

A G E N D A

CANBY PLANNING COMMISSION REGULAR MEETING City Council Chambers

Monday, November 8, 1993

7:30 p.m.

I. ROLL CALL

II. MINUTES

October 25, 1993

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. COMMUNICATIONS

V. FINDINGS

CUP 93-01/DR 93-05 - Canby Elementary School District
MLP 93-05 - Douglas D. Hanson

VI. NEW BUSINESS

VII. COMMISSION DISCUSSION OF PLANNING ISSUES

VIII. PUBLIC HEARINGS

SUB 93-04, an application by Patrick S. Harmon for approval to develop a 1.36 acre parcel into a 5-lot subdivision [Evergreen Subdivision], retaining the existing single family home on one lot. The property is located on the north side of N.E. 10th Avenue, east of N. Maple Street [832 N.E. 10th Avenue] (Tax Lot 2200 of Tax Map 3-1E-33AA).

ZC 93-02, an application by John and Pat Watson for approval to rezone a 6.63 acre parcel from R-1, Low Density Single Family Residential, to R-2, High Density Multi-Family, to comply with the Comprehensive Plan land use designation. The property is located at 1111 S.E. 3rd Avenue, at the end of S. Pine Street, south of S.E. 2nd Avenue (Tax Lot 790 Map 3-1E-34C and Tax Lot 2200 of Tax Map 3-1E-33DD).

DR 93-07, an application by John and Pat Watson for Site and Design Review approval to expand an approved manufactured home park (CUP 92-10, DR 92-09) with an additional six manufactured home sites. The parcel is located at 1111 S.E. 3rd Avenue, at the end of S. Pine Street, south of S.E. 2nd Avenue (Tax Lots 700 and 790 of Tax Map 3-1E-34C and Tax Lot 2200 of Tax Map 3-1E-33DD).

MLP 93-06, an application by Brad and Karen Roberts to partition a .59 acre parcel into three lots, 0.19 acres, 0.16 acres, and 0.23 acres, respectively. The existing house will remain on Parcel #1, and to partition Parcel #2 and Parcel #3 for future development. A 10 foot public walkway easement is proposed to connect N. Knott to N.E. 9th Avenue. The parcel is located on the south side of N.E. 9th Avenue, east of N. Juniper, known as 279 N.E. 9th Avenue (Tax Lots 9100 and 9500 of Tax Map 3-1E-33BD).

IX. DIRECTOR'S REPORT

X. 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
Linda Mihata, Vice-Chair
Tamara Maher

Henry Fenske
Wade Wiegand
Stan Elliot

Bob Gustafson



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.



PLANNING COMMISSION

SIGN-IN SHEET

Date: November 8, 1993

NAME
(Please Print)

ADDRESS
(Please Print)

Patrick Harmon

P.O. 216 - Canby, OR

PAUL BORING

860 NE 10th Canby

MERRILL E DRURY

880 N.E. 18th Canby

MRI DRURY

" " "

TIM + EVA HUNT

240 NE 18th, Canby

Paul Spolite

279 N.E. 9TH AVE

Ted Fontman

8885 SW Cashmer Pkwy 97225

John D. Atson

6 Otwell L.O. 97035

Fred Spady

6606 D Knott St. 97013

Dean Grealy

6606 N. Knott St

Mark Kaiga

651 N. Knott St.

MIKE SCHWARTZ

812 NW 17th St

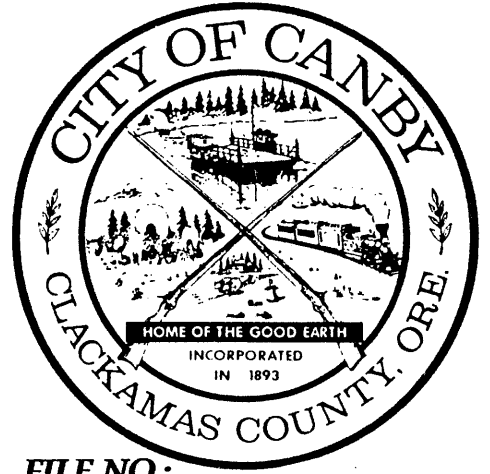
John Christensen

602 N. Knott

Tom DeLorenzo

1705 N. Oak

- STAFF REPORT -



APPLICANT:

Patrick S. Harmon
P.O. Box 216
Canby, OR 97013

FILE NO.:

SUB 93-04
(Evergreen)

OWNER:

Patrick S. Harmon

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lot 2200 of
Tax Map 3-1E-33AA

DATE OF REPORT:

October 29, 1993

LOCATION:

North side of N.E. 10th Avenue
east of N. Maple Street

DATE OF HEARING:

November 8, 1993

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1 (Low Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval for a five (5) lot subdivision with a private access drive.

II. APPLICABLE CRITERIA:

A. City of Canby Code Section 16.62.020

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

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

B. Other Applicable Policies and Regulations:

■ City of Canby General Ordinances:

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

III. FINDINGS:

A. Background and Relationships

The subject parcel is located on the north side of N.E. 10th Avenue, between N. Maple Street and N. Oak Street. Maple Street Park is located immediately to the north of the subject parcel. The proposal is for the 1.36 acre property to be subdivided into five lots, including the existing home, with a 20' wide, private access road.

B. Comprehensive Plan Consistency Analysis

i. Citizen Involvement

■ GOAL: TO PROVIDE THE OPPORTUNITY FOR CITIZEN INVOLVEMENT THROUGHOUT THE PLANNING PROCESS

ANALYSIS

The notification process and public hearing are a part of the compliance with the adopted policies and process pertaining to Citizen Involvement.

ii. Urban Growth

- GOALS:**
- 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.**
 - 2) TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITHIN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.**

ANALYSIS

The property is entirely within the Urban Growth Boundary. It fully meets the intent of Canby's Goals and Policies regarding the Comprehensive Plan Urban Growth Chapter.

iii. Land Use Element

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

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

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

- Policy #3 Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.
- Policy #4 Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.
- Policy #5 Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.

ANALYSIS

The parcel is zoned R-1, Low Density Residential and is proposed to be developed with single family residential structures. The Comprehensive Plan land use designation of the subject parcel is Low Density Residential, which is consistent with the zoning and the proposed development. The development density of the proposed subdivision is similar to that of surrounding urban residential developments. The pattern of development is similar to that of nearby Fairgrounds Park Subdivision. The development of lots off of a private drive is practical and necessary given the dimensions and limited access of the subject parcel. The portion of the subject parcel that has frontage along S.E. 10th Avenue is 56', not wide enough for a lot and an access road.

The uses that immediately surround the proposed development include a neighborhood public park to the north and urban residential to the south, east, and west. This proposal represents an "in-fill" development project. Thus, development of the property will have the effect of better utilization of existing utility facilities.

iv. Environmental Concerns

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

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

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

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

- Policy #3-R Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.
- Policy #4-R Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.
- Policy #7-R Canby shall seek to improve the overall scenic and aesthetic qualities of the City.
- Policy #8-R Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.
- Policy #9-R Canby shall attempt to minimize the adverse impacts of new developments on fish and wildlife habitats.

ANALYSIS

The site has Latourell loam soil. There are no known soil problems related to urban type development. Canby's storm and sanitary sewer procedure will provide protection for ground water and surface water. Building, health and other Code regulations will protect against other types of pollution.

The subject parcel is presently a large single-family residential lot. It is not used, in any way, in conjunction with adjoining Maple Street Park. Development of the property will not adversely affect Canby's appropriate open spaces.

v. *Transportation*

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

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

- Policy #2: Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the City's growth needs.
- Policy #3: Canby shall attempt to improve its problem intersections in keeping with its policies for upgrading or new construction of roads.
- Policy #4: Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.
- Policy #6: Canby shall continue in its efforts to assure that all new developments provide adequate access for emergency response vehicles and for the safety and convenience of the general public.
- Policy #7: Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles.
- Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City.

ANALYSIS

The applicant is proposing a twenty (20) foot access road, that will be approximately 100 feet deep. An easement for multiple access and maintenance is proposed for the first 100 feet back from N.W. 10th Avenue. The access road is proposed to be curbed with a sidewalk on one side. The location of the access road will accommodate the cedar trees located in the middle of the front 100 feet of the subject parcel. The cedar trees have been 'topped' and therefore may not remain healthy as long as one might normally expect. The access road should be located to the right of the trees to accommodate curbing and/or sidewalk, there is insufficient space to the left of the trees. The access road shall be named "N. Noble Street". Because of the limited width of the private road, no parking will be permitted on the road, and the road will need to be posted as such.

The applicant is requesting a waiver of the normal requirements for street improvements, including widening, curbs, and sidewalk, along N.E. 10th Avenue. The applicant is requesting the waiver due to the overall lack of sidewalks and curbs along N.E. 10th Avenue. As

directed by the Planning Commission, staff is recommending the street widening, curbs and sidewalk for N.E. 10th Avenue.

vi. Public Facilities and Services

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

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

Policy #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

Policy #3: Canby shall adopt and periodically update a capital improvement program for major City projects.

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

ANALYSIS

Sewer, electric, water, gas and phone service providers have indicated that servicing this subdivision is possible. An 8" sewer line is proposed for the access road, from which individual laterals will service the individual homes. A fire hydrant is located across 10th Avenue from the property, however, this is not close enough for service to the northeastern most lot. Therefore a fire hydrant will be needed at the north end of the private road. Utility poles are located on the property. A turnaround for emergency vehicles will be needed for the northeastern most lot.

The Parks Plan has designated Maple Street Park to the north as a neighborhood park. Because of the proximity of this open area and recreational facility, no new park area or land is needed as a part of development of the subject parcel. Parks System Development Charges will still apply to the building of homes of the proposed lots.

vii. Economic

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

ANALYSIS

This application will not directly affect the economic base of the City. The land has not been planned for economic development, or any other development that would directly affect the economic base of the City. Development of this site, with homes, will provide residences for Canby business owners and employees, and also will provide a few employment opportunities and expand the market for Canby businesses.

viii. Housing

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

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

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

Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the City.

Policy #5: Canby shall provide opportunities for mobile home developments in all residential zones, subject to appropriate design standards.

ANALYSIS

This subdivision will provide an opportunity for 4 additional single family units of housing (a total of 5), since it is zoned R-1. The residential lots will range in size from approximately 7,200 square feet to approximately 11,800 square feet.

ix. Energy Conservation

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

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

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

Policy #3: Canby shall strive to increase consumer protection in the area of solar design and construction.

Policy #5: Canby shall continue to promote energy efficiency and the use of renewable resources.

ANALYSIS

Recently constructed housing will have increased standards for energy efficiency. Of the 5 lots proposed, 3 of the lots meet the Solar Access Ordinance basic requirements (60%). The subdivision can meet the requirements of the Solar Access Ordinance if the northeastern lot conforms to the Performance Option of the ordinance (16,95,030.C). It does not appear that the "Protected Solar Building Line" option will be feasible in this situation (it would amount to a 25 foot building setback line from the northeastern lots southern lot line). This option would require a deed restriction against the planting of any trees non-solar-friendly trees for the southeastern lot. The City would need to be a party to the deed restriction.

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

Review of the above analysis will show that the proposed subdivision is consistent with the policies of the Comprehensive Plan. Development of each of the lots will need to comply with all applicable provisions of the City of Canby Land Development and Planning Ordinance, Building Codes, and other County and State Codes and Regulations.

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

16.64.010 Streets.

The width of the private road will be twenty (20) feet, which will be sufficient for the five single family homes. The road will be approximately 100 feet in length. According to the Access Limitations on Project Density standards (16.46.010), if a street is under twenty-four (24) feet in width, the permitted number of units accessing through the road is limited to 24. The applicant is also proposing a sidewalk to accompany the private road. There is no proposed street name. To the north of Maple Street Park, there is a short (170') public road named N. Noble Street. This name is in accordance with the street naming ordinance, and would be appropriate for the private road.

A turn-around is provided for the middle lots in the proposed design through the use of the driveways for the individual lots, however, a turnaround will be necessary for the northeastern most lot. The lot layout is such that the addressing scheme will not be difficult. The address for the existing house will be changed as a result of the development.

If the existing cedar trees are kept, staff does not recommend requiring additional street trees. The cedar trees, while not solar friendly and topped, are mature and have a reasonable appearance to them. Additional street trees may not add to the aesthetic value of the property. If the trees are removed, staff recommends that five (5) street trees be planted in the road access area. Because of the limited area and the limited frontage of the individual lots, more trees would be inappropriate.

16.64.030 Easements.

Six foot utility easements will need to be located along all lot lines, a twelve foot utility easement will be required along N.E. 10th Avenue. A utility easement shall also be provided along the private road.

A sidewalk is proposed along the private road. The applicant is requesting a waiver of sidewalks along N.E. 10th Avenue. Staff, as directed by the Planning Commission, is recommending a sidewalk along N.E. 10th Avenue.

16.64.040 Lots.

The lots will range in size from approximately 7,200 square feet to approximately 11,800 square feet. All lots will meet the minimum required area of 7,000 square feet, and will be of such dimensions as not to preclude development with single-family homes for reasons of insufficient room for required setbacks. All lots are at least 60 feet in width.

16.64.050 Public Open Spaces.

Maple Street Park is located immediately to the north. No new parks have been sited as being necessary in this area. Parks Systems Development Fees will be required of all homes built within this subdivision project, and will therefore contribute their "fair share" to the City's development of parks and open space.

16.64.070 Improvements.

A bond will be required for any improvements in the subdivision that are not completed prior to the signing of the final plat. Such agreement of assurance shall be in conformance with Paragraph (O) of Section 16.64.070 of the Land Development and Planning Ordinance.

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

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

IV. CONCLUSION

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

V. RECOMMENDATION

Based on the application, site plan, the facts, findings and conclusions presented in this report, and without benefit of public testimony, staff recommends that the Planning Commission approve, with conditions, SUB 93-04. The following conditions shall apply:

For the Final Plat:

1. Utility easements shall be provided. All interior lot lines are to be six (6) feet wide. A twelve (12) foot utility easement shall be provided along N.E. 10th Avenue, and along N. Noble Street (the private access road).

