

# **A G E N D A**

## **CANBY PLANNING COMMISSION**

### **REGULAR MEETING City Council Chambers**

**February 10, 1992 - 7:30 p.m.**

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**I. ROLL CALL**

**II. MINUTES**

January 27, 1992

**III. CITIZEN INPUT ON NON-AGENDA ITEMS**

**IV. COMMUNICATIONS**

**V. FINDINGS**

SUB 91-01 - Pine Street Addition II

**VI. NEW BUSINESS**

**VII. PUBLIC HEARINGS**

**MLP 92-01**, an application by George Wilhelm for approval of a minor land partition to partition an 24,219 square foot parcel into two parcels. The partition as requested would create a new lot suitable for three units with a net area of 10,195 square feet, leaving the existing residence on a 14,024 square foot lot. The property is located at 546 S.E. Township Road (Tax Lot 2000 of Tax Map 3-1E-33DD).

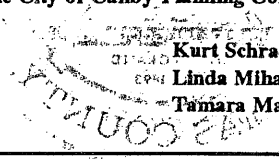
**CUP 92-01**, an application by the Canby Elementary School District #86 for the addition of a new computer room and remodeling of the speech room, storage room, lounge, and parking lot of the Knight Elementary School. The school is located at 501 N. Grant Street (Tax Lot 1400 of Tax Map 3-1E-33CB).

**CUP 92-02/NCS 92-01**, an application by the Canby Elementary School District #86 for additions and remodeling to the Howard Eccles Elementary School. Specifically, the applicant is requesting approval of an addition to the library, the addition of a new computer room, storage room, and an entry/canopy between the kitchen and storage room. Additionally, the applicant is requesting approval to remodel the administrative and staff support rooms and Expansion of a Nonconforming Structure. The school is located at 562 N.W. 5th Street (Tax Lot 1100 of Tax Map 3-1E-32D).

VIII. DIRECTOR'S REPORT

IX. ADJOURNMENT

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



Kurt Schrader, Chair  
Linda Mihata, Vice-Chair  
Tamara Maher

Wade Wiegand  
John Zieg  
Henry Fenske



**MEETING TIMELINES AND PROCEDURES**

- *In order not to restrict any person from testifying but, rather, to encourage everyone to do so, the Canby Planning Commission shall try to adhere as closely as possible to the following timelines:*

*Applicant (or representative[s]) - not more than 30 minutes*

*Proponents - not more than 10 minutes*

*Opponents - not more than 10 minutes*

*Rebuttal - not more than 20 minutes*

- *Everyone present is encouraged to testify, even if it is only to concur with previous testimony. For more complete presentations, Proponents and Opponents may "buy" time from one another. In so doing, those either in favor, or opposed, may allocate their time to a spokesperson who can represent the entire group.*

- *All questions must be directed through the Chair.*

- *Any evidence to be considered must be submitted to the hearing body for public access.*

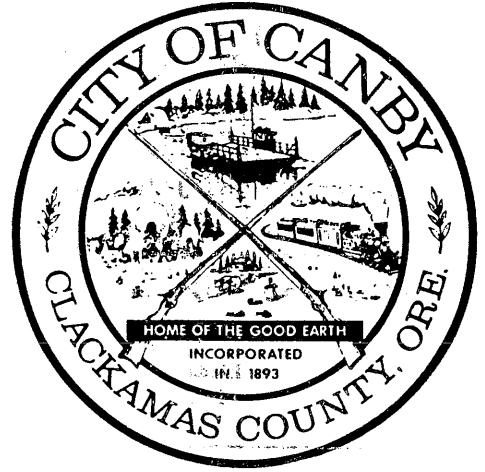
*Failure of an issue to be raised in a hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision-making body an opportunity to respond to the issue, precludes appeal to the State Land Use Board of Appeals.*

- *All written testimony received, both for and against, shall be summarized by staff and presented briefly to the hearing body at the beginning of the hearing.*

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



**- STAFF REPORT -**



**APPLICANT:**

George H. & Gloria K. Wilhelm

**FILE NO.:**

MLP 92-01

**OWNER:**

George H. & Gloria K. Wilhelm

**STAFF:**

James S. Wheeler  
Assistant Planner

**LEGAL DESCRIPTION:**

Tax Lot 2000 of  
Tax Map 3-1E-33DD

**DATE OF REPORT:**

January 31, 1992

**LOCATION:**

546 S.E. Township Road

**DATE OF HEARING:**

February 10, 1992

**COMP. PLAN DESIGNATION:**

High Density Residential

**ZONING DESIGNATION:**

R-2

**I. APPLICANT'S REQUEST:**

The applicant is requesting approval of a minor land partition of a 24,219 square foot parcel into two parcels.

## **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. 16.20.030 Development Standards in R-2 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:

The subject property is identified on the Clackamas County Assessor's Map as Tax Lot 2000 of Tax Map 3-1E-33DD. The property consists of approximately 0.59 acres, with 171 lineal feet of frontage along S.E. Township Road, and 150 feet of frontage on S. Maple Street. The entire area is zoned R-2, Medium Density Residential.

The lot is currently occupied by a single-family house addressed as 546 S.E. Township Road, on the northwestern corner of S. Maple Street and S.E. Township Road. There is room for adequate yards if the minor partition is granted, provided that required easements, access drives, and partition line adjustment can be provided. According to the map submitted by the applicant, there is a possibility that the partition line between parcels 1 and 2 will be within three feet of the existing pool on parcel 1. If this is the situation, either the line or the pool will have to be moved. The subject property is surrounded by single family homes built on lots to the south and east ranging in size from 7,000 square feet to 9,500 square feet, and duplexes and four-plexes built on lots to the north and west ranging from 7,500 square feet to 15,000 square feet.

##### 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. The project meets the intent of Canby goals and policies regarding the Comprehensive Plan Urban Growth Chapter, provided that the existing residential unit connects to the City's sewer system.

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 single family home or other permitted R-2 uses, would be consistent with the comprehensive plan designation of the subject property, high density residential. The proposal will allow an increase in the housing density to occur. The surrounding land use and density would suggest that this is a compatible and proper development of the subject property.

As a result of the discussions and statements made by the staff and engineers of the City's Sewer Treatment Plant during the City Council/Planning Commission Workshop Meeting of January 22, 1992, and further discussions with the Public Works Director, the sewer treatment plant, at this time, is determined to have the capacity to handle the existing residential unit on parcel 1 and the maximum three residential units allowed for parcel 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 if the existing septic system is emptied and filled with sand or gravel, and the residential unit connected to the City's sewer system. 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 less than 25,000 square feet.

### **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.

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

### ANALYSIS

Township Road has been placed fairly high on a priority list of street improvements (#3 out on a list of 12). Township Road has been widened in portions where new development has occurred. Township Road needs to be widened at the subject property with installation of curbs to match the existing curbs on Township Road immediately west of the subject property and the curbs on S. Maple Street on the subject property. Sidewalks will also need to be installed on the subject property on both S. Maple Street and Township Road. The policy of the City, in conformance with Section 16.64.070.B., has been to require the applicant of a subdivision (or partition) to provide the necessary street and sidewalk improvements at the time of subdivision (or partition). This requirement is consistent with the comprehensive plans policy of assuring improvement to and adequate capacity of existing 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 #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.

