

A G E N D A

CANBY PLANNING COMMISSION

REGULAR MEETING City Council Chambers

October 28, 1991 - 7:30 p.m.

I. ROLL CALL

II. MINUTES

August 12, 1991
September 9, 1991
October 14, 1991

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. COMMUNICATIONS

AMENDMENT TO ZONING ORDINANCE - Section 16.88.160 - a request by Paul Winklesky (Oregon City Physical Therapy Center, P.C.) for amendment to two Code requirements which affect the driveway into the parking lot and the sidewalk with respect to property located on the northeast corner of N. Third Avenue and Ivy Street (Tax Lot 4200 of Tax Map 3-1E-33CA). (Continued for further input by staff.)

V. FINDINGS

None

VI. NEW BUSINESS

ANN 91-06 - a request by James A. Bergen for approval to annex a 2.37 acre parcel (Tax Lot 1700 of Tax Map 3-1E-34BC) to the City of Canby. The site is located at 640 N. Pine Street. (Continued from October 14, 1991)

VII. PUBLIC HEARINGS

CPA 91-04, a request by James A. and Dessie M. Bergen for a Comprehensive Plan Amendment to change the current land use designation from Light Industrial High Density Residential for Tax Lot 1700 of Tax Map 3-1E-34BC. The applicant ultimately will propose to develop the parcel into residential uses. The site is located at 640 Pine Street. (Continued from October 14, 1991)

CUP 91-07/DR 91-07 - an application by Canby Alliance Church for approval to construct a community/family center building which will be attached to the existing church building via an enclosed walkthrough. The building is proposed to be 60 x 100 and designed as a multi-purpose building to be used during the week for church and community activities. The site is located at 900 N. Juniper St. (Tax Lots 1000 and 1100 of Tax Map 3-1E-33BD).

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
John Zieg
Tamara Maher

Wade Wiegand
Robert Westcott
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

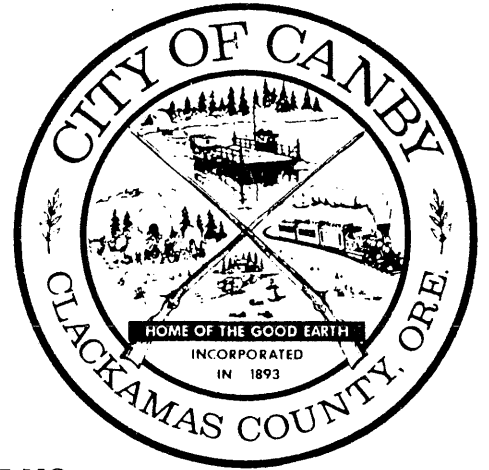
Rebuttal - not more than 20 minutes

- *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.*
- *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:

Canby Alliance Church

FILE NO.:

DR 91-07/
CUP 91-07

OWNER:

Same

STAFF:

Robert G. Hoffman, AICP,
Planning Director

LEGAL DESCRIPTION:

Tax Lots 1000 and 1100
Tax Map 3-1E-33BD

DATE OF REPORT:

October 17, 1991

LOCATION:

900 N. Juniper -
NE corner of 9th and Juniper

DATE OF HEARING:

October 28, 1991

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1 (Low Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval of a Conditional Use application and Design Review Application for the addition to the Church of a 60' x 100' Fellowship Hall/Multi-Purpose Building. The total site is approximately .98 acres.

II. APPLICABLE REGULATIONS

- **City of Canby General Ordinances:**

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

Ord. #848 (as amended by Ord. No. 854 - Site and Design Review)

- **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.

Site and Design Review

The Planning Commission, sitting as the Design Review Board, shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

- A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
- B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
- C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.

IV. FINDINGS:

A. Background and Relationships:

The property is the existing location of the Alliance Church. The site is about 214 feet along 9th and 198 feet along Juniper, almost one acre. One existing home will be removed from the site. It is surrounded by existing single family homes.

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 within the Urban Growth Boundary. It fully 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 #4 Canby shall limit development in areas identified as having an unacceptable level of risk because of natural hazards.

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

Policy #6 Canby shall recognize the unique character of certain areas and will utilize the special requirements, in conjunction with the requirements of the Land Development and Planning Ordinance in guiding the use and development of these unique areas.