2. The final plat shall reference this land use application - City of Canby, File No. SUB 93-04, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.
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 private road shall be located to the right of the existing cedar trees if the trees are kept.
5. The private road shall be named North Noble Street.

As a part of construction:

6. A fire hydrant shall be placed at the north end of N. Noble Street.
7. N.E. 10th Avenue shall be improved with widening of the pavement, and placement of curbs and a sidewalk. Improvements shall be approved by the Public Works Department.
8. Any necessary utilities shall be constructed to the specifications of the utility provider.
9. 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. "No Parking" signs shall be posted on N. Noble Street.
10. Erosion-control during construction shall be provided by following the recommendations of the "Erosion Control Plans Technical Guidance Handbook," by Lori Faku and Rick Raety, dated November 1989, as revised (currently January, 1991).
11. Storm water drainage and design for the subdivision shall be approved by the Director of Public Works.
12. The design and construction of the sewer system for the subdivision shall be approved by the Director of Public Works.

13. A turnaround for emergency vehicles shall be located on the northeastern most lot. The turnaround design shall be approved by the Fire Marshall.
14. The turn-around in S.E. 9th Avenue shall not be used for parking, and signs shall be posted to indicate this restriction.
15. If the cedar trees are removed, five street trees, selected from the recommended street tree list shall be planted in the road access area (the first 100' back from N.E. 10th Avenue).


Prior to the signing of the Final Plat:

16. 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.
17. A deed restriction against planting trees not found on the City's "solar friendly" tree list on the southeastern most lot shall be recorded with the plat. The City of Canby shall be a party to the deed restriction for enforcement purposes.

After construction:

18. "As-built" drawings shall be submitted to the City within sixty (60) days of completion.

Exhibits:

1. Application
2. Vicinity Map
3. Tentative Plat 
4. Responses to Request for Comments

SUBDIVISION APPLICATION

Fee: \$600 + \$20/lot

OWNER

APPLICANT

Name Patrick S. Harmon
Address P.O. Box 216
City Canby State Oregon Zip 97013
Phone: 503-266-1553
SIGNATURE *Patrick S. Harmon*

DESCRIPTION OF PROPERTY:

Tax Map R1E, T3S, S33AA Tax Lot(s) 02200 Lot Size 1.36 acres
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

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

USE

Existing Residential
Proposed Residential

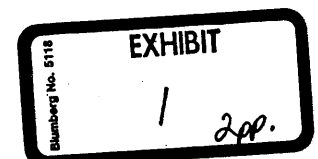
Existing Structures 1-single family home, 1-detached garage, 1-small outbuilding

PROJECT DESCRIPTION

The purpose of this project is to develop 5 lots with one having the existing home. The lots are being planned in such a manner to fully utilize the property with effort being made to retain as many of the present trees as possible. The lot sizes will meet or exceed the minimum requirements of the present zoning. The integrity of the present home will be retained with cosmetic work being done to improve the exterior appearance.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION R-1
PREVIOUS ACTION (if any) _____

File No. SUB 93-04
Receipt No. 2536
Received by CSW
Date Received 10/13/93
Completeness Date 10/13/93
Pre-App Meeting _____
Hearing Date 11/18/93



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

Information for Plat-"Evergreen Subdivision"

This site has approximately 1.36 acres and presently has one older single family home on it. The land is slightly elevated above NE 10th ave.. It has numerous evergreen trees that will be used in the design of the platted property. Some selected clearing will be necessary to site homes on each lot.

Access will be thru the use of a commonly maintained 20' paved driveway that will be designed in such a manner as to compliment the trees that are at the front entry to the subject property. The driveway will have curbs on each and a sidewalk on one side for a distance of 100' back from NE 10th Ave. The entry area and the driveway will be maintained thru a written (recorded) agreement of which each property owner in this subdivision will be responsible for payment of a "Fair Share" of the repairs/maintenance.

All Utilities are available @ NE 10th ave.. An 8" sewer line will be brought in to a location set by the City of Canby at which point each home will hook individual lateral sewer lines.

Because NE 10th Ave. lacks curbs and sidewalks I am requesting that this condition be postponed until a future date when the entire street can be done properly @ one time.

This proposal is conforming to the general requirements of a subdivision and meets the requirements of the comprehensive plan along with the subdivision approval criteria. Furthermore this proposal is fully compatible with the surrounding neighborhood which consists of Maple Street Park to the North with the balance of the property being surrounded by single family residences.

There is an easement owned by Southern Pacific that crosses the North easterly portion of this property (shown on plat map). Since it has not been used for many years under Oregon Statute it is considered to be abandoned therefore not acknowledged as ever being used again. This easement does show as going thru other homes and across Maple Street Park.

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

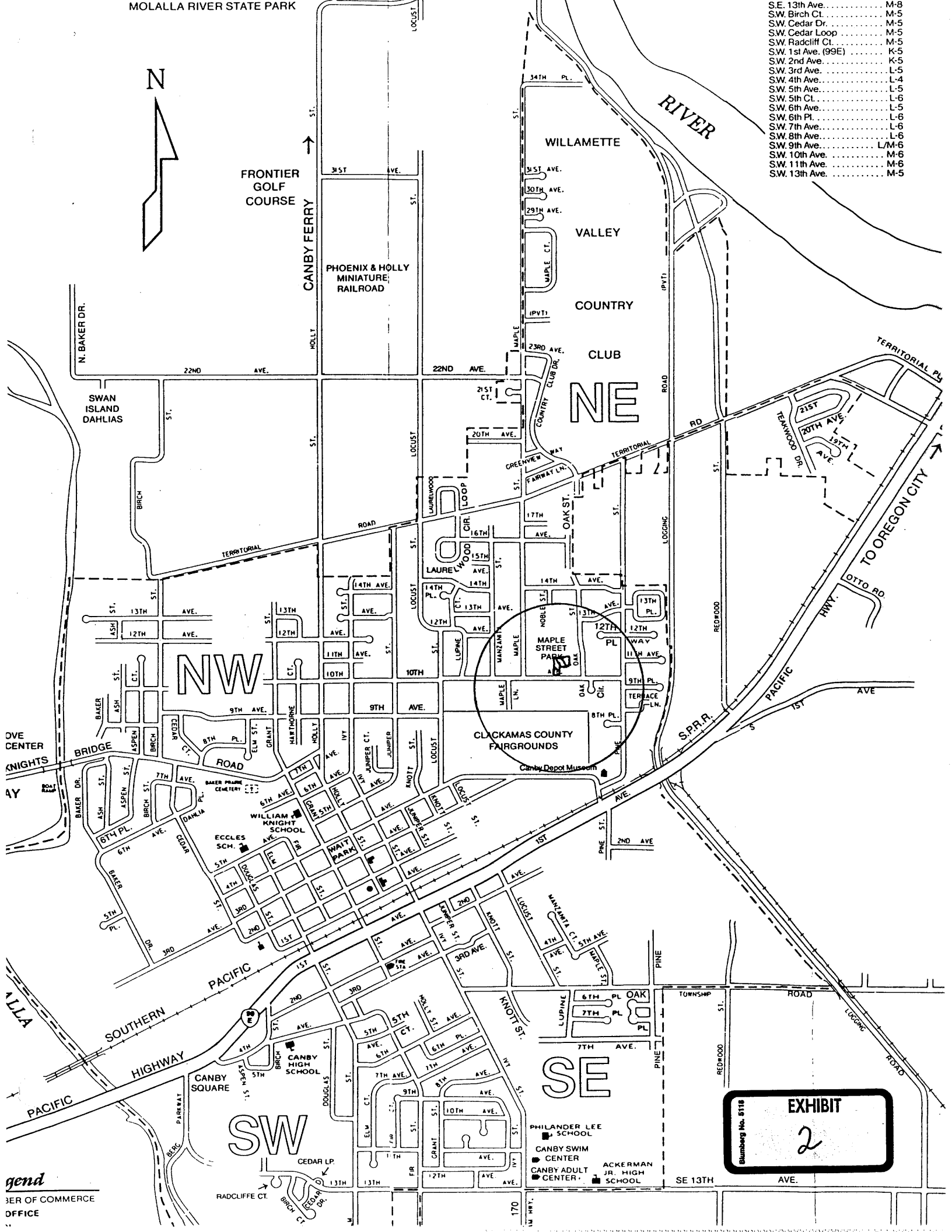
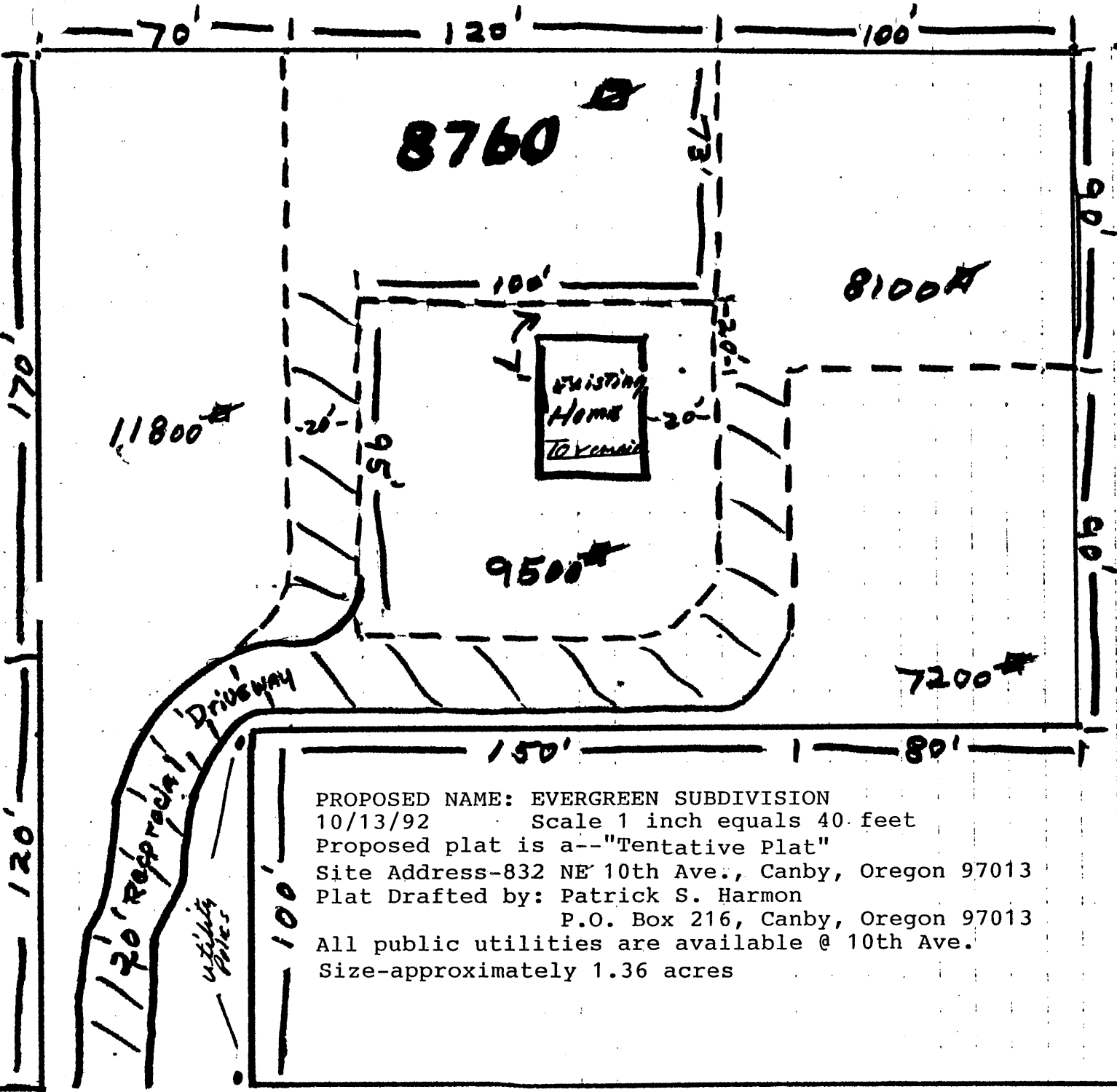


