

A G E N D A

CANBY PLANNING COMMISSION

REGULAR MEETING
City Council Chambers

Monday, July 13, 1992
7:30 p.m.

I. ROLL CALL

II. MINUTES

June 29, 1992

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. COMMISSION DISCUSSION OF PLANNING ISSUES

V. COMMUNICATIONS

VI. FINDINGS

MLP 92-03 - Pat Harmon

VII. PUBLIC HEARINGS

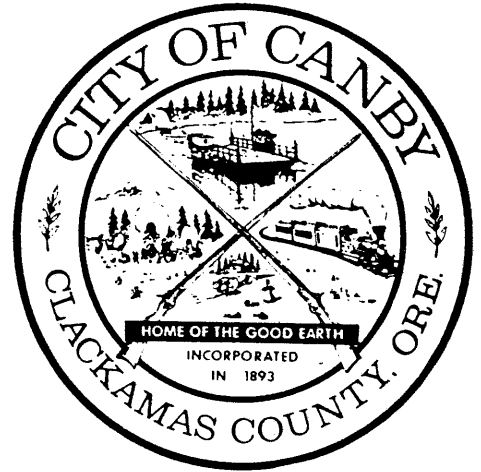
SUB 92-02, an application by Dave Herman for approval of a 109-lot, three-phase single-family residential subdivision on approximately 25.28 acres. The lots are proposed to range in size from 7000 square feet to 13,800 square feet. Phase I consists of 43 lots. The site is located just north of S.E. 13th Avenue, east of S. Ivy Street (Tax Lot [part] 1900 of Tax Map 4-1E-3).

MLP 92-04, an application by The Alton Group, to divide a 493,028 square foot parcel into 2 parcels, approximately 52,009 square feet and 441,019 square feet respectively. The applicant intends to construct a new 28,000 square foot Payless Drug Store. The site is located in the southeastern portion of the Canby Square Shopping Center (Tax Lot 100 of Tax Map 4-1E-5A).

CUP 92-07, an application by Canby Elementary School District to install a two-classroom modular building at the Howard Eccles Elementary School property, to be removed in June 1993. The school is located on N.W. 5th Avenue, east of N. Cedar (Tax Lot 1100 of Tax Map 3-1E-33).

CUP 92-08, an application by Canby Elementary School District to install a one-classroom modular building at the Philander Lee Elementary School property, to be removed in June 1993. The school is located on S. Ivy Street, north of S. 13th Avenue (Tax Lot 701 of Tax Map 4-1E-4A).

- STAFF REPORT -

**APPLICANT:**

David G. & Renee M. Herman
722 Main St., Suite D
Oregon City, OR 97045

FILE NO.:

SUB 92-02
(Hood View Estates)

OWNER:

David G. & Renee M. Herman

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lot 1900 of
Tax Map 4-1E-3

DATE OF REPORT:

July 2, 1992

LOCATION:

S.E. 13th Avenue, east of
S. Ivy Street

DATE OF HEARING:

July 13, 1992

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1 (Low Density
Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to subdivide a 25.28 acre parcel into 109 single family residential lots in three phases (Hood View Estates).

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.

B. Other Applicable Policies and Regulations:

■ City of Canby Comprehensive Plan:

- I. Citizen Involvement
- II. Urban Growth
- III. Land Use
- IV. Environmental Concerns
- V. Transportation
- VI. Public Facilities and Services
- VII. Economics
- VIII. Housing
- IX. Energy

■ City of Canby General Ordinances:

- 16.20 Off-Street Parking and Loading
- 16.16 R-1 Low Density Residential Zone
- 16.42 Signs
- 16.46 Access Limitations
- 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 S.E. 13th Avenue, east of S. Ivy Street. The proposal is to subdivide the subject parcel into 109 lots in three phases. This application, the first phase, proposes to divide 10.6 acres along S.E. 13th Avenue into 43 lots.

This area has seen quite a bit of recent activity. The new elementary school site is immediately to the northeast of the subject parcel. Phase 4 of the Township Village project has received recent approval. The Planning Commission has requested that Phase 5 of the Township Village project include the extension of Pine Street to S.E. 13th Avenue, an area adjacent to the subject parcel to the west. Ackerman Junior High School, just to the west of the southern portion of the Township Village project, has also received recent approval for a major remodel and addition.

The subject parcel is currently processing an annexation application with the Portland Metropolitan Local Government Boundary Commission. Upon annexation, the parcel will be zoned R-1, Low Density Residential. The land to the east and south is farm land. To the north is part rural residential (in the County) and part farm/nursery. To the west is a tree farm with development plans for single family residential.

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, provided that all necessary urban services are available. This will be discussed later in this report.

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 will be zoned R-1, Low Density Residential, upon annexation and is proposed to be developed with single family residential structures. The subject parcel does have a history of

agricultural use, however, recently it has been unused. The development of the subject parcel will be coordinated, as much as possible, with the development of the Township Village project to the west, and the new elementary school to the northeast.

The sewer treatment plant is undergoing upgrade and expansion of capacity. A stipulated final order has been signed by the city and is awaiting a final signature from DEQ. The stipulated final order will be in effect until August of 1994. The order allows the sewer treatment plant to operate at less stringent standards while undergoing upgrade and expansion. The upgrade and expansion is scheduled for completion in May of 1994. Currently, there is capacity for approximately 230 to 280 units, or for 2 to 2.5 years of growth, at the current growth rate.

A water line is located along the western property line. Other services have indicated an ability to service this site. There are no known natural hazards present.

iv. Environmental Concerns

- | | |
|-------------|--|
| 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 has been farming of the area in the past. 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. Drywells are proposed.

Building, health and other Code regulations will protect against other types of pollution. The development ordinance will provide review of buildings, and encourage preservation of some measure of open space, where appropriate.

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

S.E. 13th Avenue is an existing arterial road in the Comprehensive Plan. East of S. Ivy Street, S.E. 13th Avenue has not been widened, nor has sidewalks been installed. The land to the south of S.E. 13th and to the east of S. Ivy is not in the City. A street widening project, with sidewalks and curbs, is proposed with the expansion of Ackerman Junior High. The widening, which will start from S. Ivy Street, and run easterly to the eastern property line of Ackerman Junior High School, is expected to be completed this summer. The Planning Commission has indicated that the next phase of the neighboring Township Village Project should include the extension of the collector street S. Pine to S.E. 13th Avenue. At the time of extension of S. Pine Street, further widening and improvement of S.E. 13th Avenue would occur. The widening of 13th Avenue along the frontage of the subject parcel, in conjunction with Township Village and Ackerman Junior High, will provide half of the necessary improvements of this major arterial entering the city. The improvement will be for that portion of the road within the City limits.

Coordination of the internal road system of the proposed subdivision with both the new elementary school and the Township Village project road system is essential. As currently proposed, a connection with the Township Village project would be made at the northern portion of the subject parcel. Connection with the new elementary school would be through a continuation of the north-south Redwood Street. This would also provide a second connecting road east of Ivy Street, between Township Road and S.E. 13th Avenue. Some modifications will be necessary in the master plan for the connection between this project and the Township Village project, along the proposed S.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

The service providers have been meeting regularly to discuss future issues regarding providing services to developing areas within the City. The subject parcel was part of a discussion involving the "S. Pine industrial area", the new elementary school, and Township Village. Electric, water, and phone service providers have indicated that servicing this subdivision will not be a difficulty. There are two options currently available for servicing the subdivision with sanitary sewer. The first is through the Township Village project, and the second is through the sewer that will be extended for the new elementary school, in S. Redwood Street. Stormwater drainage will be handled through the use of drywells.

The Parks Plan has designated an area to the east of this property for a future park. The Township Village project immediately to the west will be dedicating six acres of land for park purposes to be used in conjunction with the recreational facilities existing with the public schools on adjoining land. 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.

vii. **Economic**

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

ANALYSIS

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 109 single family units of housing, since it will be zoned R-1. The first phase will provide 43 single family residential lots ranging in size from 7,000 square feet to 13,800 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 43 lots, 32 lots will meet the Solar Access Ordinance basic requirements (74%). Seven lots along S. Redwood Street will not meet the basic requirements. Phase I will meet the requirements of the Solar Access Ordinance provided that the required percentage of lots needed (80%) is reduced to account for the required street layout of S. Redwood.

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. We are not aware, at this time, of any provisions which cannot be met by the development of this site. The site will be zoned for Low Density Residential development (R-1), which permits a single family home on each lot, upon annexation.

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

16.64.010 Streets.

Phase I will have a 40' right-of-way for S.E. 12th Loop and a 50' right-of-way for S. Redwood Street. The applicant has indicated a 30' road dedication from the centerline of S.E. 13th Avenue. A 40' road dedication from the centerline of S.E. 13th Avenue is required. The City has maintained a total road right-of-way along 13th Avenue of 70'. From just east of the Cedar Ridge development to Ivy Street, the original 40' road right-of-way has been augmented by 20' on the north and 10' on the south. The responses to the request for comments were assuming that the 30' road dedication shown on the plat was from the edge of the current right-of-way, not the centerline. An additional 20' of road dedication (40' from the centerline) will occur with the street widening project along the Canby Senior Center and Ackerman Junior High School portions of S.E. 13th Avenue. One access point for the subdivision to S.E. 13th Avenue is appropriate and desired. Conditions will be needed to cover endings of streets expected to eventually be continued. Temporary turnarounds will need to be required.

The Master Plan for the remainder of the subject parcel shows a continuation of S. Redwood Street (50' ROW) to the northern property line, with alignment changes to connect with the portion of S. Redwood Street that the new elementary school project will be paving. Also shown is another 40' ROW internal street, S.E. 11th Loop. S.E. 10th Avenue (40' right-of-way) will extend to the western property boundary from S. Redwood Street. The connection of S.E. 10th Avenue to the S.E. 10th Avenue proposed in the Township Village project to the west will require a revision in alignment from either Township Village, this project, or both. The staff believes that both projects should modify the alignment of their respective S.E. 10th Avenue to provide a transition between the predominate location of the road. Another street extending to the east is considered to be appropriate between 10th Avenue and 13th Avenue. The location of the street stub should be directly across the intersection of the southern portion of 11th Loop and S. Redwood Street.

The street names, as proposed, are acceptable. The extension street stub should be named S.E. 11th Avenue.

16.64.020 Blocks.

Generally, the block designs, sizes, topography, lengths, and shapes are well suited to the site and provide an adequate framework for lot design.

16.64.030 Easements.

Utilities will be brought in through S.E. 13th, S. Redwood, and in the case of water, from the west property line. Six foot utility easements will need to be along all interior lot lines, with twelve foot utility easements along the exterior property lines.

As shown in the Master Plans of both this project and the Township Village Project, there will be no roads connecting the two projects between 10th Avenue and 13th Avenue, a distance in excess of 1100 feet. This section of the Ordinance requires walkways, at least 10 feet in width, for any block in excess of 800 feet. Because of the separation created by the proposed loop road designs, staff finds that two walkways are appropriate. One walkway will be required for Phase I, with possible locations on S.E. 12th Loop being between lots 10 and 11, lots 11 and 12, and lots 12 and 13. Staff recommends the location of the walkway to be between lots 11 and 12. The options for the location of a walkway in Phase II along S.E. 11th Loop are similar to that of Phase I. A walkway for Phase II in a similar location as that in Phase I will need to be shown on future Master Plans.

The sidewalk along S.E. 13th Avenue will need to be located next to the curb without the intervening space as shown on the plat. This will be a continuation of the pattern from S. Ivy Street.

16.64.040 Lots.

The lots will range in size from 7,000 square feet to 13,800 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, under the proposed zoning, will also be of such size as to preclude further subdivision or partition.

Lots 1-9 and Lots 29 have frontage on S.E. 13th Avenue, as well as S.E. 12th Loop and S. Redwood Street. Access to 13th Avenue from these lots need to be restricted. Such restriction will provide safer traffic patterns and use of the 13th Avenue arterial.

A distance of 19 feet will need to be maintained between the back of the sidewalks and the face of the garages (or some equal outdoor on-site parking provided).

16.64.050 Public Open Spaces.

The Parks Plan has designated an area to the east of this property for a future park. The Township Village project immediately to the west will be dedicating six acres of land for park purposes to be used in conjunction with the recreational facilities existing with the public schools on adjoining land. 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. Negotiations are currently underway for dedication of part of the 20 acre site of the new elementary school, as a mini-park.

