

A G E N D A

CANBY PLANNING COMMISSION

REGULAR MEETING City Council Chambers

June 10, 1991 - 7:30 p.m.

I. ROLL CALL

II. MINUTES

April 22, 1991
May 13, 1991

III. CITIZEN INPUT ON NON-AGENDA ITEMS

IV. COMMUNICATIONS

V. NEW BUSINESS

VI. FINDINGS

SUB 90-06 - Wayne Scott

VII. PUBLIC HEARINGS

MLP 91-03, an application by Bob L. Stuart for approval of a minor land partition to partition a .58 acre parcel to create a 7,012 square foot lot, a 7,024 square foot flag lot (both, including the driveway), and an 11,514 square foot lot where the existing house will remain. Adequate space will be provided such that no backing motion will be necessary to access the public streets. The property is located at 1320 N. Holly (Tax Lot 201 of Tax Map 3-1E-33BA).

MLP 91-04, a request by the City of Canby for approval of a minor land partition to partition an approximate 30+ acre parcel, to create two parcels, approximately 16.00 and 15.00 acres, respectively. The property is located north of Territorial Road and east of the Molalla Forest Road (Tax Lot 600 of Tax Map 3-1E-27).

CUP 91-01, a request by the Canby Elementary School District No. 86 for approval to construct a new elementary school, soccer field, softball fields, and other play areas, on a 15 acre site. The site is located north of Territorial Road and east of the Molalla Forest Road (Tax Lot 600 of Tax Map 3-1E-27).

DR 91-02, a request by the Canby Elementary School District No. 86 for approval to construct a 61,000 square foot elementary school for students in grades K-4 (ultimately, K-5), to include 20 classrooms in a two-story configuration. The remainder is housed in a single story building. The site is located north of Territorial Road and east of the Molalla Forest Road (Tax Lot 600 of Tax Map 3-1E-27).

CUP 91-02, a request by the Canby Elementary School District No. 86 for approval of the following additions to Eccles Elementary School: a new covered play area at the north end of the existing gymnasium and a new music room with a connecting corridor to be located under the west end of the existing covered play area; and remodeling of the existing gymnasium and corridors, and paving of parking area at south end of school. The school is located at 562 NW 5th Avenue (Tax Lot 1100 of Tax Map 3-1E-32D).

VIII. 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

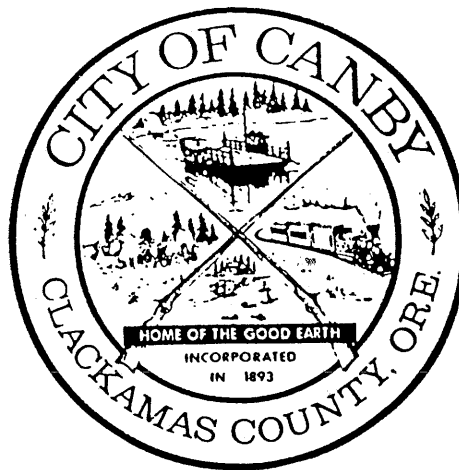
Opponents - not more than 10 minutes

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.*



- STAFF REPORT -

**APPLICANT:**

Canby Elementary School District

FILE NO.:

DR 91-02/
CUP 91-01

OWNER:

City of Canby

STAFF:

Robert G. Hoffman, AICP,
Planning Director

LEGAL DESCRIPTION:

Tax Lot 600 of
Tax Map 3-1E-27

DATE OF REPORT:

May 31, 1991

LOCATION:

Territorial, between
Redwood and the Molalla
Forest Road

DATE OF HEARING:

June 10, 1991

COMP. PLAN DESIGNATION:

Public

ZONING DESIGNATION:

R-1 (Low Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval of a Conditional Use application and Design Review Application for an elementary school and physical education playground. The property is located between Territorial Road and the Molalla Forest Road, just north of Territorial Road. The total site is approximately 15 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:

A previous application to the Planning Commission concerned a minor land division involving this property. The City of Canby has owned the property for many years. The subject property is the southern 15 acres of Tax Lot 600 of Tax Map 3-1E-27, with about 800 feet of frontage along N.E. Territorial Road. The northern neighboring parcel is a forested area to be retained by the City for public purposes. The property to the east is a sod farm, and to the south is scattered county rural homes on large lots. The property to the west contains a golf course, vacant land and Willamette Green condominium townhouses.

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 project has vacant lands, wetlands, and a sod farm outside the Urban Growth Boundary to the east. Territorial Road is proposed to be widened to an 80 foot right-of-way. Homes are located to the south, and the Comprehensive Plan proposes this area to be infilled with houses once it is annexed. The golf course is located to the west and is proposed in the Comprehensive Plan to be retained. The vacant land along the logging road is proposed in the Comprehensive Plan to be developed with multiple family housing. The Willamette Green townhouses are also located to the west and are expected to continue long into the future. The Comprehensive Plan proposes that the subject site itself be developed as a "Public" land use and the text of the Public Facility section describes a need for an elementary school in the northern portion of Canby as that area develops. The site is large enough to provide adequate buffer treatment for the adjacent residential land use. The proposed site plan does propose such treatment and retains many of the trees on the site, particularly along the edges. No natural hazards have been identified. Later sections of this report will identify how this application complies with detailed requirements of the development code. Utility service is available and can be extended to the proposed project without overburdening any public facilities or services, according to reports from the relevant service providers. Thus, the uses proposed in the project are generally consistent with the Comprehensive Plan Land Use proposals, provided detailed criteria and standards are met by specific development proposals.

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 forested area could be viewed as an overall scenic area with aesthetic and open space values. The proposed development will retain as many of the existing trees as is practicable, while still providing room for playfields and school and related facilities. An urban forester has been retained by the school district to provide advice as to how this can be accomplished. Thus, some measure of wildlife habitat will be retained on site. The adjacent golf course, nearby forested areas, and wetlands and Willamette River Greenway area will continue to provide aesthetic and open space qualities long into the future. Fish and fishing will not be affected since none are on site or immediately adjacent. The soil is La Tourell loam, 0 to 3% slopes, which is a well-drained soil suited to urban type development, provided the limitations of the low soil strength are designed for because of its limited ability to support a load. In summer, irrigation is often needed on this soil type for grasses, shrubs, vines, shade trees and ornamental trees. The final building and site design and construction will account for these considerations. A landscape architect has been retained by the school district. A wetlands expert has determined that there are no jurisdictional wetlands on the property.

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.
(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. *(Not applicable since Territorial is a local and County road, not a State road.)*
- 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.

ANALYSIS

Territorial is proposed in the County Comprehensive Plan as a minor arterial, and in Canby's Comprehensive Plan, as an "Arterial." It will need to be widened in right-of-way width, and half-street improvements made, including curbs and sidewalks and a bike path. It is a designated truck route and must meet construction standards of the City and County. A condition will need to cover this aspect. The logging road will also need to be improved at least as far as the entrance to the site. A Traffic Impact Analysis has recently been completed. It has indicated that a traffic light is needed at Territorial Road and 99E. The development will need to assist in solving this problem insofar as it contributes to the problem. Conditions will need to deal with these transportation issues.

The development will need to meet the requirements of the police and fire agencies. Provision will need to be made for public safety access to the rear portion of the parcel. The logging trucks currently round the corner of Territorial and the Logging Road at a rapid rate by way of a "cut-off" at the corner. This "cut-off" is not indicated on the proposed plan and adequate sight distance and vision clearance is not available. Since this is the major route for bus access, a detailed change is needed here.

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

This proposal is to build a new elementary school well within the intent of the Public Facility Goal and policies. The paragraph at the bottom of page 109 of the Comprehensive Plan states, ". . . it is evident that additional schools will be needed in the area northwest and northeast of the present City limits." Clearly, this proposed new school will be available to serve the northeast area. Since the public service area and logging boom area are located about 1,000 feet to the north of the school site, the children will need to be discouraged from unsupervised visitations of these areas. Fencing the northern edges of the site should be considered.

vii. ECONOMIC

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

ANALYSIS

The school will provide educational services to Canby's children and provide in excess of 40 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 school 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.

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 school use is found to be consistent with the policies of the Comprehensive Plan.

2. Site Suitability

The site is approximately 15 acres in size and is rectangular in shape, with over 800 feet in each dimension, which is more than adequate for an elementary school of the proposed size and shape and for the related physical education and recreation areas. The design makes effective use of the site, retaining much of its current natural features. The slight swale crossing from west to east is proposed to be filled and will necessitate some loss of trees not needed to be cut otherwise, but the regrading will make the site much more useable. The location of the sewer interceptor is proposed to be protected by way of an easement

and the access road to the City shops area is respected until not needed. The school district has proposed to retain the use of an Arborist/Urban Forester and a Landscape Architect to assist in retaining as many of the trees as is practical. Final landscape design will be provided and followed.

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 school without serious problems. Extensions of service and facilities will be needed in some cases, but are underway to provide service to the nearby recently approved Assisted Living Facility and Willow Creek Subdivision. The road and transportation facilities will need to be improved.