EXHIBIT
 2
 Blumberg No. 5118

North ↑

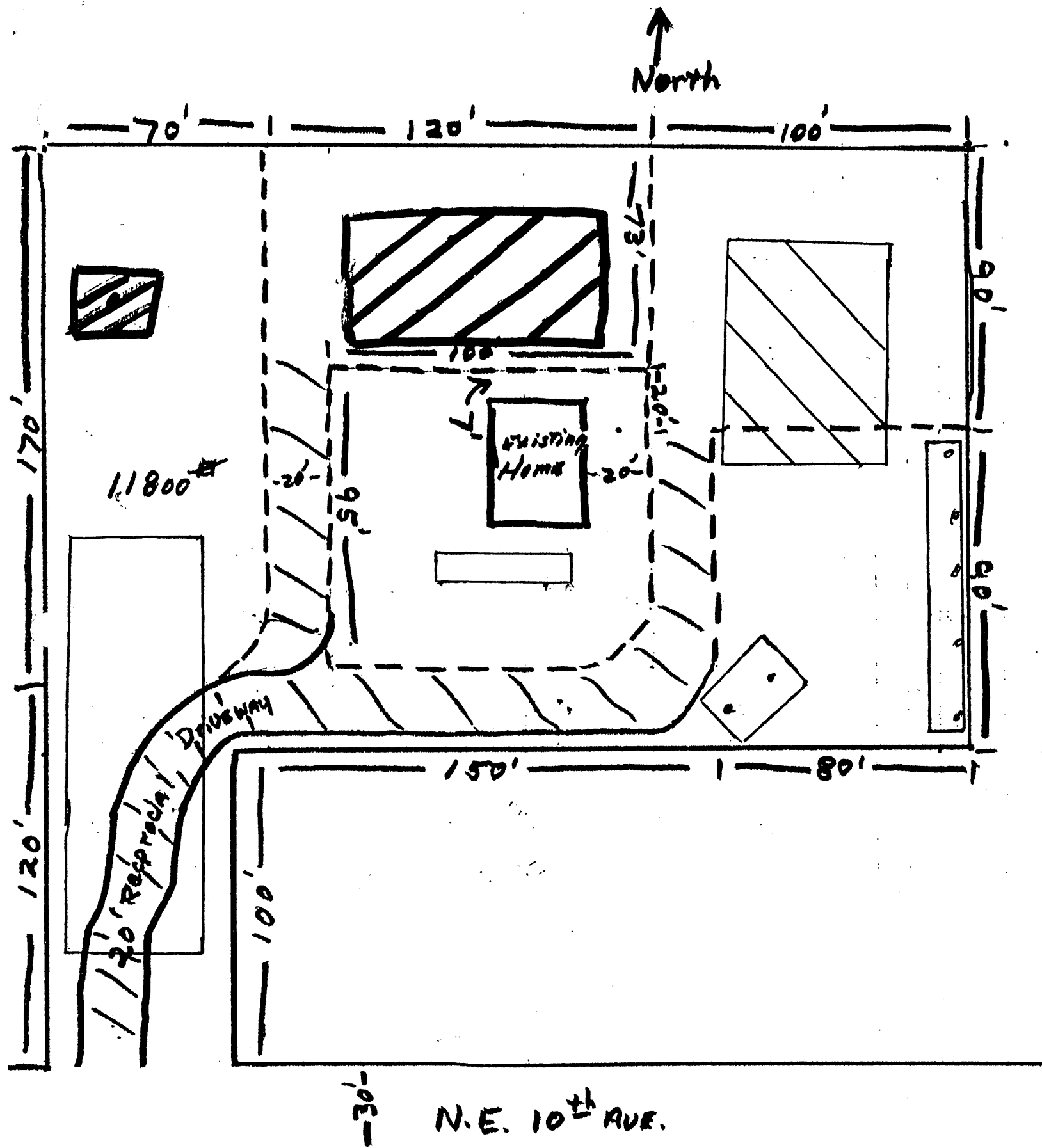




PROPOSED NAME: EVERGREEN SUBDIVISION
 10/13/92 Scale 1 inch equals 40 feet
 Proposed plat is a--"Tentative Plat"
 Site Address-832 NE 10th Ave., Canby, Oregon 97013
 Plat Drafted by: Patrick S. Harmon
 P.O. Box 216, Canby, Oregon 97013
 All public utilities are available @ 10th Ave.
 Size-approximately 1.36 acres

30'-
 N.E. 10th AVE.

• Fire Hydrant

Blumberg No. 6110
 EXHIBIT
 3
 2 pp



The areas marked  will be thinned or deleted for construction purposes.
 The only structure to be left will be the single family home
 The areas marked  will be left as except for alterations necessary for construction.

7sw
10/26/93

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, MIKE JORDAN, JOHN KELLY, ROY, SEWER, HIGH SCHOOL, ELEMENTARY SCHOOL

The City has received SUB 93-04, an application by Patrick S. Harmon for approval to develop a 1.36 acre parcel into a 5-lot subdivision, retaining the existing single family home on one lot. The property is located on the north side of N.E. 10th Avenue, east of N. Maple Street [832 N.E. 10th Avenue] (Tax Lot 2200 of Tax Map 3-1E-33AA).

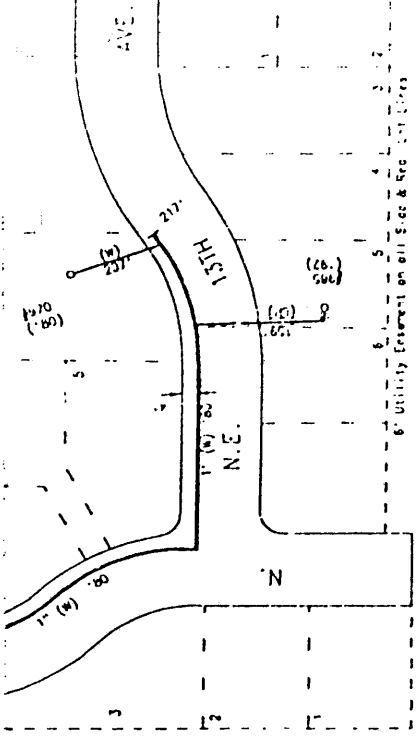
We would appreciate your reviewing the enclosed application and returning your comments by October 25, 1993 PLEASE. The Planning Commission plans to consider this application on November 8, 1993. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

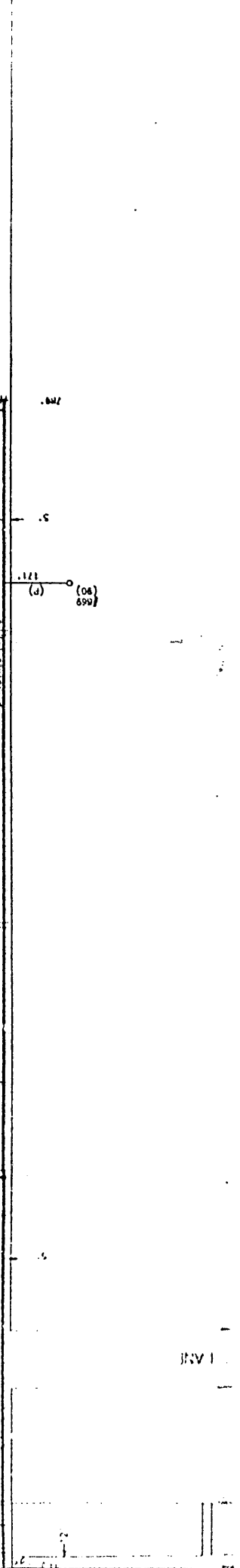
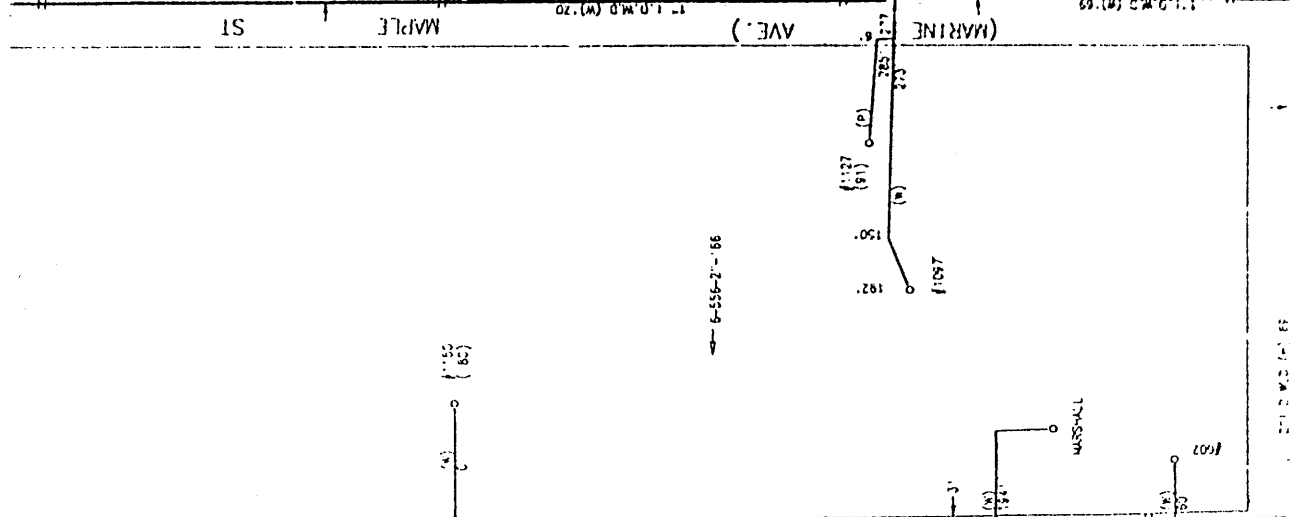
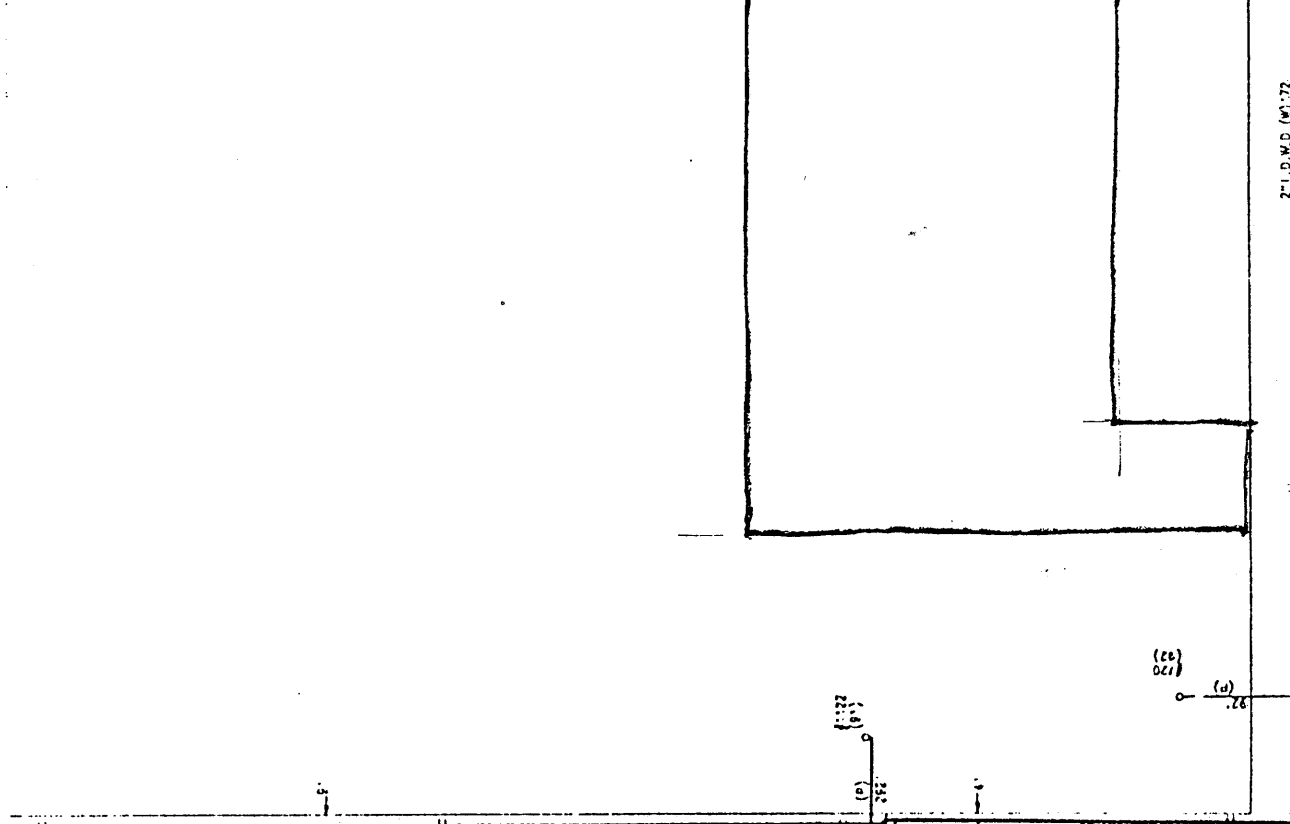
- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

EXHIBIT
4
6pp.
Blumberg No. 8118

Signature: Gary Hyatt Date: 10/25/93



Handwritten signature and number: *M* 65-28



10/18/93
JSC

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, MIKE JORDAN, JOHN KELLY, ROY, SEWER, HIGH SCHOOL, ELEMENTARY SCHOOL

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Comments or Proposed Conditions:

No parking shall be allowed in Driveway area.
Some type of turnaround shall be provided for Emergency vehicles on Lot # 8760, 8100, 7200.
Lot # 8100 is more than 250 feet from Fire Hydrant located on N.E. 10th, as per Flag lot regulations from this office, If dwelling is constructed on a Flag lot more than 250 from a hydrant, one shall be provided by the developer, see Attached sheet

- 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: Jack Stark Date: Oct. 25, 1993

January 24, 1992

To: Bob Hoffman

From: Canby Fire District #62

Subject: Flag lot regulations

Dear Bob,

Due to the amount of flag lots that have been developed in the past year, the Canby Fire District feels that the items listed below need to be addressed. The Fire District feels that if these items can be adopted, it will help insure proper access and fire protection to any future developments.

1. Driveways longer than 150 feet shall be provided with approved provisions for the turning around of fire apparatus.
2. If a dwelling is to be built on a flag lot and the building is more than 250 feet from a fire hydrant, a hydrant shall be installed at the entrance of the driveway from subject street. Hydrant shall be supplied by no less than a 6" water main, installed as per CUB specifications. Cost of installation of hydrant shall be the developer's responsibility.
3. Address for proposed dwelling shall be displayed at driveway entrance from street. Numbers for address shall be at least 3" in height.
4. The Canby Fire District request that when a flag lot is to be developed, this office be notified prior to the issuance of a building permit.

Please contact this office if you have any questions concerning the above items. Also, please be advised that the above items were taken from the 1991 Uniform Fire Code, which has been adopted by the City of Canby.

Sincerely,

Jack Stark
Canby Fire Marshal

JS/mlg

cc: File

PLEASE RETURN ATTACHMENTS!!!

762
10/20/93

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, MIKE JORDAN,
JOHN KELLY, ROY, SEWER, HIGH SCHOOL, ELEMENTARY SCHOOL

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Comments or Proposed Conditions:

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- Conditions are needed, as indicated
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Signature: S. Harmon Date: 10/25/93

PLEASE RETURN ATTACHMENTS!!!