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

### ANALYSIS

All public facilities are available for the proposal with adequate capacity. A new elementary school and additions have been proposed to be built on Township Road and the High School has recently received approval of a project that will provide expanded capacity. The capacity of the City's sewer system has been discussed under the Land Use Element. Police, Fire, Water, Electric, and Natural Gas services have adequate capacity to service this project. The City requires a park system development fee for all new residential units that is utilized in expanding and maintaining the City's park system. At the time parcel 2 would be developed, fees for recreation facility development would be required. In nearby areas, Township Road has been widened only by developers at the time of development. Continuing this policy is equitable.

#### **vii. ECONOMIC**

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

(Not applicable.)

#### **viii. HOUSING**

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

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

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

### ANALYSIS

The partition of the subject property will allow a higher density of housing and will allow multiple-family housing to be built.

## **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 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 at the time of building. 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**

The City has a sewer line in S. Maple Street that ends approximately half way down parcel 2. Connection to sewer for parcel 1 will be required from a main line servicing the multiple-family units to the north. Easements will be necessary to service each parcel. A lift station for parcel 1 may also be necessary as the main line to the north is shallow. The sewer line in S. Maple Street has the capability to handle an additional three residential units, the maximum number of units allowed by zoning for parcel 2. The sewer treatment plant capacity was discussed under the Comprehensive Plan Land Use Element.

#### **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**

The Canby Utility Board requested that permanent construction and maintenance easements for utilities including, but not limited to, electric and water cables, pipeline conduits and poles, for:

12 feet in width along the total length of the south property line on parcels 1 and 2;

12 feet in width along the total length of the east property line of parcel 2; and,

6 feet in width along the lot line that will divide parcels 1 and 2 for the distance of 100 feet north from the south property lines of parcels 1 and 2.

**e. Storm Drainage**

All on-site storm water will be dealt with on-site and not discharged to the City system. There will be a small additional stormwater drainage in the city's system with the widening of Township Road.

**2. Streets/Traffic**

- a. Canby's ordinance (16.64.040.C) requires that any newly created parcels have access to a public street. The new parcel is proposed to have access to S. Maple Street and Township Road.
- b. Canby's ordinance (16.64.070.B) requires that street (including drainage) and sidewalk improvements be installed by the applicant.

Sidewalks are not present on either street. Curbing is provided along S. Maple Street. The southern half of Township Road has been widened along the Township Village subdivision across from the subject property and the

northern half has been widened immediately west of the subject property. Township Road has not been widened along the subject property. Two cedar trees will have to be removed and a fire hydrant relocated as a result of the widening of Township Road.

#### **D. Overall Design of Parcels**

The partition as proposed will result in the creation of two lots consisting of approximately 14,000 square feet and 10,000 square feet, respectively. Access to parcel 1 will be from Township Road. Access to parcel 2 can be from either Township Road or from S. Maple Street.

The subject property is generally flat, with room for building and required setbacks and yards. The parcel is zoned R-2, Medium Density Residential, and each parcel is large enough to provide the required development space and yards.

### **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 partition will have adequate frontage on a public street to insure safe and efficient access for single family and/or multi-family structures.
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, provided that conditions deal with sewer connection, easements, sidewalk needs, and street widening.

## 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 92-01, 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. Ten (10) feet of land for street widening purposes along Township Road shall be dedicated as part of the final partition. A sidewalk, curb, and widened street shall be provided along Township Road, and a sidewalk shall be provided along S. Maple Street.
4. Permanent utility construction and maintenance easements including, but not limited to, electric and water cables, pipeline conduits and poles shall be provided as follows:

12 feet in width along the total length of the south property line on parcels 1 and 2;

12 feet in width along the total length of the east property line of parcel 2; and,

6 feet in width along each lot line that will divide parcels 1 and 2 for the distance of 100 feet north from the south property lines of parcels 1 and 2. This will provide an easement with a total width of 12 feet.

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 92-01.
6. Plans to extend the sewer to both lots shall be approved for construction by the Director of Public Works, prior to the issuance of any building permits on the site.
7. The existing septic system on parcel 1 shall be drained, inspected by City Staff and removed or filled with sand or gravel.
8. All monumentation and recording fees shall be borne by the applicant.
9. All utilities must meet the standards and criteria of the providing utility authority.
10. Access to Parcel 2 shall be from S. Maple Street. The driveway shall be located as far to the north as possible away from the intersection of S. Maple Street and Township Road.
11. A minimum distance of three (3) feet shall be provided between the existing pool on Parcel 1 and the property line for Parcel 2.

**Exhibits:**

1. Application and Vicinity Map
2. Site Plan



# MINOR LAND PARTITION APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name George H & Gloria K Wilhelm  
Address 546 S.E. Township Rd.  
City Canby State OR Zip 97013  
Signature: *George H Wilhelm*

Name Same as Owner  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone: 266-5158

## DESCRIPTION OF PROPERTY:

Tax Map 3S 1E 33DD Tax Lot(s) 2000 Lot Size 0.59 Ac.  
(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 Single Family Residential Proposed Single Family Residential and Tri-plex lot.

Existing Structures will remain on Parcel 1. See attached Plat.

## PROJECT DESCRIPTION

Create one new tri-plex lot and preserve an existing single family residence. This partition does conform with the existing zoning, the comprehensive plan and the existing surrounding land use. See attached Narrative.