ANALYSIS

The proposed use is a traditional complementary activity for a church. The narrative submitted with the application describes the building "to be used throughout the week for church and community meetings, classes, athletic purposes and church potlucks, etc. It is not designed for nor intended to be used for regular Sunday morning services."

Additional landscaping and parking is provided on the site. The Comprehensive Plan proposes this area as a Low Density Residential area. It is not one of the "Areas of Special Concern" designated in the Comprehensive Plan.

iv. ENVIRONMENTAL CONCERNS

Policy #1-R-A Canby shall direct urban growth such that viable agricultural uses within the Urban Growth Boundary can continue as long as it is economically feasible for them to do so. (*Not applicable - none on site.*)

Policy #1-R-B Canby shall encourage the urbanization of the least productive agricultural area within the urban growth boundary as a first priority. (*Not applicable - none on site.*)

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 #5-R** Canby shall support local sand and gravel operations and will cooperate with County and State agencies in the review of aggregate removal applications. *(Not applicable.)*
- Policy #6-R** Canby shall preserve and, where possible, encourage restoration of historic sites and buildings. *(None known or affected.)*
- 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.
- Policy #1-H** Canby shall restrict urbanization in areas of identified steep slopes. *(Not applicable - none on site.)*
- Policy #2-H** Canby shall continue to participate in and shall actively support the federal flood insurance program. *(Not applicable - none on site.)*

Policy #3-H Canby shall seek to inform property owners and builders of the potential risks associated with construction in areas of expansive soils, high water tables and shallow topsoil.

ANALYSIS

Development of the site will need to meet the City and State requirement for sanitation, air, water and land pollutants. Storm water will need to be handled on-site through a dry well system which will protect groundwater. No noise problems have been identified. The wastewater treatment coordinator has stated that large group food preparation will require a grease trap. Sewers in this vicinity have capacity. Canby Utility Board has stated they have "no comment." Fish and fishing will not be affected since none are on site or immediately adjacent. The soil is loam, 0 to 3% slopes, which is a well-drained soil suited to urban type development.

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. *(Not applicable.)*

Policy #3: Canby shall attempt to improve its problem intersections in keeping with its policies for upgrading or new construction of roads. *(Not applicable.)*

- Policy #4:** Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.
- Policy #5:** Canby shall actively work toward the construction of a functional overpass or underpass to allow for traffic movement between the north and south side of town.
(Not applicable.)
- 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. *(Not applicable.)*
- Policy #7:** Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles. *(Not applicable.)*
- Policy #8:** Canby shall work cooperatively with the State Department of Transportation and the Southern Pacific Railroad Company in order to assure the safe utilization of the rail facilities. *(Not applicable.)*
- Policy #9:** Canby shall support efforts to improve and expand nearby air transport facilities. *(Not applicable.)*
- Policy #10:** Canby shall work to expand mass transit opportunities on both a regional and an intra-city basis. *(Not applicable at site level of analysis.)*
- Policy #11:** Canby shall work with private developers and public agencies in the interest of maintaining the transportation significance as well as environmental and recreational significance of the Willamette River.
(Not applicable.)

Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City. *(Not applicable.)*

ANALYSIS

Juniper and 9th are proposed in the Comprehensive Plan as local streets. There are graveled strips between the pavement and curbs. There are no sidewalks. This situation occurs for a long distance in all directions on Juniper and 9th. Police and Fire agencies have not expressed any concerns at this time. Sidewalks should not be required at this time.

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. *(Not applicable.)*

Policy #4: Canby shall strive to keep the internal organization of City government current with changing circumstances in the community. *(Not applicable.)*

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

ANALYSIS

Public Services and Facilities are available to serve this facility. The service providers have not expressed any problems except for the need for a grease trap if cooking is planned for large groups.

vii. ECONOMIC

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

ANALYSIS

The Fellowship Hall will provide services to Canby's population and provide a few jobs. This will support Canby's businesses. It will not directly affect Canby's economy.

viii. HOUSING

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

ANALYSIS

The Fellowship Hall will provide service to Canby's residents and thus will provide support to the residential areas and housing. It will not directly affect Canby's housing provided adequate landscape and buffer treatment is given to the adjacent housing areas. The Design Review process will provide such buffers.

ix. ENERGY CONSERVATION

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

ANALYSIS

The State has rules which encourage energy conservation through design and construction methods. These rules will be adhered to.