72W
10/26/93

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

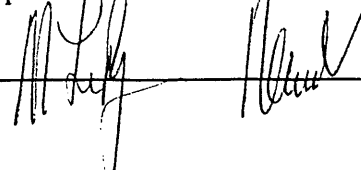
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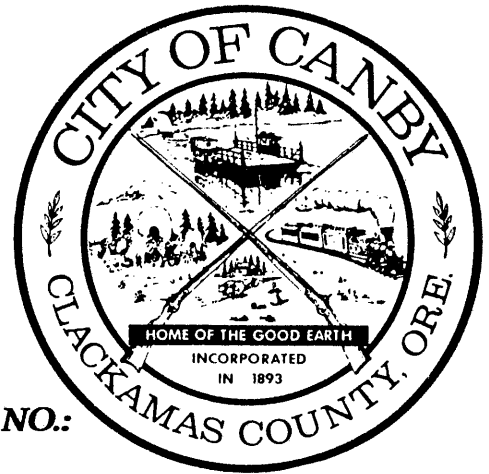
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- Conditions are needed, as indicated
- Adequate public services are not available and will not become available

Signature:  Date: 10/22/93

- STAFF REPORT -



APPLICANT:

John & Pat Watson
6 Othello
Lake Oswego, OR 97035-1906

FILE NO.:

ZC 93-02

OWNER:

John & Pat Watson

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lot 790 of Tax Map 3-1E-34C
and Tax Lot 2200 of Tax Map 3-1E-33DD

DATE OF REPORT:

October 29, 1993

LOCATION:

1111 S.E. 3rd Avenue, at the end of
S. Pine Street, south of S.E. 2nd Avenue

DATE OF HEARING:

November 8, 1993

COMP. PLAN DESIGNATION:

High Density Residential (Area of Special
Concern, Letter O)

ZONING DESIGNATION:

R-1 (Low Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to rezone 6.63 acres from Low Density Residential to High Density Residential to comply with the Comprehensive Plan land use designation.

II. APPLICABLE REGULATIONS

- City of Canby General Ordinances:

16.54 Amendments to the Zoning Map
16.88 General Standards

III. MAJOR APPROVAL CRITERIA

Amendments to the Zoning Map

16.54.040 - Standards and Criteria

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the City, giving special attention to Policy 6 of the Land Use Element and implementation measures therefor, and the plans and policies of the County, state and local districts in order to preserve functions and local aspects of land conservation and development;
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

IV. FINDINGS:

A. Background and Relationships:

The property under this proposal for a zone change is a part of the overall property that has been approved for a manufactured home park (CUP 92-10, DR 92-09). Tax lot 2200 of tax map 3-1E-33DD and tax lot 790 of tax map 3-1E-34C are currently zoned R-1. Tax lot 700 of tax map 3-1E-34C is currently zoned R-2. All three tax lots are included in the approved manufactured home park. A Site and Design Review application has been submitted for expansion of the manufactured home park by 6 home sites is currently under application and review with the City (DR 93-07).

B. Comprehensive Plan Consistency Analysis

i. Citizen Involvement

- **GOAL:** *TO PROVIDE THE OPPORTUNITY FOR CITIZEN INVOLVEMENT THROUGHOUT THE PLANNING PROCESS.*

ANALYSIS

The notification process and public hearing are a part of the compliance with adopted policies and process regarding citizen involvement. The County Assessor's office produced an updated list after the initial mailing to property owners within 200 feet of the application. Notices of the public hearing were sent out to the new owners or new addresses as soon as possible. To meet the 20-day notification requirement of the Oregon Revised Statutes for quasi-judicial land use applications, staff recommends that the public hearing regarding this matter be continued to the next Planning Commission meeting to allow full opportunity for public input. The public hearing, with testimony, can and should begin at the November 8th meeting.

ii. Urban Growth

- **GOAL:** *1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.*
- 2) TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITH IN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.*

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

ANALYSIS

The project is entirely within the City limits and within the Urban Growth Boundary. It fully meets the intent of Canby goals and policies regarding the Comprehensive Plan Urban Growth Chapter. The change in the zoning classification will not significantly increase demand for

public services. The majority of the property has already been approved for development, and the remaining land is under application for development that will not increase demand for public services.

iii. Land Use Element

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

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

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

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

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

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

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

A) A map of "Areas of Special Concern" is included at the back of [the Land Use] Plan Element. That map is to be regarded as having the full force and effect of the Land Use Map in determining appropriate land uses and levels of development. Development proposals, even those that appear to conform with existing zoning, will be considered to conform with the Comprehensive Plan only if they meet the requirements imposed here.

B) Specific characteristics of the Areas of Special Concern are as follows:

15. Area "O" includes several ownerships which are partially within the City limits and partially outside. All of area "O" is adjacent to S. Pine Street, an unimproved public road with a right-of-way of only twenty (20) feet. City sewer service is not yet available to the area. Presently zoned R-1, the area is anticipated to eventually be developed to higher residential densities. Development of area "O" could actually be connected with either the residential properties to its west or the area planned for industrial development to the east. In either case, area "O" will play an important part in the eventual improvement of S. Pine Street and the related public sewer improvements.

ANALYSIS

The property is currently zoned R-1 (Low Density Residential), which is a lower density designation than provided for on the Land Use Map of the Comprehensive Plan (High Density Residential). Land to the east and northeast is zoned M-1 (Light Manufacturing). Property to the north is zoned C-2 (Highway Commercial), however, the land is used for manufactured home parks. The land to the south and west is zoned R-2 (Medium Density Residential). The land to the west is used for a manufactured home park and the land to the south is partially vacant (very tentative plans for multi-family) and partially used for multi-family residences.

The application to change the zoning designation will have the practical effect of permitting expansion of the approved manufactured home park without a conditional use permit. Site and Design Review is still required and an application has been submitted for such a proposal. In light of the surrounding uses and the approved use of the majority of

the subject parcels, the review of the proposed use under the conditional use permit review process may well be superfluous. Thus, the zone change will have no real effect on the development potential of the property. The main purposes for the zone change is then to bring the zoning classification of the property in line with the Comprehensive Plan land use designations, and to remove unnecessary review of a land development proposal.

The proposal is in line with the purpose stated in the "Areas of Special Concern O". The "Area of Special Concern O" states that the land in this area is expected to be developed at higher densities. A concern over the condition of S. Pine Street is also mentioned in this section. A neighboring industrial use, Toolmec Industries Inc., has also stated a concern regarding the condition of S. Pine Street and the intersection of S. Pine and Highway 99-E. The zone change will have, at most, a minimal effect of the project density or traffic generation beyond what has been approved. There is currently a project unit cap on the park of 60 units, which is not being requested to be changed. Should a second entrance be provided in the park, as per the previous approval, the cap would be lifted. The accompanying proposal for six additional unit spaces would increase traffic only by the six units and only if the second entrance is provided. The zone change application itself will not affect the maximum number of unit spaces sought by the applicant as the same number of units would be permitted under the current zoning of R-1. Improvements to S. Pine have been proposed and will be required as a part of the development of the previously approved park.

iv. **ENVIRONMENTAL CONCERNS**

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

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

ANALYSIS

Changing the zoning classification will not affect the type of uses permitted on the property (beyond allowing a more dense use of residential dwelling, i.e. apartments). Goals presented in this element will be reviewed through the Site and Design Review process for any development other than a one- or two-unit residential unit development.

v. **TRANSPORTATION**

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

ANALYSIS

Changing the zoning classification will not affect the type of uses permitted on the property (beyond allowing a more dense use of residential dwelling, i.e. apartments). The accompanying application for Site and Design Review is requesting for an additional six unit sites for a manufactured home park. Such an application would be permitted with a Conditional Use Permit under the current zoning classification. Traffic and general transportation concerns are addressed through the Site and Design Review process regardless of the zoning classification. Therefore, the impact on transportation concerns as a result of the zone change will be negligible to non-existent.

vi. PUBLIC FACILITIES AND SERVICES

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

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

Policy #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

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

ANALYSIS

Improvements in public services to service the subject properties have already been planned for, and in the case of sewer, has been provided. The proposed use for the remaining portions of the subject properties will have, at most, a minimal effect on the demand for services. The services planned for and required as a part of the development of the previously approved manufactured home park will be more than adequate to handle the demand for services generated from the maximum potential of six additional units.

vii. ECONOMIC

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

ANALYSIS

The application for a change in the zoning classification will have minimal, if any, effect regarding the economic element's goals and policies. The proposed use is permitted under either the current zoning or the proposed zoning.

viii. HOUSING

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

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

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

Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the city.

Policy #5: Canby shall provide opportunities for mobile home developments in all residential zones, subject to appropriate design standards.

ANALYSIS

A change in the zoning classification, theoretically, would properly effect the policies of the housing element by allowing higher density housing (and therefore more affordable housing). In practice, the current zoning would be sufficient for the proposed action, as approval for the majority of the subject properties has been given for a manufactured home park.

ix. ENERGY CONSERVATION

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

ANALYSIS

The application for a change in the zoning classification will have minimal, if any, effect regarding the energy conservation element's goals and policies. The proposed use is permitted under either the current zoning or the proposed zoning.

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

The proposal to change the zoning classification of tax lot 2200 of tax map 3-1E-33DD and tax lot 790 of tax map 3-1E-34C from R-1 (Low Density Residential) to R-2 (High Density Residential) is found to be consistent with the goals and policies of the Canby Comprehensive Plan.

C. Consistency with Other Plans

There are no other known plans regarding the zoning classification of these properties.

D. Other Applicable Criteria

All public facilities and services necessary either exist or will be provided concurrent with the development of the area whether the zoning classification is R-1 (Low Density Residential) or R-2 (High Density Residential).

IV. CONCLUSION

The proposal to change the zoning classification of the subject properties to High Density Residential (R-2) from Low Density Residential (R-1) is appropriate in light of the Goals and Policies of the Comprehensive Plan, and is consistent Policy #6 of the Land Use Element and is consistent with the land use designation on the Comprehensive Plan Land Use Map. Furthermore, all public facilities and services necessary either exist or will be provided concurrent with the development of the area whether the zoning classification is R-1 (Low Density Residential) or R-2 (High Density Residential).

IV. RECOMMENDATION

Based on the findings and conclusions presented in this report, and without benefit of a public hearing, staff recommends that the application, ZC 93-02, to change the zoning classification of tax lot 2200 of tax map 3-1E-33DD and 3-1E-34C from R-1 (Low Density Residential) to R-2 (High Density Residential), be approved.

Exhibits:

1. Application
2. Vicinity Map

ZONE CHANGE APPLICATION

Fee: \$1000.00

600 *qsw*

OWNER

APPLICANT

Name JOHN & PAT WATSON

Name SAME

Address 6 OTHELLO

Address _____

City LAKE OSWEGO State OR Zip 97035-1906

City _____ State _____ Zip _____

SIGNATURE *John Watson*

Phone: 635-2040 JOHN-WORK 721-4666

DESCRIPTION OF PROPERTY:

Tax Map 3 1E 34C Tax Lot(s) 790 Lot Size 1.83 Ac.
3 1E 33DD 2200 (Acres/Sq. Ft.)
4.8 Ac.

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST

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

USE

Existing VACANT LAND w/1 HOUSE CURRENT ZONED R-1
Proposed MANUFACTURED HOME PARK & CHANGE ZONE TO R-2.

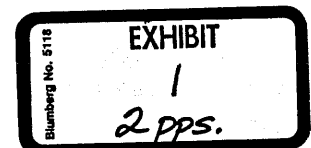
Existing Structures 1 HOUSE ON T/L 2200

PROJECT DESCRIPTION

SEE ATTACHED ZONE CHANGE APPLICATION PROJECT DESCRIPTION

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION R-2
PREVIOUS ACTION (if any) CUP 92-10 & DR 92-09

File No. ZC 93-02
Receipt No. 2534
Received by QSW
Date Received 10/12/93
Completeness Date 10/12/93
Pre-App Meeting _____
Hearing Date 11/8/93



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

ONE CHANGE APPLICATION PROJECT DESCRIPTION

This Zone Change Application, filed concurrently with the Site and Design Review Application, will bring T/L 790 (3 1E 34C), T/L 2200 (3 1E 33DD), and that portion of the recently vacated right-of-way lying between T/L's 790 and 2200, all currently zoned R-1, into compliance with the Comprehensive Plan.

A Conditional Use Application and Site and Design Review Application would have met the needs of the applicant and in full compliance with all proposed requirements of those two applications. However, the parcels would still not be in compliance with the current Comprehensive Plan which is an objective of the City Planning Staff to accomplish whenever possible. This Zone Change application, while somewhat more costly and time consuming for the applicant than the C.U.P, was mutually agreed upon between City Planning Staff and the applicant as a cooperative effort and carries the best long term benefits.

This application is not intended to alter, modify or otherwise change the existing conditions and findings related to CUP 92-10 or DR 92-09 currently existing on this property.