16.64.070 Improvements.

A bond will be required for the improvements of the subdivision. Such agreement of assurance shall be in conformance with Paragraph (O) of Section 16.64.070 of the Land Development and Planning Ordinance.

According to Public Works, the following corrections to the proposed infrastructure improvements are needed:

1. The base rock for S.E. 13th Avenue needs to be revised from 8" to 13";
2. The width of the sidewalks revised from 4' to 5' for S.E. 13th Avenue, and 4 1/2' for S. Redwood Street and S.E. 12th Loop;
3. The sewer line shown in S. Redwood Street revised from 8" to 12";
and,
4. The storm water drainage line in between lots 4 and 5 will be eliminated. In its place, drywells will be located in the right-of-way of both S.E. 13th Avenue and S.E. 12th Loop.

All other improvements will be made to fully comply with Canby requirements.

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 provided in detail in the preceding section (D). Additional concerns are two. The first regards traffic impact on the intersection of S.E. 13th Avenue and S.

Ivy Street. A traffic study was conducted with the H.O.P.E. project, indicating that the current road system, and intersection of 13th and Ivy, can handle significant traffic load increases without impairing traffic movement. The staff considers the use of traffic signals to control traffic at the intersections of S. Ivy Street and S.E. 13th Avenue to be an eventuality. The staff also considers that current development should be held responsible for its "fair-share" of the cost of improvements to traffic control on the roads that it will have significant impact upon. For this subdivision, the intersection of 13th and Ivy will be significantly impacted by the development of all three phases of this subdivision.

The second concern is regarding the proposed legal description of the lots. The staff considers the use of two or three blocks with separate and independent lot numbers to be appropriate for a subdivision of this size (43 lots). With this change, lots 1 - 22 would be Block 1 (lots 1 - 22), lots 23 - 29 would be Block 2 (lots 1 - 7), lots 30 - 43 would be Block 3 (lots 1 - 14).

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. The property, at the time of this report, has not been annexed to the City. This subdivision application can only be approved conditioned on the approval of the annexation of the property to the City.

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 92-02 (Hood View Estates). The following conditions shall apply:

1. 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 performance bond for subdivision improvements.
2. Temporary turnarounds, meeting the requirements of the Fire Marshal and Director of Public Works, shall be provided at the end of S. Redwood Street which will continue at a later time. A full-width barricade shall be placed, at the developer's expense, at the end of the new street.

3. Any necessary utilities shall be constructed to the specifications of the provider.
4. Utility easements shall be provided and are to be twelve (12) feet along all streets and exterior parcel lines. Easements along all interior lot lines are to be six (6) feet wide off of each lot, for a total of twelve (12) feet.
5. "As-built" drawings shall be submitted to the City within sixty (60) days of completion.
6. Street name and traffic control signs shall be provided at the developer's expense. This shall include "dead end" signs for the end of streets and "Stop" street signs, where required by the Director of Public Works.
7. A one foot plug shall be provided at the end of dead ended streets to prevent access to the north and east until annexed and/or platted.
8. The final plat shall reference this land use application - City of Canby, File No. SUB 92-02, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.
9. 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.
10. The final plat mylars must be signed by the County Road Official.
11. A walkway connection between lots 11 and 12 shall be provided connecting Hood View Estates Phase I with the Township Village project.
12. The proposed sewer in S. Redwood Street shall be 12" in size.
13. Sidewalks shall be 4 1/2 feet in width along interior roads and 5 feet in width along S.E. 13th Avenue.

14. Sidewalks shall be constructed adjoining the curb along S.E. 13th Avenue.
15. While building setbacks are normally required to be measured from the property line, in situations where the sidewalks are built on private property, the driveways and parking areas shall be designed to provide a minimum of 19 feet of parking area between the sidewalk and the face of the garage (or some equivalent outdoor parking provided on-site).
16. 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).
17. The storm water drainage line between lots 4 and 5 shall be eliminated and dry wells shall be used in S.E. 13th Avenue and S.E. 12th Loop.
18. The numbering of the lots on the subdivision plat shall use blocks as follows:
 - lots 1 - 22 shall be Block 1, lots 1 - 22;
 - lots 23 - 29 shall be Block 2, lots 1 - 7; and,
 - lots 30 - 43 shall be Block 3, lots 1 - 14.
19. The applicant shall provide a waiver or remonstrance for any traffic improvement needed for S.E. 13th Avenue. Building permits shall be issued only after the developer has provided written agreement to participate in funding its proportional share of the needed improvements or has provided an actual cash contribution accepted by City Council as a "fair share" contribution toward improvements at S.E. 13th Avenue and S. Ivy Street.
20. The proposed Master Plan should be **reconsidered** by the developer for revision prior to submittal of Phase II, indicating:
 1. a walkway between S.E. 11th Loop and the Township Village Project;
 2. a street extension to the east from the intersection of S. Redwood Street and the southern section of S.E. 11th Loop; and
 3. a realignment of the connection of S.E. 10th Avenue to the Township Village project.

Exhibits:

1. Vicinity Map
2. Tentative Plat
3. Attachments

14. Sidewalks shall be constructed adjoining the curb along S.E. 13th Avenue.
15. While building setbacks are normally required to be measured from the property line, in situations where the sidewalks are built on private property, the driveways and parking areas shall be designed to provide a minimum of 19 feet of parking area between the sidewalk and the face of the garage (or some equivalent outdoor parking provided on-site).
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 2. a street extension to the east from the intersection of S. Redwood Street and the southern section of S.E. 11th Loop; and
 3. a realignment of the connection of S.E. 10th Avenue to the Township Village project.

Exhibits:

1. Application
2. Vicinity Map
2. Master Plan/Tentative Plat (*too large to reproduce*)
3. Requests for Comments Received from Service Providers

(SUBDIVISION APPLICATION (

Fee: \$300 + \$10/lot

OWNER

APPLICANT

Name David G & Renee M Herman

Name _____

Address 722 Main St., Suite D

Address _____

City Oregon City State OR Zip 97045

City _____ State _____ Zip _____

SIGNATURE [Signature]

Phone: 656-0513

DESCRIPTION OF PROPERTY:

Tax Map R41E03 Tax Lot(s) 1900 Lot Size 10.6
(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 Row Crop Farming Proposed Single Family Residential Housing

Existing Structures None

PROJECT DESCRIPTION

Applicant proposes a three phase development on approximately 25.28 acres. The development is proposed as single family residential with 109 lots ranging in size from 700 sq. ft. to 13800 sq. ft. Phase 1 consists of 43 lots just north of SE 13th Avenue.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION R-1

PREVIOUS ACTION (if any) Annexation

File No. SUB 92-02
Receipt No. 1875/1879
Received by QSW
Date Received 5/27/92
Completeness Date _____
Pre-App Meeting _____
Hearing Date _____

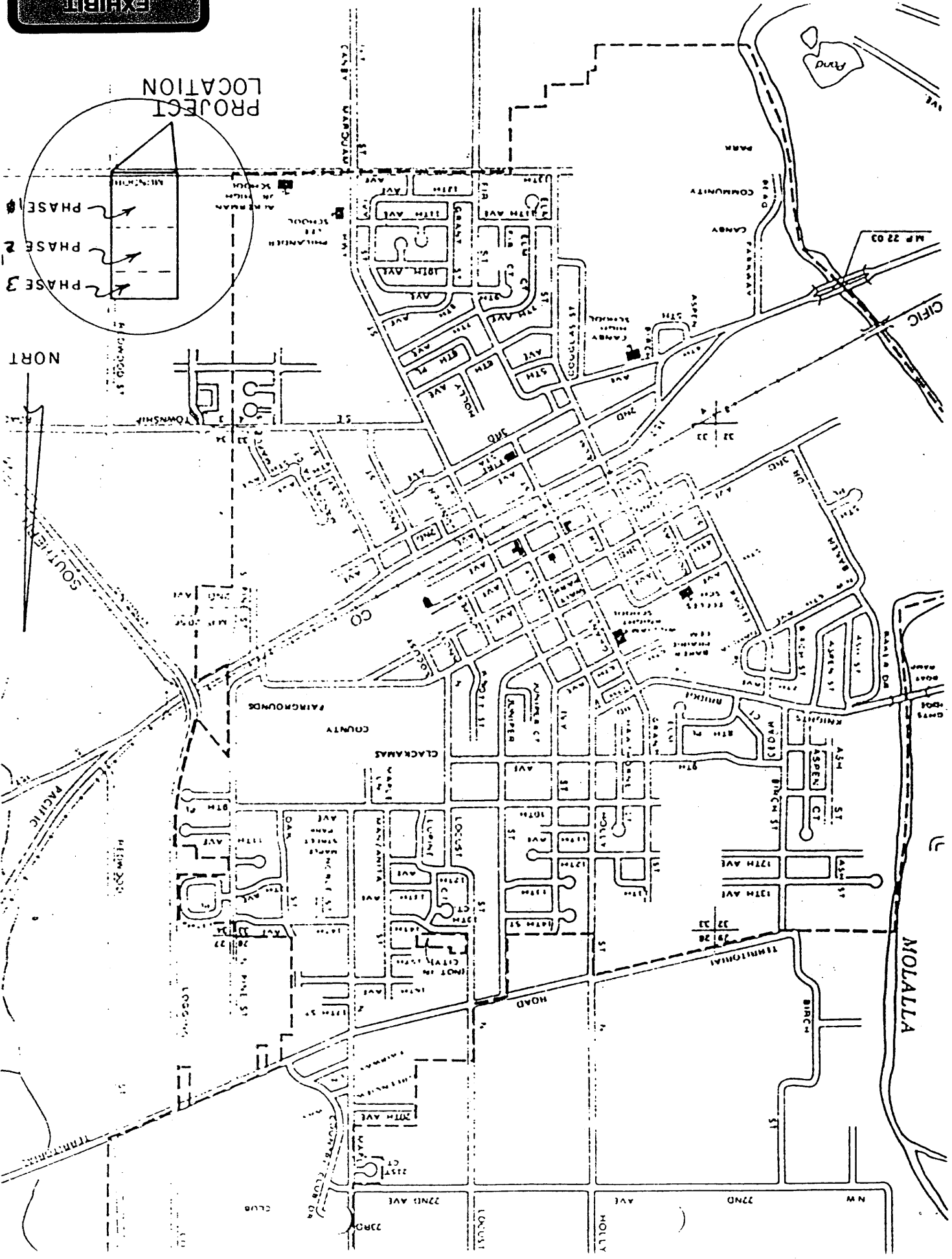
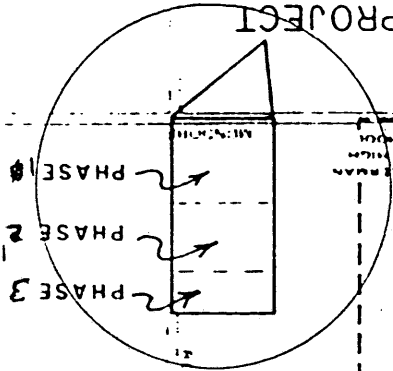


* If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application.

VICINITY MAP
CANBY, OREGON



PROJECT
LOCATION



PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

6/2/92
SW

DATE: May 27, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

The City has received SUB 92-02, an applications by David Herman for approval of a 109-lot, three-phase single family residential subdivision on approximately 25.28 acres. The lots are proposed to range in size from 7000 square feet to 13,800 square feet. Phase I consists of 43 lots. The site is located just north of S.E. 13th Avenue, east of Ivy Street (Tax Lot [part] 1900 of Tax Map 4-1E-3).

We would appreciate your reviewing the enclosed applications and submitting comments by June 15, 1992 **PLEASE**. The Planning Commission will consider this application on **July 13, 1992**. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

- AT this time, all plans and actions have the sewer coming south on Redwood, to serve this project but not until
- We talked about needing 20 feet of dedication on 13th, not 30 feet.
- The sewer line in Redwood, should be 12 inch, not 8 inch.
- 13th requires 13 inches of base rock, not 8 inches.
- The storm line between lots 4 & 5 is not acceptable on the side lot line.
- Number with lots & blocks, not continuous numbers
- Lots 1-9 & 23 should not be allowed access to 13th St
- Center the manhole in the southern SE 12th Loop.
- Setbacks should be measured from the back of the sidewalks

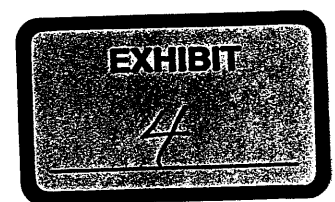
Summer 1993

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: W. Wayne S. Shaw

Date: 6/1/92

PLEASE RETURN ATTACHMENTS!!!

