#### AGENDA **CANBY PLANNING COMMISSION**

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

#### March 11, 1991 - 7:30 p.m.

1. **ROLL CALL** 

ne "apple fam. 12.2 MINUTES

February 25, 1991

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

IV. COMMUNICATIONS

NEW BUSINESS

VI. **FINDINGS** 

SUB 90-06 - Wayne Scott (Willow Creek Estates)

#### VII. **PUBLIC HEARINGS**

ad presented briefly to the Interpretation by Commission regarding rear yard requirements for setbacks in R-1 zone.

> **CPA 91-03**, an application by **H.O.P.E.** (Housing and Outreach Project the Elderly) for a Comprehensive Plan Amendment to change the current land use designation from Low Density Residential to Medium Density Residential for Tax Lot 800 of Tax Map 4-1E-4D. The applicant ultimately will propose to develop the 32.57 acre parcel into a Planned Unit Development for the elderly, to include 138 independent living units, 210 units in a congregate housing unit, a health care nursing facility. and a community center. The community center is proposed to house an auditorium, chapel, bank, activity rooms, swimming pool and convenience store. The grounds are proposed to have outdoor activity areas, including a tennis court and a perimeter walking trail. The site is located at the southwest corner of 13th Avenue and Ivy Street.

> MLP 91-01, a request by Ernest W. Laitinen (applicant) and Walter R. Devine (owner) for pproval of a minor land partition to divide a .46 acre parcel into 2 parcels containing .15 acres and .29 acres, respectively. The property is located east of S. Elm Street and south of S. 3rd Avenue (Tax Lot 700 of Tax Map 4-1E-4BA).

#### **ADJOURNMENT**

VIII.

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 Wade Wiegand Linda Mihata, Vice-Chair Robert Westcott Don Bear Henry Fenske John Zieg AP · An Land MEETING TIMELINES AND PROCEDURES H ri) 10 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: Я Applicant (or representative[s]) - not more than 30 minutes DEGA Proponents - not more than 10 minutes 1 xsT J'ax ML Opponents - not more than 10 minutes Rebuttal - not more than 20 minutes LOCATI 지 않는 것을 물을 즐기 때 아이들 것을 물을 즐기 때 아이들 것을 물을 들었다. 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. :400 知道: 國國語 化合成相称 حبرأ All questions must be directed through the Chair. is and internet of the ferner by the plane beautions in explanation and Any evidence to be considered must be submitted to the hearing body for public access. 1. 私 Bellie (B. Bellie) (Barrie) (B. Bellie) (B. Bellie), (B. 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. (1) 的 小学家被告诉他们的知道你说,说 小姐们的 自己的 化化合同 一切。你们 13d ... and the second secon 신간 지수가 같아. .11 海豚 とうさい とうしょう アインドウト マキス みたけん ううち

## STAFF REPORT

#### **APPLICANT:**

H. O. P. E. (Housing and Outreach Project for the Elderly)

#### **OWNER:**

iomin in R.D. Berkmeir

#### **LEGAL DESCRIPTION:**

Tax Lot 800 of Tax Map 4-1E-4A

#### LOCATION:

19 13th Avenue and So. Ivy Street in favor, **COMP. PLAN DESIGNATION:** 

Low Density Residential

**DATE OF REPORT:** 

**DATE OF HEARING:** 

March 11, 1991

**ZONING DESIGNATION:** 

R-1 (Low Density Residential)

#### . **I. APPLICANT'S REQUEST:**

miller The applicant is requesting approval of an amendment to the Land Use element of the Comprehensive Plan to propose the area as Medium Density Residential, rather than Low Density Residential. The total site consists of 32.57 acres.

#### II. **APPLICABLE REGULATIONS**

**City of Canby General Ordinances:** 

16.88.180 General Standards - Comprehensive Plan Amendments

E. Quasi-Judicial Plan Amendments

182 N. Holly, P.O. Box 930, Canby, Oregon 97013, (503) 266-4021

# AMAS COUL

CPA 91-03

FILE NO.:

#### **STAFF:**

Robert G. Hoffman, AICP, **Planning Director** 



#### March 1, 1991

#### 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

This is a quasi-judicial land use application. It is a single parcel affecting a limited area.

#### **16.88.180 - Comprehensive Plan Amendments**

#### E. Quasi-judicial Plan Amendment Standards and Criteria

In judging whether a quasi-judicial plan amendment shall be approved, the Planning Commission and City Council shall consider:

- 1. The remainder of the Comprehensive Plan of the City, as well as the plans and policies of the County, ,State or any local school or service districts which may be affected by the amendment;
- 2. Whether all required public facilities and services exist, or will be provided concurrent with the anticipated development of the area.

#### **IV. FINDINGS:**

#### A. Background and Relationships

- 1. Property Identification:
  - a. The subject property is identified on the Clackamas County Assessor's Map as Tax Lot 800 of Tax Map 4-1E-4A. The applicant is requesting amendment of the Comprehensive Plan Land Use from Low Density Residential to Medium Density Residential. It has been a filbert orchard for many years and contains 32.57 acres.
  - b. The property is located southwest of the Ivy Street and 13th Avenue intersection.
  - c. There are existing residences to the north. The City pool and Adult Center are located immediately northeast of the 13th Avenue-Ivy Street intersection.
  - d. The parcel was recently annexed to the City and came into the City under the Comprehensive Plan District classifications for the parcels and was zoned accordingly. On the application for annexation, the applicant stated the intended use for the property was to be senior citizen housing.
  - e. The current application states that the ultimate intended use of the site is a "Planned Unit Development for the Elderly." While there are some details of a proposed development presented, for purposes of this application, they should be viewed as **illustrative** only.
  - f. It is anticipated that, at a later date, the applicant will request rezoning to R-1.5, approval as a Planned Unit

Staff Report - CPA 91-03 Page 3 of 17 Development, approval as a "Special Housing Project for the Elderly, and approval under the Site and Design Review Ordinance.

#### 2. Site Characteristics

The site is generally flat, with 0-3% slope. The soil is Latourel Loam, a well-drained soil. It has been used as a filbert orchard. It is suited for development, but roads and building will need to be designed for the limited ability to support a load. In the summer, irrigation will be needed for urban plantings.

#### B. Comprehensive Plan Consistency Analysis

#### i. Citizen Involvement

This quasi-judicial land use review and hearing process is a major element of Canby's Citizen Involvement process.