ZONING R-2 COMPREHENSIVE PLAN DESIGNATION R-2

PREVIOUS ACTION (if any) \_\_\_\_\_

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

EXHIBIT

1  
309

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

**WILHELM MINOR PARTITION - JANUARY 10, 1992**

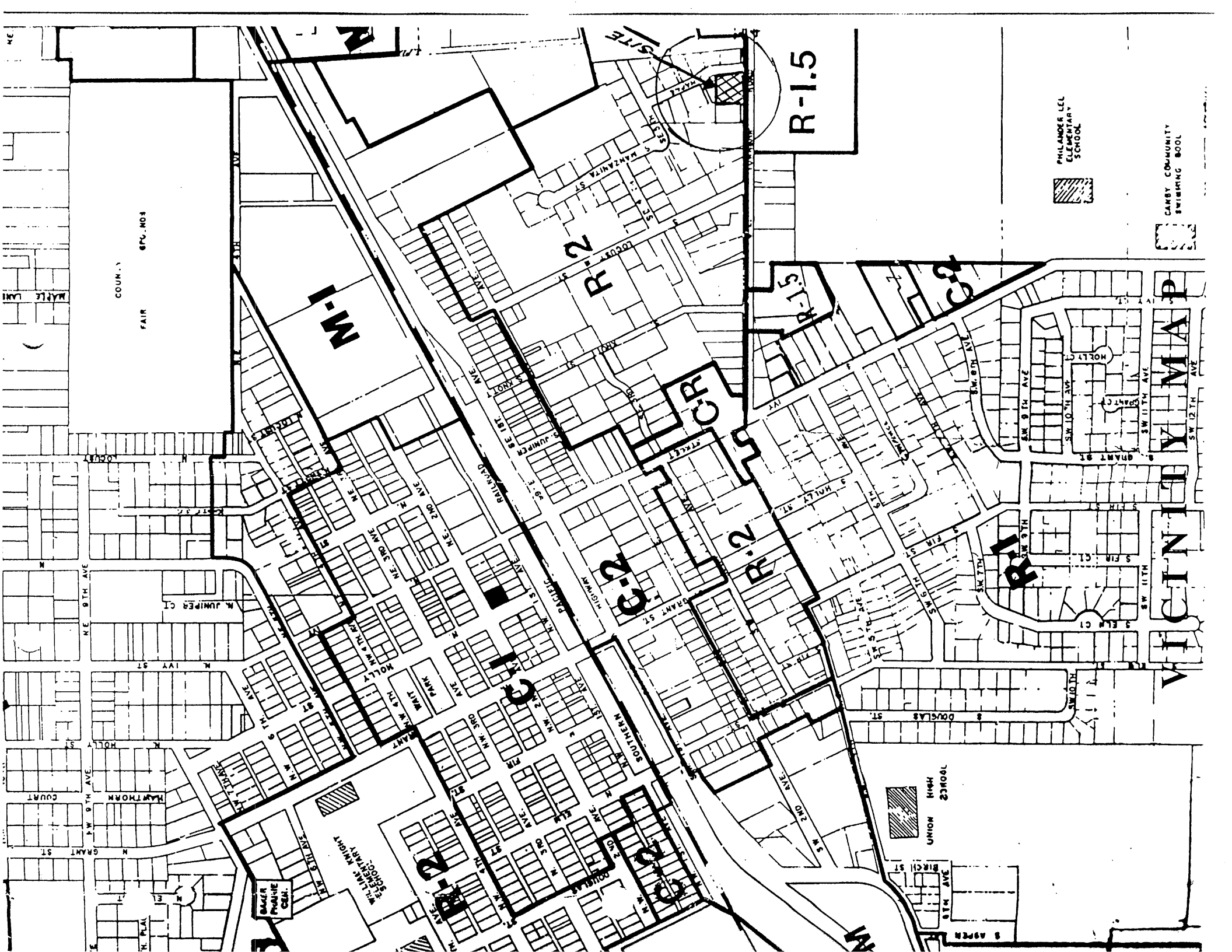
**Narrative:** Applicant requests approval of the minor partition as shown on the attached Preliminary Plat. Existing zoning is R-2 medium density residential and the surrounding development on the east, west and north is multifamily. The property to the south although zoned R-2 has been developed as single family residential. This request is in conformance with the existing zoning, the comprehensive plan and the surrounding land use. The partition as requested would create a new lot suitable for three units with a net area of 10,195 square feet and leave the existing residence on a 14,024 square foot lot. The new lot would access S. Maple St. Both water and sanitary sewer are available in S. Maple St. and would provide service to the new lot after development.

We are requesting that the staff, utility providers and planning commission consider three areas of special concern:

1. Due to existing structures, we request that easements be required **only** on Parcel 2 and the south line (Township Road frontage) of Parcel 1.

2. No sidewalks are available along the North side of Township Road from Ivy to the east City Limits. A sidewalk along Township Road would conflict with existing Cedar trees and deliver pedestrians to a landscaped area along the condo lots to the west. We request that no sidewalk be required along Township Road at this time. A waiver of remonstrance to participate in a sidewalk project would be acceptable.

3. Since Township Road has a fairly high priority for an improvement project; we request that improvements along Township not be required at this time. A waiver of remonstrance to participate in a roadway improvement project would be acceptable.



4E

COUNTY FAIR 6PC-N04

M-1

R-2

R-1.5

C-2

CR

R-2

R-1.5

UNION High School

PHILANDER LEL ELEMENTARY SCHOOL

CARBY COMMUNITY SWIMMING POOL

VICINITY MAP

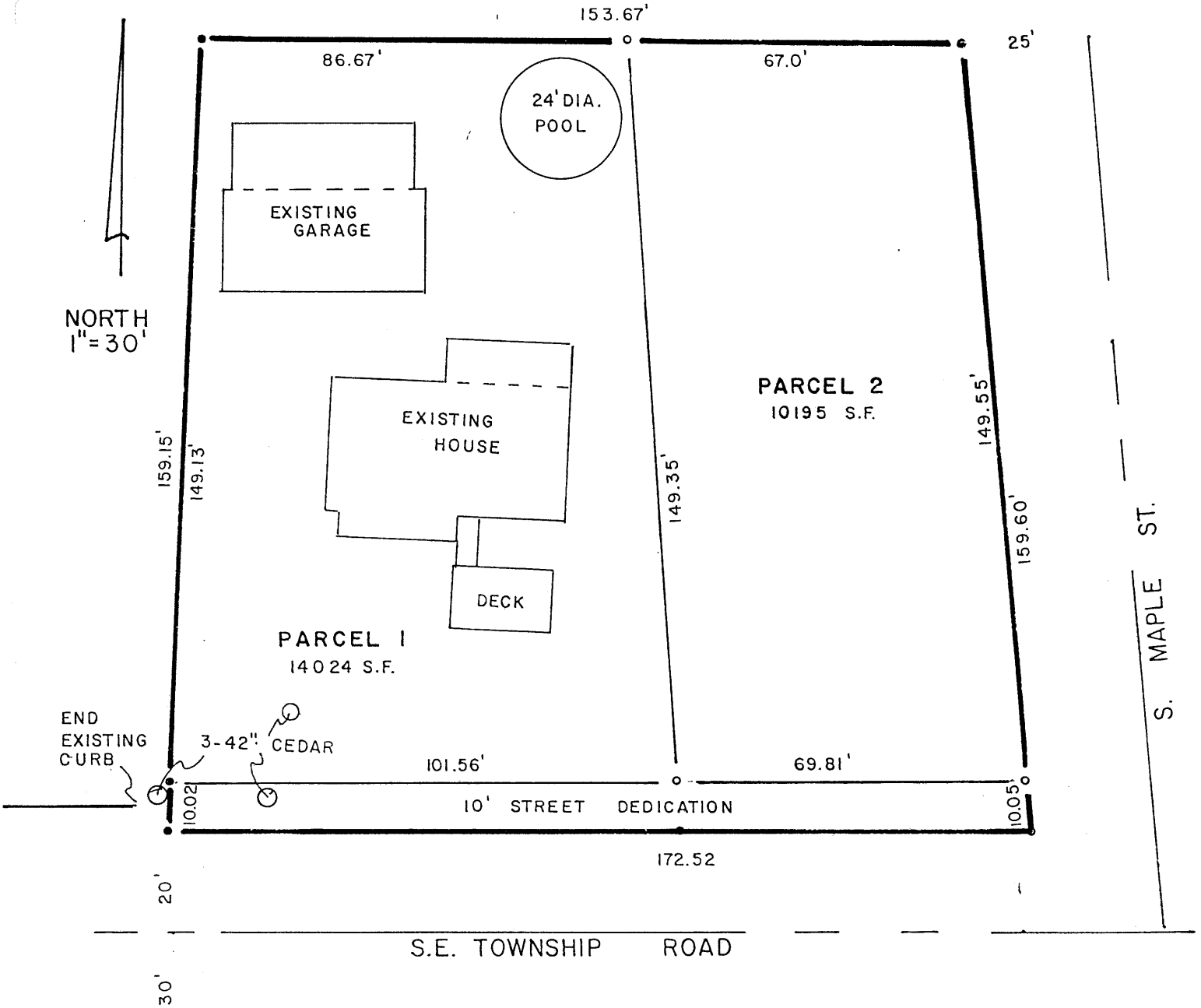
BAKER Private CEN.