4. Compatibility with Surrounding Uses

The proposed school and site development will have a substantial 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 more than 100 feet from adjacent dwellings. Residential units adjacent to the logging road are set back in excess of 60 feet and have their parking and garages between the road and the units. The bus traffic will have no worse affects on adjacent development than the logging trucks do. The forested area of the site will be substantially changed, but many trees will be retained and landscaping provided. 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 site is approximately 16 acres. The school building will occupy about 1.3 acres and the 100 parking spaces will occupy about 1 acre. The service drives will occupy about 0.8 acres. Thus, the total

area of building and parking and driveways will be about 3.1 acres, or 21%. The remainder of the site will be landscaped space, or 79%, well in excess of the required 15%. Only a very small proportion of this space will be covered with bark chips, rock, stone, walkways, or similar materials. It is the professional opinion of staff that the general landscape treatment of the site as proposed, is appropriate for the location and intended use. A specific landscape plan is being prepared by a landscape architect with support from an arborist/urban forester.

2. Parking and Loading

The parking requirement is 2.0 spaces per employee and 1 space per four seats, or eight feet of bench length for the gymnasium. The number of employees will total 42-45, requiring 90 parking spaces. The gymnasium bleachers will seat 400, requiring 100 parking spaces. The application states that, "Simultaneous 400 seat occupancy by visitors and full staff attendance is highly unlikely to occur at the same time." Staff is in agreement. Thus, the applicant is proposing 100 parking spaces immediately adjacent to the school and an "overflow parking" area available on the northeastern corner of the site. This appears to be more than sufficient.

Three loading spaces are required for a 61,000 square foot building, as proposed. Space for four vehicles is provided. Loading and unloading of children needs to take place from a driveway designed for continuous forward flow of vehicles. This is provided. Bus traffic is separated from passenger traffic, which is desirable, but not required.

3. Access

Access from passenger vehicles to school buildings is from Territorial, with a driveway directly across from Redwood. Access for buses is via the logging road. Access to the playfields is via the logging road and service drive. The design and dimensions of the access drives meet the ordinance requirements.

4. Architecture

According to the application, the project is a "61,000 square foot elementary school for 500 students grades K-4, ultimately grades K-5. The building program includes 20 classrooms in a two-story configuration. The remainder is housed in [a] single story building. The exterior of the building consists of brick veneer, modulated window

openings, and sloped metal roofing. Play areas are designed for school and community use."

Building plans, elevations and cross sections are part of the application and staff is of the opinion that they are well done and appropriate for the use and location.

5. Other Aspects

a. utilities

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

b. effect on needed housing

The proposal will provide service to children from home to school. In staff's opinion, the development of the site is compatible with adjacent housing.

c. trees

As many trees, as are practical, will be preserved. The services of an arborist/urban forester and landscape architect will be utilized.

IV. CONCLUSION

Considering the previous analysis, 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; the design is compatible with the design of other developments in the vicinity; and, the location, design, size, and color and materials of the exterior of the structure and signs will be compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.

Further, staff concludes that, with approval conditions

1. the proposed use of the site is consistent with the applicable requirements and policies of the Comprehensive Plan and the development ordinance;

2. the characteristics of the site are suitable for the proposed use;
3. that all required public facilities and services exist (or can be made to exist at the time of development) to adequately meet the needs of the proposed school; 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 DR 91-02 for an elementary school and related physical education and recreational facilities.

Furthermore, staff recommends approval of CUP 91-02 for an elementary school and related physical education and recreational uses, with the following conditions:

1. The conditions of approval of the minor land partition (MLP 91-04) must be met prior to occupancy of the school.
2. The applicant shall provide a waiver of remonstrance for any traffic improvement needed for N.W. Territorial Road. The building permit for the school shall be approved only after the developer has provided written agreement to participate in funding its proportional share of the needed improvements or has provided an actual cash contribution accepted by City Council as a "Fair Share" contribution toward improvements at Territorial Road and 99E.
3. The applicant shall participate in a preconstruction meeting with City staff, CUB, the fire district, etc., prior to construction of the second phase of development.
4. The applicant shall dedicate additional right-of-way along Territorial Road to meet both Canby and County standards. Such dedication shall include space for a minimum of 5-foot sidewalks, and a 6-foot bikeway. Right-of-way shall be a minimum of 80 feet in width. Half-street improvements shall be provided by the developer and shall include pavement, curbs, sidewalks, bikeways and

urban-type street lighting, and shall meet Canby Construction Standards. Right-of-way designs and construction designs shall be approved by the Director of Public Works. Street pavement width between curbs shall be a minimum of 44 feet.

5. Since the logging road is to be a main access road for school buses, the developer shall pave the logging road for a full width to at least the point of major access, prior to issuance of occupancy permits. The design of the intersection of the logging road and Territorial shall not provide for fast truck or bus traffic. A 30-foot vision clearance area triangle shall be maintained at this intersection. The design of the road and intersection shall be reviewed and approved by the Director of Public Works.
6. The final tree cutting plan and the final landscape plan shall be reviewed and approved by the City Planner for consistency with this approval and conditions.

Exhibits:

1. Application for Conditional Use and Vicinity Map
2. Application for Design Review
3. Aerial Photo (showing vicinity)
4. May 10, 1991 Project Description from BOOR/A
5. Site Plan
6. First Floor Plan
7. Second Floor Plan
8. Elevations
9. Gymnasium Sections

CONDITIONAL USE APPLICATION

Fee: \$300.00

OWNER

APPLICANT

Name CITY OF CANBY
Address 182 N. Holly
City Canby State OR Zip 97013
SIGNATURE

Name CANBY ELEMENTARY SCHOOL DISTRICT NO. 86
Address 117 N.E. 3rd
City Canby State OR Zip 97013
Phone: 266-5871

Milton S. Davis

DESCRIPTION OF PROPERTY:

Tax Map P 3-1-E-27 Tax Lot(s) 600 Lot Size 15 acres
(Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name N.W. 1/4 and S.W. 1/4 Sect. 27 Lot 600 Block
Township 3S Range 1E WM, Clackamas C., Oregon

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 R-1 - FOREST Proposed C.U. for Elementary School

Existing Structures None

PROJECT DESCRIPTION

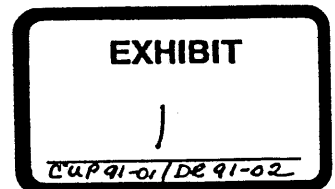
Elementary school, 61,000 square feet, grades K-4, with outdoor play areas, P.E. fields, staff and public parking.

SEE ATTACHED DESCRIPTION

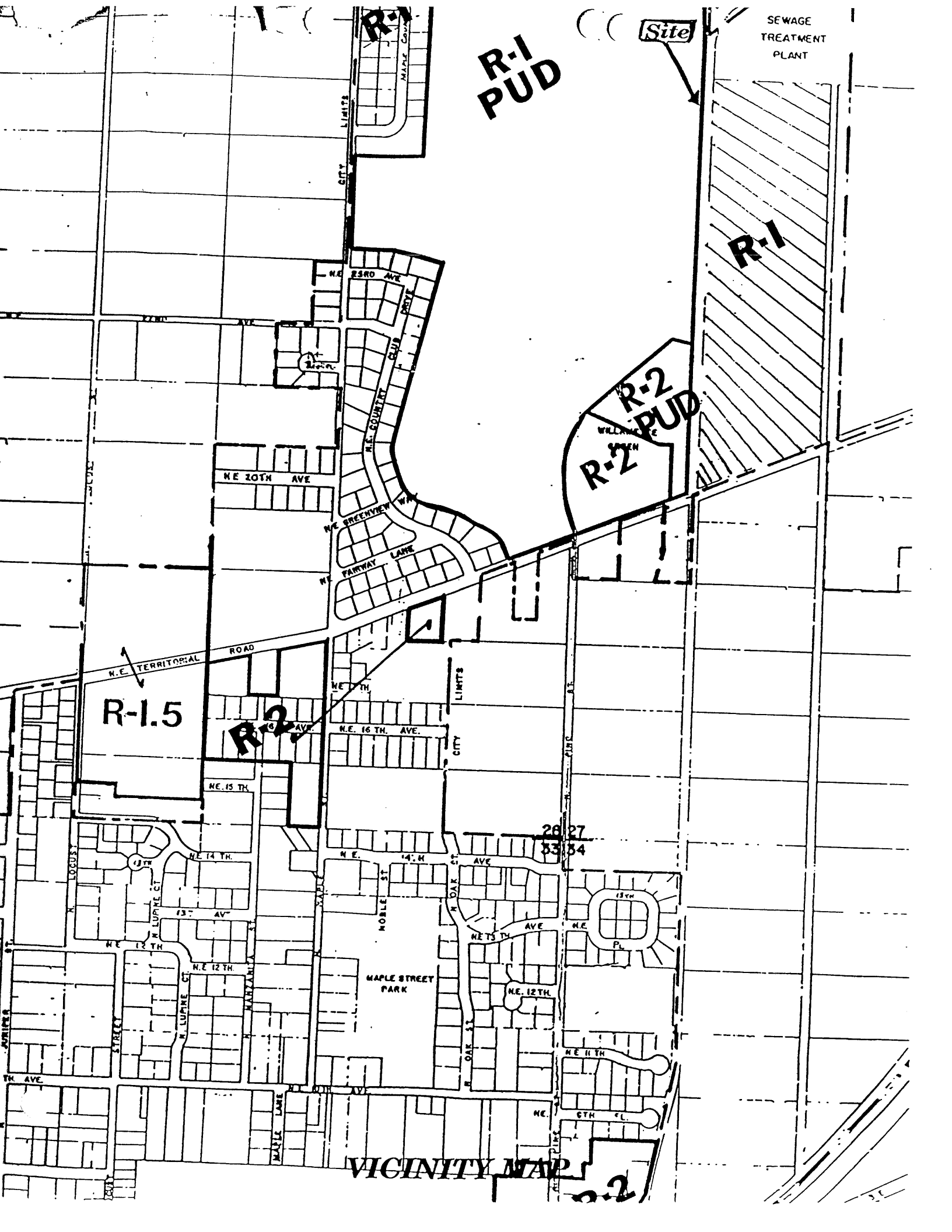
ZONING R-1 COMPREHENSIVE PLAN DESIGNATION PUBLIC

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.