#### ii. Urban Growth

The subject parcel was recently annexed and is therefore within the UGB and within the city limits. It is appropriate for urban development and meets the intent of the Urban Growth goals and policies. It is a Priority "A" for development, which is the current stage.

#### 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. (This policy is not applicable.)

#### **ANALYSIS**

The proposed project is entirely surrounded by existing residential land uses and farm and urban "community" facilities, including the swimming pool, adult center and schools. The Comprehensive Plan proposes residential use along the west side of Ivy, and public use, commercial, and residential along the east side of Ivy Street. These are developments which are residentially compatible. The proposed development would increase population and housing on land recently annexed to the City. Utility service is available or can be extended to the proposed project, as the development stages unfold, without overburdening any public facilities or services, according to reports from the relevant service providers. This is so, provided current plans are implemented. Monies are expected to be spent, this fiscal year, on a relief sewer for this part of the City. None of the site is in an area of risk, in terms of flood hazard or steep slope. The proposed medium density of development can be accomplished in such a fashion that it will be compatible with the existing uses, as well as the proposed low density residential development provided detailed review criteria are complied with.

On 32.6 acres, the current low density residential designation in the Comprehensive Plan would only permit about 160 units of housing, and with a senior citizen bonus the maximum would be 240 units (or 276, with a PUD bonus). With a full range of levels of care and health care and community center service, the applicant has stated that about 378 units are needed for an economically sound facility. With a medium density residential designation and the senior citizen bonus, the maximum permitted units would number approximately 420. Under the PUD provisions and with a careful design, including recreation and community facilities, this density could be increased by 15%. Thus, a medium density Comprehensive Plan Land Use Designation would be sufficient to encourage a senior citizen development of the type proposed, but the current low density designation would not allow it. Staff is of the professional opinion that the zoning and development ordinance provisions have sufficient criteria to ensure that a residential development on a site of this size, with a medium density Comprehensive Plan designation, can be accomplished in such a way that it is a reasonable development, while still protecting the adjacent existing residential and institutional developments, as well as the low density development potential of the adjacent farm areas. The height would be limited to a maximum of 2-1/2 stories, or 35 feet, whichever is less (the same as low density development). Rezoning to R-1.5 Intermediate Density would be permitted at a future date. Rezoning to R-2 would not be permitted.

In terms of a location for senior citizens, the immediate area has a swimming pool and a senior citizen center nearby. The site will have access by two arterials. Utility services are, or will be, available as stages develop. It is one of the few thirty acre parcels available within the UGB and within the current City limits.

The City of Canby is not currently deficient in locations to build low density residential developments. Most, however, are smaller parcels.

#### iv. Environmental Concerns

#### GOALS: TO PROTECT IDENTIFIED NATURAL AND HISTORICAL RESOURCES

TO PREVENT AIR, WATER, LAND AND NOISE POLLUTION

#### TO PROTECT LIVES AND PROPERTY FROM NATURAL HAZARDS

- Policy #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.
- Policy #1-R-B Canby shall encourage the urbanization of the least productive agricultural area within the urban growth boundary as a first priority.
- 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.

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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. (This policy is not applicable.)
Policy #6-R	Canby shall preserve and, where possible, encourage restoration of historic sites and buildings. (This policy is not applicable.)
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. (This policy is not applicable.)
Policy #1-H	Canby shall restrict urbanization in areas of identified steep slopes. (This policy is not applicable.)
Policy #2-H	Canby shall continue to participate in and shall actively support the federal flood insurance program. (This policy is not applicable.)

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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. (This policy is not applicable.)

#### <u>ANALYSIS</u>

Agricultural use of the property can continue until development occurs on each stage, which will be timed to meet market absorption. The site is Class I-type soil and has been used as a filbert orchard. The site is occupied by older trees, which are in the last phase of their life cycle and not of timber quality. There are no known other concerns relative to air, water, noise or land pollution associated with this proposal. A storm water system will be needed, probably utilizing dry well systems. Ground water retention may be needed to meet new State standards.

Policy #5-R, 6-R, 9-R or 1-H to 3-H are not applicable since no known aggregate or historic resources, hazard areas or wildlife habitat areas are affected by the proposal. Policy #7-R and 8-R are implemented through the campus type development under consideration, including landscape treatment.

As a PUD development, the proposal will need to provide at least 10% of recreation and open space.

#### v. Transportation

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

- Policy #1: Canby shall provide the necessary improvement to City streets, and will encourage the County to make the same commitment to local County roads, in an effort to keep pace with growth.
- Policy #2: Canby shall work cooperatively with developers to assure that new streets are constructed in a timely fashion to meet the City's growth needs.
- Policy #3: Canby shall attempt to improve its problem intersections in keeping with its policies for upgrading or new construction of roads.
- Policy #4: Canby shall work to provide an adequate sidewalks and pedestrian pathway system to serve all residents.
- Policy #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. (This policy is 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.
- Policy #7: Canby shall provide appropriate facilities for bicycles and, if found to be needed, for other slow moving, energy efficient vehicles.

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. (This policy is not applicable.)

Policy #9: Canby shall support efforts to improve and expand nearby air transport facilities. (This policy is not applicable.)

- Policy #10: Canby shall work to expand mass transit opportunities on both a regional and an intra-city basis. (This policy is not applicable.)
- 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. (This policy is not applicable.)
- Policy #12: Canby shall actively promote improvements to State highways and connecting County roads which affect access to the City.

#### <u>ANALYSIS</u>

Ivy Street and 13th Avenue are delineated in Canby's Comprehensive Plan, as "Arterials." They will need to be widened in the right-of-way, and half-street improvements made, including curbs and sidewalks and a bike path provided. They are both designated truck routes and must meet County and City construction standards. A condition will ultimately need to cover this aspect, since the proposal makes no provision for this, at the present time. Local boundary streets will need to be provided for, with standard widths and full sidewalks. The development will need to meet the requirements of the police and fire agencies who have not yet expressed concerns about the Comprehensive Plan amendment. Clackamas County has not expressed concern, at this time either. As proposed, there would be a total of 378 dwelling units, a health service and community service center, with access to both 13th Avenue and Ivy Street. Transportation Policies #5, 8, 9 and 10 do not apply. Previously, there have been concerns expressed about the need for a traffic signal at the 13th Avenue and Ivy Street intersection. Ultimately, this will need to be provided for, adjacent to the proposed project.

#### vi. Public Facilities and Services

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

- Policy #1: Canby shall work closely and cooperate with all entities and agencies providing public facilities and services.
- Policy #2: Canby shall utilize all feasible means of financing needed public improvements and shall do so in an equitable manner.
- Policy #3: Canby shall adopt and periodically update a capital improvement program for major City projects.