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



FRONTIER GOLF COURSE

CANBY FERRY

PHOENIX & HOLLY MINIATURE RAILROAD

WILLAMETTE VALLEY COUNTRY CLUB

RIVER

NE

NW

CLACKAMAS COUNTY FAIRGROUNDS

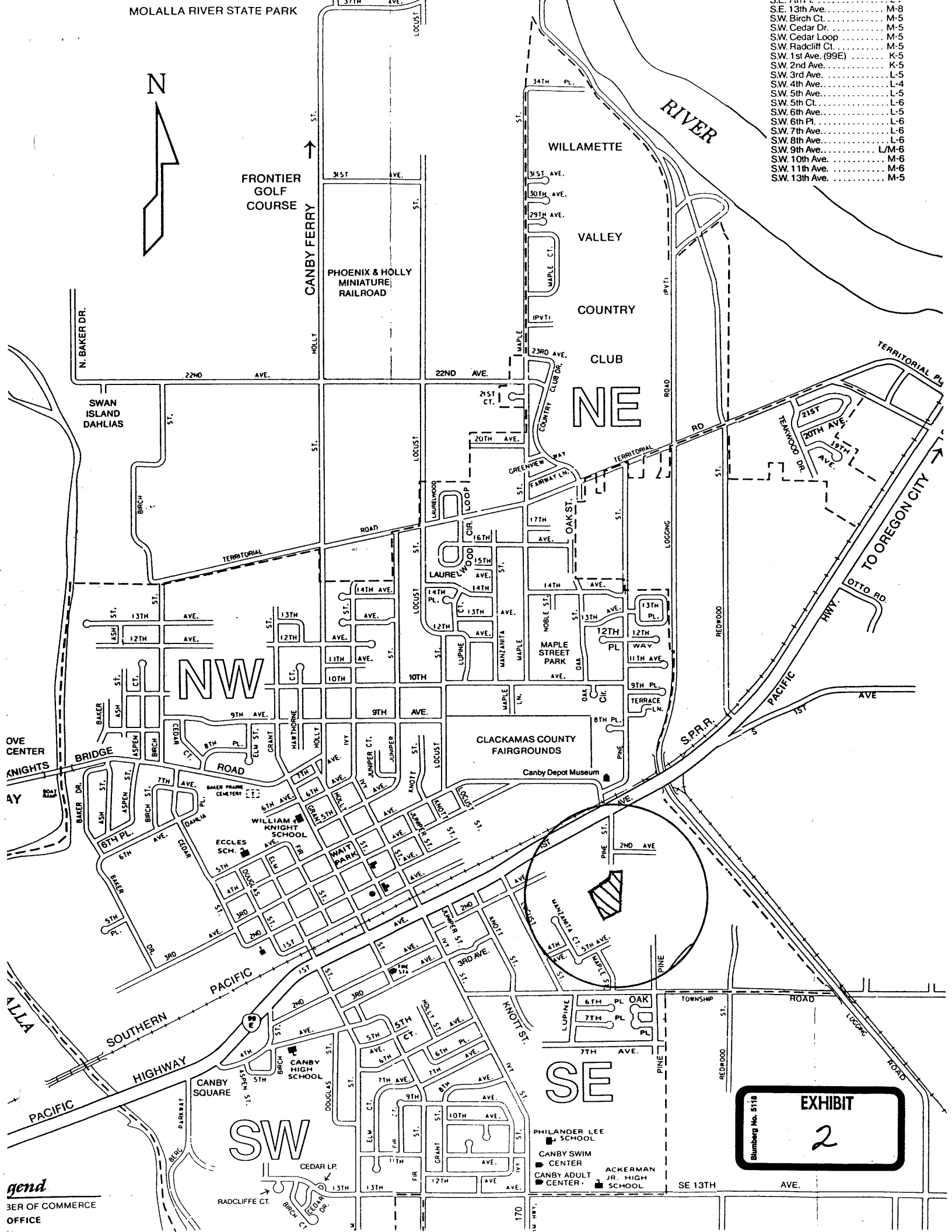
Canby Depot Museum

SE

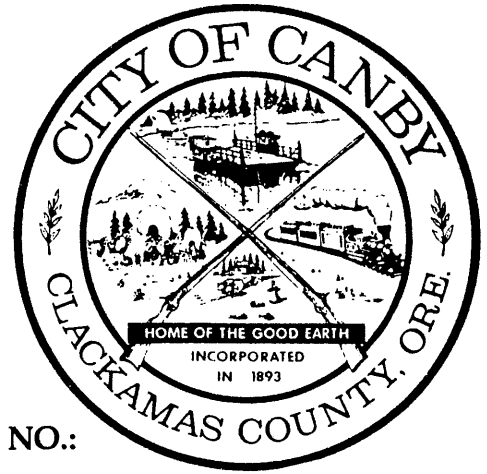
SW

EXHIBIT
2

Blumberg No. 5118



- STAFF REPORT -



APPLICANT:

John & Pat Watson
223 NW 2nd Street
Corvallis, OR 97330

FILE NO.:

DR 93-07

OWNER:

John & Pat Watson

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lots 700 and 790 of Tax Map 3-1E-34C
Tax Lot 2200 of Tax Map 3-1E-33DD

DATE OF REPORT:

October 29, 1993

LOCATION:

1111 S.E. 3rd Avenue, at the end of
S. Pine Street, south of S.E. 2nd Avenue

DATE OF HEARING:

November 8, 1993

COMP. PLAN DESIGNATION:

High Density Residential

ZONING DESIGNINATION:

R-1 (Low Density Residential)
Under application (ZC 93-02) to rezone
to R-2, High Density Residential

I. APPLICANT'S REQUEST:

The applicant is requesting approval of a Site and Design Review Application to expand an approved manufactured home park (CUP 92-10, DR 92-09) with an additional six manufactured home sites. The additional sites are still subject to the overall cap of sixty (60) permitted units in the park under the current design and ordinance. As originally designed, the right-of-way was located approximately 80 feet to the south of the northern property line. The result of this shift in the location of the right-of-way is that it has left vacant land between the right-of-way and the approved manufactured home park. This application is for the site and design layout of that vacant land.

II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

- 16.10 Off-Street Parking and Loading
- 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:

In 1992, the applicant applied for a conditional use permit (CUP 92-10) and design review (DR 92-09) approval for a 68-unit manufactured home park. In the approval, a condition was placed that without an ordinance change or a second access point for the park, the maximum number of units permitted in the park is 60 (condition #8 of DR 92-09). The approvals of the previous application were granted October 12, 1992 (CUP 92-10) and November 9, 1992 (DR 92-09).

The original approval did not have the location of the right-of-way for S.E. 3rd Avenue fixed. Since that time, the right-of-way has become fixed along the northern property line. This was a change from the original intentions for the location of the right-of-way. As originally designed, the right-of-way was located approximately 80 feet to the south of the northern property line. The result of this shift in the location of the right-of-way is that it has left vacant land between the right-of-way and the approved manufactured home park. This application is for the site and design layout of that vacant land.

B. Comprehensive Plan Consistency Analysis

i. CITIZEN INVOLVEMENT

- ***GOAL: TO PROVIDE THE OPPORTUNITY FOR CITIZEN INVOLVEMENT THROUGHOUT THE PLANNING PROCESS***

ANALYSIS

The notification process and public hearing are a part of the compliance with adopted policies regarding citizen involvement.

ii. URBAN GROWTH

- ***GOALS: 1) TO PRESERVE AND MAINTAIN DESIGNATED AGRICULTURAL AND FOREST LANDS BY PROTECTING THEM FROM URBANIZATION.***
- 2) ***TO PROVIDE ADEQUATE URBANIZABLE AREA FOR THE GROWTH OF THE CITY, WITHIN THE FRAMEWORK OF AN EFFICIENT SYSTEM FOR THE TRANSITION FROM RURAL TO URBAN LAND USE.***

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

ANALYSIS

The project is entirely within the City limits and within the Urban Growth Boundary. It fully meets the intent of Canby goals and policies regarding the Comprehensive Plan Urban Growth Chapter. All necessary urban services are provided for the site.

iii. LAND USE ELEMENT

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

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

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

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

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

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

- A) A map of "Areas of Special Concern" is included at the back of [the Land Use] Plan Element. That map is to be regarded as having the full force and effect of the Land Use Map in determining appropriate land uses and levels of development. Development proposals, even those that appear to conform with existing zoning, will be considered to conform with the Comprehensive Plan only if they meet the requirements imposed here.

B) Specific characteristics of the Areas of Special Concern are as follows:

15. Area "O" includes several ownerships which are partially within the City limits and partially outside. All of area "O" is adjacent to S. Pine Street, an unimproved public road with a right-of-way of only twenty (20) feet. City sewer service is not yet available to the area. Presently zoned R-1, the area is anticipated to eventually be developed to higher residential densities. Development of area "O" could actually be connected with either the residential properties to its west or the area planned for industrial development to the east. In either case, area "O" will play an important part in the eventual improvement of S. Pine Street and the related public sewer improvements.

ANALYSIS

The previous application for the manufactured home park (CUP 92-10, DR 92-09) required a conditional use permit as a part of it was zoned R-1 (Low Density Residential). That portion of the property is currently under application for rezoning to R-2 (High Density Residential). Under the R-2 zone, the application for expansion of the manufactured home park is not required to receive a conditional use permit. This application is being processed simultaneously with the zoning change application (ZC 93-02) and will be treated as if the zone change were approved and effected.

The portion of the land under application is along the northern boundary of the approved manufactured home park (Pine Crossing Manufactured Home Park) and to the east of Canby Manor Mobile Home Park. To the north, across S.E. 3rd Avenue right-of-way is vacant land that previously had a house on the land (the land was purchased by the City and the house leveled with the construction of the sewer line in the S.E. 3rd Avenue right-of-way). The zoning of the land to the north is R-1 (Low Density Residential) on the western half, and M-1 (Light Manufacturing) on the eastern half. The Comprehensive Plan gives a land use designation of Light Industrial for that portion which is currently vacant and zoned R-1. To the east is an orchard that is zoned M-1 (Light Industrial).

The buffering proposed and approved for the area between the park and the industrially zoned land in the original site and design review, a sight-obscuring, wood fence will border the park's perimeter, with landscaping provided along the parks S.E. 3rd Avenue frontage and a row of trees along S. Pine Street, south of S.E. Third Avenue, will be moved to the north to include this proposed expansion.

iv. **ENVIRONMENTAL CONCERNS**

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

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

TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.

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

Policy #3-R: Canby shall require that all existing and future development activities meet the prescribed standards for air, water, and land pollution.

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

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

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

ANALYSIS

On-site disposal of storm water will be required. No known hazards exist on the site. State and Local Code requirements regarding air, water, and noise pollution will be required of the development and construction. State laws and local regulations will require development to meet standards to prevent air, water, land and noise pollution.

v. TRANSPORTATION CONCERNS

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

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

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

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

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

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

Policy #7: Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles.

ANALYSIS

The expansion will bring the main entrance to the park back out to S.E. 3rd Avenue, where it was originally intended to be (instead of 80 feet south of the street). The location of the entrance in relation to S.E. 3rd Avenue will not change from the original approval design. The entrance will be as originally designed in the previous approval, except that it will be located on this expansion area next to the street. Street trees are being proposed for the property's northern frontage along S.E. Third Avenue. The trees proposed, Norway Maple - Cleveland II, are suitable as street trees.

There has been a concern raised by a neighboring landowner, Toolmec Industries Inc., regarding the condition of S. Pine Street and traffic at the intersection of S. Pine Street and Highway 99-E. A twenty foot paved roadway will be constructed for access until the main road is constructed by the City. The intersection is a part of the overall construction design of the industrial road. The expansion will not impact the amount of traffic generated by the park until a second access point is constructed. At that time (or if the ordinance is amended), the increase in traffic as a result of the expansion would be approximately 10%.

vi. PUBLIC FACILITIES AND SERVICES

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

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

Policy #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

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

ANALYSIS

With the improvements associated with the construction of the park (CUP 92-10, DR 92-09), all public facilities will be available for the proposal with adequate capacity. A fire hydrant will be needed at the main entrance to service the additional six home sites. Police, Fire, Water, and Electric services have adequate capacity to service this project.

vii. ECONOMIC

- ***GOAL: TO DIVERSITY AND IMPROVE THE ECONOMY OF THE CITY OF CANBY.
(NOT APPLICABLE)***

viii. HOUSING

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

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

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

Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the city.

Policy #5: Canby shall provide opportunities for mobile home developments in all residential zones, subject to appropriate design standards.

ANALYSIS

Manufactured homes are an integral part to the overall goal of providing an adequate variety of housing options to meet the needs of present and future Canby residents. As stated in the Analysis for the Land Use Element, the current ratio of lots approved for manufacture home units to lots approved for single family residential units (1:2) has not met the expectations of the Comprehensive Plan (1:1). This application does meet the goal and intent of the Comprehensive Plan to provide a needed type of housing within the City.

x. ENERGY CONSERVATION

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

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

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

Policy #3: Canby shall strive to increase consumer protection in the area of solar design and construction.

Policy #5: Canby shall continue to promote energy efficiency and the use of renewable resources.

ANALYSIS

City-adopted Solar Access Ordinance does not apply to this application. The State has rules which encourage energy conservation through design and construction methods.

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

Based upon the above described analysis, the proposal is hereby found to be consistent with the policies of the Comprehensive Plan.

D. Evaluation Regarding Site and Design Review Approval Criteria

1. General provisions for landscaping, 16.49.080.2.C. and 16.20.030.F.4.

At least 50% of the individual site area will be landscaped with vegetative matter. Overall, approximately 40% of the land of the expansion area will be landscaped. The minimum requirement is 30% for developments in residentially zoned land.

The total site development potential as designed, including the expansion, is 74 units. Based on this figure, 11,100 square feet of open area/recreation space is required. The expansion area itself will not have any additional open area/recreation space. However, the approved park will have approximately 11,400 square feet in one open area, and one recreation space. Both areas are at least 3,750 square feet in size.

2. Parking

The parking requirement is two (2) spaces per unit, which will be provided on each home site.

3. Access

Access will be from the private access road. A driveway will provide access to the individual lots, three sites per driveway. A break in the landscaped center island of the main access road will be provided. The sidewalks along S.E. Third Avenue and S. Pine Street will be inset by five feet, with the street trees in between the sidewalk and the street. It is not clear on the site plan provided by the applicant whether or not there is sufficient room along S. Pine Street for a five foot landscaped strip of land between the curb of S. Pine Street and the sidewalk. The proposed fence will need to be set in another five feet to accommodate the sidewalk and street trees along S. Pine Street, if it hasn't already been done.

In the approval of the original park, 68 sites were proposed. Because of access limitations, only 60 units were approved under the current access configuration and ordinance. Should the ordinance be amended in such a way as to permit more units for the given size of access, or should a second access point be provided, as allowed in the previous approval, the total of 74 sites would be permitted. Without those changes, 60 units is still the maximum number of units possible, even with approval of this expansion. The result, without the changes mentioned, will be 74 sites with 60 units.

In the approval of the original park, sites 3-10 were prohibited from having homes placed on them until the access situation changed in a way that would permit the necessary higher number of units for the park. As a result of experience with the siting process in the Village on the Lochs Manufactured Home Park, staff believes that stating a maximum number of units for the overall park without relation to any specific sites will be workable. Because sites 3-10 are adjacent to the industrial area, and more importantly, because the location of the second access point would be in the area of these sites, staff believes that the restriction against placing homes on these sites should remain in effect. Furthermore, because of the reason stated at the beginning of this paragraph, staff recommends that a maximum number of 60 units be placed on the remaining park without regard to any other specific site(s). Thus, it would be the choice of the park management and the homeowners which sites would not have a home until the access situation is remedied.

4. Architecture

The entrance sign and the fence/wall that will be placed at the entrance are of the same material and design as approved in DR 92-09, they are

merely being relocated to the front of the expansion area. The individual homes will be of the same general design and make as of those homes that will be placed in the main park area.

5. Landscaping, General

There are three different landscaped areas within this portion of the overall project: public streets, entry way, and individual lots.