R-1 PUD

Site

SEWAGE TREATMENT PLANT

R-1

R-2 PUD

R-1.5

R-2

VICINITY MAP

22

SITE AND DESIGN REVIEW APPLICATION

Fee: \$250

OWNER

APPLICANT

Name CITY OF CANBY

Name CANBY ELEMENTARY SCHOOL DISTRICT NO 86

Address 182 N. Holly

Address 117 N.E. 3rd

City Canby State OR Zip 97013

City Canby State OR Zip 97013

SIGNATURE _____

Phone: 266-5871

Michael H. Davis

DESCRIPTION OF PROPERTY:

Tax Map 3-1E-27 Tax Lot(s) 600 Lot Size 15 acres (Acres/Sq. Ft.)

or

Legal Description, Metes and Bounds (Attach Copy)

Plat Name _____ Lot 600 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 Timber Proposed C.U. for Elementary School

Existing Structures None

Surrounding Uses To the east - farmland; to the west - residential and golf course

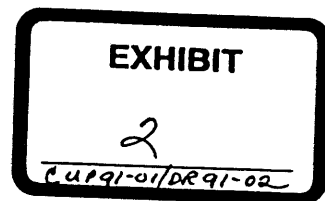
PROJECT DESCRIPTION

61,000 square foot elementary school for 500 students grades K-4, ultimately grades K-5. The building program includes 20 classrooms in a two-story configuration. The remainder is housed in single story building. The exterior of the building consists of brick veneer, modulated window openings, and sloped metal roofing. Play areas are designed for school and community use.

ZONING R-1 COMPREHENSIVE PLAN DESIGNATION PUBLIC

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.

May 10, 1991

CANBY ELEMENTARY SCHOOL
CONDITIONAL USE APPLICATION
PROJECT DESCRIPTION

The development of the 15 acre site for the new elementary school and play field programs uses the land in an efficient and well-organized manner. The overall design exhibits a strong fit within the context of the existing area and is consistent with the policies of the comprehensive plan and applicable planning design standards as required by the City of Canby.

The proposed site is well-suited for the placement of an elementary school, being situated within the urban growth boundary, within the School District's boundary, and located near residential growth areas.

The 15 acre lot size exceeds the required minimum by 5 acres, and the rectangular shape permits an uncrowded layout of the program elements. The proposed site design respects the existing environment and site features, by working with the existing contours, by retaining generous areas of existing trees, and by setting the building footprint near the center of the 15 acre site. As a result, the proposed school will have the appearance of a structure situated in a parklike setting.

The proposed soccer field, softball fields, and other play areas, along with available indoor P.E. and meeting areas, will be available to the community for after school hour use, following suggested planning criteria by the City.

The site has access to all the required utilities, such as water, sewer, electricity, and gas.

The proposed use, arrangement, and character of the proposed elementary school will serve as an asset to the community and neighborhood. The overall program organization places public and service functions near the front of the building with easy access from Territorial and Logging Road. Public parking is clearly separated from staff and bus parking, adding an inherent safety feature to the design.

The 100 parking spaces provided on the south side of the building are based on the more restrictive requirement of providing one space per four seats of bleachers in the gymnasium rather than two spaces per employee for the 42-45 full-time staff members.

Scheduling information from the School District indicates that the simultaneous 400 seat occupancy by visitors and full-time staff attendance is highly unlikely to occur at the same time.

Play fields situated north of the school will be accessible from the school itself and via the existing service road. Supervision of fields is possible from the school and from Logging Road after school hours.

HKR:jmf
90018\projdesc.mis

EXHIBIT

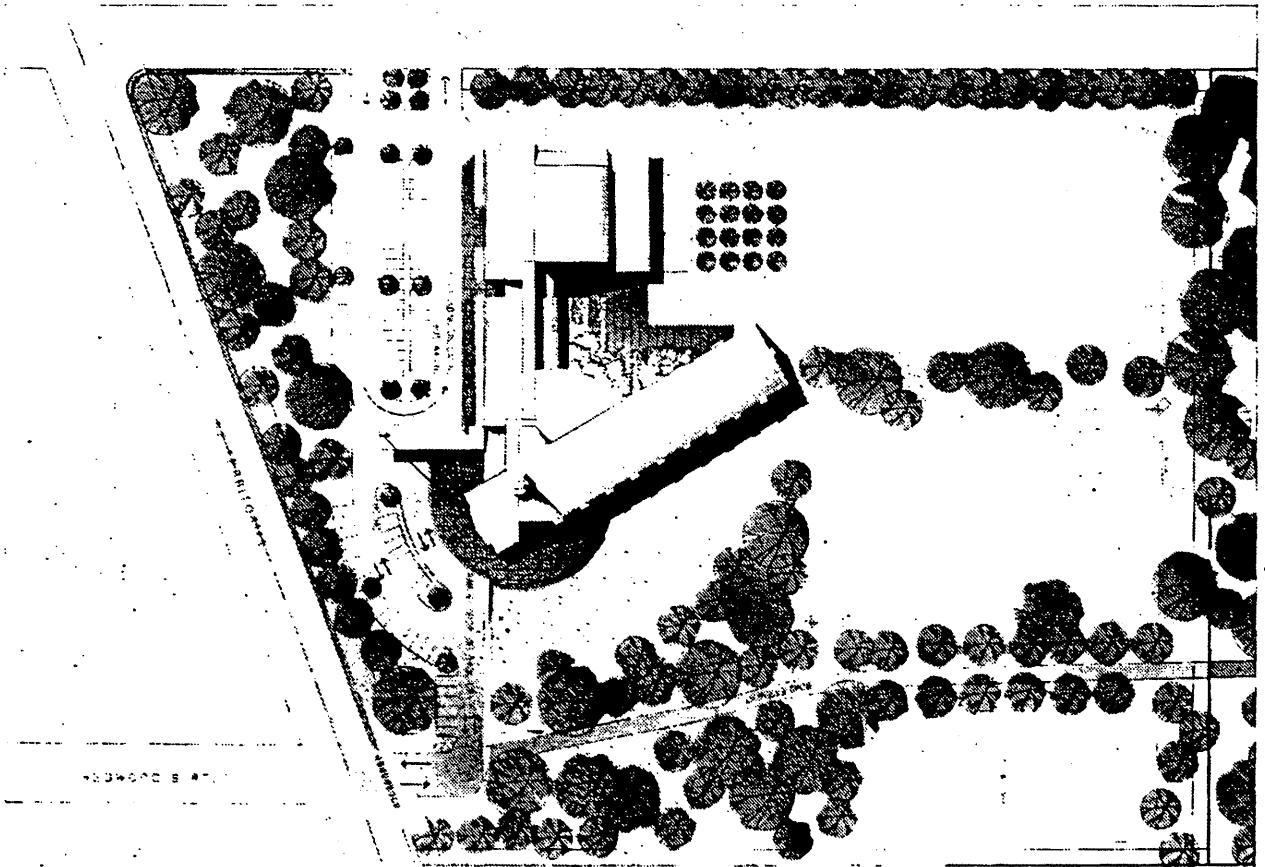
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24991-01/15291-02