WILLIAM KNIGHT ELEMENTARY

Street names: N. 1ST ST, N. 2ND ST, N. 3RD ST, N. 4TH ST, N. 5TH ST, N. 6TH ST, N. 7TH ST, N. 8TH ST, N. 9TH ST, N. 10TH ST, N. 11TH ST, N. 12TH ST, N. 13TH ST, N. 14TH ST, N. 15TH ST, N. 16TH ST, N. 17TH ST, N. 18TH ST, N. 19TH ST, N. 20TH ST, N. 21ST ST, N. 22ND ST, N. 23RD ST, N. 24TH ST, N. 25TH ST, N. 26TH ST, N. 27TH ST, N. 28TH ST, N. 29TH ST, N. 30TH ST, N. 31ST ST, N. 32ND ST, N. 33RD ST, N. 34TH ST, N. 35TH ST, N. 36TH ST, N. 37TH ST, N. 38TH ST, N. 39TH ST, N. 40TH ST, N. 41ST ST, N. 42ND ST, N. 43RD ST, N. 44TH ST, N. 45TH ST, N. 46TH ST, N. 47TH ST, N. 48TH ST, N. 49TH ST, N. 50TH ST, N. 51ST ST, N. 52ND ST, N. 53RD ST, N. 54TH ST, N. 55TH ST, N. 56TH ST, N. 57TH ST, N. 58TH ST, N. 59TH ST, N. 60TH ST, N. 61ST ST, N. 62ND ST, N. 63RD ST, N. 64TH ST, N. 65TH ST, N. 66TH ST, N. 67TH ST, N. 68TH ST, N. 69TH ST, N. 70TH ST, N. 71ST ST, N. 72ND ST, N. 73RD ST, N. 74TH ST, N. 75TH ST, N. 76TH ST, N. 77TH ST, N. 78TH ST, N. 79TH ST, N. 80TH ST, N. 81ST ST, N. 82ND ST, N. 83RD ST, N. 84TH ST, N. 85TH ST, N. 86TH ST, N. 87TH ST, N. 88TH ST, N. 89TH ST, N. 90TH ST, N. 91ST ST, N. 92ND ST, N. 93RD ST, N. 94TH ST, N. 95TH ST, N. 96TH ST, N. 97TH ST, N. 98TH ST, N. 99TH ST, N. 100TH ST.

Street names: S. 1ST ST, S. 2ND ST, S. 3RD ST, S. 4TH ST, S. 5TH ST, S. 6TH ST, S. 7TH ST, S. 8TH ST, S. 9TH ST, S. 10TH ST, S. 11TH ST, S. 12TH ST, S. 13TH ST, S. 14TH ST, S. 15TH ST, S. 16TH ST, S. 17TH ST, S. 18TH ST, S. 19TH ST, S. 20TH ST, S. 21ST ST, S. 22ND ST, S. 23RD ST, S. 24TH ST, S. 25TH ST, S. 26TH ST, S. 27TH ST, S. 28TH ST, S. 29TH ST, S. 30TH ST, S. 31ST ST, S. 32ND ST, S. 33RD ST, S. 34TH ST, S. 35TH ST, S. 36TH ST, S. 37TH ST, S. 38TH ST, S. 39TH ST, S. 40TH ST, S. 41ST ST, S. 42ND ST, S. 43RD ST, S. 44TH ST, S. 45TH ST, S. 46TH ST, S. 47TH ST, S. 48TH ST, S. 49TH ST, S. 50TH ST, S. 51ST ST, S. 52ND ST, S. 53RD ST, S. 54TH ST, S. 55TH ST, S. 56TH ST, S. 57TH ST, S. 58TH ST, S. 59TH ST, S. 60TH ST, S. 61ST ST, S. 62ND ST, S. 63RD ST, S. 64TH ST, S. 65TH ST, S. 66TH ST, S. 67TH ST, S. 68TH ST, S. 69TH ST, S. 70TH ST, S. 71ST ST, S. 72ND ST, S. 73RD ST, S. 74TH ST, S. 75TH ST, S. 76TH ST, S. 77TH ST, S. 78TH ST, S. 79TH ST, S. 80TH ST, S. 81ST ST, S. 82ND ST, S. 83RD ST, S. 84TH ST, S. 85TH ST, S. 86TH ST, S. 87TH ST, S. 88TH ST, S. 89TH ST, S. 90TH ST, S. 91ST ST, S. 92ND ST, S. 93RD ST, S. 94TH ST, S. 95TH ST, S. 96TH ST, S. 97TH ST, S. 98TH ST, S. 99TH ST, S. 100TH ST.

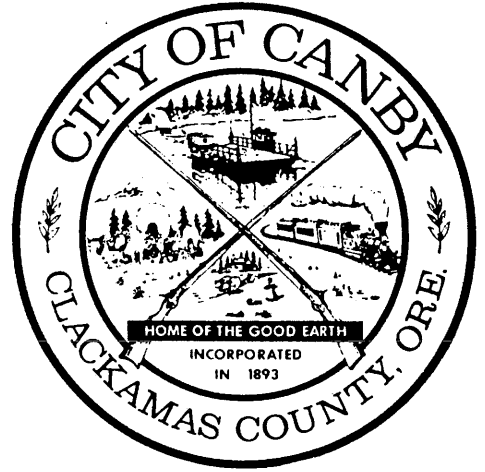
Street names: E. 1ST AVE, E. 2ND AVE, E. 3RD AVE, E. 4TH AVE, E. 5TH AVE, E. 6TH AVE, E. 7TH AVE, E. 8TH AVE, E. 9TH AVE, E. 10TH AVE, E. 11TH AVE, E. 12TH AVE, E. 13TH AVE, E. 14TH AVE, E. 15TH AVE, E. 16TH AVE, E. 17TH AVE, E. 18TH AVE, E. 19TH AVE, E. 20TH AVE, E. 21ST AVE, E. 22ND AVE, E. 23RD AVE, E. 24TH AVE, E. 25TH AVE, E. 26TH AVE, E. 27TH AVE, E. 28TH AVE, E. 29TH AVE, E. 30TH AVE, E. 31ST AVE, E. 32ND AVE, E. 33RD AVE, E. 34TH AVE, E. 35TH AVE, E. 36TH AVE, E. 37TH AVE, E. 38TH AVE, E. 39TH AVE, E. 40TH AVE, E. 41ST AVE, E. 42ND AVE, E. 43RD AVE, E. 44TH AVE, E. 45TH AVE, E. 46TH AVE, E. 47TH AVE, E. 48TH AVE, E. 49TH AVE, E. 50TH AVE, E. 51ST AVE, E. 52ND AVE, E. 53RD AVE, E. 54TH AVE, E. 55TH AVE, E. 56TH AVE, E. 57TH AVE, E. 58TH AVE, E. 59TH AVE, E. 60TH AVE, E. 61ST AVE, E. 62ND AVE, E. 63RD AVE, E. 64TH AVE, E. 65TH AVE, E. 66TH AVE, E. 67TH AVE, E. 68TH AVE, E. 69TH AVE, E. 70TH AVE, E. 71ST AVE, E. 72ND AVE, E. 73RD AVE, E. 74TH AVE, E. 75TH AVE, E. 76TH AVE, E. 77TH AVE, E. 78TH AVE, E. 79TH AVE, E. 80TH AVE, E. 81ST AVE, E. 82ND AVE, E. 83RD AVE, E. 84TH AVE, E. 85TH AVE, E. 86TH AVE, E. 87TH AVE, E. 88TH AVE, E. 89TH AVE, E. 90TH AVE, E. 91ST AVE, E. 92ND AVE, E. 93RD AVE, E. 94TH AVE, E. 95TH AVE, E. 96TH AVE, E. 97TH AVE, E. 98TH AVE, E. 99TH AVE, E. 100TH AVE.