Policy #4: Canby shall strive to keep the internal organization of City government current with changing circumstances in the community. (This policy is not applicable.) Policy #5: Canby shall assure that adequate sites are provided for public schools and recreation facilities.

#### <u>ANALYSIS</u>

All public utilities can be provided from 13th Avenue and Ivy Street, as evidenced by Mr. Tatone's report, provided adequate easements are provided in the development. Specific design details need to be formulated to meet all Canby utility requirements. Conditions of approval will be required. No public land dedication or payment or gift have been proposed as a part of the project, at this time. The open space area is proposed as a private greenway, to be maintained by the development. Other public services are, or can be made available to serve this area, provided services are extended. The Pine Street sewer will ultimately be needed to provide service to southeast Canby and relieve southwest Canby service.

#### vii. Economic

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

- Policy #1: Canby shall promote increased industrial development at appropriate locations. (This policy is not applicable.)
- Policy #2: Canby shall encourage further commercial development and redevelopment at appropriate locations. (This policy is not applicable.)
- Policy #3: Canby shall encourage economic programs and projects which will lead to an increase in local employment opportunities.

Policy #4: Canby shall consider agricultural operations which contribute to the local economy as part of the economic base of the community and shall seek to maintain these as viable economic operations.

#### ANALYSIS

The entire project area is proposed in the Comprehensive Plan and Development Ordinance for residential development. The senior citizen housing sites will provide opportunities for homes for Canby residents. It will add to the supply of needed senior citizen homes and service facilities. This type of facility will provide major employment opportunities for Canby residents. The filbert orchard is not an urban-type use and has been determined to be in the last phase of its life cycle.

viii. Housing

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

- Policy #1: Canby shall adopt and implement an Urban Growth Boundary which will adequately provide space for new housing starts to support an increase in population to a total of 20,000 persons. (This policy is not applicable.)
- Policy #2: Canby shall encourage a gradual increase in housing density as a response to the increase in housing costs and the need for more rental housing.

- Policy #3: Canby shall coordinate the location of higher density housing with the ability of the City to provide utilities, public facilities and a functional transportation network.
- Policy #4: Canby shall encourage the development of housing for low income persons and the integration of that housing into a variety of residential areas within the City.
- Policy #5: Canby shall provide opportunities form mobile home developments in all residential zones, subject to appropriate design standards. (This policy is not applicable.)

#### <u>ANALYSIS</u>

The area has recently been annexed to the City as a residential development site. The owner described its use as intended for senior citizens. The proposed ultimate development has been described by the owner as being for 378 units of housing and service facilities for senior citizens. These have been determined by the State to be a needed type of housing. The applicant has described this number of units as being the needed level for an economically feasible development with a number of different levels of care and service facilities. The project proposes ultimate use of the Planned Unit Development and Senior Citizen features to encourage clustering of the higher density housing and to provide some additional variety to Canby's available senior citizen housing supply.

Canby has a higher proportion of senior citizens than the surrounding cities and many senior-related facilities have waiting lists, according to seniors at a recent discussion with the Planning Director. The need is expected to increase as we move into the future because of the shape of the current population pyramid and forecasts.

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#### 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 #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.

#### <u>ANALYSIS</u>

Many of the development units have a solar orientation. Multiple type units, including duplex-townhouse and apartment-type structures are energy efficient.

#### Conclusion Regarding Consistency with the Policies of the Canby Comprehensive Plan and other Government Plans:

The ultimate proposal is consistent with or can, with conditions, be made consistent with the policies of the Comprehensive Plan and other

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government plans. The proposal will be consistent with other elements of the Comprehensive Plan and County Comprehensive Plan and State policies, provided that design of the ultimate development uses the standards of design and conditions are utilized.

#### C. Public Facilities and Services Availability

Annexation has recently been accomplished and a determination was made at that time, that the public services and facilities are available or can be made available to adequately meet the needs of the permitted use. Most utility and road service would need to be from 13th Avenue or Ivy Street and can be provided in phases. Additional elementary school service and recreational service will not be needed. Timing of utility service and traffic control devices is critical, as development of the south side unfolds. The applicant's engineer has given a preliminary determination of how utilities can be extended to serve the site.

#### V. CONCLUSION

Based upon the above analysis, and without benefit of public testimony, staff concludes that Comprehensive Plan consistency and Comprehensive Plan Amendment criteria can be fulfilled, provided public facilities and services are extended concurrent with development, which seems possible at this time.

#### VI. RECOMMENDATION

Based upon the findings and conclusions presented in this report, staff recommends that the Planning Commission recommend approval of CPA 91-03 to the Canby City Council.

#### **Exhibits:**

- 1. Application
- 2. Letter from Roger Reif dated February 20, 1991
- 3. Narrative
- 4. Letter from Kim Arbuckle dated January 15, 1991
- 5. Letter from Ronald G. Tatone dated January 16, 1991
- 6. H.O.P.E. Campus Master Plan

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Fcc: \$500.00

OWNER		Housing	APPLIC	ANT	h Proj	ect	for the	
Name <sup>·</sup> R. D. Birkemeier		Elderly 3522 Hoo	(H.O.P.	<u>.E.)</u> Drive				
Address 21943 S. Hwy 99 E.	Address							
City Canby State OR Zip 97013	City	Hubbard				Zip	<u>970</u> 32	
SIGNATURE PO Rikemen	Phone:	(503) 98	2-4630					
	Projec	t Coordin	ator:	Leo	Schleg	el S	585-5453	
DESCRIPTION OF PROPERTY:								
Tax Map 4-1E-4A Tax Lot(s)800		Lot Size 32	.57 acı	res				
		<del>.</del>	(Acres/Sq.	Ft.)				
or								
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Plat Name	LOT	DIUCK _				٠		
PROPERTY OWNERSHIP LIST								
Attach a list of the names and addresses of the own								
property (if the address of the property owner is diff								
prepared and addressed to "Occupant"). Lists of pro					-			
company or from the County Assessor. If the prope	-	-	~ .					
postponing the hearing. The names and addresses ar just as you would address an envelope.	re to be ty	peu onio i	<i>u</i> i 0-1/2	2 7 11	SHEEL	л ш	vels,	
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Existing Structures One small maintenance s								
Existing Structures							<u>.</u>	
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a health care and nursing facility as well as a community center. The community								
center will house an auditorium, chape								
convenience store. The grounds will ha		outdoor a	ctivit	y are	as inc	lud	ing	
a tennis court and a perimeter walking	traii.		· · · · · · · · · · · · · · · · · · ·					
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Completeness Date				PAIGA				
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.