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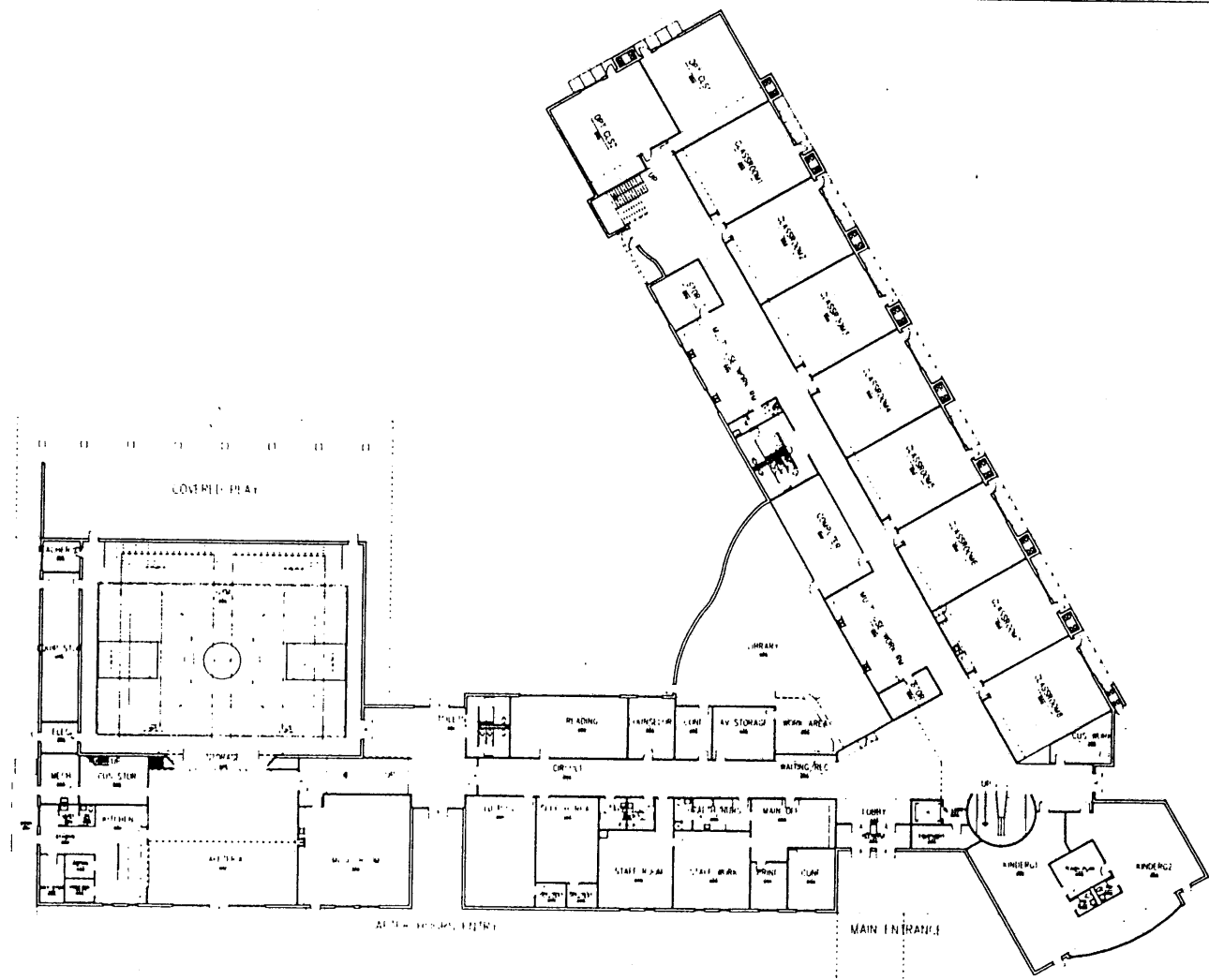
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CWP91-01/DR91-02

C A N B Y E L E M E N T A R Y



Scale bar and other technical markings.

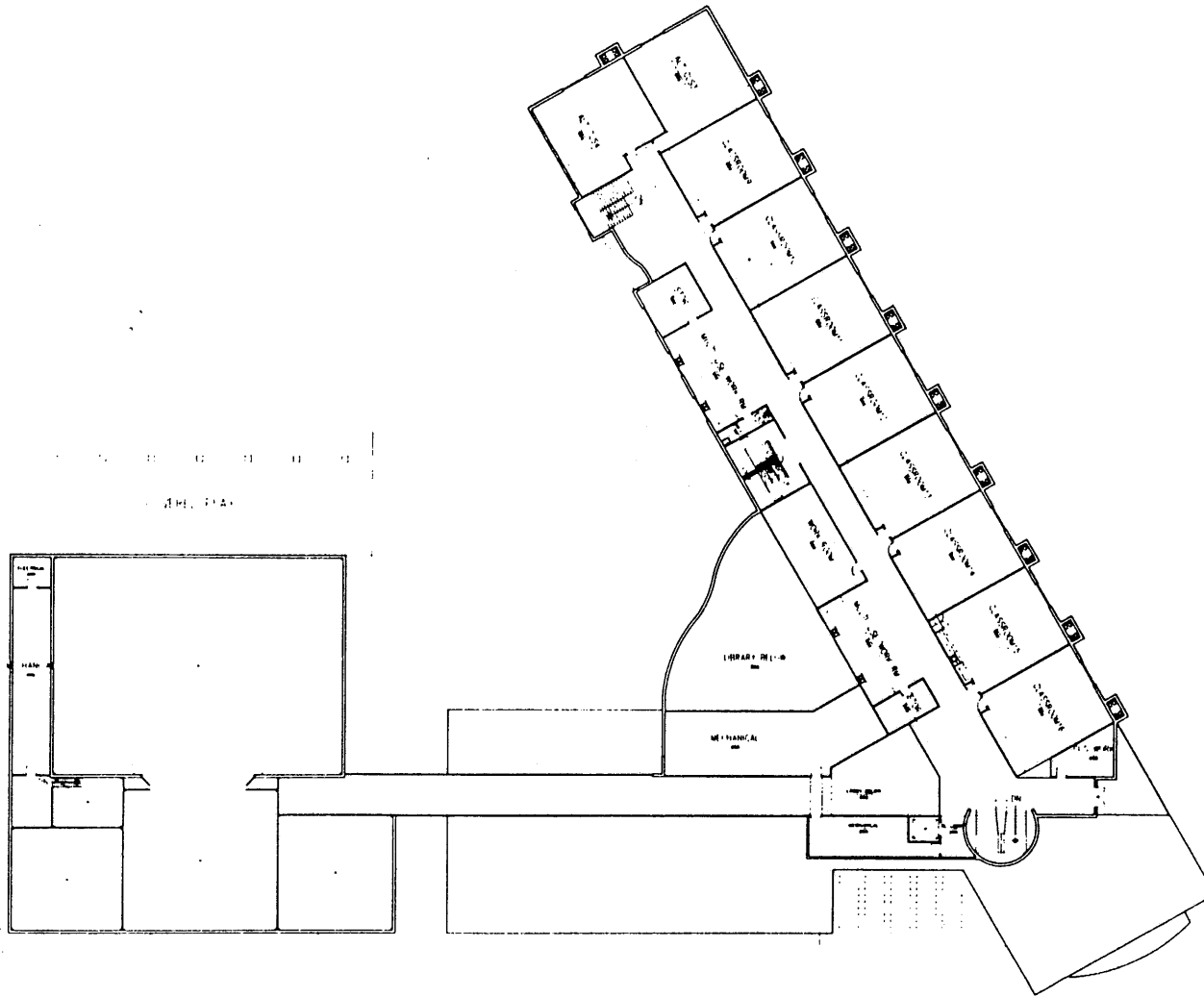
2009-01/2009-02
6
EXHIBIT



FIRST FLOOR PLAN

CANBY ELEMENTARY

BOORJA



CAPP-01/DA 91-02
 7
EXHIBIT

SECOND FLOOR PLAN

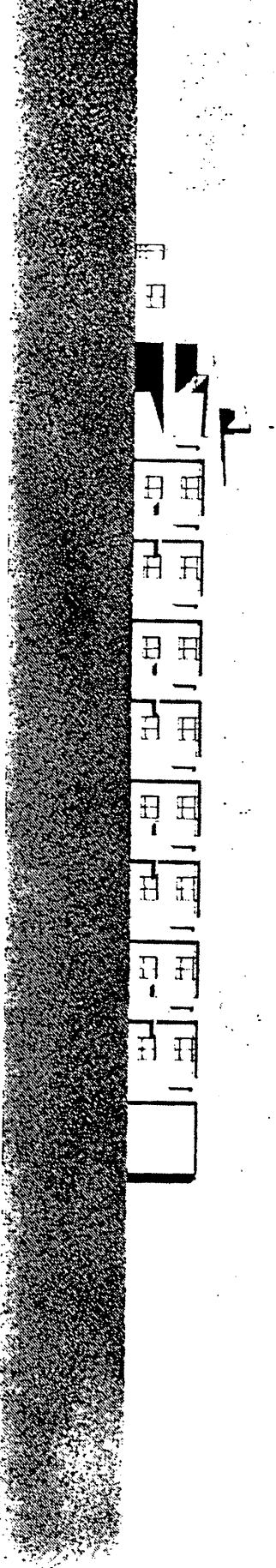
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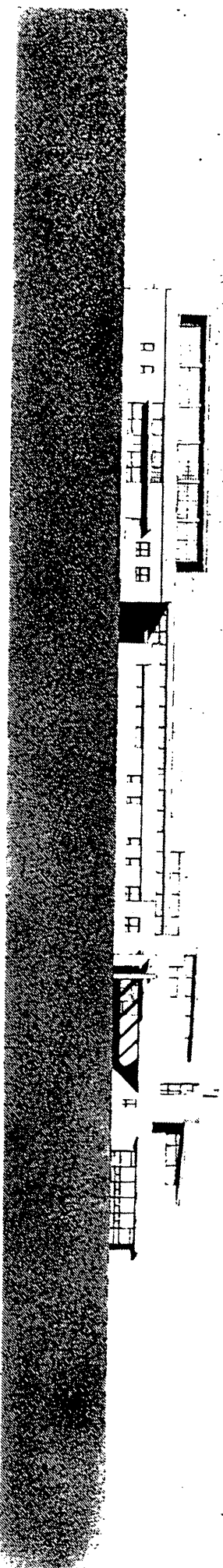
BOOK 1