SW
6/16/92

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: May 27, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

The City has received SUB 92-02, an applications by David Herman for approval of a 109-lot, three-phase single family residential subdivision on approximately 25.28 acres. The lots are proposed to range in size from 7000 square feet to 13,800 square feet. Phase I consists of 43 lots. The site is located just north of S.E. 13th Avenue, east of Ivy Street (Tax Lot [part] 1900 of Tax Map 4-1E-3).

We would appreciate your reviewing the enclosed applications and submitting comments by June 15, 1992 PLEASE. The Planning Commission will consider this application on July 13, 1992. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

No Sewer is Available. This development should help
Finance the construction of a MAIN Sewer Trunk Line
From 99 E.

Also with added TRAFFIC TO THE intersection of S. Ivy + 13TH
They should help with FINANCING a TRAFFIC Signal,
Or make S. Ivy + 13TH A 4 way STOP.

AS MARKED ON PHASE I between Lots 4 + 5 This
is NOT Acceptable. A Drywell will be put in 13TH
and a Drywell installed in S.E. 12TH Loop AS MARKED.
The side WALK set back is NOT Acceptable. PLACE a
4 1/2 FOOT Sidewalk, Ajoining back of curb.

- 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

IF Conditioning
CANNOT be Adhered
TO AT S. Ivy +
13TH. Any building
ON Site should
be CANCELLED.
UNTIL Condition's are Met.

Signature: Roy L. Hester

Date: June 3, 1992

PLEASE RETURN ATTACHMENTS!!!

8w
6/16/92

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: May 27, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

The City has received SUB 92-02, an applications by David Herman for approval of a 109-lot, three-phase single family residential subdivision on approximately 25.28 acres. The lots are proposed to range in size from 7000 square feet to 13,800 square feet. Phase I consists of 43 lots. The site is located just north of S.E. 13th Avenue, east of Ivy Street (Tax Lot [part] 1900 of Tax Map 4-1E-3).

We would appreciate your reviewing the enclosed applications and submitting comments by June 15, 1992 PLEASE. The Planning Commission will consider this application on July 13, 1992. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

Hydrant locations and size of water main in proposed development meet the Canby Fire Dist. requirements.

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

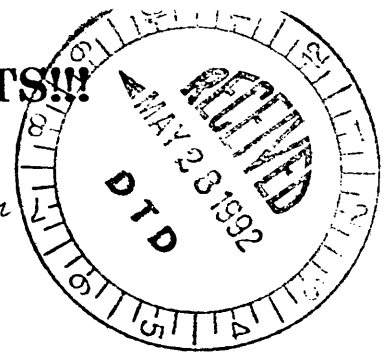
Signature: *Jack Stark*

Date: *June 8, 1992*

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

6/1/92
DSC



DATE: May 27, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

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We would appreciate your reviewing the enclosed applications and submitting comments by June 15, 1992 PLEASE. The Planning Commission will consider this application on July 13, 1992. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

County street & storm drain standards
on the County road (SE 13th Ave.)
SE 13th is listed as a local street
4" A.C., 7" rock, 6" curb, 5 ft sidewalk
match existing pavement w/ 1st lift of A.C.
carry 2nd lift across to opposite edge.
County Road Official signature on Plat mylars

- 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: William B. Coarthy Date: June 1, 1992

PLEASE RETURN ATTACHMENTS!!!

5/27/92
gsw

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: May 27, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

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We would appreciate your reviewing the enclosed applications and submitting comments by June 15, 1992. PLEASE. The Planning Commission will consider this application on July 13, 1992. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

Possibility of Pedestrian ways to walk from areas between 10th + 13th through Township Village #10 to Park Area being dedicated? (See Master Plan)

- 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: _____

REVISED RECOMMENDATIONS (July 13, 1992)

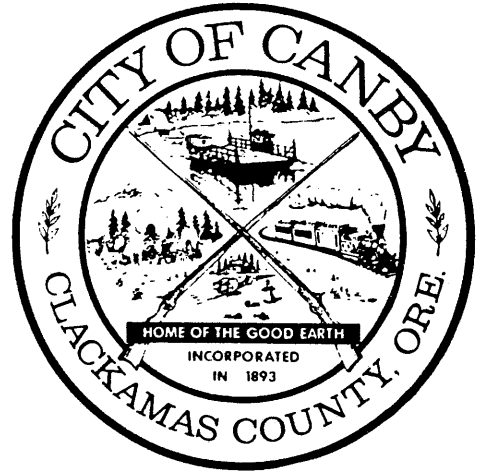
V. RECOMMENDATION

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 92-02 (Hood View Estates). The following conditions shall apply:

1. 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 performance bond for subdivision improvements.
2. Access to lots 1 - 9 and lot 29 shall be limited to interior roads. Access shall not be allowed from S.E. 13th Avenue.
3. Any necessary utilities shall be constructed to the specifications of the provider.
4. Utility easements shall be provided and are to be twelve (12) feet along all streets and exterior parcel lines. Exterior lines of the subdivision adjacent to other platted subdivisions with easements, and easements along all interior lot lines, are to be six (6) feet wide off of each lot, for a total of twelve (12) feet.
5. "As-built" drawings shall be submitted to the City within sixty (60) days of completion.
6. Street name and traffic control signs shall be provided at the developer's expense. This shall include "dead end" signs for the end of streets and "Stop" street signs, where required by the Director of Public Works.

7. A one foot plug shall be provided at the end of dead ended streets to prevent access to the north and east until annexed and/or platted.
8. The final plat shall reference this land use application - City of Canby, File No. SUB 92-02, and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits requested subsequent to the date of this approval.
9. 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.
10. The final plat mylars must be signed by the County Road Official.
11. A walkway connection between lots 11 and 12 shall be provided connecting Hood View Estates Phase I with the Township Village project.
12. The proposed sewer in S. Redwood Street shall be 12" in size.
13. Five (5) foot curbs and sidewalks, designed to City standards, shall be constructed along all street frontages. If the sidewalk is set back from the curb, it may be four (4) feet wide. The setback for the garage, in that case, shall be measured from the back of the sidewalk in front of the garage, and shall provide nineteen (19) feet of parking.
14. 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).

15. The storm water drainage system shall conform to City and County standards.
16. The applicant shall dedicate additional right-of-way along S.E. 13th Avenue to provide forty (40) feet of right-of-way measured from the centerline of S.E. 13th Avenue. Half-street improvements shall be provided by the developer and shall include pavement, curbs, and sidewalks, and shall meet City and County construction standards.
17. The applicant shall provide a waiver or remonstrance for any traffic improvement needed for S.E. 13th Avenue. Building permits shall be issued only after the developer has provided written agreement to participate in funding its proportional share of the needed improvements or has provided an actual cash contribution accepted by City Council as a "fair share" contribution toward improvements at S.E. 13th Avenue and S. Ivy Street.
18. The proposed Master plan should be **reconsidered** by the developer for revision prior to submittal of Phase II, indicating:
 1. a walkway between S.E. 11th Loop and the Township Village Project;
 2. a street extension to the east from the intersection of S. Redwood Street and the southern section of S.E. 11th Loop; and
 3. a realignment of the connection of S.E. 10th Avenue to the Township Village project.



- STAFF REPORT -

APPLICANT:

The Alton Group
1730 SW Harbor Way #405
Portland, OR 97201

FILE NO.:

MLP 92-04

OWNER:

Portland Shopping Center Association
6 Isadora Duncan Lane
San Francisco, CA 94102

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lot 100
Tax Map 4-1E-5A

DATE OF REPORT:

May 29, 1992

LOCATION:

Canby Square Shopping Center

DATE OF HEARING:

July 13, 1992

COMP. PLAN DESIGNATION:

Highway Commercial

ZONING DESIGNATION:

C-2 (Highway Commercial)

I. APPLICANT'S REQUEST:

The applicant is requesting approval for a minor land partition that will partition a 52,009 square foot (1.19 acre) parcel from a 8.82 acre parcel.

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 partitions shall be approved 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. 16.28.030 Development Standards in R-1 Areas
- 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 Lot 100 of Tax Map 4-1E-5A. The property consists of approximately 8.82 acres, with frontage along the State Highway 99E and Berg Parkway. The entire area is zoned C-2, Highway Commercial, and is used as a commercial shopping center. The partitioned lot will be along the eastern property line, at the southeastern corner of the existing shopping center structure.

The applicant is proposing the partition to allow separate ownership and control of a portion of the shopping center. The southeastern corner of the existing shopping center will be demolished and a new structure will be built. Payless Drug Store will be the tenant of the parcel. A Design Review application has been submitted and is scheduled for public hearing at the July 27, 1992 Planning Commission meeting.

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

- **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.**

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 land partition as proposed, and the development of the lot with a commercial structure, is consistent with the comprehensive plan designation and zoning classification of the subject property, highway commercial.

The configuration of the partition will allow for proper setback distances from the neighboring residential zone (to the east). The southern portion of the original parcel will have a 35' access point from a private service drive accessing Berg Parkway.

The partition and subsequent development will not change the use of the property or the compatibility of the use of the property with the surrounding area. A larger area will be utilized by the development. This is in conformance with Policy #2.

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. The proposal will have minimal effect on the groundwater quality. 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 #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.

ANALYSIS

Reciprocal access easements will be provided for the partitioned lot. Access will be from Highway 99E, through the parking lot, for customers, and will include a portion of the parking lot. Access will also be provided for service vehicles from Berg Parkway to the east and from S.W. 5th Avenue to the north.

No improvements will be necessary in conjunction with the partition.

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. Police, Fire, Water, Electric, Natural Gas, and Sewer services have adequate capacity to service this project. There is a lift station for the sewer, and telephone, telecommunication, electric service facilities located in the southeastern corner of the existing structure on the east side. Easements may exist, but determining their precise location has been difficult. Provision of easements for maintenance of the facilities will provide desired assurance of access. The applicant has stated that providing such easement will be acceptable.

vii. Economic

■ **GOAL: TO DIVERSITY 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 development of the Canby Shopping Center. The development of the partitioned parcel will increase the amount of retail space available in the city. The applicant has not provided information regarding the number of employees expected to be working as a result of the development. The partition itself will not create additional jobs, but will facilitate the development of the commercial establishment of Payless Drug Stores.

viii. **Housing**

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

ANALYSIS

The partition of the subject property will not directly affect housing negatively or positively. Additional commercial development will help support the services provided to residential 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 does not apply to commercial buildings in commercial zones. The State has rules which encourage energy conservation through design and construction methods.

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

Based upon the above described analysis, the proposal is consistent with or can, with conditions, be made consistent with the policies of the Comprehensive Plan.

C. Compliance with All Other Applicable City Ordinances:

1. Section 16.60.030 of the Canby Municipal Code requires all public facilities and services be available, or made available through the development of the property.

a. Sewer

Each store in the shopping center has its own sewer connection that feeds into a lift station. The partitioned lot has an existing sewer connection that will be able to be utilized. A "Data Disclosure" form for sewer discharge evaluation is required by the Public Works Department prior to issuance of a City business license.

b. Water

The water system is operated by Canby Utility Board. The Utility Board has reported adequate facilities to service this proposal.

c. Electricity

The electrical system is owned and operated by the Canby Utility Board. The Utility Board has reported adequate facilities to service this proposal.

d. Easements

Utility maintenance easements need to be placed for access to the lift station controls, electric, telecommunication, and telephone controls on the property. An access and maintenance easement agreement will be needed for access to the parcel and for designation of a parking area for the future development of the property.

e. **Storm Drainage**

All on-site storm water will be dealt with on-site and not discharged to the City system.

2. **Streets/Traffic**

No street improvements will be required as a result of the partition.

D. **Overall Design of Parcels**

The configuration of the partition will allow for proper setback distances from the neighboring residential zone (to the east). The southern portion of the original parcel will have a 35' access point from a private service drive accessing Berg Parkway.

