *Architecture*

The new rest room building will be of "split faced masonry" construction with a standing seam metal roof. It would be a very simple design used in a Gladstone park appropriate for a residential setting, designed for maintenance and durability. Color is assumed to be native materials. Roof color has not yet been determined.

5. *Other Aspects*

a. *Utilities*

Service providers have not indicated that there would be any problem in servicing this proposal. Specific construction designs for the storm water drainage system will be necessary for review and approval by the Department of Public Works.

b. *Safety/Landscaping*

The design of the park appears to be well conceived and has been done in cooperation with the Police Department. The entrances to the rest rooms will be located for ease in policing. Otherwise, the site is kept relatively open for visibility from the street. A hedge is proposed to protect the adjacent apartments. At least 18 large trees and 5 smaller trees are proposed. A tot lot, playground, basketball court, and plaza are also proposed. (See site plan for details.) A fence is already available on 3 sides.

c. *Noise*

The basketball court is a potential source of annoyance. Staff field-tested basketball effects and the Commission approved a basketball court located 40 feet from the nearest residential structure (25 feet from the property line) [CUP 90-07 - Baptist Church]. No complaints have been received. The site plan indicates the basketball court to be at least 30 feet from the side yard and 25 feet from the rear yard. Minimum side yards in R-2 zones are 7 feet on one side and 10 feet on the other side. Rear yards are 15 feet for single story, and 20 feet for 2-story. Thus, the court could potentially be as close as 37 feet from residential structures. The court could be shortened slightly to gain greater distance from residential structures.

d. Density and yards and height

The setbacks and the height requirements for the R-2 zone have been met by this development, except for the rest room, as indicated. The designer is exploring alternatives to meet the 20 foot front yard and 7 foot side yard requirement.

V. CONCLUSION

The staff hereby determines 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 use 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, being residential, and the site plan including a hedge on 3 sides; 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, with the only structures on-site being small-scale and similar to residential structures; 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. No housing is on-site and no additional financial burden is placed on adjacent housing; and
5. The sidewalks along the street shall be extended to the full width of the property; and
6. The dotted areas on the site plan shall be lawn areas.

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 the Planning Commission approve DR 94-12, with the following conditions:

1. Storm water design and construction of the paved area of the property and sewer design for the rest room shall be approved by the Canby Public Works Department.
2. A detailed landscape plan shall be submitted with the building permit. The detailed landscape plan shall show: the number of plants, plant spacing/locations of plantings, the type of plants, the planting schedule, and irrigation plans.
3. Except for the paved areas and building-occupied space, 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.
4. The basketball court shall be sited such that it is a minimum of 40 feet from all residentially occupied structures.
5. The rest room shall be sited to provide a minimum of a 20 foot front yard and 7 foot side yard.

Exhibits:

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

SITE AND DESIGN REVIEW APPLICATION

Fee: \$600

OWNER

waived

APPLICANT

Name CITY OF CANBY Name NEVME NEGAN ASSOCIATES
 Address _____ Address PO BOX 9062
 City CANBY State OR City FORELAND State OR Zip 97107
 SIGNATURE [Signature] Phone: (503) 3153333
 DESCRIPTION OF PROPERTY: 315333 DC 3200
 B Tax Map 26-02 Tax Lot(s) 3202 Lot Size .97 .90 +.01
 or _____ (Assessing No.)

B 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 submitted by 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 suspending 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

B0 Trinity VACANT + 1 Building on TL3103
 B0 Proposed Park

B0 Existing Use: NONE

B0 Subdivision: APARTMENT BUILDINGS TO NORTH SWATH WEST.
 PROJECT DESCRIPTION: THIS IS A SMALL PARK WHICH WILL SERVE THE SOUTH NEIGHBORHOODS OF CANBY. THE PARK IS DESCRIBED ON THE ENCLOSED DRAWING, NAMED 15.