\*

RAYMOND R. REIF R. ROGER REIF STEVEN SCHWINDT MARVIN O. BOLLAND OF COUNSEL REIF & REIF

ATTORNEYS AT LAW 273 N. GRANT STREET CANBY, OREGON 97013

February 20, 1991

TELEPHONE (503) 266-3456

FAX (503) 266-8555

Planning Commission City of Canby P. O. Box 930

Canby, Or. 97013

Re: CPA 90-03 (H.O.P.E.)

Dear Ladies and Gentlemen:

This letter is being written to supplement the applicant's request for a Comprehensive Plan amendment. Assuming approval of the amendment to the Comprehensive Plan, the applicant will be requesting a zone change to R-1.5 with a plan unit development overlay (R-1.5/PUD).

The increase in density is needed for this senior housing development in order to make it economically feasible. We believe we can meet the needs of the senior facility and be in compliance with all rules and regulations of an R-1.5/PUD zone. Cluster development is desirable to meet the needs of the residents. The senior citizens neither need nor desire single family lots. They desire clustered living units with open space available.

The need for this type of development is obvious and their compelling reasons to numerous to enumerate; however, the following information is most relevant:

1. Two-thirds of all the men and women who have lived beyond the age of 65 in the entire history of the world are alive today. <u>Age Wave</u>, Dychtwald, Ken.

2. The number of people age 65 and over in the United States is increasing at a dramatic rate. Sensus Bureau figures indicate that the number of Americans in that category will increase from 25.5 million in 1980, to 35.1 million in 2000, to 64.3 million in the year 2030. <u>Developing Retirement Facilities</u>, Gordon, Paul A. The aging of America is not only due to more people reaching maturity (the baby boomers are now past 40 and approaching 50), but also to the increasing life span of Americans.



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3. 1989 Oregon House Bill 2289 declared that it was the policy of the State of Oregon to promote living arrangements for elderly persons. As part of that bill, local governments have been required to review and amend their zoning ordinance to provide and promote non-discriminatory living arrangements. H.O.P.E. (Housing and Outreach Project for the Elderly, Inc.) was created by the local Calvary Mennonite and Zion Mennonite Churches. Its stated legal purpose was to provide living space for the elderly "regardless of sex, race, religion or national origin" (Articles II of the Articles of Incorporation filed with the State of Oregon).

Consequently, H.O.P.E. has specific desires to develop the property for its own use; however, it must be pointed out that this is a project that will be developed in phases, and development is dependant upon financial contributions. It is not expected that development will be completed for several years.

The subject property was chosen because it appeared to meet H.O.P.E.'S initial concerns. That is, it was a rectangular parcel of real property, within H.O.P.E.'S goal of 30 to 50 acres, was level and was within the City's urban growth boundary. Further examination of the property revealed that it was designated as "Priority A" for annexation, municipal services were available, it was bordered on three sides by streets, one of which was a designated arterial and another was a designated bypass. It was also within walking distance of the Senior Center, swim center and two schools. Therefore, H.O.P.E. sought and received approval to annex the property. H.O.P.E. is now seeking the land use designations which will permit the development of the property.

Sincerely yours, R. Roger Reif

ROG:kc

#### **CITY OF CANBY**

#### **COMPREHENSIVE PLAN AMENDMENT**

#### TAX LOT 800 OF TAX MAP 4-1E-4D

#### Narrative:

Applicant requests a change to the Comprehensive Plan to consider amending the Land Use Element for Tax Lot 800 of Tax Map 4-1E-4D, approximately 32.57 acres, and proposes medium density residential land use, rather than low density residential land use. The ultimate site development is proposed to be a Planned Unit Development for the elderly, of 378 units, health care, nursing and a community center.

The current site use is a Filbert Orchard. The property to the north is residential property; to the east is institutional land use; and, to the west and south are agricultural land uses.

#### Standards and Criteria:

The Comprehensive Plan of Canby proposes increasing residential densities, where feasible. The site was recently annexed into the City of Canby as an appropriate area for residential development. The Canby Comprehensive Plan encourages serving the needs of special population groups. All public facilities to serve this complex are available or can be made available concurrent with development. S. Ivy Street and S.W. 13th Avenue are proposed as arterial streets in the Comprehensive Plan and would directly service the development.

A more complete staff report will be available from the Canby Planning Department approximately ten (10) days prior to the hearing.



January 15, 1991



J. Warren Carkin AlA Kim Arbuckle AlA Alan E. Costic AlA Martin Matiskainen AlA Wayne E. Woosley AlA

CARKIN ARBUCKLE COSTIC ARCHITECTS 570 Liberty St. SE Salem, OR 97301-3514 503/581-4114

Robert Hoffman, AICP Planning Director City of Canby P. O. Box 930 Canby, Oregon 97013

**RE: HOPE Campus** 

Dear Mr. Hoffman:

Housing and Outreach Project for the Elderly, Inc. or HOPE is making an application for a comprehensive plan change on this 32 acre site in Canby in order to accommodate the master planned development as indicated on the drawings included with this application. This site was chosen for this development for a number of reasons. These include:

- 1. Proximity to the existing Senior Center.
- 2. Close to the downtown Canby area.
- 3. Access and egress from the site will be easily accommodated by the adjacent streets.
- 4. It is a fairly flat site which will allow economical development while accommodating the senior's needs for no architectural barriers.
- 5. Public transportation will be available to the site.
- 6. The parcel under single ownership was large enough to accommodate the intended development while leaving large areas of open space.
- 7. Utilities could easily be extended to serve the site.

The intended project consists of 138 units of independent living, a 30 unit multilevel independent living facility, a 210 unit congregate living facility, a facility intended for nursing care and associated facilities including a community center. The community center is intended to include an indoor swimming pool, a chapel/auditorium to seat 400 people, shop and classroom areas, offices and a service core area which may include a post office, bank, coffee shop and convenience store. Included in the master plan are large open spaces, a perimeter walk around the entire site, a tennis court and a pathway of interior walks which will allow the residents to go from their dwelling units to the community center without crossing a street. Only 22% of the site is to be taken with building area. The remainder of the site will be landscape yards and parking areas broken up with enough landscaping to reduce the visual size of the parking areas.