Public Streets: Norway Maple, Cleveland II variety (which is 'solar friendly') will be used for the street trees, including the additional trees for S. Pine Street. The ground cover will be grass. The trees and grass will be in between the sidewalk and the street. A wood fence, with brick post, will be placed adjacent to the entry way. The wood fence along the original approvals northern boundary will not be constructed. The fence is, in essence, moved to the expansion area's northern boundary.

Entry way: The entry way covers both the islands and the border along the streets. The island will be landscaped slightly differently than the previously approved plan. The groundcover will be St. Johnswort instead of grass and kinnikinnick, and there will be laurels on both islands and euonymous on the northern island. The previous approval proposed holly bushes. The sign was covered in the above section, under Architecture. The remaining entry way landscaping includes kinnikinnick ground cover and euonymus, azalea, viburnum, and mugo pine bushes. This landscaping will front the entry brick wall and continue down the entry way. Two plum trees will border the entry way on each side of the access drive, at each island. A total of 8 trees will be planted along the entry way.

Individual Lots: The remaining area to be landscaped is fully within each of the individual home sites. The applicant is proposing to allow the home owner to chose the landscaping for the site. Originally, home sites could be subject to no more than 30% allowed to be bark chips, however the landscaping requirements now call for a limit of 5% of the

landscaped area to be in bark dust or similar material. These six sites will have more restrictive landscaping requirements in regards to non-vegetative matter than that of the sites in the remaining portion of the park. The result will be that no less than 45% of the overall site will be landscaped with green vegetation, and no more than 2.5% will be in bark chip.

7. Overall Site Impact

The impact of the site as a result of the expansion will be, essentially, to move the entry way out to the street, where it was originally intended to be. The conditions of approval of the original park should apply to the expansion, unless specifically noted otherwise. This would include such things as size of units in the park, tie-downs, park rules, size of patios, postal and school routing plans, etc. Something that was overlooked in the original application and review is the fact that there are three separate tax lots and the tax lot lines may divide a home site, thus creating a problem with the setback requirements found in the building code. The resolution of this problem is found in the relatively simple process of combining the three tax lots into one tax lot, a process (call a 'cancel and combine process') conducted through the County.

V. CONCLUSION

The staff hereby determines that, with appropriate conditions, the expansion of the Pine Crossing Manufactured Home Park described in the application and site plan, 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 requirements and policies of the Comprehensive Plan and the development ordinance;
2. the characteristics of the site are suitable for the proposed use;
3. that all required public facilities and services exist (or can be made to exist at the time of development) to adequately meet the needs of the proposed office;

4. the proposed use will not alter the character of the surrounding areas in such a way as to substantially limit or preclude the uses allowed; and
5. 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.

V. 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, with conditions, DR 93-07 for an expansion of Pine Crossing Manufactured Home Park. Furthermore, staff recommends approval of DR 93-07 with the following conditions:

1. The approval of the Site and Design Review is not effective until the Zoning Change Application, ZC 93-03, has been approved by the City Council.
2. The conditions of approval for DR 92-09 and CUP 92-10 apply to this application, except where specifically mentioned otherwise.
3. The three separate tax lots shall be combined (cancel and combine process with the County) prior to the placement of any homes.
4. A fire hydrant shall be placed at the entrance to the park to service the six additional sites. The hydrant shall meet the standards of the Canby Utility Board and the Fire Marshall.
5. The changes that this application will affect in the stormwater and utility systems as designed in the approval of the main park shall be incorporated into the overall plans. Changes in the system requirements of the utilities shall be approved by the appropriate utility service providers.
6. The portion of the manufactured home site that is to be landscaped (at least 1600 square feet) shall include no more than 5% bark dust or similar material at the time of maturity of the landscape (3 years).
7. A maximum number of 60 units shall apply to the park overall. Homes are not permitted on sites 3-10 of the original approval. These restrictions apply until a second access point is constructed, and/or the ordinance is amended to allow a minimum of 74 units with the access as provided for in these plans.

Exhibits:

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

SITE AND DESIGN REVIEW APPLICATION

Fee: \$500

OWNER Name JOHN & PAT WATSON APPLICANT Name SAME
Address 6 OTHELLO Address
City LAKE OSWEGO State OR Zip 97035-1906 City State Zip
Phone: 635-2040 JOHN-WORK 721-4666
SIGNATURE John Watson

DESCRIPTION OF PROPERTY:

Tax Map 3 1E 34C Tax Lot(s) 700 & 790 Lot Size 40,000 Sq. Ft. (Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)
Plat Name Lot Block

PROPERTY OWNERSHIP LIST

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

USE

Existing VACANT
Proposed MANUFACTURED HOME PARK.

Existing Structures NONE

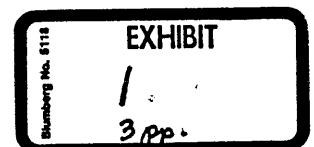
Surrounding Uses VACANT M1 & R2, FILBERT ORCHARD, MANUFACTURE HOME PARKS, APARTMENTS

PROJECT DESCRIPTION
SEE ATTACHED SITE AND DESIGN REVIEW APPLICATION PROJECT DESCRIPTION

ZONING R2 COMPREHENSIVE PLAN DESIGNATION R2

PREVIOUS ACTION (if any) CUP 92-10, DR 92-09,

File No. DR 93-07
Receipt No. 2534
Received by JSW
Date Received 10/2/93
Completeness Date 10/2/93
Pre-Ap Meeting
Hearing Date 11/8/93



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

ITE AND DESIGN REVIEW APPLICATION PROJECT DESCRIPTION

This Site and Design Review Application is largely an amendment to CUP 92-10 and DR 92-09, and is not intended to alter, modify or change the existing conditions and findings of CUP 92-10 or DR 92-09 currently existing on this property. For the most part, all the landscape, fence and other site treatment were reviewed as part of DR 92-09 in August/September of 1992. It is the applicant's request and intention that all conditions, submittals, agreements and findings pertaining to CUP 92-10 and DR 92-09 are applicable to this application.

This application is brought about by the City of Canby's decision in mid-1993 to relocate a portion of the proposed S. Pine St. after complete review, approval and adoption of CUP 92-10 and DR 92-09, and the applicant's desire to utilize that portion of their property which was affected by the City initiated relocation.

The relocation was reportedly necessitated by a number of factors. Either prior to or concurrent with a dedication for street and utility services, the City of Canby had agreed verbally, in writing, and as a stated finding and condition in DR 92-09, to initiate a vacationing of a certain right-of-way. For reasons not known, the vacationing process was never initiated by the Director of Public Works, even after numerous and repeated applicant requests spanning the several months from approval of DR 92-09 and Permit Application (Sept/Oct, 1992) and through January, 1993. This reportedly left insufficient time to allow the vacationing process to be completed in time to meet the construction schedule for the new sewer service planned for the area and needed for the new school. There was also a reported problem with the proposed street alignment east of the applicants property.

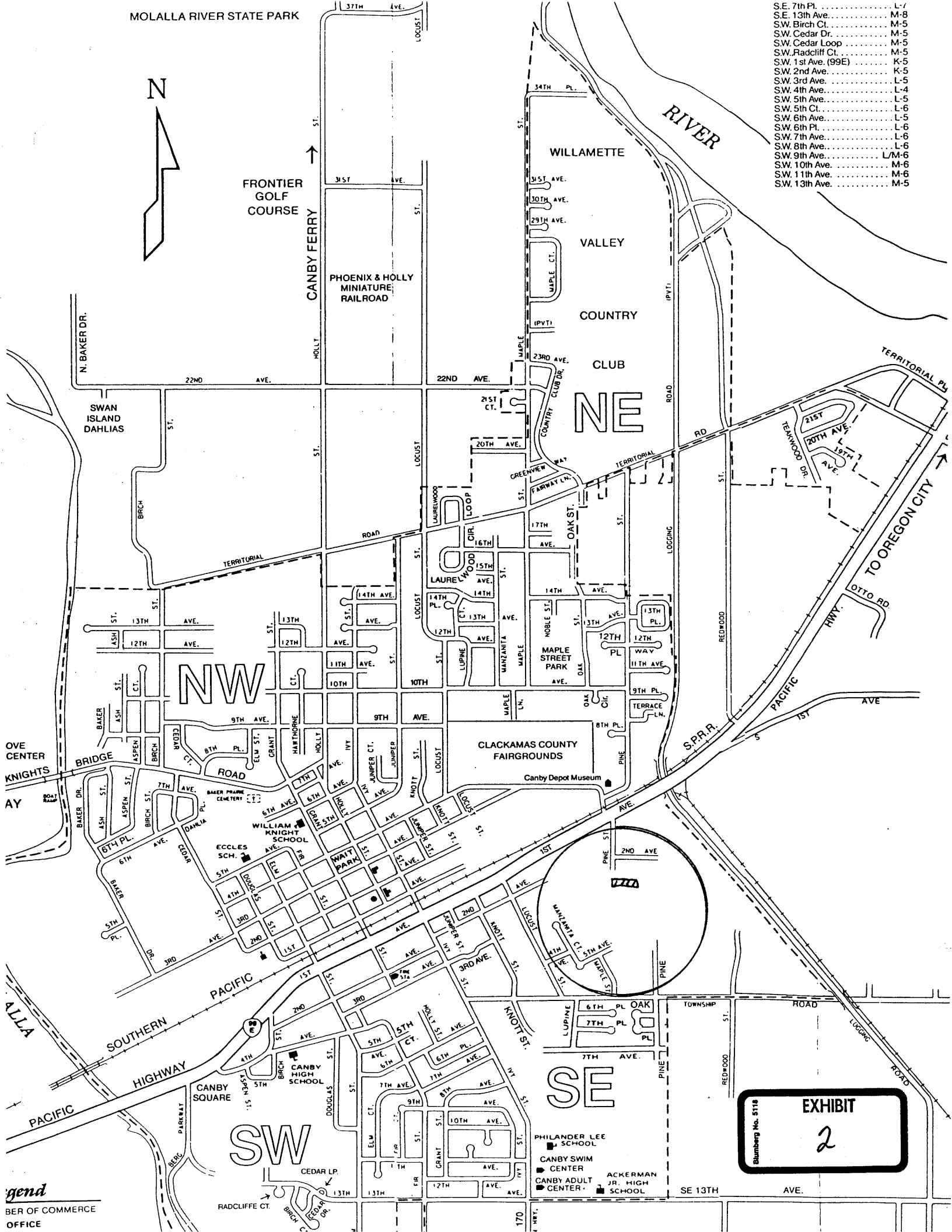
The City initiated street relocation created an parcel of property previously not included in the prior CUP and DR applications, but would naturally and reasonably been included had this revised configuration been known at that time. The applicant, after learning of the City's street relocation, requested they be allowed, either at a staff or Planning Commission level, to revise the original and already approved site plan by basically "fracturing" it in the middle and shifting the already approved northerly street and entrance area along with the street relocation, and inserting additional homes spaces, about one on each street, where the fracture would have occurred.

This proposal and request would have produced no detectable or visible changes to the project design beyond that which was already approved in CUP 92-10 and DR 92-09, with the exception of some additional internal units of identical design and make-up of the unit spaces already approved. Also, the "moratorium" or conditions applying to any units above the density of 60 units would have remained in effect until such time the alternate access is provided, or the Ordinance restricting the number of units that can access the project through a private drive is modified. This request, which would have averted any new or formal applications and greatly reduced utilization of applicant and City resources, was denied.

Multiple options have been considered and discussed with City Planning Staff. These options have included partitioning, single family homes, duplexes, multiplexes, and lots for manufactured homes. In each case, City planning staff has indicated a denial recommendation would result from any plan which proposed access points to proposed dwellings onto what will become SE 3rd Ave. The applicant interprets these access points are allowed within existing Ordinances provided the stipulated distances from intersections are maintained, which can be done. The applicant does share some of the concern for accessing a "collector" street and does not wish to propose plans which might carry a denial recommendation from planning staff. With all considered, the current application for Design Review is being submitted as possibly the best solution and compromise.



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



Blumberg No. 5118
EXHIBIT
 2

QSW
10/26/93

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, HIGH SCHOOL, ELEMENTARY SCHOOL, MIKE JORDAN, JOHN KELLY, ROY, SEWER

The City has received DR 93-07, an application by John and Pat Watson for site and design review approval of an additional 6 manufactured home sites in the Pine Crossing Manufactured Home Park. The parcel is located on the east and west sides of S. Pine Street, south of Highway 99-E (Tax Lot 790 of Tax Map 3-1E-34C and Tax Lot 2200 of Tax Map 3-1E-33DD).