→ ZONING HIGH DENSITY RESIDENTIAL PREVIOUS ACTION (if any) PRECOMPREHENSIVE PLAN DESIGNATION

File No. DR 94-12
 Receipt No. _____
 Received by RGH
 Date Received 7-28-94
 Completeness Date _____
 Pre-App Meeting _____
 Hearing Date _____

EXHIBIT
1
2 pages

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

SITE AND DESIGN REVIEW APPLICATION NARRATIVE

Applicant:
City of Canby- Locust Street Park

The proposed Locust Street Park is a public improvement designed to serve the recreation and outdoor needs of the surrounding neighbors. The primary design criteria in development of the park include:

1. Minimize the impact on surrounding properties.

This is accomplished by installation of a tall evergreen hedge which will surround the park.

2. Accommodate park improvements and activities which are desired by the neighbors.

The programmed improvements are elements which were stated by neighbors at public meetings And activities which the parks department feels are most appropriate.

3. Keep more active recreation away from the street.

This was accomplished by locating the playfields and play court away form the street and separating the playgrounds with curbs.

4. Easy maintenance and long term durability.

The park is simply designed and configured to allow for easy maintenance. The design was developed with the guidance from the city maintenance department. The park has an automatic irrigation system, and a layout which will facilitate easy maintenance.

5. Visibility into the park from the street for safety and security

The park provides clear viewing from the street. The design was reviewed and with the cooperation from the Canby police department.