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. With conditions, the Fellowship Hall is found to be consistent with the policies of the Comprehensive Plan.

2. Site Suitability

The site is approximately one acre in size and is rectangular in shape, with about 200 feet in each dimension, which is adequate for a small church complex of the proposed size and shape and for the related areas. The design makes effective use of the site.

3. Availability of Public Services and Facilities for the Site

The service providers have indicated that utility and public safety facilities and services are available or can be made available to the proposed Fellowship Hall without serious problems.

4. Compatibility with Surrounding Uses

The proposed Fellowship Hall and site development will have a setback in all directions, with landscape treatment at all edges. The height of the building will be less than the allowed 2-1/2 stories and 35 foot maximum allowed. The parking areas will be setback 5 feet from the lot lines of adjacent dwellings. Thus, it is the professional opinion of the staff that the proposed school and related development 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.

D. Evaluation Regarding Site and Design Review Approval Criteria

1. Park IV - Section 2, No. 2

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

The total area of the new site is approximately 28,000 square feet. Fifteen percent of this figure would be about 4,200 square feet. It is **not** clear that the newly landscaped area meets this requirement, but it is close. The parking area has perimeter landscaping provided as required. A tabulation of areas has been requested of the applicant.

2. Parking and Loading

The parking requirement is 1 space per four seats, or eight feet of bench length for the Fellowship Hall. The application provides 53 new parking spaces, but does not indicate an estimate of the seating capacity of the building. Assuming 53 spaces, this would serve 212 seats. An estimate of seating areas related to parking needs has been requested.

3. Access

Access from passenger vehicles to the building and parking is from Juniper, with a driveway to 9th. The drives are less in width than the required 24 feet for two-way and 16 feet for one-way traffic. A reduction in required driveway widths is being considered.

4. Architecture

The ~~evaluations~~^{elevations} of the buildings appear to be well done and in good proportions. The narrative with the application states that "the building itself will be constructed of materials and painted in a manner which is consistent with the current church building and compatible with the neighborhood." The color and materials should be specified to the satisfaction of the Commission. This has been requested of the applicant.

5. Other Aspects

a. utilities

Utilities are available in the vicinity with no problems in extending the service to the site.

b. effect on needed housing

The proposal will provide service to individuals and families. In staff's opinion, the development of the site is compatible with adjacent housing.

c. trees

A number of new trees will be planted on the site. More than the required seven trees are located adjacent to the parking lot.

IV. CONCLUSION

Considering the previous analysis (and except for the needed information regarding seating capacity, 15% open space, building materials and color, and resolution of the deficiency in driveway widths) staff hereby determines that the proposed school and related site development described in the application and accompanying materials is in conformance with the standards of this and other applicable ordinances.

Further, staff concludes that, with approval conditions

1. the proposed use of the site is consistent with the applicable requirements and policies of the Comprehensive Plan and the development ordinance;
2. the characteristics of the site are suitable for the proposed use;
3. that all required public facilities and services exist (or can be made to exist at the time of development) to adequately meet the needs of the proposed Fellowship Hall; 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 (if the Commission is satisfied with the information to be submitted regarding the 15% open space, seating capacity, building materials and color, and with the resolution of the deficiency of driveway widths), staff recommends that the Planning Commission approve DR 91-07 for a Fellowship Hall and related site development. Furthermore, staff recommends approval of CUP 91-07 for related development uses, with the following conditions:

1. That occupancy of the building is not permitted until driveway widths are in agreement with the new ordinance requirements or the site design is adjusted to meet current requirements.