EAST CLASSROOM ELEVATION CANBY ELEMENTARY

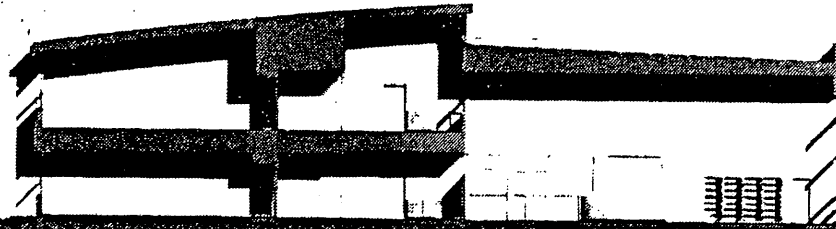
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20-16207-16-16-17-18



SOUTH ENTRY ELEVATION

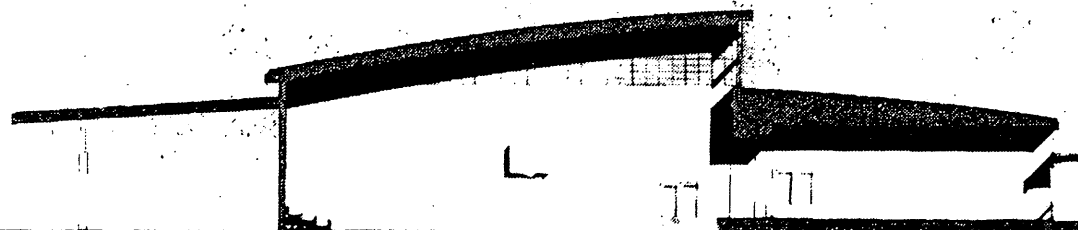


1/1/11



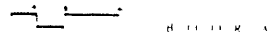
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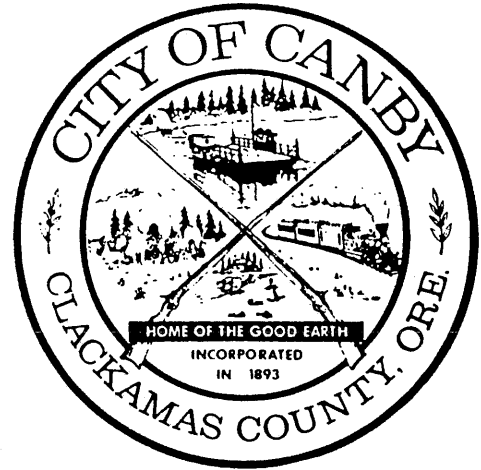
EXHIBIT
9
CAPP-01/DEPT-02



GYMNASIUM SECTION

CANBY ELEMENTARY





- STAFF REPORT -

APPLICANT:

Bob L. Stuart

FILE NO.:

MLP 91-03

OWNER:

Carl R. Stuart

STAFF:

Robert G. Hoffman, AICP
Director of Planning

LEGAL DESCRIPTION:

Tax Lot 201 of
Tax Map 3-1E-33BA

DATE OF REPORT:

May 31, 1991

LOCATION:

1320 N. Holly Street

DATE OF HEARING:

June 10, 1991

COMP. PLAN DESIGNATION:

Low Density Residential

ZONING DESIGNATION:

R-1

I. APPLICANT'S REQUEST:

The applicant is requesting approval to divide an 0.59 acre parcel into three parcels, containing approximately 7,644, 7,308 and 10,608 square feet, respectively.

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. 16.16.030 Development Standards in R-1 Areas
- B. 16.56 General Provisions (for land divisions)
- C. 16.60 Major or Minor Partitions

- D. 16.62 Subdivisions - Applications
- E. 16.64 Subdivisions - Design Standards
- F. 16.64.040 Lots Related to Flag Lots:

Flag 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 201 of Tax Map 3-1E-33BA. The property consists of approximately 0.59 acres, with 142 lineal feet of frontage along N. Holly Street, and 30 feet of frontage on N.E. 13th Avenue. The entire area is zoned R-1, Low Density Residential.

The lot is currently occupied by a single-family house addressed as 1320 N. Holly Street. There is room for adequate yards if the minor partition is granted, provided that required easements and access drives can be provided. The subject property is surrounded by homes built on lots ranging in size from 7,000 square feet to 10,600 square feet, with most lots in the 7,500 to 8,100 square foot range.

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

1. The Canby Comprehensive Plan map shows the general area of the subject property located in a Low Density Residential District, as are all adjacent parcels.

Comment: Land division as proposed, and development of the flag lot and other lot with single family homes or other permitted R-1 use, would be consistent with this designation.

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 (emphasis added).

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.

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

a. Sewer

The City has a sewer line in N. Holly Street and in N.W. 13th Avenue. They are approximately 3.5 to 4 feet deep. Easements will be necessary to serve each lot. There are no known sewer capacity problems in this part of the City. The City would prefer that the sewer in N.W. 13th Avenue be used rather than the sewer in N. Holly. The new sewer to serve the existing home is located in the southern portion of the existing lot and would require an easement if the lot is divided.

b. Water

The water system is operated by Canby Utility Board. They have reported that there are no problems in servicing the lots. Capacity is available in the system. There is a 6 inch line in an easement connecting Holly to 13th. This easement will need to be respected. It is located near the southern property line.

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. The Canby Utility Board has reported no problems in servicing these lots.

d. Fire

The existing parcel is presently served by Fire District No. 62. The proposed parcels can easily be served, as well, from either Holly or from 13th.

e. Police

The City provides police protection to the area and can easily serve the proposed parcels. They have reported no problems in servicing the proposed lots.

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.

2. Street/Traffic

Canby's ordinance requires that any newly created parcels have access to a public street. The three parcels are proposed to have access to N. Holly or 13th. Sidewalks are not present on either street. N.E. 13th Avenue is an existing local street in the Comprehensive Plan. It is currently a 40-foot right-of-way, with a 100 foot right-of-way turnaround at the end. There are no plans for widening. Holly is an "Arterial" in the Comprehensive Plan. It is 40 feet wide and should be widened to 60 feet. Ten feet of right-of-way should be dedicated. A sidewalk and curb and paving for the widened street should be provided along N. Holly Street.

D. Overall Design of Parcels

The partition as proposed will result in the creation of three lots consisting of approximately 7,644 (7,020 square feet without the access drive), 7,308 square feet, and 10,608 square feet, respectively. The applicant will be required to provide any necessary easements for utilities as a standard condition of approval. An access easement, 12 feet in width, is proposed to serve the one lot with access to 13th Avenue. The other two lots will access onto Holly. There do not appear to be any problems associated with this access.

The subject property is generally flat, with room for building and required setbacks and yards. The parcel is zoned R-1, Low Density Residential, and each parcel is large enough to provide the required development space and yards. The driveways, as proposed, are adequate, and turning movements will be provided on site. No backing movements from the new lots will be required since there is adequate space to provide a turnaround on each lot. While Code Section 16.16.030 requires a minimum width and frontage of sixty feet, the same section provides that the Planning Commission may approve lots having less frontage subject to special conditions to assure adequate access. Staff believes adequate access is provided for each lot, as requested in the lot partition.

V. CONCLUSION

1. Staff finds that the partition request 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 two single family structures.
3. Staff concludes that the partition will have adequate frontage on a public street to insure safe and efficient access for three single 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 easements and sidewalk needs.

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 91-03, 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. Ten (10) feet of land for street widening purposes along Holly Street shall be dedicated as part of the final partition. A sidewalk, curb, and widened street shall be provided along Holly.
4. Utility easements, a minimum of six (6) feet in width, shall be provided on the exterior and interior lot lines of each lot in the proposed development, and 12 feet along each street. The water line easement near the southern property line shall be respected.
5. A final partition modified to illustrate the conditions of approval, shall be submitted to the Director of Public Works for review and approval. The final partition shall reference this land use application -- City of Canby, Planning Department, File No. MLP 91-03.
6. 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.
7. All monumentation and recording fees shall be borne by the applicant.
8. All utilities must meet the standards and criteria of the providing utility authority.