PRELIMINARY PLAT WILHELM PARTITION  
 PREPARED BY: WILHELM ENGINEERING, INC.  
 546 S.E. TOWNSHIP RD.  
 CANBY, OREGON 97013  
 503-266-6168

**EXHIBIT**  
 2

**- STAFF REPORT -**



**APPLICANT:**

Canby Elementary School District No. 86

**FILE NO.:**

CUP 92-01  
(Knight Addition and Remodeling)

**OWNER:**

Canby Elementary School District No. 86

**STAFF:**

Robert G. Hoffman, AICP,  
Planning Director

**LEGAL DESCRIPTION:**

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

**DATE OF REPORT:**

January 31, 1992

**LOCATION:**

501 N. Grant at 6th Avenue

**DATE OF HEARING:**

February 10, 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 addition and remodeling, including a new computer room, remodeling of the speech room, storage room, and lounge, and paving of the parking area.

## II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

- 16.10 Off-Street Parking and Loading
- 16.16 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:

This project is an addition and remodeling project of the existing Knight Elementary School located in Canby's central area. No additional land is being used and no additional teachers will be involved. The 8.75 acre site is surrounded by public land (Eccles School) and housing.

##### B. Comprehensive Plan Consistency Analysis

###### i. Citizen Involvement

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

###### ii. Urban Growth

The project is entirely within the City limits and Urban Growth Boundary. It fully meets the intent of the Urban Growth Element goals and policies.

###### 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.**

The proposal is a minor addition and modernization of 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 staff's opinion that a minor expansion, improvement of the school building, and paving the parking lot is within the intent of the land use policies.

**iv. ENVIRONMENTAL CONCERNS**

Surface water is not affected except by the hard surfacing of the parking lot. 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 proposed development will provide a minor expansion of the school building and hard surfacing of the parking area. This should have the effect, in total, to slightly improve aesthetic qualities in the general area. 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. HAZARDS - none known**

**vi. TRANSPORTATION**

The site circulation and parking areas will be improved through the design improvements and hard surfacing of the parking lot. Bicycles and pedestrian areas are adequately served.

**vii. PUBLIC FACILITIES AND SERVICES**

The changes proposed do not affect any utilities. All easements will be respected. School service will be improved and recreation service will not be affected.

**viii. ECONOMIC - not applicable**

**ix. HOUSING - not applicable**



x. **ENERGY CONSERVATION**

The proposal makes only minor changes to an existing site. State and local Code requirements will ensure construction methods that are energy efficient.

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

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

C. **Evaluation Regarding Conditional Use Approval Criteria**

1. **Comprehensive Plan Consistency and Other Applicable Policies**

The above analysis described how the school proposal relates to the Comprehensive Plan policies. It is hereby found that the proposal is consistent with the Comprehensive Plan proposals.

2. **Site Characteristic Suitability**

The proposed school addition, modernization and parking lot is considered by staff to be a minor change to the existing Knight school building and site development. The additions are a new computer room of only 4,000 square feet. The remodeling of the existing speech room is to be mainly electrical and includes a new "relite" wall, the storage room will have a wall replaced, the lounge will have one new window, and the parking lot will be paved. By comparison of the new areas to the original school on this drawings, it is readily apparent that the additions do not change the site use and characteristics. The remodeling projects are interior, for the most part, and do not affect the site or use in any fashion. The one exception might be the paving of the parking area, which will make improvements in terms of dust and mud. The new entrance and exits to the parking lot will not cause serious disruption to the traffic patterns in the area and are located as far from

the intersection as is reasonable, given the location of the building. There will no be added staff or new building space. Therefore, the parking will not need to be increased, but the paved parking area will measurably add to the parking supply.

**3. Availability of Public Services and Facilities for the Site**

All needed public facilities and services already service the school, and will not be affected by the proposal.

**4. Compatibility with Surrounding Uses**

The proposals are of minor scale when compared to the existing development, as evidenced by an inspection of the drawings. The existing parking lot will be paved, thus improving on the existing situation.

**V. CONCLUSION**

Based on the above analysis, staff concludes that the Knight School proposals, CUP 92-01, comply with the approval criteria for a Conditional Use, since they are consistent with the Comprehensive Plan, are suitable for the site, needed public facilities and services are present, and the character of the surrounding areas are not affected to the extent that the allowed use is limited or precluded.

**VI. RECOMMENDATION:**

Based upon the application and supporting documents, staff analysis and conclusions, and without benefit of a public hearing, staff recommends approval of CUP 92-01, as submitted.

**Exhibits:**

1. Application and Memo
2. Vicinity Map
3. Existing Site Plan (too large to reproduce)

CONDITIONAL USE APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name Canby School District #86

Name Milton Dennison, Superintendent

Address 117 NE Third Avenue

Address 117 NE Third Avenue

City Canby State OR Zip 97013

City Canby State OR Zip 97013

SIGNATURE *M. L. J.*

Phone: (503) 266-5871

DESCRIPTION OF PROPERTY: Knight Elementary School, 501 NW Grant, Canby, OR

Tax Map 31 E 33 CB Tax Lot(s) 1400 Lot Size 8.75 acres  
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

PROPERTY OWNERSHIP LIST

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

USE

Existing Knight Elementary Proposed \_\_\_\_\_  
School

Existing Structures \_\_\_\_\_

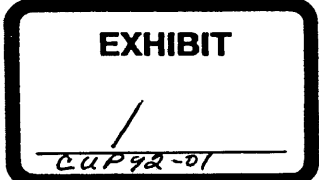
PROJECT DESCRIPTION

See BOOR/A memorandum attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ZONING R-2 COMPREHENSIVE PLAN DESIGNATION Public

PREVIOUS ACTION (if any) various additions and remodeling

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.