E. **Access**

Section 16.60.030(D) states that "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 parcel."

The parcel that will result from the partitioning is part of the existing Canby Square shopping center. Stores on the future parcel are proposed to have access through the shopping center parking lot. Service access is provided through private streets at the rear of the existing structures along the southern and eastern property boundaries. The maintenance of these areas is provided year-round and is sufficient for the unhindered use by emergency vehicles. Access and maintenance easement agreement for the future lot will provide the same continued access and maintenance as there is currently. The easement should be in effect for as long as the parcel remains in separate ownership from the remaining Canby Square property.

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 new lot.
3. Staff concludes that the an easement, the partition will have adequate frontage on a public street to insure safe and efficient access for commercial purposes.
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, the information submitted by the applicant, and the additional information contained in the file (and without benefit of public hearing), staff recommends approval of MLP 92-04, subject to the following conditions:

1. The applicant shall prepare a final partition map. The final partition map 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.
2. A new deed and legal description for the new parcel shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
3. Access and maintenance easement agreement shall be provided for the access to a public street, and the use of a parking area for the partitioned lot, and a copy of the easement agreement shall be provided to the Canby Planning Department. Such access and parking agreement shall be reviewed by the City Attorney for consistency with the access drawing dated _____ and reviewed by the Commission at the public hearing.

4. Permanent utility access and maintenance easements shall be provided for the facilities located on the property, and a copy of the easement shall be provided to the Canby Planning Department.
5. A final partition modified to illustrate the conditions of approval, shall be submitted to the City Planner for review and approval. The final partition shall reference this land use application -- City of Canby, Planning Department, File No. MLP 92-04.
6. All monumentation and recording fees shall be borne by the applicant.
7. All utilities must meet the standards and criteria of the providing utility authority.

Exhibits:

1. Application and Vicinity Map
2. Site Plan
3. Tentative Minor Partition
4. Preliminary Site Survey
5. Requests for Comments

MINOR LAND PARTITION APPLICATION

Fee: \$300.00

OWNER

Name Peter Dwares, General Partner
Portland Shopping Center Assoc.
Address 6 Isadora Duncan Lane
City San Francisco State CA Zip 94102
Signature: [Signature] (THE ALTON GROUP)
Owner's Representative

APPLICANT

Name Gary A. Swatzel, Owner's Representative
The Alton Group
Address 1730 SW Harbor Way #405
City Portland State OR Zip 97201
Phone: (503) 295-2569
295-2570

DESCRIPTION OF PROPERTY:

Tax Map 4 1E 422 SA Tax Lot(s) 100 Lot Size 52,009 Square Feet
(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 two (2) 8-1/2 x 11 sheets of labels, just as you would address an envelope.

USE

Existing Retail Store Proposed Payless Drug Store

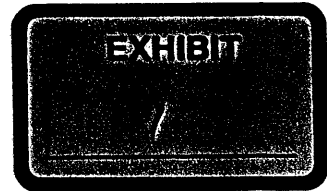
Existing Structures Retail Outlet

PROJECT DESCRIPTION

Approximately 10,000 square feet of existing retail buildings will be demolished and removed. A new Payless Drug Store of approximately 28,000 square feet will be constructed. The new Payless Drug Store will conform to the architectural design of the existing shopping center. Sidewalks and a "patio area" will be provided. An access road will extend completely around the new Payless Store.

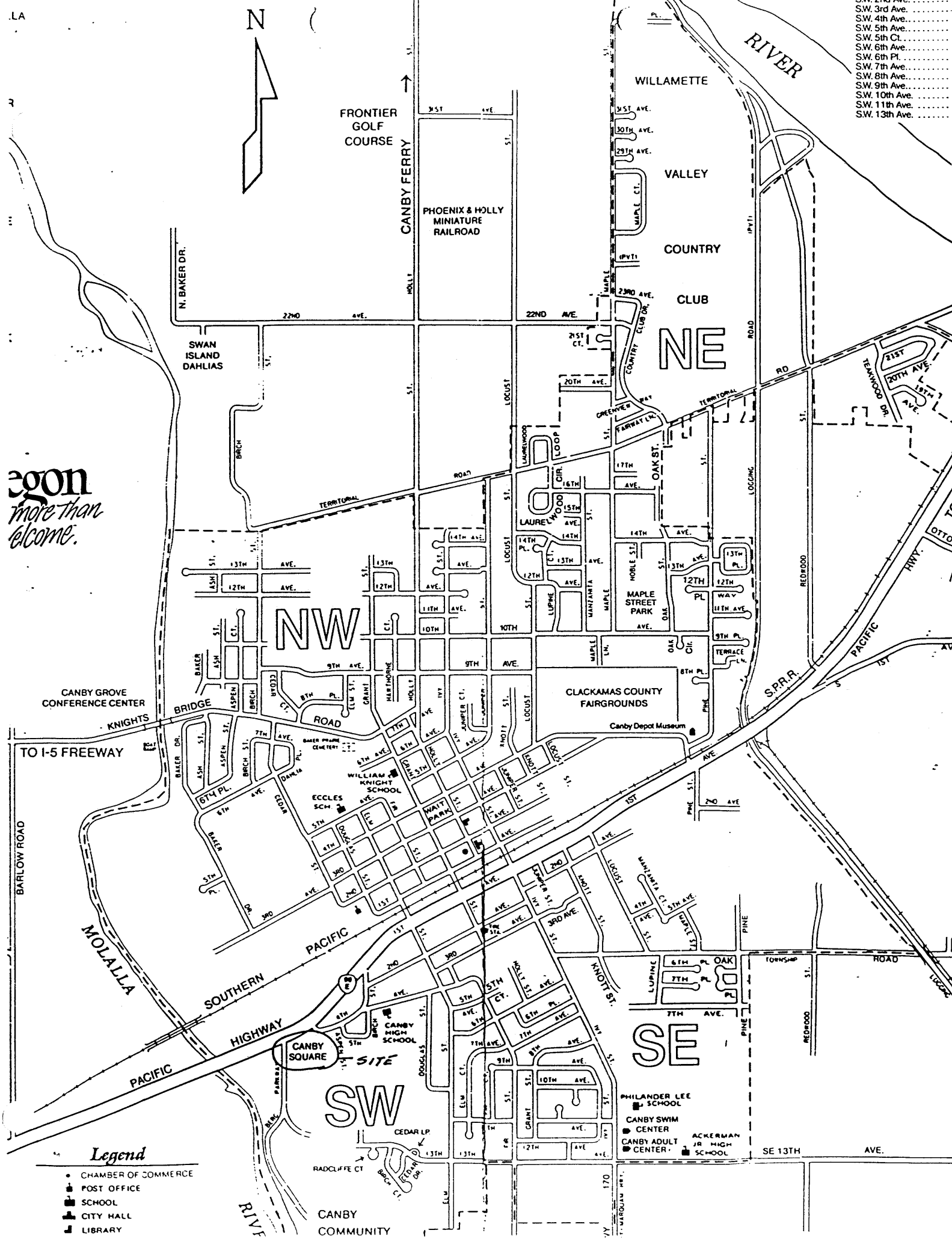
ZONING Commercial COMPREHENSIVE PLAN DESIGNATION
PREVIOUS ACTION (if any)

File No. MLP 92-041
Receipt No. 1914
Received by [Signature]
Date Received 6/18/92
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.

- SW 1st Ave. (99E)
- SW 2nd Ave.
- SW 3rd Ave.
- SW 4th Ave.
- SW 5th Ave.
- SW 6th Ave.
- SW 6th Pl.
- SW 7th Ave.
- SW 8th Ave.
- SW 9th Ave.
- SW 10th Ave.
- SW 11th Ave.
- SW 13th Ave.



29011
more than welcome.

Legend

- CHAMBER OF COMMERCE
- POST OFFICE
- SCHOOL
- CITY HALL
- LIBRARY

CANBY COMMUNITY

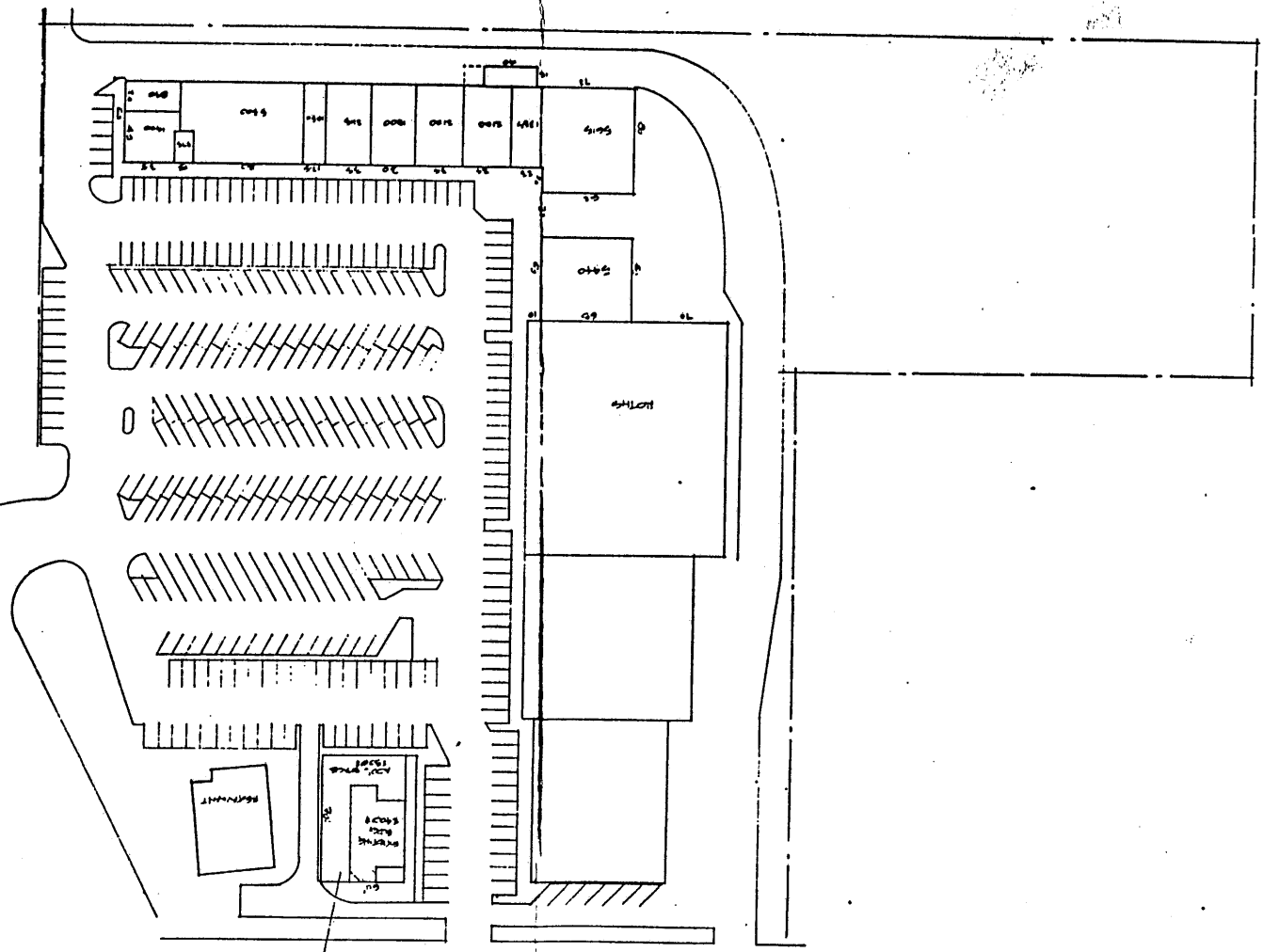
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SANTER CASE
ARCHITECTS