Exhibits:

1. Application and Vicinity Map
2. Site Plan (as revised May 30, 1991)

MIN : LAND PARTITION APPLICATION
Fee: \$300.00

OWNER

APPLICANT

Name CARL R STUART
Address 11624 NE 64 Ave.
City Vancouver State WA Zip 98686
SIGNATURE Carl R Stuart

Name BOB L. STUART
Address P.O. Box 669
City CANBY State OR Zip 97013
Phone: (503) 263-8801
Bob L Stuart

DESCRIPTION OF PROPERTY:

Tax Map 31E338A Tax Lot(s) 201 Lot Size 142' X 180' - approx .58 ac.
(Acres/Sq. Ft.)

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 SINGLE FAMILY LOT Proposed DIVIDE INTO 3 SINGLE LOTS
Existing Structures 1 House (1890 □ - 2 Bdrm.) & 1 GARAGE

PROJECT DESCRIPTION

We propose to develop 2-7,000 sq. ft. lots for single family dwellings and leave approx 14,000 sq. ft. lot for existing home -
Minimum front lot is less than 60' because of Cul-de-sac and flag lot design off Holly Street
ZONING R-1 COMPREHENSIVE PLAN DESIGNATION R-1 on 13th

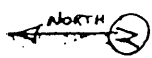
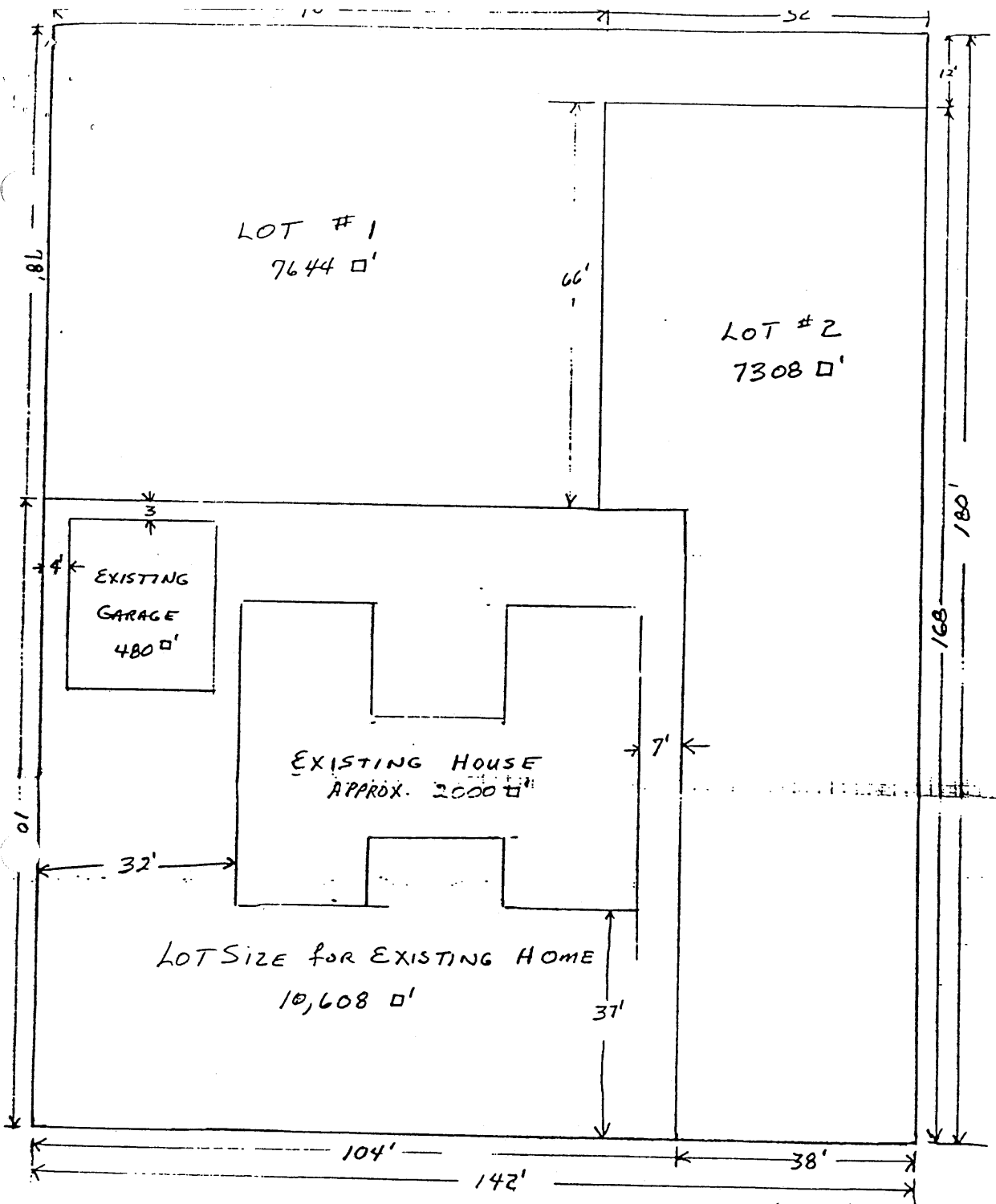
PREVIOUS ACTION (if any) _____

File No. MLP 91-03
Receipt No. _____
Received by Jaf
Date Received 4-23-91 5/3/91
Completeness Date _____
Pre-App Meeting _____
Hearing Date 5-13-91

Note:
Adequate space will be provided such that no backing motion will be necessary to enter public street

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

EXHIBIT
1
MLP 91-03



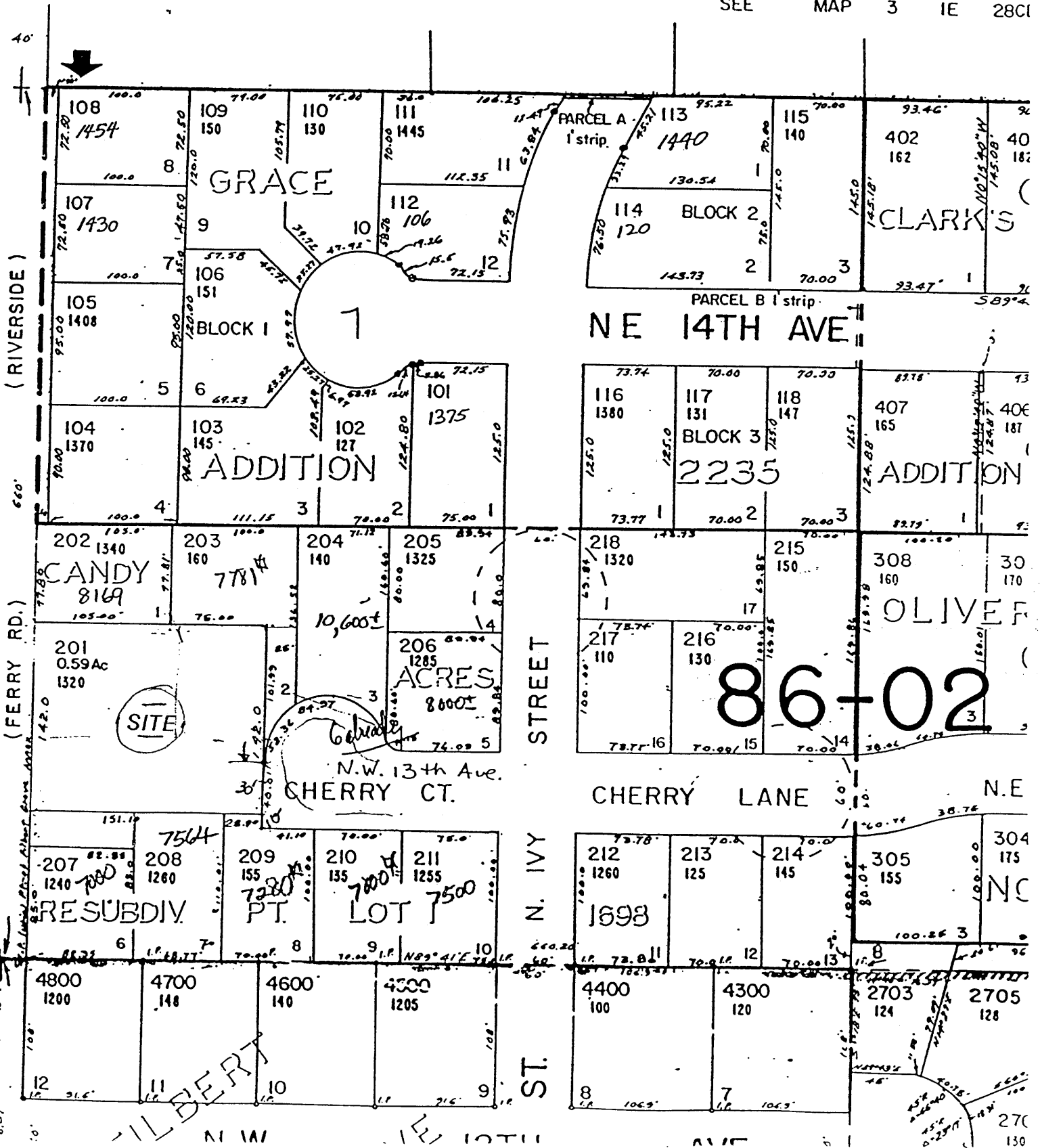
PROPOSED DIVISION OF PROPERTY AT DATE - 5-30-91
 1320 N. HOLLY - PART OF LOT 1 - CANBY GARDENS
 PREPARED BY BOB L. STUART - TL-201 T/M 3-1E-33BA