We would appreciate your reviewing the enclosed application and returning your comments by October 25, 1993 PLEASE. The Planning Commission plans to consider this application on November 8, 1993. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

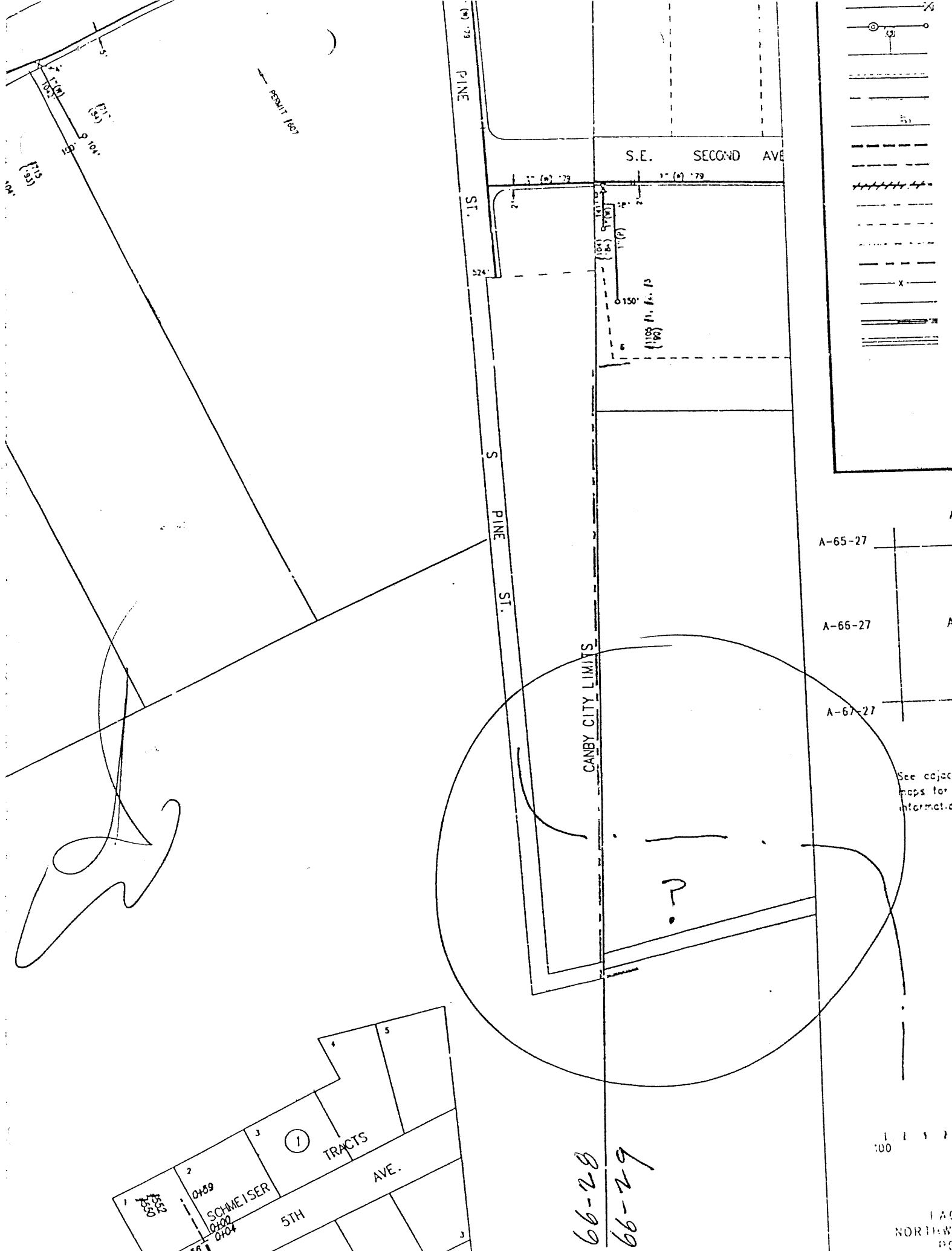
Comments or Proposed Conditions:

- 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

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66-29

Blumberg No. 8118	EXHIBIT
	4
	5 pp.

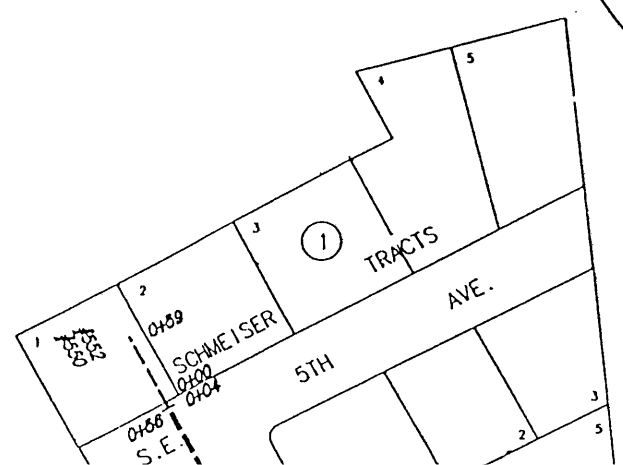
Signature: Gary F. Hyatt Date: 10/25/93



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A-67-27	A

See adjacent maps for more information



66-28
66-29

1 2 3 4 5
:00

FACI
NORTHWEST
PORT

BW
10/20/93

PLEASE RETURN ATTACHMENTS!!!

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DATE: October 18, 1993

TO: FIRE POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, HIGH SCHOOL, ELEMENTARY SCHOOL, MIKE JORDAN, JOHN KELLY, ROY, SEWER

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Comments or Proposed Conditions:

Install Fire Hydrant at entrance of complex off of SE Pine to provide protection to the additional Homes in this design review.

- 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: *Jack Stark* Date: *Oct 25, 1993*

JSW
10/26/93

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, HIGH SCHOOL, ELEMENTARY SCHOOL, MIKE JORDAN, JOHN KELLY, ROY, SEWER

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

Signature: Steve Johnson Date: 10/25/93

95W
10/26/93

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

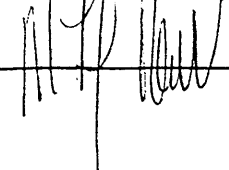
TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, HIGH SCHOOL, ELEMENTARY SCHOOL, MIKE JORDAN, JOHN KELLY, ROY, SEWER

The City has received DR 93-07, an application by John and Pat Watson for site and design review approval of an additional 6 manufactured home sites in the Pine Crossing Manufactured Home Park. The parcel is located on the east and west sides of S. Pine Street, south of Highway 99-E (Tax Lot 790 of Tax Map 3-1E-34C and Tax Lot 2200 of Tax Map 3-1E-33DD).

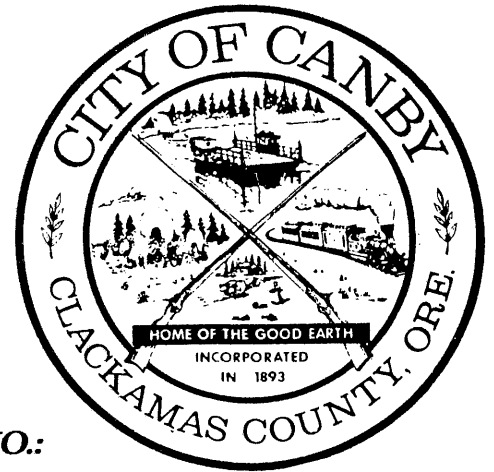
We would appreciate your reviewing the enclosed application and returning your comments by October 25, 1993 PLEASE. The Planning Commission plans to consider this application on November 8, 1993. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

- 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: 10/22/93

- STAFF REPORT -



APPLICANT:

Brad and Karen Robert
279 N.E. 9th Avenue
Canby, OR 97013

FILE NO.:

MLP 93-06

OWNER:

Same

STAFF:

Robert G. Hoffman, AICP
Planning Director

LEGAL DESCRIPTION:

Tax Lots 9100 and 9500
of Tax Map 3-1E-33BD

DATE OF REPORT:

October 29, 1993

LOCATION:

South side of 9th Avenue,
east of S. Pine

DATE OF HEARING:

November 8, 1993

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1 - Low Density Residential

I. APPLICANT'S REQUEST:

The applicant is requesting approval to partition a 0.59 acre parcel into three parcels, 0.19 acres, 0.16 acres, and 0.23 acres, respectively. The intention is to retain the single family house on Parcel #1, and to partition Parcel #2 and Parcel #3 for future development. A 10 foot public walkway easement is proposed to connect Knott to 9th Avenue.

II. APPLICABLE CRITERIA:

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

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

III. OTHER APPLICABLE CRITERIA

- A. 16.16.030 Development Standards in R-1 Zones
- B. 16.56 General Provisions (for land divisions)
- C. 16.60 Major or Minor Partitions
- D. 16.62 Subdivisions - Applications
- E. 16.64 Subdivisions - Design Standards

IV. FINDINGS:

A. Location and Background

The subject property is identified on the Clackamas County Assessor's Map as Tax Lots 9100 and 9500 of Tax Map 3-1E-33BD. It is located on the south side of N.E. 9th Avenue, at N. Knott Street. The property consists of approximately 0.59 acres. There is approximately 128 feet of frontage along N.E. 9th Ave. The entire parcel is zoned R-1, Low Density Residential Land Use. The existing single family residence will remain on proposed Parcel #1. The end of Knott Street would be finished and a walkway provided between Knott and 9th Avenue.

B. Comprehensive Plan Consistency Analysis

i. Citizen Involvement

■ GOAL: TO PROVIDE THE OPPORTUNITY FOR CITIZEN INVOLVEMENT THROUGHOUT THE PLANNING PROCESS.

ANALYSIS

The notification process and public hearing are a part of the compliance with adopted policies and process regarding citizen involvement.

ii. Urban Growth

ANALYSIS

The project is entirely within the City limits and within the Urban Growth Boundary. The project meets the intent of Canby goals and policies regarding the Comprehensive Plan Urban Growth Chapter.

iii. Land Use Element

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

- Policy #1 Canby shall guide the course of growth and development so as to separate conflicting or incompatible uses, while grouping compatible uses.
- Policy #2 Canby shall encourage a general increase in the intensity and density of permitted development as a means of minimizing urban sprawl.
- Policy #3 Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.
- Policy #5 Canby shall utilize the land use map as the basis of zoning and other planning or public facility decisions.

ANALYSIS

The property is zoned R-1, which is consistent with the land use map of the Comprehensive Plan. The property is currently used for a single family residence. The proposed Parcels 2 and 3 of the partition are intended to be developed with low density residential uses. The proposed use is consistent with uses permitted outright in the zone. The size of Parcel 1 proposed in the partition is intended to be large enough to accommodate the single family residence and to permit the proper setback distances for the existing single family residence. Parcels 2 and 3, are large enough to permit a development with a single family house on each new lot.

There are residential uses adjacent to the subject parcel on four sides. The uses appear to be compatible.

iv. Environmental Concerns

- **GOAL:** *1) TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES.*
- 2) TO PREVENT AIR, WATER, LAND, AND NOISE POLLUTION. TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS.*

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

- Policy #3-R Canby shall require that all existing and future development activities meet the prescribed standards for air, water and land pollution.
- Policy #4-R Canby shall seek to mitigate, wherever possible, noise pollution generated from new proposals or existing activities.
- Policy #7-R Canby shall seek to improve the overall scenic and aesthetic qualities of the City.
- Policy #8-R Canby shall seek to preserve and maintain open space where appropriate, and where compatible with other land uses.

ANALYSIS

On-site disposal of storm water will be required of any development. The predominant soil is Canderly loam, which is suitable for building sites. State and Local Code requirements regarding air, water, and noise pollution will be required of the development and construction. State laws and local regulations will require development to meet standards to prevent air, water, land and noise pollution.

v. Transportation

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

- Policy #1: Canby shall provide the necessary improvement to City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.
- Policy #2: Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the city's growth needs.
- Policy #4: Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.

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

ANALYSIS

Access for proposed Parcels 1 and 2 will be from N.E. 9th Avenue. Access for proposed Parcel 3 will be from N. Knott Street.

A sidewalk will be needed across the full frontage of the subject parcels. N. Knott Street ending needs to be finished and a bike path/walkway connection should be provided between Knott and N.E. 9th Avenue. The turnaround at the end of Knott should be finished and made permanent. Continuance of Knott Street to 9th Avenue is not considered necessary. Only a half street could be required now, and it is doubtful if it could ever be finished without major cost to the City.

vi. Public Facilities and Services

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

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

Policy #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

ANALYSIS

All public facilities are available for the proposal with adequate capacity in the general vicinity. Utility easements will need to be provided around the partitioned lots to allow for utility services to be provided to surrounding lots. The water main, sewer line, water line, and fire hydrants will need to be extended to the subject parcel as a part of the development of proposed Parcels 2 and 3.

vii. Economic

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

Policy #2: Canby shall encourage further commercial development and redevelopment at appropriate locations.

Policy #3: Canby shall encourage economic programs and projects which will lead to an increase in local employment opportunities.

ANALYSIS

The partition of the land will facilitate the further commercial and industrial development in this area of Canby through additional housing opportunities.

viii. Housing

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

ANALYSIS

The partition of the subject property will provide housing development.

ix. Energy Conservation

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

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

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

Policy #3: Canby shall strive to increase consumer protection in the area of solar design and construction.

Policy #5: Canby shall continue to promote energy efficiency and the use of renewable resources.

ANALYSIS

The Solar Access Ordinance will apply to the development of each of the new parcels. The State has rules which encourage energy conservation through design and construction methods. The lots fronting on 9th Avenue meet the solar requirement, having a north-south orientation. The parcel fronting on Knott Street needs a covenant that the house will meet the "performance option: of the solar ordinance.

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

Based upon the above described analysis, the proposal, including the conditions, is consistent with the policies of the Comprehensive Plan.

C. Overall Design of Parcels

The configuration of the partition will allow for proper setback distances for residential construction on both parcels, and will provide sufficient setback distances for the existing building on Parcel 1. Each lot exceeds the 60 foot minimum width requirements. The applicant is proposing to provide access to Knott and two access points to N.E. 9th Avenue. The walkway/bike path would provide needed connection between N.E. 9th Avenue and N. Knott Street.

V. CONCLUSION

1. Staff finds that the partition request, with appropriate conditions, is in conformance with the Comprehensive Plan and the Municipal Code.
2. Staff concludes that the overall design of the proposed partition will be compatible with the area and will provide adequate building area for the provision of public facilities and services for the lots.

3. Staff concludes that, with appropriate conditions, the overall design and arrangement of the proposed parcels are functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
4. Staff concludes that all necessary public services will become available through the development of the property, to adequately meet the needs of the proposed land division.

VI. RECOMMENDATION

Based upon the findings and conclusions in this report, and without benefit of public hearing, staff recommends approval of MLP 93-06, subject to the following conditions:

For the Final Partition Plat:

1. A final partition plat modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition plat shall reference this land use application -- City of Canby, Planning Department, File No. MLP 93-06.
2. The final partition plat shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. Said partition map shall be recorded with the Clackamas County Surveyor and Clackamas County Clerk, and a copy of the recorded map shall be provided to the Canby Planning Department.
3. All monumentation and recording fees shall be borne by the applicant.
4. Construction of the end of S. Knott Street and turnaround on S. Knott Street shall be completed to the satisfaction of the Public Works Director and the Fire Marshal. The paving of the 10 foot walkway/bike path, shall include a barrier at each end to prevent motorized vehicles. If not completed prior to final plat, these improvements may be bonded.
5. Permanent utility construction and maintenance easements including, but not limited to, electric and water cables, pipeline conduits and poles shall be provided as follows:

6 feet in width along interior lot lines; and,

12 feet in width along exterior lot lines, except where adjacent to another easement of at least 6 feet.