It is felt that this site offers numerous unique qualities to the developers of the HOPE Campus. As such, this master plan has been developed to be responsive not only to their needs as an internal organization, but to its relationship to the Canby community as well. The north portion of the site which relates directly to a residential neighborhood, has been proposed to include only single story independent living units. These units have been well



Hoffman Letter RE: HOPE Campus January 15, 1991 Page 2 of 2

buffered from 13th Street by use of two landscape yards and an interior street. The multi-story congregate care unit and nursing units have been kept to the south side of the site and are surrounded by large landscape areas.

The natural effect of the establishment of an urban growth boundary in a community like Canby, has been and will continue to be pressure for increased density. This is not only a natural occurrence but is an intended result as well. In addition, the need for elderly housing developments such as this are increasing all of the time with the "graying of America". This proposed master plan has been designed to be a means of increasing density, responding to the needs of the elderly as they progress from independent living through congregate care to nursing facilities and at the same time be as sensitive as possible to this developments relationship and appearance to the City of Canby. We trust these reasons to be sufficient to make the required comprehensive plan change.

Should you have any questions regarding our proposed development, please do not hesitate to call.

Sinceret

Kim Arbuckle, A.I.A. Architect

JKA:kka

ZAROSINSKI-TATONE ENGINEERS, INC.

DONALD J. ZAROSINSKI, P. E.

STRUCTURAL—CIVIL—WATER AND SEWERAGE SYSTEMS PHONE (503) 235-8795 3737 S.E. EIGHTH AVENUE PORTLAND. OREGON 97202

RONALD G. TATONE, P. E.

January 16, 1991

Mr. Frank E. Morris 10992 South Toliver Road Molalla, Oregon 97038

Re: H.O.P.E. site Canby, Oregon

Dear Mr. Morris:

This is in response to the request by telephone from Mr. Kim Arbuckle regarding a statement relating to availability of public facilities for the above referenced site.

The following statements are findings based on investigation of existing city records to serve the H.O.P.E. campus master plan.

A. PUBLIC FACILITIES AND SERVICES

Determination was made at the time of annexation of the subject site that public services and facilities are available or could be made available for development of the subject site.

1. Sanitary Sewer

The city's sewage collection system master plan when implemented would serve the subject site by trunk sewer "E". This plan depends on trunk "E" extension in S.E. 13th Ave. east of South Ivy Street.

The existing flows in the sewer line in South Ivy Street surcharges the line during periods of peak flow.

The city proposes to divert the sewage flow on South Ivy Street south of S.E. 4th Ave. to a new line to be constructed in S.E. 4th Ave. The new line would connect to an existing sewer line in South Knott Street that would flow north to the sewer main in Highway 99E.

This diversion together with the southerly extension of the existing line in South Ivy would allow gravity flow for the project site frontage on South Ivy Street. The frontage served would be limited to a depth of approximately 450 feet.





Page -2-

The middle group of duplex units may be served by gravity by extending a lateral south from the existing sewer line in S.W. 13th Ave.

The southerly extension of the existing sewer line in South Fir Street commencing at S.W. 13th Ave. would serve the Health Facilities, Mid Rise Independent living and duplex units in the northwest corner of the subject site.

Our findings conclude that the subject site may be served by gravity. This service is dependent on the South Ivy Street diversion at S.E. 4th Ave.

When trunk "E" of the city's sewage master plan is constructed sewage flow in South Ivy would be diverted to the east at S.W. 13th Ave.

It is proposed that on site sanitary sewer lines would be privately maintained by H.O.P.E. Properties.

- 2. Water System
  - (a) Supply

The city's distribution system maintains pressure from ground level reservoirs through variable speed pumping units. One of the city's three reservoirs is located on S.W. 13th Ave. less than 1000 feet from the project site.

A 14 inch water main is located in S.W. 13th Ave. for the entire frontage of the site. This main is reinforced with a 12 inch main in South Fir Street from 13th Ave. north and a 10 inch is in South Ivy Street from 13th Ave. north.

The existing distribution system will be extended in South Ivy and South Fir for the full depth of the site.

It is proposed to connect the new 12 inch main in South Fir and the new 10 inch main in South Ivy with a connecting 10 inch main.

The new mains with looped connection will provide fire flow demand. Mains proposed on site for fire protection will be located in easements along designated access ways.

Final design plans may further enhance fire protection by providing sprinkler systems within the major buildings.

Page -3-

#### (b) Distribution

Water distribution for domestic and landscape purposes for the duplex units is proposed to be supplied through a master meter connected to the 14 inch main in S.W. 13th Ave.

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Separate meters for domestic use will be installed for the Congregate living building, Health Facilities building and Mid Rise Independent living building.

#### 3. Electrical Distribution

Canby Utility Board administers and maintains the electrical distribution system for the city. Power purchased from Bonneville Power Administration (BPA) is supplied to city through overhead and underground transmission lines.

The subject site has available primary and secondary power to its boundaries ready for service.

New power lines on site will require an all inclusive easement for installation and maintenance.

Separate metering for each duplex living unit is proposed. Individual metering for the Community Center, Mid Rise Independent living, Health Facilities and Congregate living will be installed for each building.

4. Telephone and Cable T.V.

Telephone communications is installed and administered by Canby Telephone Association.

Cable T.V. is administered and installed by North Willamette Telecom.

Where practical telephone and T.V. lines will be installed in the same trench as electrical distribution lines.

These lines will require an all inclusive easement for installation and maintenance.

#### 5. Transportation

The transportation element goal to be obtained as outlined by the Comprehensive Plan adopted by the city should be a system safe, convenient and economical.

Page -4-

The subject site is located contiguous to two major arterials. The north frontage is contiguous to S.W. 13th Ave. The east boundary is contiguous to South Ivy St. Each of the arterial existing right-of-way will require further dedication.

The west boundary of the site is contiguous to South Fir Street. This right-of-way will require additional dedication.

The campus master plan intends to assure adequate access for emergency vehicles. The adjacent public right-of-ways will be constructed to conform with city standards and safety and convenience for the general public.

Should you require additional information or representation please contact me at your earliest convenience.