# MEMORANDUM

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January 7, 1992

**To:** Milton Dennison, Superintendent  
CANBY SCHOOL DISTRICT NO. 86  
117 N.E. Third Avenue  
Canby, OR 97013-3711

**From:** Mark Vander Zanden

**Re:** CANBY ELEMENTARY SCHOOL DISTRICT  
Knight Elementary School  
Conditional Use Application  
Project Description

**Project No.:** 91011.01-1

**Distribution:** Heinz Rudolf, John Meadows, Larry Chew, Chris Linn

Project being submitted for conditional use is/are additions to and remodeling of Knight Elementary School, 501 North Grant, Canby, Oregon 97013-3599. The scope of the work is thus:

**ADDITIONS:**

1. New Computer Room (20'-0" x 20'-0") inside of the existing courtyard, adjacent to the Library.

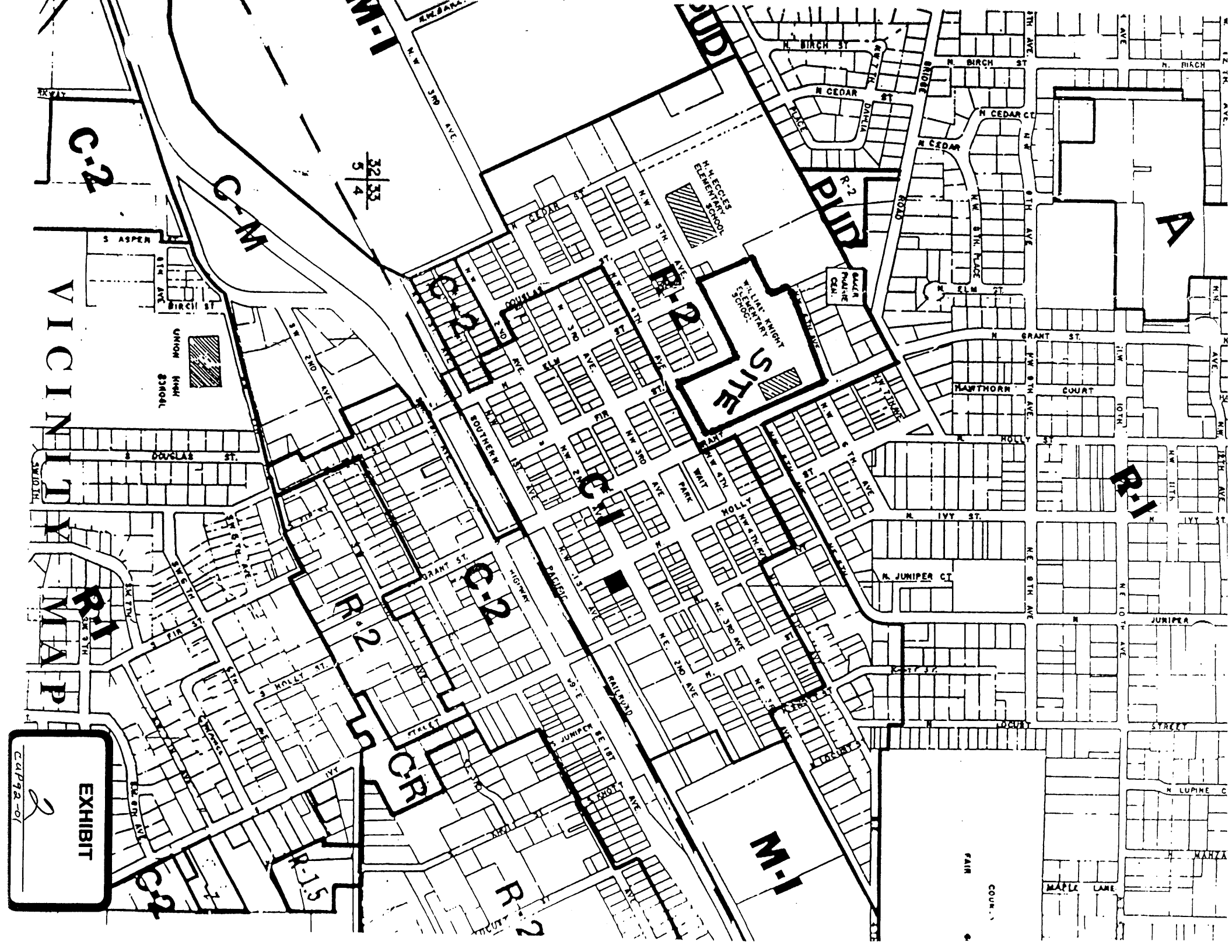
**REMODELING:**

1. Speech Room: Electrical work and enclosing alcove in Library with relite wall.
2. Storage Room: Replacing existing relite wall with solid wall.
3. Lounge: One new window.
4. Parking Lot: Paving of existing parking area at the south end of the school.

**END OF MEMO**

MWV:jmf

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32/33  
5/4

**SITE**

EXHIBIT  
2  
C4192-01

VICINITY MAP

# MEMORANDUM

January 17, 1992

**To:** Milton Dennison, Superintendent  
CANBY SCHOOL DISTRICT NO. 86  
117 N.E. Third Avenue  
Canby, OR 97013-3711

**From:** John Meadows

**Re:** CANBY ELEMENTARY SCHOOL DISTRICT  
Knight Elementary School  
Conditional Use Application  
Project Description

**Project No.:** 91011.01-1

**Distribution:** Heinz Rudolf, John Meadows, Larry Chew, Chris Linn

Project being submitted for conditional use includes additions to and remodeling of Knight Elementary School, 501 N. Grant, Canby, Oregon 97013-3599. The scope of the work in this project includes:

## **ADDITIONS:**

A small addition to the existing school is proposed in the interior courtyard of the building. This addition includes:

1. An addition of a new Computer Room (20'0" x 20'0") in the existing courtyard adjacent to the Library.

## **REMODELING:**

Remodeling of the existing school includes:

1. Addition of a new window in the Administrative and Staff Support Lounge
2. Enclosing an alcove in the corridor to create a new Speech Room:

## **SITWORK:**

Paving the existing south parking lot and service drive and providing new landscaping.

The proposed use, arrangement and character of the remodeling will be an asset to the community and neighborhood. The overall program will improve school support services for instructional use, and the paving and landscaping of the parking area will improve the function and appearance of the site in the neighborhood. This modest remodeling meets the criteria allowing expansion of a nonconforming use:

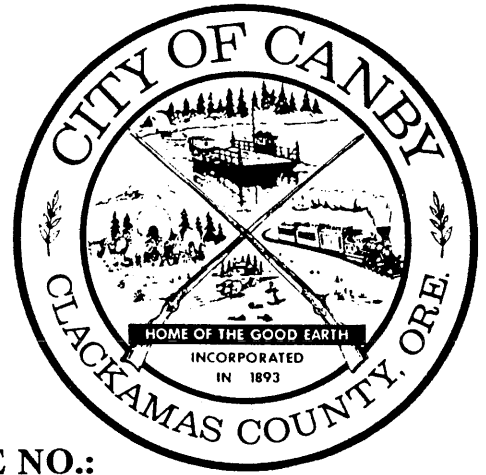
1. The remodeling is consistent with the comprehensive plan and requirements of the planning ordinances. The remodeling and addition is required to improve the function of the school and allow it to better serve the neighborhood. The work planned is intended to improve the school's support services and is not intended as an intensification of the educational use at the site.
2. The characteristics of the site are suitable for the proposed use. The small Computer Lab Addition fits well on the site and will not be visible from the exterior of the building. The overall effect of the proposed sitework will be to improve the appearance of the school in the neighborhood.
3. All required public facilities and services exist to adequately meet the needs of the school addition and remodeling. The remodeling will require no additional utilities or parking facilities. The paving of the south parking lot will add five on-site parking spaces to better meet the needs of the school. This increase will make up existing deficiencies in on-site parking.
4. The addition and remodeling will not alter the character of the surrounding area in a manner which substantially limits or precludes the use of surrounding properties for the uses permitted. As noted, the addition is modest in scope and is designed to fit and enhance the existing school building. The addition is intended to improve the support services for the school and is not intended to increase the number of students or intensity of use at the site.
5. The change does not constitute an intensification of the nonconforming use. The remodeling and addition:
  - a. will not result in an increase in volume or type of traffic to the school (the redesign of the existing parking lot, with one way circulation, will improve traffic flow and provide a safer parking lot for the school and neighborhood),
  - b. will not result in any increase in noise at the school,
  - c. will not change the days and hours of operation at the school,
  - d. will improve the physical appearance of the school and improve the school's contribution to the neighborhood,
  - e. will not generate other environmental impacts in the neighborhood such as dust, vibration, glare, etc. (the new paving and landscaping will reduce dust from the existing gravel parking lot and will enhance the appearance of the parking area in the neighborhood), and
  - f. will not include equipment that will impact the neighborhood.

END OF MEMO

MWV:jmf

91011\dennis02.mem

**- STAFF REPORT -**



**APPLICANT:**

Canby Elementary School District No. 86  
117 NE 3rd Avenue

**FILE NO.:**

CUP 92-02  
NCS 92-01  
(Eccles Elem. School)

**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:**

January 31, 1992

**LOCATION:**

N.W. 5th Avenue & Cedar St.

**DATE OF HEARING:**

February 10, 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 addition and remodeling, including an addition to the Library, a new Computer Room, a new Storage Room, and a new entry/canopy between the kitchen and a storage room on the south end, and interior remodeling. The applicant is also requesting expansion of a non-conforming structure as the school is within the minimum front yard requirements.



## 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
- 16.52 Nonconforming Uses and Structures
- 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.

**16.52.050 Authorization to Grant or Deny Expansion of Nonconforming Structure or Change of Use.**

An expansion of a nonconforming structure or a change from on nonconforming use to another shall be approved, conditionally approved or denied in accordance with the standards and procedures of this section. In judging whether or not such applications shall be approved or denied, the planning commission shall weigh the proposal's positive and negative features and the public convenience or necessity to be served against any adverse condition that would result from authorizing the particular development at the location proposed and, to approve such expansion or change 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 the land development and planning ordinance, other than those specific zoning standards to which the use or structure is nonconforming.
- 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 area in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone.
- E. In considering whether to approve a change in use the commission shall compare the following characteristics of the historical use of the property with that proposed by the applicant in order to assure that the change will not constitute an expansion or intensification of the nonconforming use:

1. Traffic, including both volume and type (car, truck, foot, etc.);
2. Noise;
3. Days and hours of operation;
4. Physical appearance;
5. Other environmental considerations (dust, vibration, glare, etc.);
6. Type and size of equipment used.

#### IV. FINDINGS:

##### A. Background and Relationships:

This project is an addition and remodeling project of the existing Eccles Elementary School located in Canby's central area. An additional 1,800 square feet will be used. No additional students or teachers will be involved with as a result of the project. The 9.7 acre site is surrounded by public land (Knight School) and housing, with apartments located across from the school, on Cedar Street. The Eccles Elementary School recently received approval for a Conditional Use application for an addition and remodeling, that included a new covered play area, new music room, paving of the parking area and a bus loading area and interior improvement (CUP 91-02, approved June 26, 1991).

##### 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. The project will not create any new or increased demand of 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 minor addition and modernization of 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 minor expansion and improvement of the school 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 is not affected except by the hard surfacing of the minor expansion of covered area. 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 transportation aspects of the site will not be altered by the project. The addition will not encroach upon sidewalk use, parking spaces, driveways, or bus loading and circulation. The addition will also not result in an increase use of 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.

**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 and remodeling is found to be consistent with the policies of the Comprehensive Plan.



**2. Site Suitability**

The proposed school addition and remodeling, including the recent addition and improvements approved last year, is considered by staff to be a minor change to the existing Eccles school building and site development. The addition to the library, a new computer room and a new storage room, as well as a new canopy between the kitchen and storage room at the south end of the school covers an area of approximately 1,800 square feet. The remodeling of the existing administrative and staff support rooms, corridors, and classrooms includes reconfiguring four existing classrooms, and administrative and support rooms, new finishes and casework, new lighting, mechanical equipment, and new carpeting and tackboard. The additions will not change the site use and characteristics. The remodeling projects are interior and do not affect the site or use in any manner. The traffic pattern, use of parking lot, bus loading area, and sidewalks will not be affected by the proposal.

**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.

**D. Evaluation Regarding Expansion of Nonconforming Structure Criteria**

**1. Comprehensive Plan Consistency**

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

2. Site Suitability

The proposed school addition is considered by staff to be a minor change to the existing Eccles school building and site development. The school became a nonconforming structure at the time the most recent version of the Zoning Ordinance was adopted, due to an encroachment of a portion of the school building on the minimum front yard requirement of one foot. The proposed addition will expand a portion of the school building to equal the encroachment of the original building. The encroachment is less than two feet. Therefore, the proposal will not increase the overall encroachment of the school on the minimum front yard requirements. The traffic pattern, use of parking lot, bus loading area, and sidewalks will not be affected by the proposal.

3. Adequacy of existing public facilities.

The proposal will not increase demand upon existing public facilities.

4. Compatibility with allowed use of surrounding properties.

The proposal will not hinder the use of neighboring properties, since they are already developed. The encroachment, less than two feet, will be across the street from a residential garage. It should not be affected.

5. Change in use intensification or expansion.

Eccles Elementary School is a conforming use. This section is not applicable to expansion of a nonconforming structure.

#### IV. CONCLUSION

Based on the above analysis, staff concludes that the Eccles School proposal, CUP 92-02/NCS 92-01, complies with the approval criteria for a Conditional Use and Expansion of a Nonconforming Structure, since it is consistent with the Comprehensive Plan, is suitable for the site, needed public facilities and services are present, and the character of the surrounding areas will not be negatively impacted.

Further, 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 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, staff recommends that the Planning Commission approve CUP 92-02/NCS 92-01.