2. A waiver of remonstrance against establishment of an L.I.D. for sidewalks on Juniper and 9th shall be provided, ~~or sidewalks shall be built.~~

Exhibits:

1. Application for Conditional Use and Vicinity Map
2. Application for Design Review
3. Narrative Description
4. Site Plan, including landscaping/Elevations
5. First Floor Plan

CONDITIONAL USE APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name CANBY ALLIANCE CHURCH Name SAME
 Address 900 N. JUNIPER Address _____
 City CANBY State OR Zip 97013 City _____ State _____ Zip _____
 SIGNATURE [Signature] Phone: _____

DESCRIPTION OF PROPERTY:

Tax Map 31E338D Tax Lot(s) 1000, 1100 Lot Size _____
 (Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy) SEE ATTACHED EXHIBIT A
 Plat Name _____ Lot _____ Block _____

PROPERTY OWNERSHIP LIST SEE ATTACHED EXHIBIT B

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 SEE A

Existing CHURCH Proposed FELLOWSHIP HALL - MULTI-PURPOSE

Existing Structures CHURCH + RENTAL HOUSE

PROJECT DESCRIPTION

60' X 100' SINGLE STORY MULTIPURPOSE BLOC
ATTACHED TO EXISTING CHURCH BUILDING

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION _____

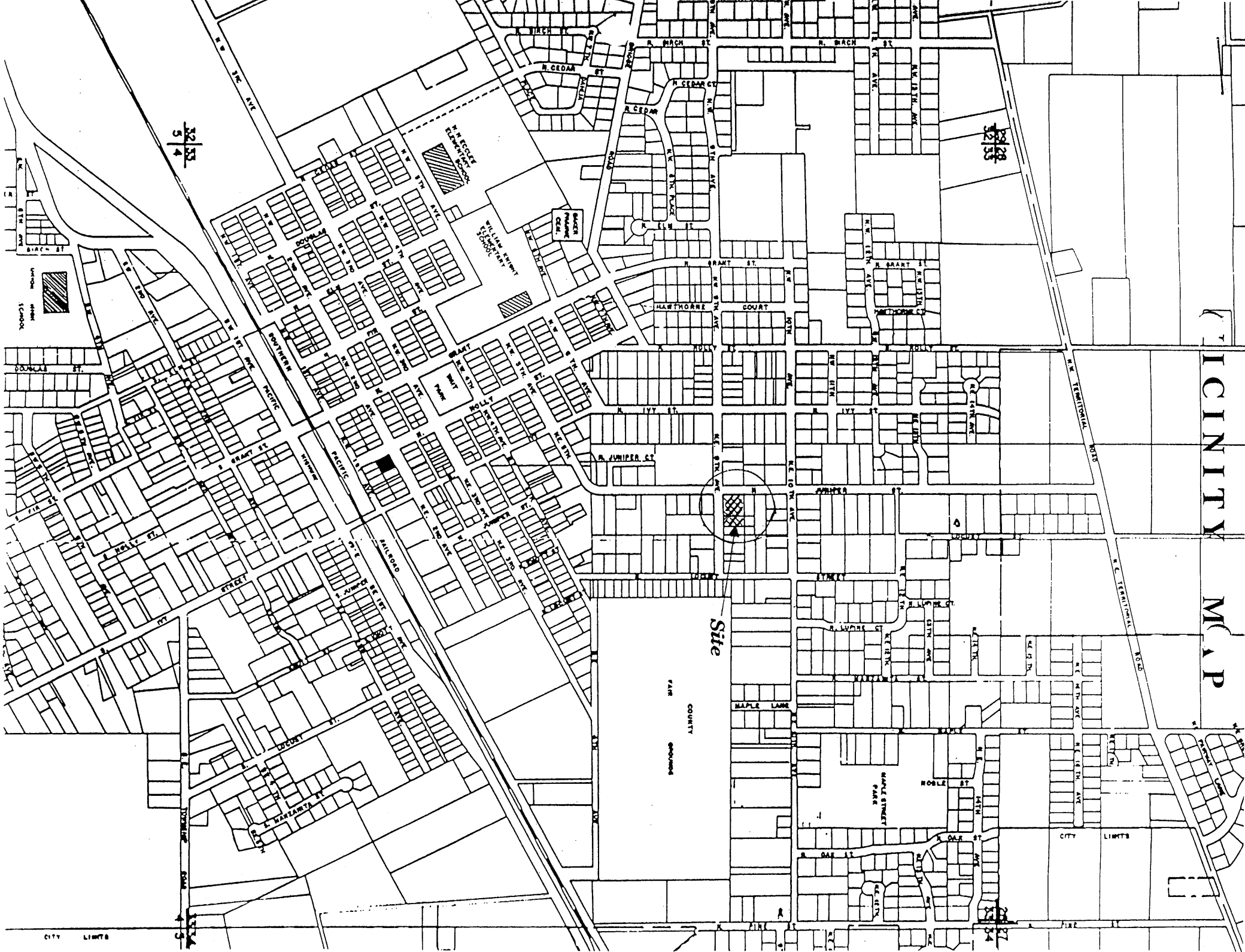
PREVIOUS ACTION (if any) _____

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



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

ICINITY MAP



32/53
5/4

32/53
5/4

Site

MAPLE LANE
FARM
GROUNDS

MAPLE STREET
PARK

LIMITS

CITY LIMITS

SITE AND DESIGN REVIEW APPLICATION

Fee: \$250

\$
1

OWNER

APPLICANT

Name CANBY ALLIANCE CHURCH Name SAME
Address 900 N. JUNIPER Address _____
City CANBY State OR Zip 97013 City _____ State _____ Zip _____
SIGNATURE [Signature] Phone: _____

X DESCRIPTION OF PROPERTY:

Tax Map 31 E 33ED Tax Lot(s) 1000 & 1100 Lot Size _____
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy) See Attached Exhibit "A"
Plat Name _____ Lot _____ Block _____

X PROPERTY OWNERSHIP LIST See Attached Exhibit "B"

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 CHURCH Proposed FELLOWSHIP HALL - MULTI-PURPOSE

Existing Structures CHURCH & RENTAL HOUSE

Surrounding Uses RESIDENTIAL

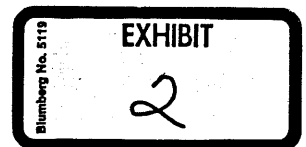
PROJECT DESCRIPTION

60' x 100' SINGLE STORY MULTI PURPOSE BLOC,
ATTACHED TO EXISTING CHURCH BUILDING.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION _____