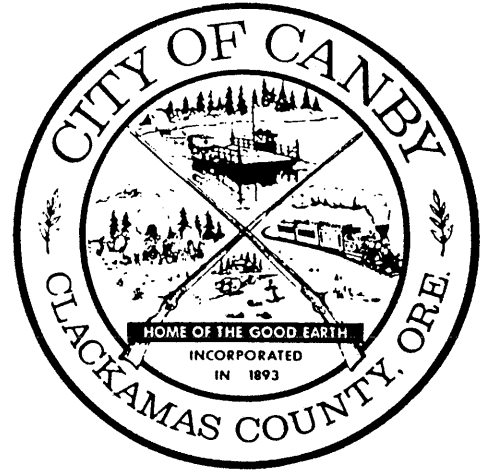
SCALE 1/8" = 2'-0"

EXHIBIT
 2
 MLP 91-03

NE 1/4 NW1/4 SEC
CLACKAMA

SEE MAP 3 IE 28CI





- STAFF REPORT -

APPLICANT:

City of Canby

FILE NO.:

MLP 91-04

OWNER:

City of Canby

STAFF:

Robert G. Hoffman, AICP
Planning Director

LEGAL DESCRIPTION:

Tax Lot 600 of
Tax Map 3-1E-27

DATE OF REPORT:

May 31, 1991

LOCATION:

North side of Territorial
and NE of Redwood

DATE OF HEARING:

June 10, 1991

COMP. PLAN DESIGNATION:

Public

ZONING DESIGNATION:

R-1 (Low Density Residential)

I. APPLICANT'S REQUEST:

The applicant is requesting approval to divide a 31 acre parcel into two parcels containing approximately 15 and 16 acres, respectively.

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:

Flag 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 600 of Tax Map 3-1E-27. The property consists of approximately 30 acres, with almost 800 lineal feet of frontage along N. E. Territorial. The north fence line is a City Service Yard boundary, the eastern boundary is a sod farm, and the western boundary is a golf course, Willamette Green Condominiums and vacant land. The parcel is currently forested.

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 Public Land Use area within the Urban Growth Boundary. Parcels to the north are designated Public and parcels to the south are proposed for residential use. The parcel to the east is outside the UGB and is used for sod farming. The parcels to the west are a golf course, a logging road, a vacant parcel and the Willamette Green Subdivision. The southerly site is proposed to be used for an elementary school and the northerly site retained for possible future public development.
2. The Public Facilities and Service Element of the Comprehensive Plan Goal is "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 #5 states "Canby shall assure that adequate sites are provided for Public School and recreation facilities."

IMPLEMENTATION MEASURES: "City staff, as well as elected and appointed officials, will work with representatives of school districts, community school offices, and other recreation-oriented groups to determine the best possible sites for future acquisition." The proposed use of the southern site is for an elementary school and the

northern parcel is to be retained by the City for possible future public use. These proposals are consistent with the Canby Comprehensive Plan Policies. Thus, the proposal is consistent with the applicable Comprehensive Plan Policies.

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 not have to be extended to serve the parcels of property proposed to be created. The following comments can be made regarding each facility/service:

a. Sewer

The City has sewer lines in Redwood, Territorial, and crossing the parcel. Easements will be necessary to serve each parcel. There are no known sewer capacity problems in this part of the City, or related to it. There are two existing sewer interceptors which traverse the site. The one line can be abandoned, but must be capped at both ends. An easement will be needed for the other interceptor which is located beneath the access road to the City shops.

b. Water

The water system is operated by Canby Utility Board. Capacity is available in the system. There is a line under construction in Territorial.

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 developer.

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.

2. Street/Traffic

Canby's ordinance requires that any newly created parcels have access to a public street. The two parcels will have access to N. E. Territorial, including a common easement(s) of wider than required width. Sidewalks are not present on the entire frontage. Territorial is currently a 60-foot right-of-way and the standard for an arterial in this situation is

80 feet. Ten feet of right-of-way should be dedicated at time of development and half-street improvements provided, including sidewalks and bikeway.

D. Overall Design of Parcels

The partition, as proposed, will result in the creation of two rectangular parcels consisting of approximately 15 and almost 16 acres, respectively. The applicant will be required to provide any necessary easements for utilities as a standard condition of approval. An access easement of a minimum of 24 feet in width will need to be provided to serve the rear parcel. The City's major sewer interceptor traverses the parcel along its eastern side. An easement will be required for the sewer.

The subject property is generally flat, with adequate room for building and required setbacks and yards. The parcel is zoned R-1, Low Density Residential, and each parcel is large enough to provide adequate development space and yards. The current access road will need to be retained for the near future and the logging road be made available as an ultimate access road, if possible.

A 15 acre site is more than adequate for an elementary school and physical education facilities. There is sufficient land to provide a setback and buffer strip and protect the residential area to the south and west. Adjacent properties are expected to be minimally affected.

V. CONCLUSION

1. Staff finds that the partition request is in conformance with the Comprehensive Plan text and map and the Municipal Code, since applicable policies will be followed and the land is proposed to be used for a school and other public facility land use, and the land use in the Comprehensive Plan is proposed to be Public. Additionally, the partition and development will be required to meet all Code requirements..

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 since setbacks, buffering, landscaping and adequate access can be provided.
3. Staff concludes that the partition will have adequate frontage on a public street to insure safe and efficient access since almost 800 feet of frontage is available on Territorial, 15 acres is large enough for the uses proposed and for site circulation, and an access road will be provided to the rear parcel.
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, since they are available from Territorial Road, or nearby, and can be extended to service the parcels at time of development.

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 91-04, subject to the following conditions:

1. The applicant shall prepare a final partition map. The final partition map shall be a surveyed plat map meeting all of the specifications required by the Clackamas County Surveyor. Said partition map shall be recorded with the Clackamas County Surveyor and Clackamas County Clerk, and a copy of the recorded map shall be provided to the Canby Planning Department.
2. A new deed and legal description for the new 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 12 feet in width shall be provided on the exterior of the proposed development and six feet on all other property lines, and shall be part of the final partition.
4. A final partition map, modified to illustrate the conditions of approval, shall be submitted to the Director of Public Works for review and approval. The final partition map shall reference this land use application -- City of Canby, Planning Department, File No. MLP 91-04.
5. Plans to extend the sewer to service each new lot 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 sidewalk and new pavement of the street area between curb and current street pavement shall be provided at the time of street widening and paid for by the developer of the front lot.
9. An easement for the access roadway and sewer interceptor, at least 24 feet in width, to the service yard, treatment plant, and rear parcel, shall be made a part of the final partition.
10. A strip of land 10 feet wide shall be dedicated, by the developer, for the eventual widening of Territorial Road to arterial street standards.
11. If the logging road is to be a main access road for either newly created parcel, the developer of that parcel shall pave the logging road for a full width to at least the point of major access, prior to issuance of occupancy permits.

12. The old sewer line crossing the center of the site may be abandoned, but must be capped at both ends.

Exhibits:

1. Application
2. Vicinity Map
3. Survey

MINOR LAND PARTITION APPLICATION
Fee: \$300.00

OWNER

APPLICANT

Name City of Canby

Name City of Canby

Address 182 N. Holly

Address 182 N. Holly

City Canby State OR Zip 97013

City Canby State OR Zip 97013

Signature: Michael Jordan

Phone: 266-4021

DESCRIPTION OF PROPERTY:

Tax Map 3-1E-27 Tax Lot(s) 600 Lot Size 30 ± 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 two (2) 8-1/2 x 11 sheets of labels, just as you would address an envelope.

USE

Existing Undeveloped Forest Proposed Northern parcel - Public; Southern Parcel-school

Existing Structures Sewer interceptor

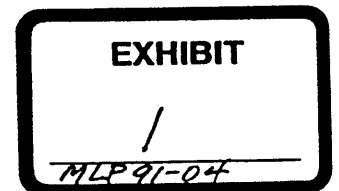
PROJECT DESCRIPTION

Divide the 30 ± acre parcel into 2 parcels containing approximately 15 acres on the southern parcel and almost 16 acres on the northern parcel. The City of Canby proposes to sell the southern parcel to the elementary school district for construction of an elementary school, and retain the northern parcel for ultimate public use.