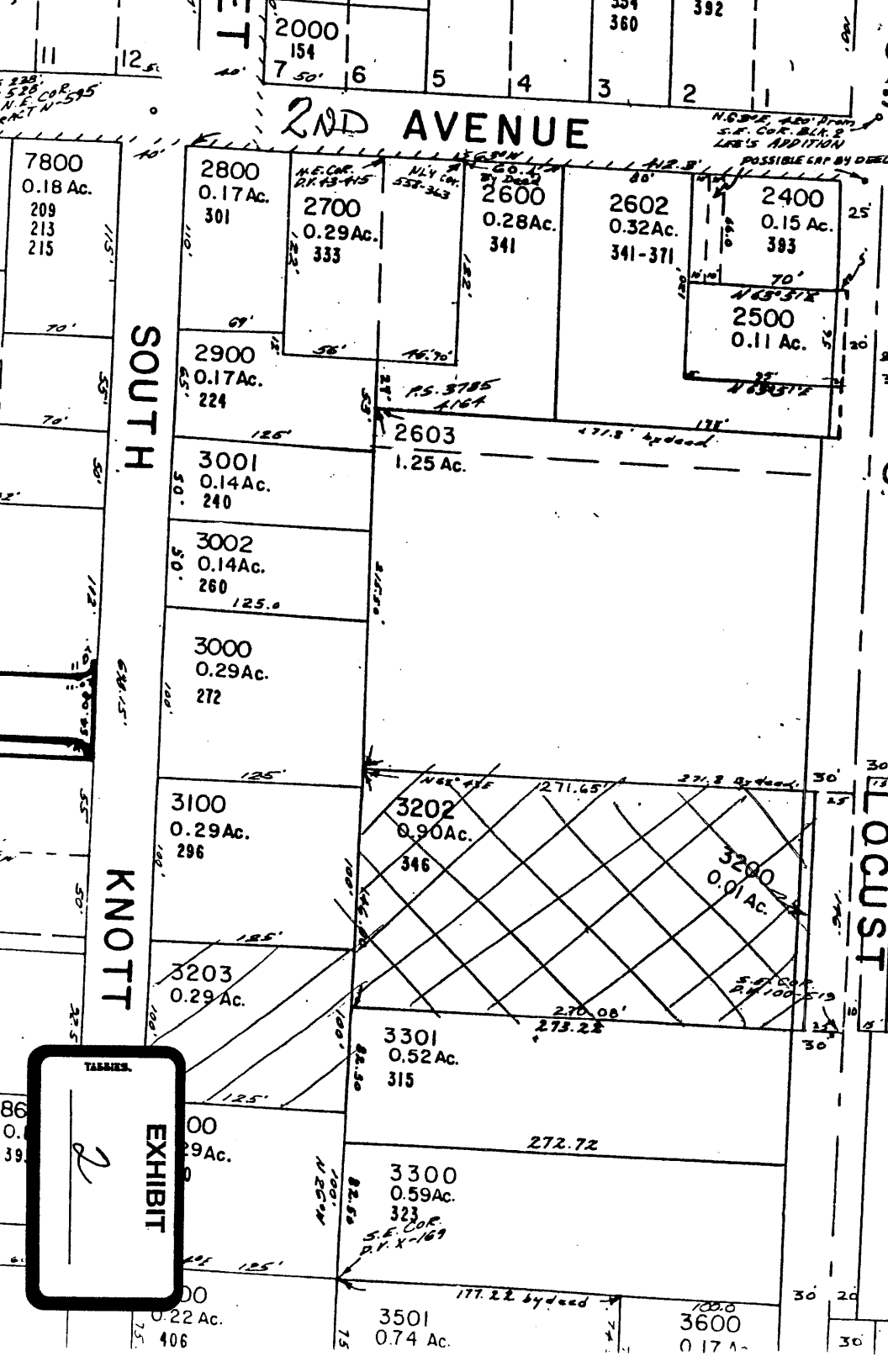
MATERIALS

Specific materials are indicated on the drawings. The walks are scored concrete, and the play court is asphalt.

The only structure scheduled for construction is an approximately 300 SF rest room building. This is a simple, split faced masonry building with a standing seam metal roof.

The picnic shelter which is shown on the illustration is included on the masterplan but will not be constructed at this time.

The park development is illustrated on the following plan.



TABULAR
EXHIBIT
2

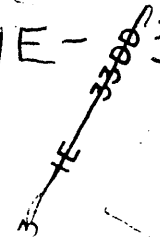
33 DB

CANCELLED TL'S

- 8600
- 6400
- 6600
- 4800
- 4900
- 4301
- 4401
- 6800
- 6801
- 6900
- 7000
- 7100
- 2501
- 6000E1
- 32401
- 32901
- 4001
- 4101
- 4201
- 2601
- 4300
- 6001
- 6606 thru 6610
- 3701
- 2502
- 3201
- 32604
- 3800
- 6002
- 7302
- 500
- 7400S1
- 8300

86-02

FROM
TM 3-1E-33DC



PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 1, 1994

TO: FIRE, POLICE, CUB, NW NATURAL GAS (GARY HYATT), MIKE JORDAN, JOHN KELLEY,
ROY HESTER, SCOTT NELSON, STEVE HANSON

The City has received *DR 94-12*, an application by the City of Canby for a Design Review approval of a neighborhood park on the west side of S. Locust, between 2nd and 4th Avenues (Tax Lot 3202 of Tax Map 3-1E-33DC).

We would appreciate your reviewing the enclosed application and returning your comments by **August 9, 1994 PLEASE**. The Planning Commission plans to consider this application on **August 22, 1994**. 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

RECEIVED
AUG 09 1994
CITY OF CANBY

Signature: Gary Hyatt

EXHIBIT
4
2 pages

date: 8/8/94

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

[503] 266-4021

DATE: August 1, 1994

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Comments or Proposed Conditions:

Sidewalk should extend Full Length of street Frontage. With no ON Street PARKING Allowed in this area - Should a PARKING Lot be built into PARK?