6. The 10 foot public walkway/bike path easement shall be indicated on the plat.
7. A 20' x 20' area shall be added to the end of S. Knott Street to complete the full right-of-way.

Prior to the issuance of a building permit for Parcel 1 or 2:

8. A new deed and legal description for the new parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
9. All utilities, including water and fire hydrants, must meet the standards and criteria of the providing utility authority.

Prior to the Issuance of a Final Inspection of the Building Permit or a Certificate of Occupancy on Each Lot:

10. Sidewalks across the full street frontage at each lot shall be provided.
11. Ample access to the lot on S. Knott Street shall be provided to the satisfaction of the Fire Marshal.

Exhibits:

1. Application
2. Vicinity Map
3. Partition Plat
4. Request for Comments

/mlp/9306.rpt

MINOR LAND PARTITION APPLICATION

Fee: \$600.00

OWNER

APPLICANT

Name Brad and Karen Roberts
Address 279 E. 9th Avenue
City Canby State OR Zip 97013
Signature:

Name Brad and Karen Roberts
Address 279 E. 9th Avenue
City Portland State OR Zip 97013
Phone: 263-6959

DESCRIPTION OF PROPERTY:

Tax Map 31E 33BD Tax Lot(s) 9500 & 9100 Lot Size 1/2 acre
(Acres/Sq. Ft.)

Legal Description, Metes and Bounds (Attach Copy)

Plat Name Canby Acres Lot 20 & Block 21
LEGAL DESCRIPTION ATTACHED AS EXHIBIT 1

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 two (2) 8-1/2 x 11 sheets of labels, just as you would address an envelope.

USE

Existing House on 1/2 acre lot Proposed Create 2 new lots in addition to house and lot out of existing lot
Existing Structures House - Storage Shed

PROJECT DESCRIPTION

Attached as exhibit 2

ZONING R-1

COMPREHENSIVE PLAN DESIGNATION

PREVIOUS ACTION (if any)

File No.
Receipt No.
Received by
Date Received
Completeness Date
Pre-App Meeting
Hearing Date



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

EXHIBIT 1

The East one-half of Lot 20, and Lot 21, EXCEPTING from Lot 21, the West 137.5 feet thereof, also EXCEPTING that tract conveyed to Richard D. Crites and Mary Ann Crites, husband and wife, by deed recorded Novembr 24, 1980, Fee #80-45320, CANBY ACRES, in the City of Canby, Clackamas County, Oregon,

EXHIBIT 2

Applicants propose to divide the present one-half acre parcel into 3 lots. The existing house will be included on one lot of 7,000 square feet in size. The 2 additional lots will be approximately 8,000 square feet and 10,500 square feet. The 10,500 square foot lot will be accessible off Knott Street. The 8,000 square foot lot and the existing house on the 7,000 square foot lot will be accessible off 9th Street.

The present zoning is R-1. The proposed partition is compatible with R-1 zoning in that each of the lots created will have a minimum width and frontage of at least 60 feet. The proposed lots are compatible with the existing neighborhood. The lots adjacent on Knott Street are approximately 8,200 square feet. The adjacent lots on 9th Avenue range in size from 12,000 to 16,000 square feet. Sewer is currently available on both Knott Street and 9th Street. As a condition of the partition, a 12 foot utility easement will be provided around the exterior of the 3 lots and a 6 foot utility easement will be provided on the interior boundaries of each lot.

The partition will be beneficial to the surrounding area in that applicant will, upon development of the lots, provide sidewalks on 9th Street contiguous with the 8,000 foot lot and the lot on which the existing house is located.

In addition, a 10 foot paved walkway will be provided along the east boundary of the two new lots which will connect Knott to 9th Street. This walkway will provide access that is not currently available.

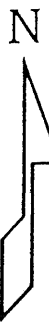
In addition, applicant will improve the current turn-around contiguous with the lot located at the end of Knott Street by erecting a permanent metal barrier at the end of the turn-around.

The existing house is located on the 7,000 foot lot with adequate setback from the newly created 8,000 foot and 10,500 foot lots.

There are 30 large fir trees dispersed on the 3 lots. It is applicant's intent to preserve as many of these as possible.

All improvements will be done at the time of development of the newly created lot.

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



FRONTIER GOLF COURSE

PHOENIX & HOLLY MINIATURE RAILROAD

WILLAMETTE VALLEY COUNTRY CLUB

RIVER

NW

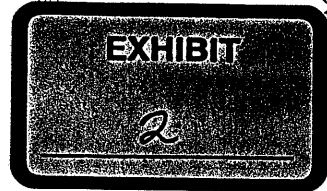
NW

CLACKAMAS COUNTY FAIRGROUNDS

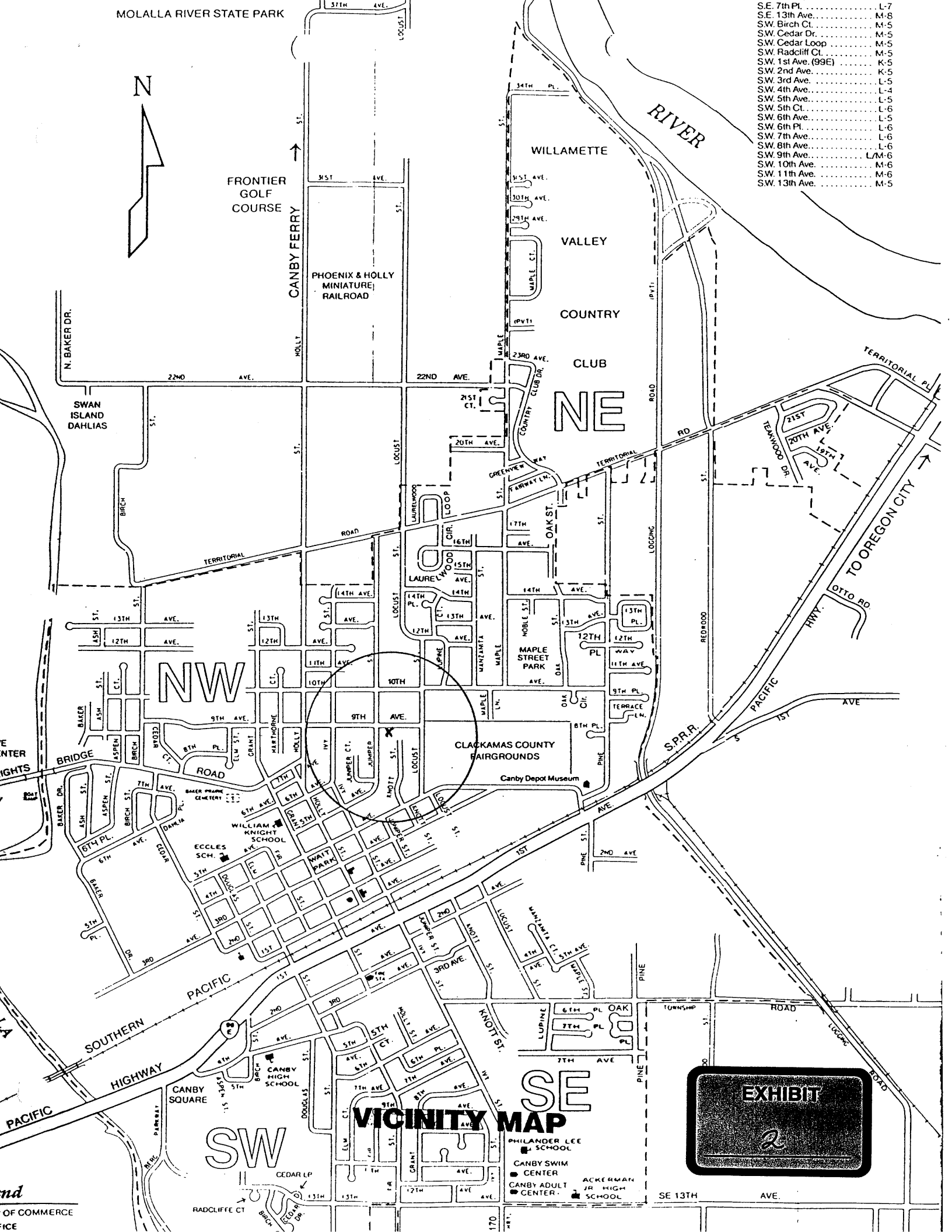
Canby Depot Museum

SE

VICINITY MAP



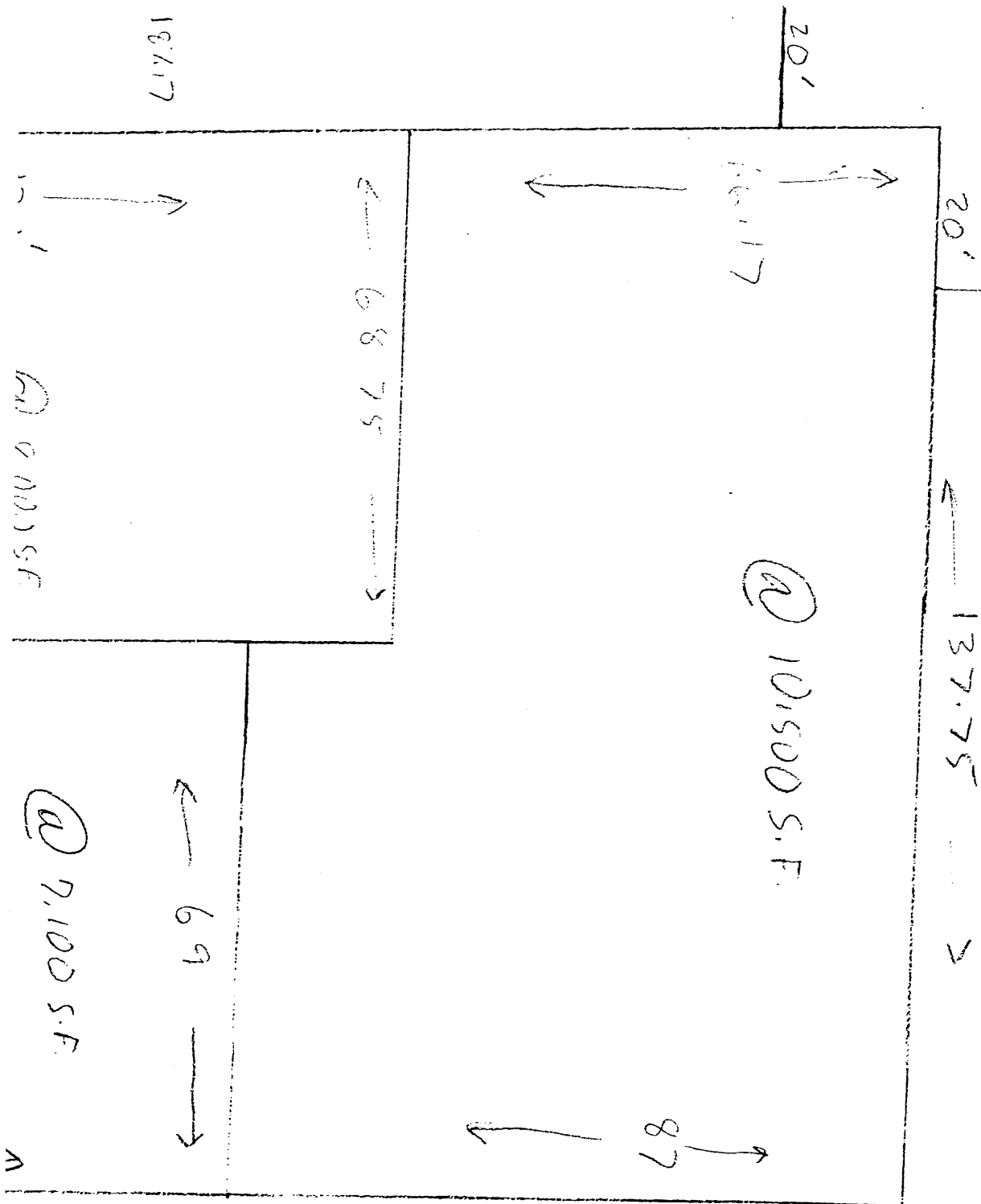
- PHILANDER LEE SCHOOL
- CANBY SWIM CENTER
- CANBY ADULT CENTER
- ACKERMAN JR HIGH SCHOOL



KRAFT

40'

Scale 1" = 20'
Prepared by Brad Roberts
Proposed Partition



PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, MIKE JORDAN,
JOHN KELLY, ROY, SEWER

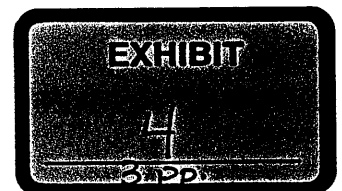
The City has received MLP 93-06, an application by Brad and Karen Roberts to partition a .5 acre parcel into three lots. The existing house will remain on one lot, of approximately 7,000 square feet. The additional two lots will be approximately 8,000 and 10,500 square feet, respectively. The parcel is located on the south side of N.E. 9th Avenue, east of N. Juniper, known as 279 N.E. 9th Avenue (Tax Lots 9100 and 9500 of Tax Map 3-1E-33BD). A walkway/bike path is proposed along the eastern parcel boundary to connect Knott to 9th Avenue.

We would appreciate your reviewing the enclosed application and returning your comments by October 22, 1993 PLEASE. The Planning Commission plans to consider this application on November 8, 1993. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

None

- 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: *Stephen D. Hansen*

Date: 10/25/93

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, MIKE JORDAN,
JOHN KELLY, ROY, SEWER

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Comments or Proposed Conditions:

*IF N. Knott is not going to continue to NE 9th
then ample access must be provided to dwelling at the
end of N. Knott for emergency vehicles.*

- 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: Jack Stark

Date: OCT 25, 1993

65-279
67-11

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: October 18, 1993

TO: FIRE, POLICE, CUB, TOM PIERSON, TODD SCHMIT, GARY HYATT, MIKE JORDAN,
JOHN KELLY, ROY, SEWER

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- Conditions are needed, as indicated
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Signature: Gary Hyatt

Date: 10/25/93