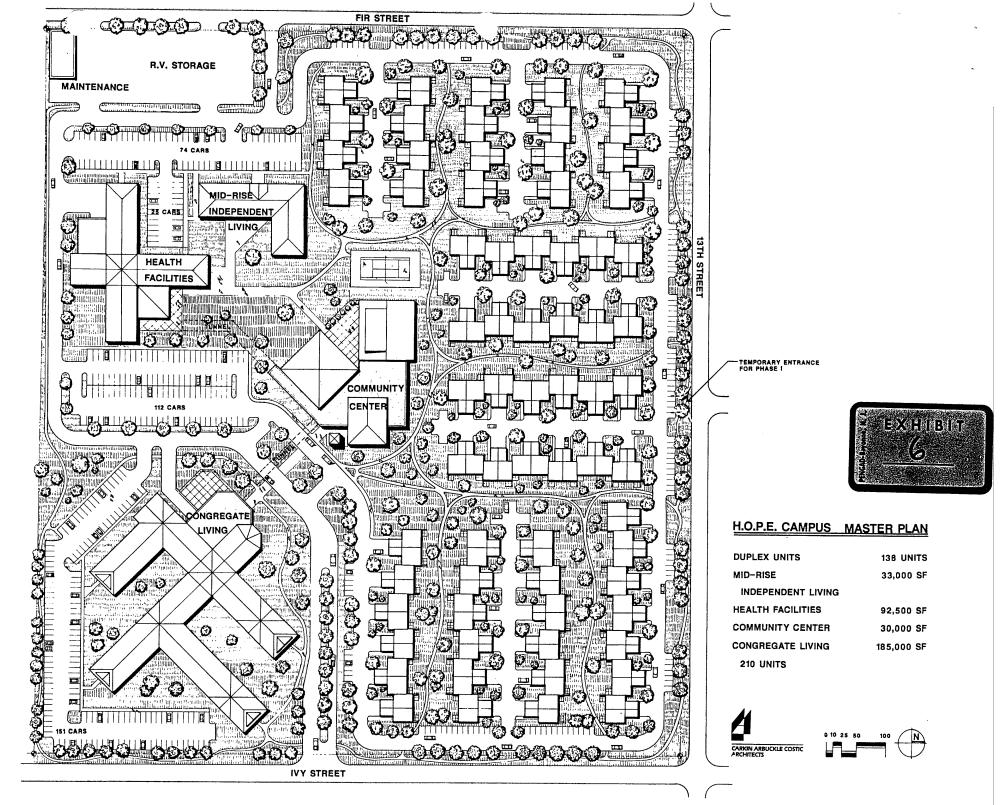
Sincerely,

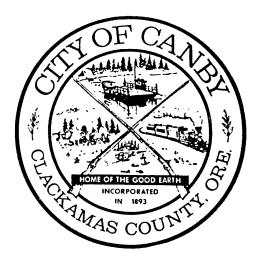
Zarosinski-Tatone Engineers, Inc.

Ronald G. Tatone, P.E.

RGT/mjb

cc: Kim Arbuckle





# - STAFF REPORT

#### **APPLICANT:**

Ernest W. Laitinen

#### **OWNER:**

Walter and Christine E. Devine

#### **LEGAL DESCRIPTION:**

Tax Lot 700 of Tax Map 4-1E-4BA

#### LOCATION:

377 S.W. 3rd Avenue

FILE NO.:

MLP 91-01

STAFF:

Robert G. Hoffman, AICP Director of Planning



DATE OF REPORT:

March 1, 1991

DATE OF HEARING:

March 11, 1991

#### COMP. PLAN DESIGNATION:

High Density Residential

#### ZONING DESIGNATION:

R-2

#### I. APPLICANT'S REQUEST:

The applicant is requesting approval to divide an 0.46 acre lot into two parcels containing approximately 6,460 and 12,555 square feet, respectively. (The applicant wants to ultimately build a 4-plex on the rear parcel.)

#### II. APPLICABLE CRITERIA:

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

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

#### III. OTHER APPLICABLE CRITERIA

- A. 16.56 General Provisions (for land divisions)
- B. 16.60 Major or Minor Partitions
- C. 16.62 Subdivisions Applications
- D. 16.64 Subdivisions Design Standards
- E. 16.64.040 Lots Related to Flag Lots:

1.

#### Flat Lots or Panhandle-shaped Lots

The Commission may allow the creation of flag lots provided that the following standards are met:

- a. Not more than one flag lot shall be created to the rear of any conventional lot and having frontage on the same street unless it is found that access will be adequate and that multiple flag lots are the only reasonable method to allow for development of the site.
- b. The access strip is to be a minimum of twenty feet in width and shall be paved for its full width from its connection with the public street to the main body of the lot. Except, however, that the width requirement may be reduced to twelve feet where the total length of the access strip does not exceed one hundred feet. Access strips not less than ten feet in width may be permitted where two such drives abut and are provided with reciprocal easements for use.
- c. For residential flag lots, a minimum building setback of five feet from the access strip shall be maintained where such buildings exist prior to the creation of the flag lot.
- d. Design and locations of buildings on flag lots shall be such that normal traffic will have sufficient area to turn around, rather than necessitating backing motions down the access strip. The Commission may establish special setback requirements at the time of approving the creation of flag lots.

#### **IV. FINDINGS:**

#### A. Location:

The subject property is identified on the Clackamas County Assessor's Map as Tax Lot 700 of Tax Map 4-1E-4BA. The property consists of approximately 0.46 acres, with 81.5 lineal feet of frontage along S.W. 3rd Avenue. The entire area is zoned R-2, High Density Residential. The lot is currently occupied by a single-family house addressed as 377 S.W. 3rd Avenue. There is room for adequate yards if the minor partition is granted. Homes occupy the parcels on each side.

# B. Conformance with the Text and Maps of the Comprehensive Plan and Other Ordinances:

- 1. The Canby Comprehensive Plan map shows the subject property located in a High Density Residential District, as are adjacent parcels. Parcels to the north are designated High Density Residential and Highway Commercial, and most parcels to the south are designated Low Density Residential. Thus, this area is a transitional zoning area. However, the parcel immediately to the rear is designated High Density and developed with townhouse units.
- 2. The Residential Lands Policy No. 2 (page 140, Canby Comprehensive Plan) states the following:

#### POLICY NO. 2: CANBY SHALL ENCOURAGE A GRADUAL INCREASE IN HOUSING DENSITY AS A RESPONSE TO THE INCREASE IN HOUSING COSTS . . .

**IMPLEMENTATION MEASURES:** Continue to allow for a variety of lot sizes within residential zones with the overall average equaling the minimum square footage requirement.

#### 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.

In most cases, services will have to be extended to serve the parcels of property proposed to be created. This will need to be a condition of approval.

a. Sewer

The City has sewer lines in S.W. 3rd Avenue and in S.W 4th Avenue. They are approximately 5.6 and 3.6 feet deep, respectively. Easements will be necessary to serve each lot. There are no known sewer capacity problems in this part of the City. Steps are being taken to correct the problems elsewhere on the south side, with a relief sewer. Monies are expected to be expended this fiscal year.