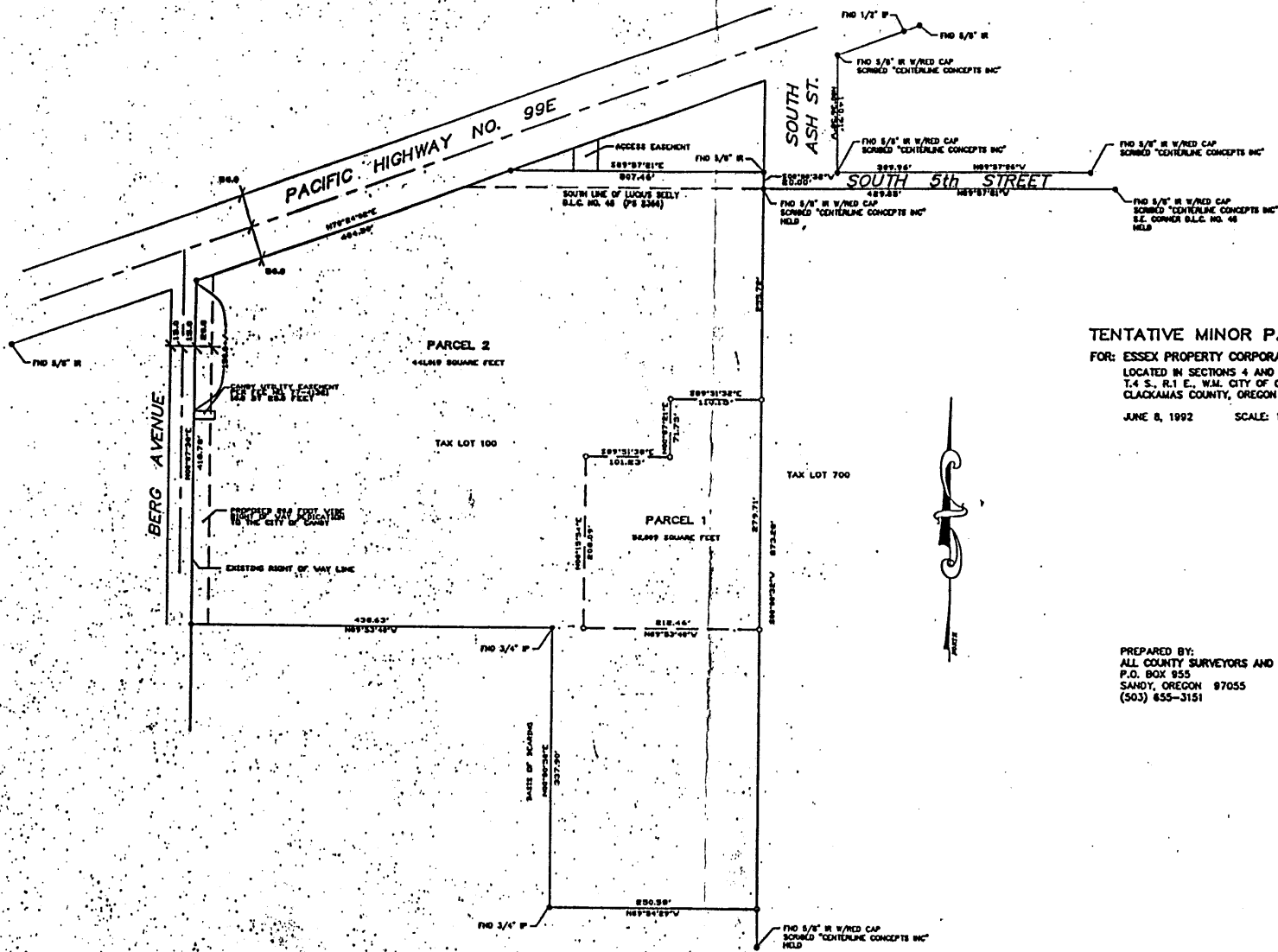
CANBY SQUARE

REVISIONS	
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← NORTH
SITE PLAN



TOTAL BUILDING
FOOTPRINT

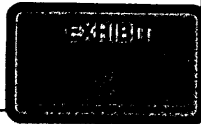


TENTATIVE MINOR PARTITION

FOR: ESSEX PROPERTY CORPORATION
 LOCATED IN SECTIONS 4 AND 5
 T.4 S., R.1 E., W.1/4 CITY OF CANBY
 CLATSOP COUNTY, OREGON

JUNE 8, 1992 SCALE: 1" = 60'

PREPARED BY:
 ALL COUNTY SURVEYORS AND PLANNERS
 P.O. BOX 855
 SANDY, OREGON 97055
 (503) 655-3151



PRELIMINARY SITE SURVEY FOR ESSEX PROPERTY CORP.

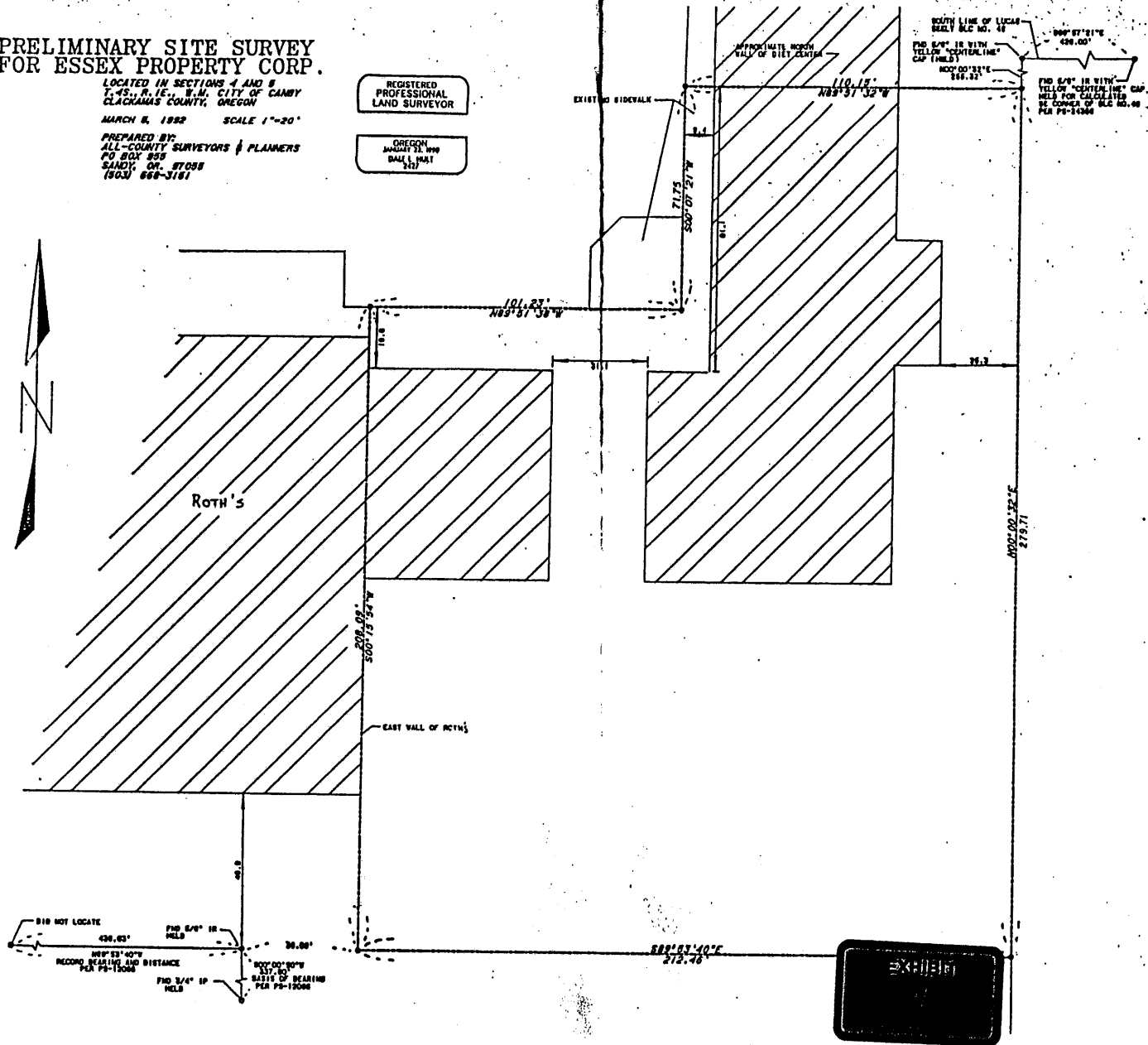
LOCATED IN SECTIONS 4 AND 5
T.45., R. 1E., S. 1/4, CITY OF CANBY
CLATSOP COUNTY, OREGON

MARCH 8, 1982 SCALE 1"=20'

PREPARED BY:
ALL-COUNTY SURVEYORS & PLANNERS
PO BOX 859
SANDY, OR. 97055
(503) 668-3181

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAYNARD E. HAY
DALL 1, 1981
(11)



PLEASE RETURN ATTACHMENTS!!!

92w
6/30/92

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: June 22, 1992

TO: CUB; PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, (TODD SCHMIT) CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

The City has received MLP 92-04, an applications by The Alton Group to divide a 493,028 square foot parcel into two parcels, approximately 52,009 and 441,019 square feet, respectively. The applicant intends to construct a new 28,000 square foot Payless Drug Store. The site is located in the southeastern portion of the Canby Square Shopping Center (Tax Lot 100 of Tax Map 4-1E-5A).

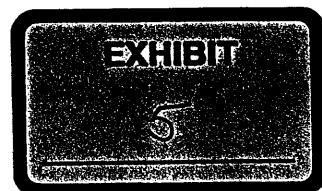
We would appreciate your reviewing the enclosed applications and submitting comments by June 29, 1992 PLEASE. The Planning Commission will consider this application on July 13, 1992. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

CANBY TEL & NORTH WILLAMETTE TELECOM
ARE NOT SHOWN AS HAVING EASEMENTS
ON PLAT PROVIDE FOR EXISTING FACILITIES

WE WOULD LIKE THOSE TO BE SHOWN
LAST & MOST IMPORTANT CTA ENTERS
THE EAST WING OF THIS COMPLEX ON
THE SE CORNER & RUN WIRES NORTH TO
ADJOINING TENANTS - WITH NEW OWNERSHIP
WILL WE BE ABLE TO CONTINUE THIS
PRACTICE

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



Signature: Tom Pierson Date: 6/30/92

PLEASE RETURN ATTACHMENTS!!!

DSW
6/25/92

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

RECEIVED
JUN 25 1992
CITY OF CANBY

DATE: June 22, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

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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: Gary F. Hyatt Date: 6/24/92

950
6/23/92

PLEASE RETURN ATTACHMENTS!!!

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: June 22, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

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Comments or Proposed Conditions:

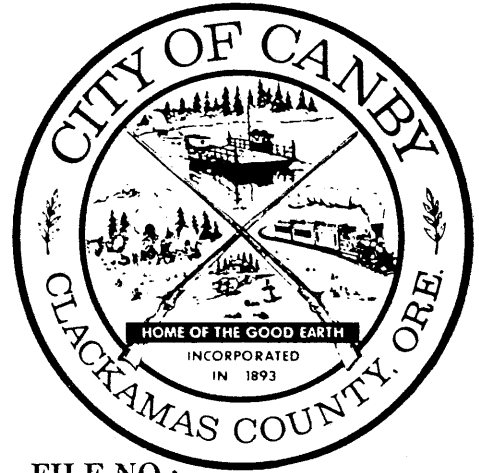
By demolishing existing corner, all of shopping center electric is in S.E. corner. All the controls for city lift station, are also in this corner. What is the plan for relocation of this room?

I see no other problem with this application

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

Signature: Roy L. Hester Date: June 23, 1992

- STAFF REPORT -



APPLICANT:

Canby Elementary School District No. 86

FILE NO.:

CUP 92-07

(Eccles Portable Unit)

OWNER:

Canby Elementary School District No. 86

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lot 1100 of
Tax Map 3-1E-32D

DATE OF REPORT:

July 2, 1992

LOCATION:

N.W. 5th Avenue & Cedar St.

DATE OF HEARING:

July 13, 1992

COMP. PLAN DESIGNATION:

Public

ZONING DESIGNATION:

R-2 (Medium Density
Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval of a Conditional Use application for an elementary school temporary portable classroom. The classroom would be in use for the 1992-3 academic year.

II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

- 16.10 Off-Street Parking and Loading
- 16.20 R-2 Medium Density Residential Zone
- 16.50 Conditional Uses
- 16.88 General Standards

- **City of Canby Comprehensive Plan:**

- I. Citizen Involvement
- II. Urban Growth
- III. Land Use
- IV. Environmental Concerns
- V. Transportation
- VI. Public Facilities and Services
- VII. Economics
- VIII. Housing
- IX. Energy

III. MAJOR APPROVAL CRITERIA

16.50.010 Authorization to Grant or Deny Conditional Uses

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

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the City.
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.
- C. All required public facilities and services exist to adequately meet the needs of the proposed development.