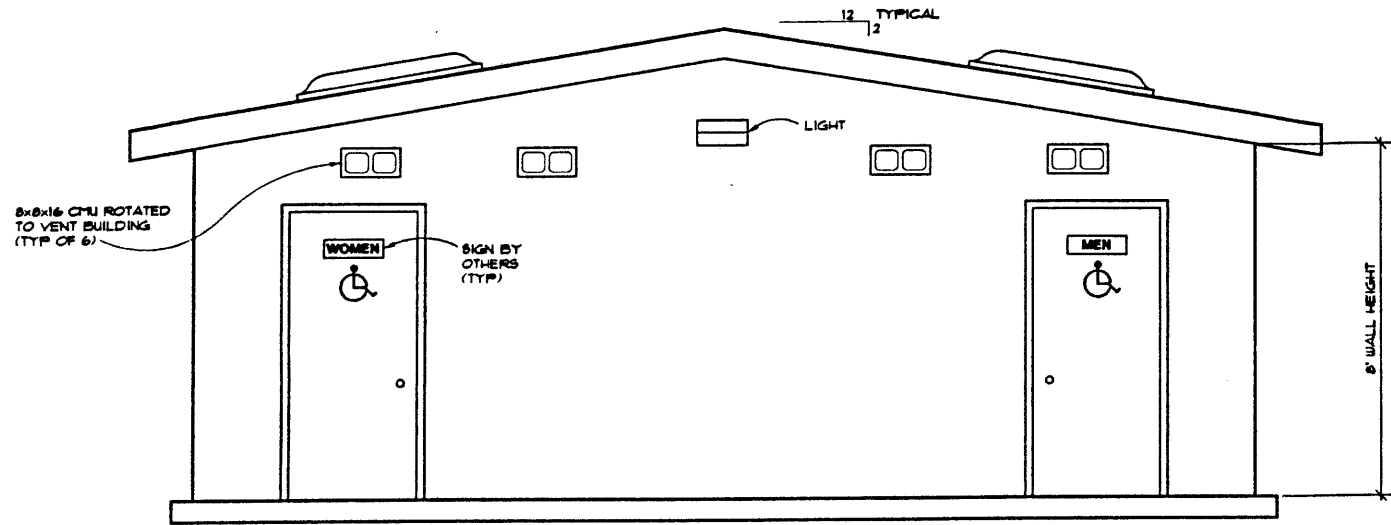
A driveway should be provided For MAINTENANCE equipment TO ENTER + EXIT.

Please check one box:

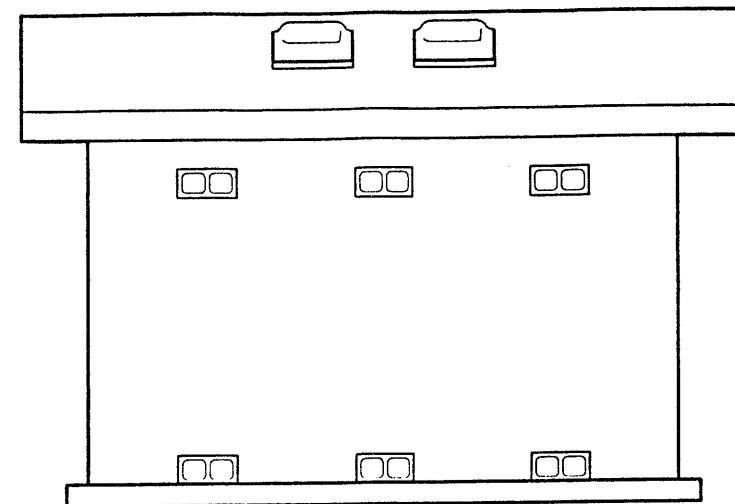
- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature: Roy Hester