**Exhibits:**

1. Application for Conditional Use
2. Application for Expansion of Nonconforming Structure
3. Vicinity Map
4. Site Information Sheet/Plan (too large to reproduce)
5. Memo of January 7, 1992
6. Memo of January 17, 1992

CONDITIONAL USE APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name Canby School District #86

Name Milton Dennison, Superintendent

Address 117 NE 3rd Avenue

Address 117 NE 3rd Avenue

City Canby State OR Zip 97013

City Canby State OR Zip 97013

SIGNATURE [Signature]

Phone: (503) 266-5871

DESCRIPTION OF PROPERTY: Howard Eccles Elementary School, 562 NW 5, Canby, OR

Tax Map 3-1E-320 Tax Lot(s) 1100 Lot Size 9.67/421,588  
(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 Howard Eccles Elementary School Proposed \_\_\_\_\_

Existing Structures \_\_\_\_\_

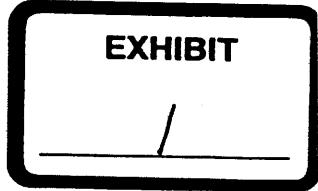
PROJECT DESCRIPTION

See BOOR/A memorandum attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ZONING R-2 COMPREHENSIVE PLAN DESIGNATION Public

PREVIOUS ACTION (if any) various additions and remodeling

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.

**APPLICATION  
FOR EXPANSION OF NONCONFORMING STRUCTURE**

Fee: \$50.00

**OWNER**

**APPLICANT**

Name Canby School District #86

Name Milton Dennison, Superintendent

Address 117 NE Third Avenue

Address 117 NE Third Avenue

City Canby State OR Zip 97013

City Canby State OR Zip 97013

Signature 

Phone (503) 266-5871

DESCRIPTION OF PROPERTY: Eccles Elementary School, 562 NW Fifth, Canby, OR  
Tax Map 3-1E-320 Tax Lot(s) 1100 Lot Size 9.67/421,581  
(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 Elementary School

Proposed Same

Existing Structures \_\_\_\_\_

**PROJECT DESCRIPTION:**

See BOOR/A memorandum attached.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ZONING R-2 COMPREHENSIVE PLAN DESIGNATION Public

PREVIOUS ACTION (if any) various additions and remodeling

File No. \_\_\_\_\_

Receipt No. \_\_\_\_\_

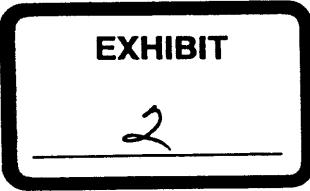
Received by \_\_\_\_\_

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.



VICINITY MAP

# MEMORANDUM

January 7, 1992

**To:** Milton Dennison, Superintendent  
CANBY SCHOOL DISTRICT NO. 86  
117 N.E. Third Avenue  
Canby, OR 97013-3711

**From:** Mark Vander Zanden

**Re:** CANBY ELEMENTARY SCHOOL DISTRICT  
Howard Eccles Elementary School  
Conditional Use Application  
Project Description

**Project No.:** 91012.01-1

**Distribution:** Heinz Rudolf, John Meadows, Larry Chew, Chris Linn

Project being submitted for conditional use is/are additions to and remodeling of Howard Eccles Elementary School, 562 N.W. 5th Street, Canby, Oregon 97013-3599. The scope of the work is thus:

## ADDITIONS:

1. Addition to Library (18'-0" x 60'-0") at south end of existing Library room. It's south face is to align with the existing Cafeteria south wall.
2. New Computer Room (26'-0" x 32'-8") at west end of new/existing Library.
3. New Storage Rooms (23'-0" x 18'-0") at east end of new/existing Library.
4. New entry/canopy between kitchen and storage at south end of school.

## REMODELING:

1. Administrative and staff support rooms:
  - a. Reconfigure four (4) existing classrooms and existing administrative and support rooms.
  - b. All new finishes and casework.
  - c. New lighting and mechanical equipment.

EXHIBIT

5

2. Existing corridors:

- a. New carpet.
- b. New tackboard.

3. Existing classrooms:

- a. New casework and finishes.

END OF MEMO

MWV:jmf

91012\dennis01.mem



# MEMORANDUM

ARCHITECTURE  
PLANNING  
INTERIOR DESIGN

720 SW WASHINGTON  
PORTLAND, OR 97205-3510  
PHONE: 503-226-1575  
FAX: 503-241-7429

January 17, 1992

To: Milton Dennison, Superintendent  
CANBY SCHOOL DISTRICT NO. 86  
117 N.E. Third Avenue  
Canby, OR 97013-3711

From: John Meadows

Re: CANBY ELEMENTARY SCHOOL DISTRICT  
Howard Eccles Elementary School  
Conditional Use Application  
Project Description

Project No.: 91012.01-1

Distribution: Heinz Rudolf, John Meadows, Larry Chew, Chris Linn

Project being submitted for conditional use includes additions to and remodeling of Howard Eccles Elementary School, 562 N.W. 5th Street, Canby, Oregon 97013-3599. The scope of the work in this project includes:

## ADDITIONS:

A small addition to the existing school is proposed on the south side of the building. This addition includes:

1. An addition to Library (18'-0" x 60'-0") at south end of existing Library room. The south face of the Library Addition is to align with the existing Cafeteria south wall.
2. A new Computer Room (26'-0" x 32'-8") at west end of new/existing Library.
3. A new Storage Room (23'-0" x 18'-0") at east end of new/existing Library.
4. A new entry/canopy between kitchen and storage at south end of school.

## REMODELING:

Remodeling of the existing school includes:

1. Administrative and staff support rooms:
  - a. Reconfigure four (4) existing classrooms and existing administrative and support rooms.
  - b. All new finishes and casework, new lighting, and mechanical equipment.

**EXHIBIT**

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2. Corridors:
  - a. New carpet. and tackboard.
3. Existing classrooms:
  - a. New casework and finishes.

The proposed use, arrangement and character of the remodeling will be an asset to the community and neighborhood. The overall program will improve school support services for instructional use and the expanded Library will better serve as a community meeting room for after-school neighborhood use. This modest remodeling meets the criteria allowing expansion of a nonconforming use:

1. The remodeling is consistent with the comprehensive plan and requirements of the planning ordinances. The remodeling and addition is required to improve the function of the school and allow it to better serve the neighborhood. The work planned is intended to improve the school's support services and handle deferred maintenance and is not intended as an intensification of the educational use at the site.
2. The characteristics of the site are suitable for the proposed use. The small Library Addition fits well on the site and enhances the appearance of the existing building. The Library Addition will match the size and location of the existing Cafeteria. The Library Addition will also include new landscaping and repainting the entire exterior of the school. The overall effect of the addition will be to improve the appearance of the school in the neighborhood.
3. All required public facilities and services exist to adequately meet the needs of the school addition and remodeling. The remodeling will require no additional utilities or parking facilities.
4. The addition and remodeling will not alter the character of the surrounding area in a manner which substantially limits or precludes the use of surrounding properties for the uses permitted. As noted, the addition is modest in scope and is designed to fit and enhance the existing school building. The addition is intended to improve the support services for the school and is not intended to increase the number of students or intensity of use at the site.
5. The change does not constitute an intensification of the nonconforming use. The remodeling and addition:
  - a. will not result in an increase in volume or type of traffic to the school,
  - b. will not result in any increase in noise at the school,
  - c. will not change the days and hours of operation at the school,
  - d. will improve the physical appearance of the school and improve the schools contribution to the neighborhood,
  - e. will not generate other environmental impacts in the neighborhood such as dust, vibration, glare, etc., and
  - f. will not include equipment that will impact the neighborhood.

END OF MEMO

MWV:jmf

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