#### b. Water

The water system is operated by Canby Utility Board. Capacity is available in the system. There is a 6 inch line in S.W. 3rd Avenue.

#### c. Electricity

The electrical system is owned and operated by the Canby Utility Board. Service to the newly created parcels can be obtained. The expense of extending those services will be borne by the applicant.

#### d. Fire

The existing parcel is presently served by Fire District No. 62. The proposed parcels can easily be served, as well.

#### e. Police

The City provides police protection to the area and can easily serve the proposed parcels.

#### f. Storm Drainage

All on-site storm water will be dealt with on site and not discharged to the City system. This proposal does not add any additional street area to be drained. There is a catchbasin in S.W. 3rd Avenue immediately in front of the subject property.

#### 2. Street/Traffic

Canby's ordinance requires that any newly created parcels have access to a public street. The two parcels are proposed to have access to S.W. 3rd Avenue by way of two 12-foot wide one-way drives on common easements. Sidewalks are present. S.W. 3rd Avenue is an existing local street in the Comprehensive Plan. It is currently a 40-foot right-of-way. There are no plans for widening.

#### D. Overall Design of Parcels

The partition as proposed will result in the creation of two rectangular lots consisting of approximately 6,460 and 12,555 square feet, respectively. The applicant will be required to provide any necessary easements for utilities as a standard condition of approval. Two one-way drive access easements, 12 feet in width, are proposed to serve the two lots.

The subject property is generally flat, with room for building and required setbacks and yards. The parcel is zoned R-2, High Density Residential, and each parcel is large enough to provide the required development space and yards. However, the driveways, as proposed, are minimum, and turning movements will be difficult. Most of the rear yard of the existing house will be used for driveway and parking and the drives will be near two houses - in one case, two feet away, and in the other, four feet away.

If the rear parcel is proposed to be developed as a 4-plex building, the Site and Design Review procedure will apply. Access requirements for a multiple residential structure would require a 24 foot drive, a 5 foot sidewalk, and a 5 foot space between the drive and side lot line, or 34 feet total. There is not enough space between the lot line and existing building to meet this requirement. The flag lot requirement only requires 12 foot driveways if the front lot is 100 feet deep or less. The applicant is proposing two one-way drives. It would be preferable if an access easement could be gained from the rear parcel, to S.W. 4th Avenue and Fir. This would gain a larger rear yard for the front parcel and eliminate the driveway problems, but an agreement with adjacent parcel owners would be required. The current Design Review Ordinance would need to be amended to allow a 4-plex, if a 34 foot easement cannot be gained. It may be better to get a larger access easement from S.W. 4th Avenue at a future time. (A duplex and **one** 12 foot driveway from S.W. 3rd Avenue would be permitted.)

#### V. CONCLUSION

- 1. Staff finds that the partition request is in conformance with the Comprehensive Plan Map 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 a single and/or duplex structure, but further action and approvals would be necessary to build a multiple structure.
- 3. Staff concludes that the partition will have adequate frontage on a public street to insure safe and efficient access for a single family or duplex structure. Further steps need to be taken to apply access to a 4-plex.
- 4. Staff concludes that all necessary public services will become available through the development of the property, to adequately meet the needs of the proposed land division.

#### VI. RECOMMENDATION

Based upon the findings and conclusions in this report, the information submitted by the applicant, and the additional information contained in the file (and without benefit of public hearing), staff recommends approval of MLP 91-01, 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 parcels shall be prepared and recorded with the Clackamas County Clerk. A copy of the new deeds shall be provided to the Canby Planning Department.
- 3. Utility easements, 6 feet in width, shall be provided on the exterior and interior lot lines of each lot in the proposed development.
- 4. A final plat, modified to illustrate the conditions of approval, shall be submitted to the Director of Public Works for review and approval. The final plat shall reference this land use application -- City of Canby, Planning Department, File No. MLP 91-01.
- 5. Plans to extend the sewer shall be approved for construction by the Director of Public Works, prior to the issuance of any building permits on the site.
- 6. All monumentation and recording fees shall be borne by the applicant.
- 7. All utilities must meet the standards and criteria of the providing utility authority.
- 8. A reciprocal agreement to share the driveways shall be made a part of the final partition.
- 9. In order to consider a multiple residential structure on the rear lot, the developer shall apply for Site and Design Review. At such time, the applicant shall show a good faith effort to obtain an adequate sized driveway easement to S.W. 4th Avenue or Fir Street. Approval of a 4-plex on the rear parcel sholuld not be impled by this action. Further approvals are necessary.

No parking shall be allowed on either access drive, at any time. 10.

#### **Exhibits:**

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- Application Site Plan 1.
- 2.
- Letter from Josephine VanHouten 3.

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### MINOR LAND PARTITION APPLICATION

Fcc: \$300.00

An applied to The State of the

OWNER	APPLICANT (Buyer)
Name Devine, Walter R & Christine E. <sup>N</sup> Address 377 5W/ 3rd	ame Ernest W. Laitinen
Address 377 S.W. 3rd A	
City Canby State OR Zip 97013 C	ity <u>Canby</u> State <u>OR</u> Zip <u>970</u> /3
SIGNATURE P	hone: 266-5542
Christine Etemane	
DESCRIPTION OF PROPERTY:	
$Tax Map \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_$	
0Г	(Acres/Sq. Ft.)
Legal Description, Metes and Bounds (Attach Copy) Plat Name L	.ot 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  $8-1/2 \times 11$  sheet of labels, just as you would address an envelope.