PREVIOUS ACTION (if any) _____

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



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

CANBY ALLIANCE CHURCH NARRATIVE

The Canby Alliance Church is proposing to construct a community/family center building which will be attached to the existing church building via an enclosed walkthrough. The building will be approximately 60 feet by 100 feet. It is designed as a multi-purpose building to be used throughout the week for church and community meetings, classes, athletic purposes and church potlucks, etc. It is not designed for nor intended to be used for regular Sunday morning services.

The attached plans display the building, it's interior floorplan, it's approximate size, it's location on existing church property, setbacks, parking, utility hookups, and landscaping. The building itself will be constructed of materials and painted in a manner which is consistent with the current church building and compatible with the neighborhood.



**Additional Comments From Canby Alliance Church
Re: Application For Expansion Of Conditional Use**

The original narrative submitted on this application may have lacked sufficient detail to allow for approval of the application. The following comments are being added to help in this process.

As to building materials, the additional building will be finished with wood, lap siding and be rooted with asphalt shingles to match the existing building.

The color will be a cream to beige, also matching the existing building.

The capacity of the fellowship hall will be 295, limited by the owners and will have no significant use at times when the main sanctuary is being used. This will allow us to meet parking requirements spelled out in the ordinance with 75 parking spaces.

Lastly, the exit road bordering the east side of the building is designated to meet future City standards.

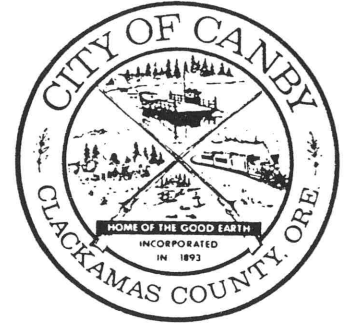
RECEIVED

OCT 22 1991

CITY OF CANBY

PLANNING COMMISSION

SIGN-IN SHEET



Date: October 28, 1991

NAME
(Please Print)

ADDRESS
(Please Print)

Gordon Ross

489 SW 1st Canby

Wayne Scott

11310 S. MACLEOD BLVD

J. A. Bergen

640 N. PINE

Lu Bellgren

1530 N LOCUST

Tim Benton

540 N Juniper St,

Dale Duhser

650 NE 10th