- D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits or precludes the use of surrounding properties for the uses listed as permitted in the zone.

IV. FINDINGS:

A. Background and Relationships:

The applicant proposes adding a temporary portable classroom for the existing Eccles Elementary School located on N.W. 5th Avenue. The temporary classroom is proposed to be utilized while a new elementary school is developed (which is currently in progress). The portable classroom will occupy approximately 1,800 square feet next to the northwest corner of the existing school building, and immediately to the north of the temporary portable classroom approved in March of this year. The 9.7 acre site is surrounded by public land (Knight School) and housing, with apartments located across from the school, on Cedar Street. One additional staff position will be created for the 1992-3 academic year. The nine parking spaces will be relocated and two additional parking spaces will be added. The Eccles Elementary School recently received approval for a Conditional Use Permit for a temporary classroom; minor expansion and interior remodeling; and, an addition with remodeling, that included a new covered play area, new music room, paving of the west parking area and a bus loading area and interior improvement (CUP 92-03, approved March 9, 1992; CUP 92-02, approved February 24, 1992; and, CUP 91-02, approved June 26, 1991).

With the approval of CUP 92-03, the improvements to the west side parking and access drive were postponed. At that time, it was the understanding of the Planning Commission that sidewalk improvements would occur with the parking and access drive improvements, to be completed later. The existing portable has a time limit on its use, ending in September of 1993. The current application proposes a one-year time limit on its use.

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

- **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. With the addition of two staff, the project will not significantly 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 #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 proposal is a temporary addition to an existing elementary school. The Comprehensive Plan designates the site as "Public" land use, and the school is mentioned as a continuing use. It is the staff's opinion that a temporary addition to the school to handle the increased enrollment while a new school is developed (which is currently in progress) is within the intent of the land use policies.

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

Surface water will be insignificantly impacted by the placement of the temporary addition and the relocation of the gravel parking spaces. On-site disposal of storm water will be required. 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. The proposal will have minimal affect on the open space since the site is almost 10 acres and the changes will directly affect only a small proportion of that.

v. **Transportation**

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

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.

ANALYSIS

The temporary addition will not encroach upon sidewalk use. Nine parking spaces will be relocated from the north side of the current service drive to the south of the first temporary classroom and to the west of the service drive. Two additional parking spaces are proposed to be included in the relocation of the other nine parking spaces. Existing parking is located on the east side of the existing school and on the east side of the current access drive on the west side of the existing school. The temporary classroom will not result in a significant increase in use or demand for transportation facilities.

vi. **Public Facilities and Services**

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

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

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

ANALYSIS

The changes proposed do not affect any utilities. The project will improve the efficiency of the use of public school facilities and will not adversely affect the use of the existing open space.

vii. **Economic**

■ **GOAL: TO DIVERSIFY 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.**
(Not applicable.)

ix. **Energy Conservation**

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

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

Policy #4: Canby shall attempt to reduce wasteful patterns of energy consumption in transportation systems.

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

ANALYSIS

The City has adopted an ordinance that requires the review of solar access for both properties to the north of the project and for the subject property. The project will not impede the solar access of the properties to the north and will continue to have full solar access. The State has rules which encourage energy conservation through design and construction methods.

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

Based upon the above described analysis, the proposal is consistent with or can, with conditions, be made consistent with the policies of the Comprehensive Plan.

C. Evaluation Regarding Conditional Use Approval Criteria

1. Comprehensive Plan, Ordinance, and Policy Consistency

The previous discussion determined the proposal's relation to Comprehensive Plan consistency. The school's addition of a temporary classroom addition is found to be consistent with the policies of the Comprehensive Plan.

The new and relocated gravel parking spaces (CUP 92-03 and CUP 92-07) for the school do not meet the City's Ordinance governing parking surfaces (16.10.070 (3)). This issue was overlooked in the previous application (CUP 92-03). A proposal by the applicant to pave the west side parking when a bus access drive and sidewalk is constructed (by August 20, 1993), is acceptable to staff.

2. Site Suitability

The proposed temporary classroom, including the recent additions and improvements approved last year (CUP 91-02) and approvals this year (CUP 92-02 and CUP 92-03), is considered by staff to be a minor change to the existing Eccles school building and site development. The temporary classroom at the northwest corner of the existing school covers an area of approximately 1,800 square feet. The approved bus loading area and routing, and the approved paving of the west side parking area (CUP 91-02) will be delayed for the period the temporary classroom is in use. This is due to changed funding priorities of the School District. The bus routing and paved parking areas were themselves conditions of approval for CUP 91-02, and therefore will not have a significant impact on the traffic pattern and parking requirements of the site. Nine parking spaces will need to be relocated as a result of the placement of the temporary classroom. An additional two parking spaces will be provided for the additional staff position. The applicant has stated that improvements to the parking area (bus access drive and paving) with sidewalk improvements on N. Cedar Street will occur by August 20, 1993. Staff considers it necessary that the completion of these improvements occur prior to the next land use application.

3. Availability of Public Services and Facilities for the Site

Utility and public safety facilities and services are available and currently serve the facility. Extensions of service and facilities will not be needed. No additional demands for services will result from the proposal.

4. Compatibility with Surrounding Uses

The proposal is of minor scale when compared to the existing development, as evidenced by an inspection of the drawings. The addition will not result in an impact on the use of the sidewalks or the traffic pattern of 5th Street.

IV. CONCLUSION

Based on the above analysis, and without benefit of a public hearing, staff concludes that:

1. The proposed use of the site is consistent with the applicable requirements and policies of the Comprehensive Plan;
2. The new and relocated gravel parking spaces do not comply with the City Ordinance (16.10.070 (3)), and therefore will need to be paved. The applicant has proposed paving the parking area, providing a bus access drive and providing a sidewalk along N. Cedar Street by August 20, 1993.
3. The characteristics of the site are suitable for the proposed use;
4. That all required public facilities and services exist to adequately meet the needs of the existing school, and that no significant increase in demand for public facilities and service will result; and,
5. 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.

V. RECOMMENDATION:

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve CUP 92-07 as submitted with the following conditions:

1. The use and placement of the temporary classroom shall be for a period of time not to exceed twelve (12) months.

2. Conditions of CUP 91-02 and the installation of a sidewalk along N. Cedar Street shall be completed by August 20, 1993 and prior to any further land use applications for the subject site.

Exhibits:

1. Application for Conditional Use
2. Vicinity Map
3. Request For Comment Responses

CONDITIONAL USE APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name Canby Elementary School Dist.
Address 117 NE 3rd Avenue
City Canby State OR Zip 97013
SIGNATURE [Signature]

Name Canby Elementary School Dist.
Address 117 NE 3rd Avenue
City Canby State OR Zip 97013
Phone: 503-266-5871

DESCRIPTION OF PROPERTY: Howard Eccles Elementary School

Tax Map _____ Tax Lot(s) _____ Lot Size _____
(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 Public School Proposed Public School

Existing Structures _____

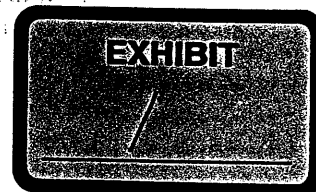
PROJECT DESCRIPTION

Two-classroom modular building
Classrooms will be leased for the 1992-93 school year and will
be removed June 1993.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION _____

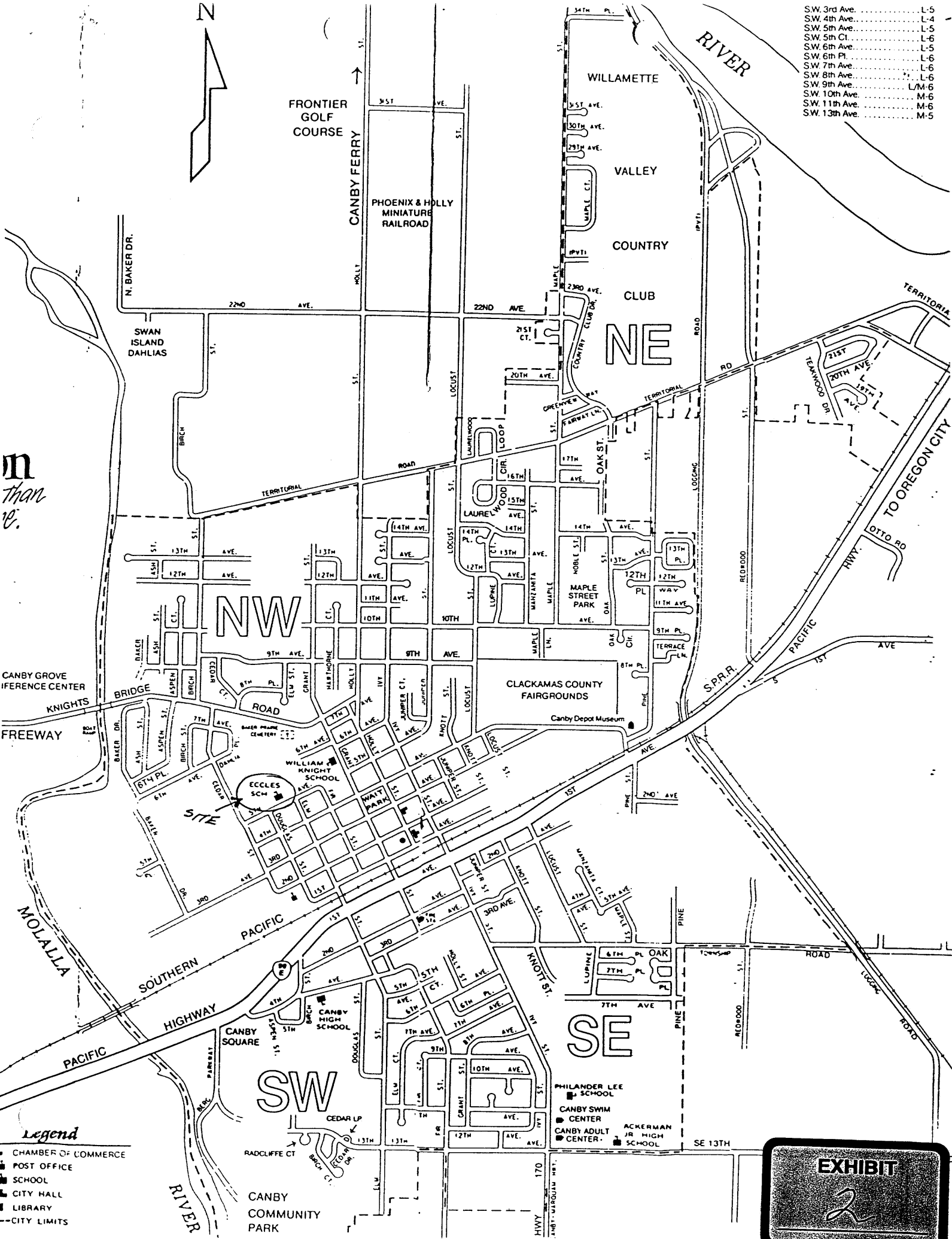
PREVIOUS ACTION (if any) Remodeling and modular building

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.