USE

Zingle Famils -Plex Lot Existing Proposed\_ **Existing Structures** Residence amily

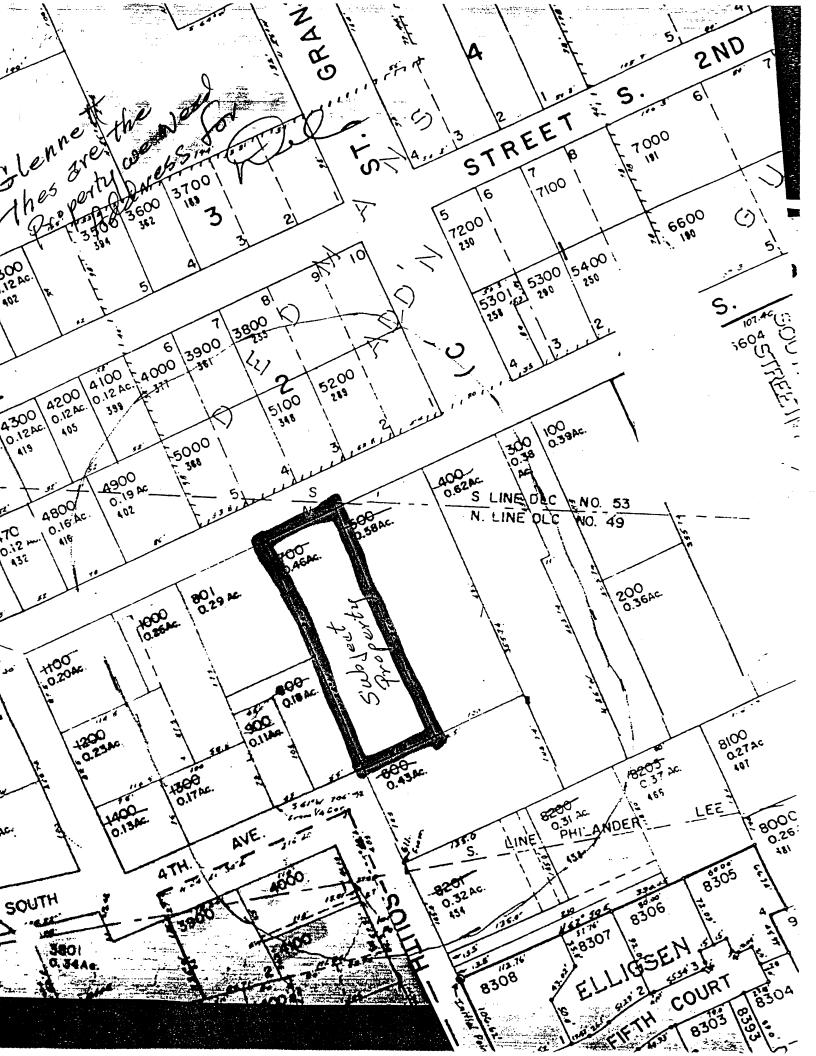
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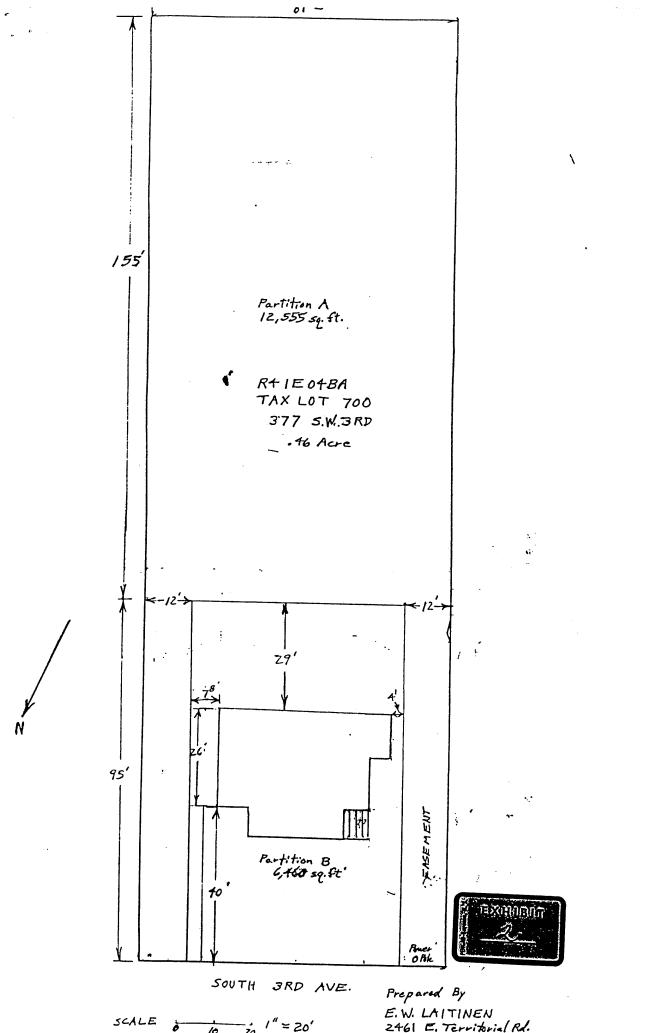
ZONING  $\mathcal{R} - \mathcal{Z}$  COMPREHENSIVE PLAN DESIGNATION PREVIOUS ACTION (if any)

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





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E.W. LAITINEN 2461 E. Territorial Rd. Canby OR 97013

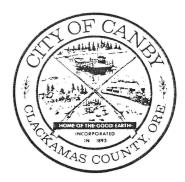
Commission are hope the members of this Planning Commission are not the some as those in your point who allowed tuilders of new homes to eliminate aideweeks? Candy is a Juiendly town - I love it? -dut I don't feel safe or enjoy it when I tere to walk dut I don't feel safe or enjoy it when I tere to walk either in the gutter on around care parked in the street! at extreme rean point dala not affect the onerall open appearance of the neighborhood - Town after might not be to test with yeel I would denalie and Juspenties - , the a two farking speedperapt and some safe thay ever for children. We already have far too much on street Jarking day and might at this end of 3rd Atreet !! heavily travelled streets - exits for the "hand-locked "are south of us! 3rd is, she, used as a quick chost-cut between Dry + Elin - ro the added traffic would really Denivergropenty-Sam told the glan ierto erect & apartmenta with Gite on both 3rd and 4 th streets, Shee are toth very Gite on both 3rd and 4 th streets, Shee are toth very "...t - exite don the "hand-locked" w Carplia Carly Planning Commission 182 9, Hally commente, Only one narrow lat reparate methom the andy Manning Commission 182 9, Hally Canly, Oregon J11/9, 28 consider application Ce- meeting 3/11/9, 28 cons MLP 91-01 ky & Laitner & W. Desine am withing my My main concern is that the builders allow at least a troblem! I for the only double-occupancy lot her the Ind hunce Suncerely heephine Dan Houten Canly, Oregon Fel. 24, 1991 405 A. W. 3nd BXIBIBIT. 3

#### PLANNING COMMISSION

#### **TESTIMONY SIGN-IN SHEET**

March 11 1991 Date:

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ST. SE SAVAM.

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**ADDRESS** 

(Please Print)

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## PLANNING COMMISSION

#### **SIGN-IN SHEET**

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