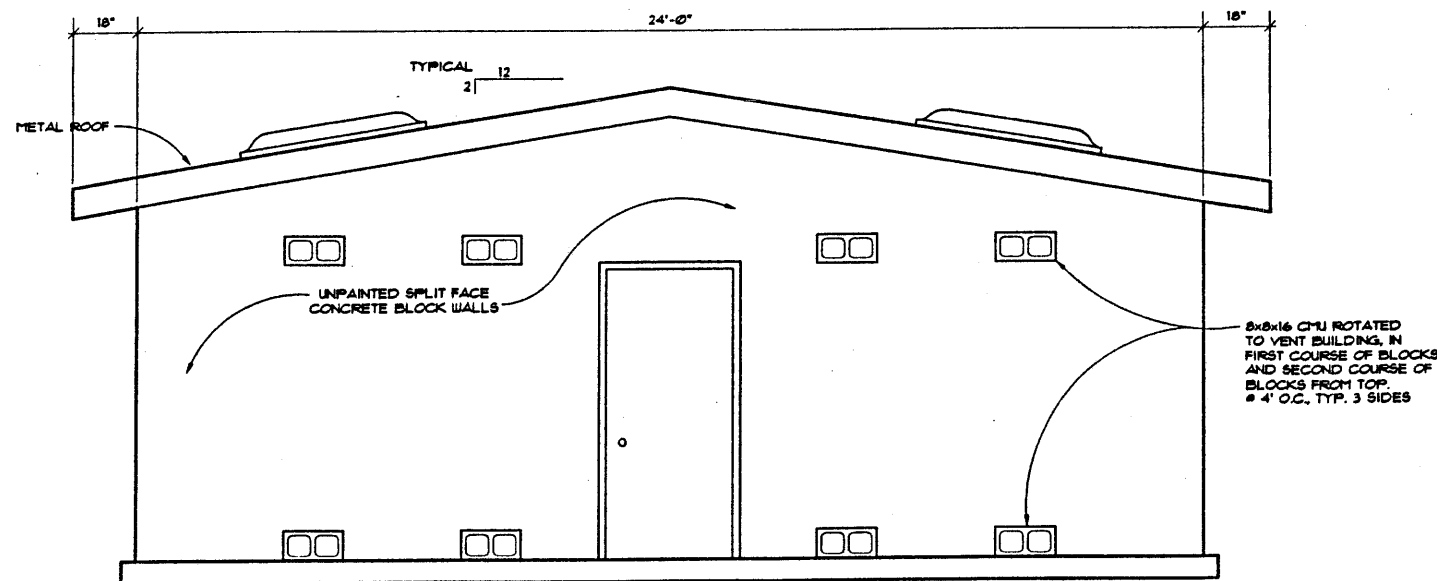
Date: Aug 8, 1994



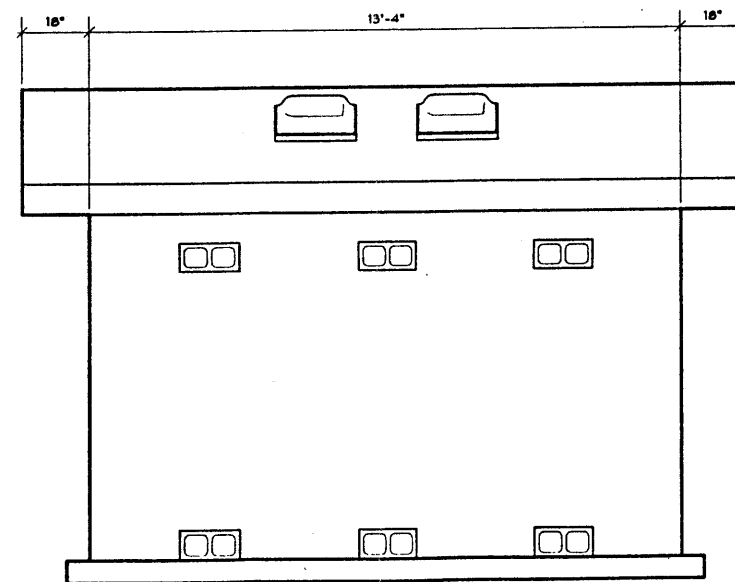
1 SOUTH ELEVATION
SCALE: 1/2" = 1'-0"



2 WEST ELEVATION
SCALE: 1/2" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/2" = 1'-0"

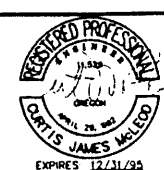


4 EAST ELEVATION
SCALE: 1/2" = 1'-0"

FOR APPROVAL ONLY
NOT FOR BIDDING PURPOSES

D:\CMBY\LOCUST\1000-002 MW Aug 10 11:36:39 1994

NO.	REVISIONS	BY	DATE



CURRAN-McLEOD, INC.
CONSULTING ENGINEERS
6655 SW HAMPTON ST., SUITE 210
PORTLAND, OREGON 97223
PHONE (503) 684-3478

CITY OF CANBY
BUILDING ELEVATIONS
LOCUST STREET PARK RESTROOMS
CLACKAMAS COUNTY, OREGON

DATE: AUG 1994
NO. 1000
BY TDS
BY C.M.
441000-002

C-2
OF
4

Locust Street Park

City Of Carby

1994

Heve Ngn Architects Landscape Architects

EXHIBIT

3

2 pages

TABULAR

Scale: 1" = 20'-0"

North