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



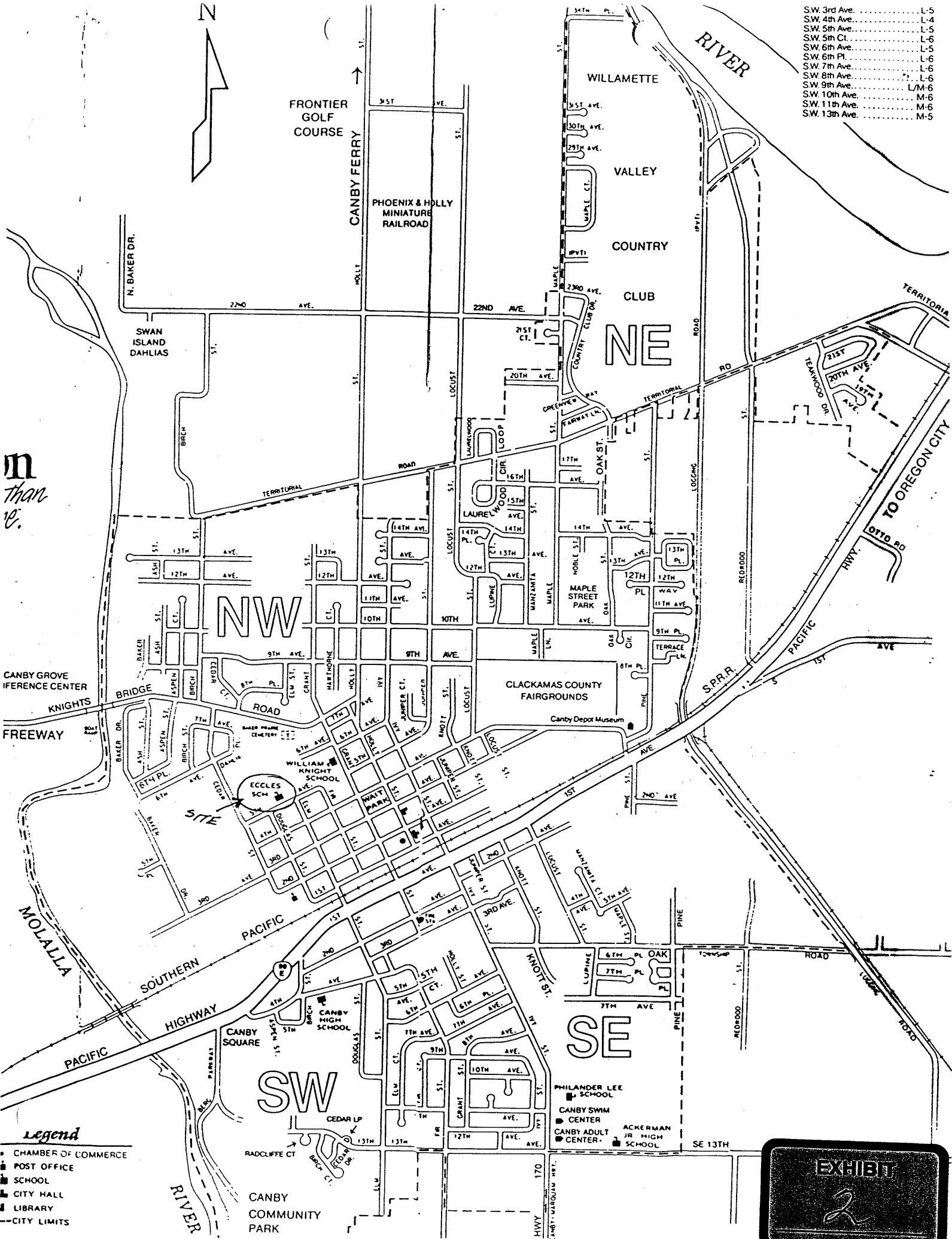
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- Legend**
- CHAMBER OF COMMERCE
 - POST OFFICE
 - SCHOOL
 - CITY HALL
 - LIBRARY
 - CITY LIMITS

EXHIBIT

2

- 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



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10.*

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



PLEASE RETURN ATTACHMENTS!!!

*95w
6/23/92*

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

DATE: June 22, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

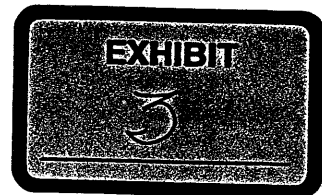
The City has received CUP 92-07, an applications by Canby Elementary School District to install a two-classroom modular building at the Howard Eccles Elementary School property, to be removed in June, 1993. The school is located on N.W. 5th Avenue, east of N. Cedar Tax Lot 1100 of Tax Map 3-1E-33).

We would appreciate your reviewing the enclosed applications and submitting comments by June 29, 1992 **PLEASE**. The Planning Commission will consider this application on **July 13, 1992**. Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

NO Restroom, I have no comment. AS LONG AS they are removed as application states

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



Signature: Roy L. Hester Date: June 23, 1992

PLEASE RETURN ATTACHMENTS!!!

6/24/92
95w

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: June 22, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

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Comments or Proposed Conditions:

Modular building to be installed as per UFC
and installed as the existing modular was installed

- 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

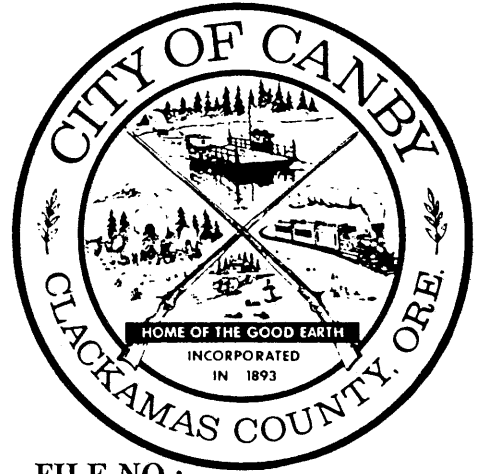
Signature: _____

Jack Stark

Date: _____

6-22-92

- STAFF REPORT -



APPLICANT:

Canby Elementary School No. 86

FILE NO.:

CUP 92-08

(Lee Portable Unit)

OWNER:

Canby Elementary School No. 86

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lot 701 of
Tax Map 4-1E-4A

DATE OF REPORT:

July 2, 1992

LOCATION:

East side of S. Ivy Street
south of S.W. 13th Avenue

DATE OF HEARING:

July 13, 1992

COMP. PLAN DESIGNATION:

Public

ZONING DESIGNATION:

R-1 (Low Density
Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval of a Conditional Use application for an elementary school temporary portable classroom. The classroom would be in use for the 1992-3 academic year.

II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

- 16.10 Off-Street Parking and Loading
- 16.16 R-1 Low Density Residential Zone
- 16.50 Conditional Uses
- 16.88 General Standards

- **City of Canby Comprehensive Plan:**

- I. Citizen Involvement
- II. Urban Growth
- III. Land Use
- IV. Environmental Concerns
- V. Transportation
- VI. Public Facilities and Services
- VII. Economics
- VIII. Housing
- IX. Energy

III. MAJOR APPROVAL CRITERIA

16.50.010 Authorization to Grant or Deny Conditional Uses

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

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the City.
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.

- C. All required public facilities and services exist to adequately meet the needs of the proposed development.
- D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits or precludes the use of surrounding properties for the uses listed as permitted in the zone.

IV. FINDINGS:

A. Background and Relationships:

The applicant proposes adding a temporary portable classroom for the existing Philander Lee Elementary School located on S. Ivy Street. The temporary classroom is proposed to be utilized while a new elementary school is developed (which is currently in progress). The portable classroom will occupy approximately 900 square feet on east side of the existing school building and to the south of the two existing portable classrooms. The 15 acre site is surrounded by public land (Ackerman Junior High School, Canby Adult Center, and the Canby Swim Center), single-family residential and small strip of commercial enterprises along the east side of Ivy Street north of the school property. The Lee Elementary School recently received approval for a Conditional Use application for portable classroom (CUP 91-03, approved July 8, 1991).

There are currently two portable classrooms on site, which do not have a time limit set for their use. The current application proposes a one-year time limit on their use. One additional staff position will be required for the next school year. The additional parking spaces required will be met by the parking lot expansion a parking lot renovation and expansion that was completed within the last year as a separate action (not requiring Condition Use Permit application).

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

■ **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. With the addition of two staff, the project will not significantly 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 #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 proposal is a temporary addition to an existing elementary school. The Comprehensive Plan designates the site as "Public" land use, and the school is mentioned as a continuing use. It is the staff's opinion that a temporary addition to the school to handle the increased enrollment while a new school is developed (which is currently in progress) is within the intent of the land use policies.

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

Surface water will be insignificantly impacted by the placement of the temporary addition. On-site disposal of storm water will be required. 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. The proposal will have minimal affect on the open space since the site is almost 15 acres and the changes will directly affect only a small proportion of that. Dedication of six acres of land for park purposes will be occurring immediately to the east of the school property (Township Village project).

v. **TRANSPORTATION**

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

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.

ANALYSIS

The temporary addition will not encroach upon sidewalk use. The additional two parking spaces are considered to be provided for with the recent parking lot expansion. The temporary classroom will not result in a significant increase in use or demand for transportation facilities.

vi. PUBLIC FACILITIES AND SERVICES

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

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

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

ANALYSIS

The changes proposed do not affect any utilities. The project will improve the efficiency of the use of public school facilities and will not adversely affect the use of the existing open space.

vii. ECONOMIC

- **GOAL: TO DIVERSIFY 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.**
(Not applicable.)

ix. **ENERGY CONSERVATION**

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

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

Policy #4: Canby shall attempt to reduce wasteful patterns of energy consumption in transportation systems.

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

ANALYSIS

The City has adopted an ordinance that requires the review of solar access for both properties to the north of the project and for the subject property. The project will not impede the solar access of the properties to the north and will continue to have full solar access. The State has rules which encourage energy conservation through design and construction methods.

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

Based upon the above described analysis, the proposal is consistent with or can, with conditions, be made consistent with the policies of the Comprehensive Plan.

C. Evaluation Regarding Conditional Use Approval Criteria

1. Comprehensive Plan Consistency

The previous discussion determined the proposal's relation to Comprehensive Plan consistency. The school's addition of a temporary classroom addition is found to be consistent with the policies of the Comprehensive Plan.

2. Site Suitability

The proposed temporary classroom, including the recent addition of another portable classroom (CUP 91-02) is considered by staff to be a minor change to the existing Lee school building and site development. The temporary classroom on the east side of the existing school covers an area of approximately 900 square feet. The temporary classroom will not change the site use and characteristics. The additional required parking spaces have been met by the recent parking lot expansion.

3. Availability of Public Services and Facilities for the Site

Utility and public safety facilities and services are available and currently serve the facility. Extensions of service and facilities will not be needed. No additional demands for services will result from the proposal.

4. Compatibility with Surrounding Uses

The proposal is of minor scale when compared to the existing development, as evidenced by an inspection of the drawings. The addition will not result in an impact on the use of the sidewalks or the traffic pattern of S. Ivy Street.

IV. CONCLUSION

Based on the above analysis, and without benefit of a public hearing, staff concludes that:

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 to adequately meet the needs of the existing school, and that no significant increase in demand for public facilities and service will result; and,
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.

V. RECOMMENDATION:

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve CUP 92-08 as submitted for a period of time not to exceed twelve (12) months.

Exhibits:

1. Application for Conditional Use
2. Vicinity Map
3. Request for Comment Responses

CONDITIONAL USE APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name Canby Elementary School Dist. Name Canby Elementary School Dist.
 Address 117 NE Third Avenue Address 117 NE Third Avenue
 City Canby State OR Zip 97013 City Canby State OR Zip 97013
 SIGNATURE [Signature] Phone: 266-5871

DESCRIPTION OF PROPERTY: Philander Lee Elementary School

Tax Map _____ Tax Lot(s) _____ Lot Size _____
 (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 Public School Proposed Public School

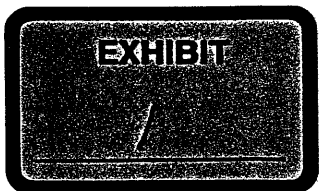
Existing Structures _____

PROJECT DESCRIPTION

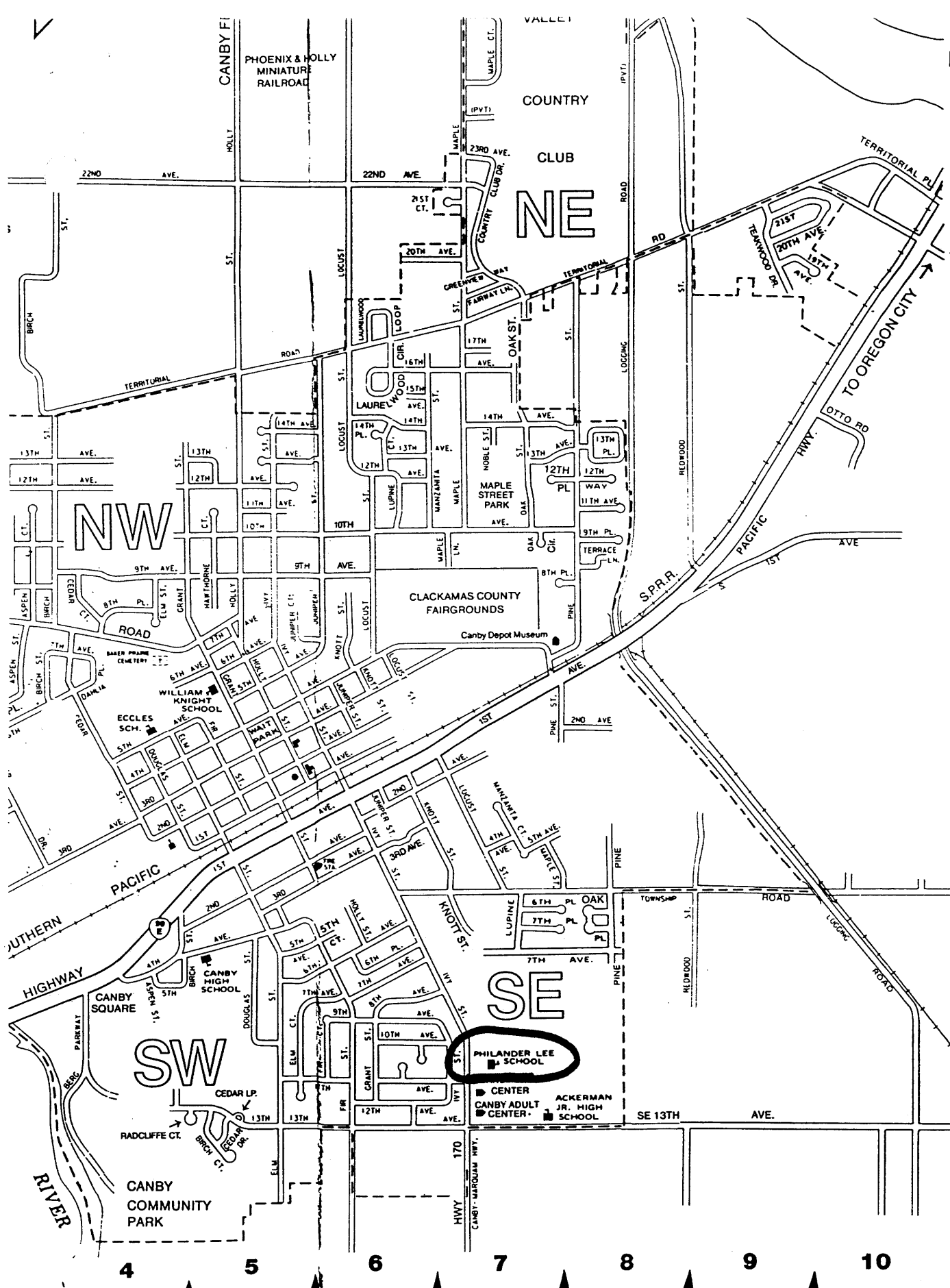
One-classroom modular building.
Classroom will be leased for the 1992-93 school year
and will be removed June 1993.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION _____
 PREVIOUS ACTION (if any) Remodeling and modular buildings

File No. _____
 Receipt No. _____
 Received by _____
 Date Received _____
 Completeness Date _____
 Pre-Ap 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.



Farms —

- Above-ground
- In-ground p
- Portable p
- Portable sp
- Accessorie
- Parts

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"Let's Make"

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- Burglar
- 24 Hour
- S
- Bus
- 2
- Home
- Prewire

RGE C. DOUGLASS, CPA, PC
Certified Public Accountant
113 NW Third Ave - Canby

GARY L. LINTON
Agent
"Good service, good coverage, good price - That's State Farm Insurance."

EXHIBIT

PLEASE RETURN ATTACHMENTS!!!

9x20
6/23/92

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

DATE: June 22, 1992

TO: CUB, PUBLIC WORKS (Roy and Rusty), FIRE, POLICE, SEWER, MIKE JORDAN, GARY HYATT, TOM PIERSON, TODD SCHMIT, CANBY HIGH SCHOOL, CLACKAMAS COUNTY, CANBY ELEMENTARY SCHOOL

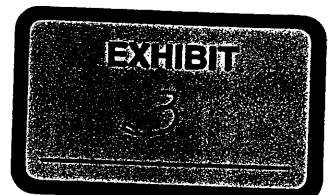
The City has received CUP 92-08, an applications by Canby Elementary School District to install a one-classroom modular building at the Philander Lee Elementary School property, to be removed in June, 1993. The school is located on S. Ivy Street, north of S. 13th Avenue (Tax Lot 701 of Tax Map 4-1E-4A).

We would appreciate your reviewing the enclosed applications and submitting comments by June 29, 1992 **PLEASE.** The Planning Commission will consider this application on **July 13, 1992.** Please indicate any conditions of approval you may wish the Commission to consider if they approve the application. Thank you.

Comments or Proposed Conditions:

With no Restroom in this Addition, I have
NO COMMENT

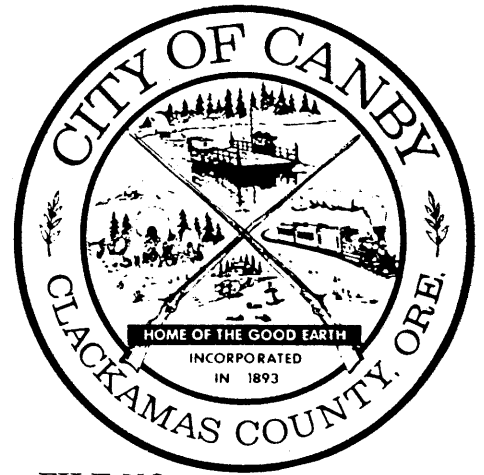
- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available



Signature: Roy L. Woster

Date: June 23/1992

- STAFF REPORT -

**APPLICANT:**

Canby Elementary School No. 86

FILE NO.:

CUP 92-09
(Knight Portable Unit)

OWNER:

Canby Elementary School No. 86

STAFF:

James S. Wheeler
Assistant Planner

LEGAL DESCRIPTION:

Tax Lot 1400 of
Tax Map 3-1E-33CB

DATE OF REPORT:

July 2, 1992

LOCATION:

501 N. Grant Street at 6th Avenue

DATE OF HEARING:

July 13, 1992

COMP. PLAN DESIGNATION:

Public

ZONING DESIGNATION:

R-2 (Medium Density
Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval of a Conditional Use application for an elementary school temporary portable classroom. The classroom would be in use for the 1992-3 academic year.

II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

- 16.10 Off-Street Parking and Loading
- 16.20 R-2 Medium Density Residential Zone
- 16.50 Conditional Uses
- 16.88 General Standards

- **City of Canby Comprehensive Plan:**

- I. Citizen Involvement
- II. Urban Growth
- III. Land Use
- IV. Environmental Concerns
- V. Transportation
- VI. Public Facilities and Services
- VII. Economics
- VIII. Housing
- IX. Energy

III. MAJOR APPROVAL CRITERIA

16.50.010 Authorization to Grant or Deny Conditional Uses

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

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the City.
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features.

- C. All required public facilities and services exist to adequately meet the needs of the proposed development.
- D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits or precludes the use of surrounding properties for the uses listed as permitted in the zone.

IV. FINDINGS:

A. Background and Relationships:

The applicant proposes adding a temporary portable classroom for the existing Knight Elementary School located on N. Grant Avenue. The temporary classroom is proposed to be utilized while a new elementary school is developed (which is currently in progress). The portable classroom will occupy approximately 900 square feet next to the northwest corner of the existing school building, north of an existing portable classroom. The 8.75 acre site is surrounded by public land (Eccles School and Wait Park) housing, and medical offices to the south. The Knight Elementary School recently received approval for Conditional Use Permits for remodeling and paving and expansion of the parking area (CUP 92-01, approved February 24, 1992), and for a portable classroom (CUP 91-04, approved July 8, 1991).

There is a current portable classroom on site, which does not have a time limit set for its use. The current application proposes a one-year time limit on its use. One additional staff position will be created for the 1992-93 academic year. The additional parking spaces required will be met by the parking lot expansion that is part of CUP 92-01.

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

- **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. With the addition of two staff, the project will not significantly 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 #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 proposal is a temporary addition to an existing elementary school. The Comprehensive Plan designates the site as "Public" land use, and the school is mentioned as a continuing use. It is the staff's opinion that a temporary addition to the school to handle the increased enrollment while a new school is developed (which is currently in progress) is within the intent of the land use policies.

iv. ENVIRONMENTAL CONCERNS

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

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

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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

Surface water will be insignificantly impacted by the placement of the temporary addition. On-site disposal of storm water will be required. 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. The proposal will have minimal affect on the open space since the site is almost 9 acres and the changes will directly affect only a small proportion of that.

v. TRANSPORTATION

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

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.

ANALYSIS

The temporary addition will not encroach upon sidewalk use. The additional two parking spaces are considered to be provided for with the recent parking lot expansion. The temporary classroom will not result in a significant increase in use or demand for transportation facilities.

vi. PUBLIC FACILITIES AND SERVICES

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

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

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

ANALYSIS

The changes proposed do not affect any utilities. The project will improve the efficiency of the use of public school facilities and will not adversely affect the use of the existing open space.

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.**
(Not applicable.)

ix. ENERGY CONSERVATION

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

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

Policy #4: Canby shall attempt to reduce wasteful patterns of energy consumption in transportation systems.

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

ANALYSIS

The City has adopted an ordinance that requires the review of solar access for both properties to the north of the project and for the subject property. The project will not impede the solar access of the properties to the north and will continue to have full solar access. The State has rules which encourage energy conservation through design and construction methods.

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

Based upon the above described analysis, the proposal is consistent with or can, with conditions, be made consistent with the policies of the Comprehensive Plan.

C. Evaluation Regarding Conditional Use Approval Criteria

1. Comprehensive Plan Consistency

The previous discussion determined the proposal's relation to Comprehensive Plan consistency. The school's addition of a temporary classroom addition is found to be consistent with the policies of the Comprehensive Plan.

2. Site Suitability

The proposed temporary classroom, including the recent addition of another portable classroom (CUP 91-04) and the remodeling (CUP 92-01), is considered by staff to be a minor change to the existing Knight school building and site development. The temporary classroom on the east side of the existing school covers an area of approximately 900 square feet. The temporary classroom will not change the site use and characteristics. The additional required parking spaces have been met by the recent parking lot expansion (CUP 92-01).

3. Availability of Public Services and Facilities for the Site

Utility and public safety facilities and services are available and currently serve the facility. Extensions of service and facilities will not be needed. No additional demands for services will result from the proposal.

4. Compatibility with Surrounding Uses

The proposal is of minor scale when compared to the existing development, as evidenced by an inspection of the drawings. The addition will not result in an impact on the use of the sidewalks or the traffic pattern of N. Grant Avenue.

IV. CONCLUSION

Based on the above analysis, and without benefit of a public hearing, staff concludes that:

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 to adequately meet the needs of the existing school, and that no significant increase in demand for public facilities and service will result; and,
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.

V. RECOMMENDATION:

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve CUP 92-09 as submitted for a period of time not to exceed twelve (12) months.

Exhibits:

1. Application for Conditional Use
2. Vicinity Map
3. Request for Responses

CONDITIONAL USE APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name Canby Elementary School Dist. Name Canby Elementary School District
 Address 117 NE Third Avenue Address 117 NE Third Avenue
 City Canby State OR Zip 97013 City Canby State OR Zip 97013
 SIGNATURE [Signature] Phone: 266-5871

DESCRIPTION OF PROPERTY: William Knight Elementary School

Tax Map _____ Tax Lot(s) _____ Lot Size _____
 (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 Public School Proposed Public School

Existing Structures _____

PROJECT DESCRIPTION

One-classroom modular building
Classroom will be leased for the 1992-93 school year
and will be removed June 1993.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION _____

PREVIOUS ACTION (if any) Remodeling and modular buildings

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.

PLANNING COMMISSION

SIGN-IN SHEET

Date: July 13, 1992

NAME
(Please Print)

DAVID HERMAN

BOB REGAN

George Mitchell

ADDRESS
(Please Print)

5421 W. Madison Lane W.L.M.

31151 South Nedy Rd

546 SE Township Rd.