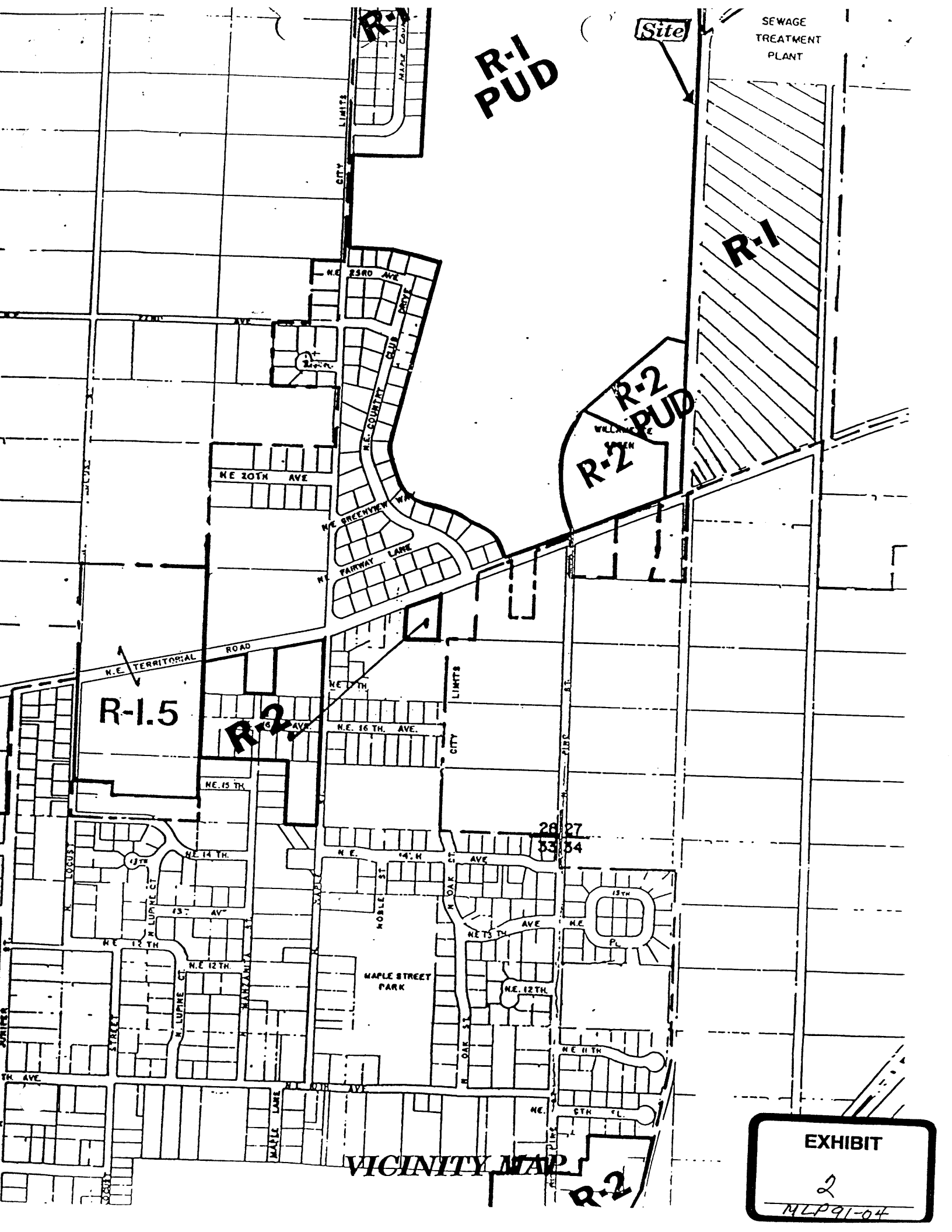
ZONING R-1 COMPREHENSIVE PLAN DESIGNATION Public

PREVIOUS ACTION (if any) _____

File No. MLP 91-04
Receipt No. _____
Received by _____
Date Received _____
Completeness Date _____
Pre-App Meeting _____
Hearing Date June 10, 1991



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



R-1
PUD

Site

SEWAGE
TREATMENT
PLANT

R-1

R-2
PUD
R-2

R-1.5

R-2

VICINITY MAP

R-2

EXHIBIT
2
MLP91-04

PROPOSED MINOR PARTITION

OF TAX LOT 600 LOCATED IN THE N.W. 1/4 AND S.W. 1/4 OF SECTION 27, TOWNSHIP 3 S RANGE 1 E W.M., CLACKAMAS COUNTY, OREGON

WEST 740.42'

PARCEL 1
15.94 ACRES

937.78'

937.78'

MOLALLA FOREST ROAD

NORTH

WEST 741.32'

NORTH 1677.89'

PARCEL 2
15.00 ACRES GROSS
14.44 ACRES NET

50'
25'

740.11'

1023.59'

ACCESS EASEMENT FOR BOTH PARCELS ALONG MOLALLA FOREST ROAD

TERRITORIAL ROAD

N69°03'E 88.60'

N. REDWOOD STREET

LOCATION
1/4 SEC T P W M
0 DENOTES 3/8" x 30" IRON ROD SET

PACIFIC SURVEYS

141 N. GRANT ST.
CANBY, OREGON 97013
266-9979

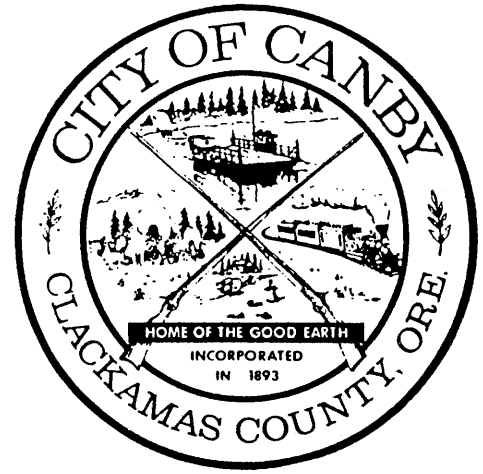
CLIENT CITY OF CANBY
JOB NO 2378 BY C.H.H.
DATE 4/26/91
SCALE 1" = 200'

EXHIBIT

3

MCP 97-04

- STAFF REPORT -



APPLICANT:

Canby Elementary School District No. 86

FILE NO.:

CUP 91-02

(Eccles Addition and Remodeling)

OWNER:

Canby Elementary School District No. 86

STAFF:

Robert G. Hoffman, AICP,
Planning Director

LEGAL DESCRIPTION:

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

DATE OF REPORT:

May 31, 1991

LOCATION:

N.W. 5th Avenue & Cedar St.

DATE OF HEARING:

June 10, 1991

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 covered play area, new music room, paving of the parking area and a bus loading area and interior improvements.

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 Eccles Elementary School located in Canby's central area. No additional land is being used and no additional teachers will be involved. The 9.7 acre site is surrounded by public land (Knight School) and housing, with apartments located across from the school, on Cedar Street.

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 and bus area 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 and 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 proposed development will provide a minor expansion of the school building and hard surfacing of an unpaved parking area and more organized and off-street bus circulation. This should have the effect, in total, to improve aesthetic qualities in the general area. 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. HAZARDS - none known

vi. TRANSPORTATION

The site circulation and parking areas will be improved through the design of the bus and auto circulation 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. No agency has expressed any concerns related to the site except that the Canby Utility Board has reported that their easement will be modified to their satisfaction.

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 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 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 and bus drop-off project is considered by staff to be a minor change to the existing Eccles school building and site development. The additions are a new covered play area of only about 2,200 square feet and a new music room of only 1,200 square feet. The remodeling of the existing gymnasium includes a new wood floor, new interior lighting and new acoustical treatment, replacing heating elements in the existing corridors and paving the parking lot (retaining the same number of parking spaces), and providing a new bus drop-off area. 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 bus drop-off area will circulate through one corner of the site. The entrance and exits 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. Buses already serve the area. The existing stand of trees is respected.

3. Availability of Public Services and Facilities for the Site

All needed public facilities and services already service the school. The Canby Utility Board reports that the utility easement that is affected will be adjusted to their satisfaction.

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 re-routing of buses (ingress and egress) through a corner of the site will affect the neighborhood less, since this will minimize the impact of bus traffic on the streets, while still servicing the school building.

V. CONCLUSION

Based on the above analysis, staff concludes that the Eccles School proposals, CUP 91-02, 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 negatively impacted.

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 91-02, as submitted.

Exhibits:

1. Application and Memo of May 13, 1991 (revised on May 20, 1991)
2. Vicinity Map
3. Site Information Sheet
4. Existing Site Plan (revised May 20, 1991)

OWNER

APPLICANT

Name CANBY SCHOOL DISTRICT NO. 86
Address 117 N.E. 3rd Avenue
City Canby State OR Zip 97013
SIGNATURE [Signature]

Name Milton Dennison, Superintendent
Address 117 N.E. 3rd Avenue
City Canby State OR Zip 97013
Phone: 503-266-5871

DESCRIPTION OF PROPERTY:

Tax Map 3-1E-32D 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 _____

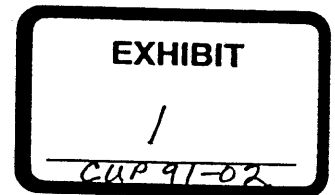
Existing Structures _____

PROJECT DESCRIPTION

See BOOR/A memorandum (May 13, 1991) enclosed.

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.

MEMORANDUM

May 13, 1991

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

From: Kent Wong

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, Mark Vander Zanden, Chris Linn, Jan Brown

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. New covered play (55'-4" x 41'-3") at north end of existing gymnasium.
2. New music room (30'-0" x 40'-0") with connecting corridor to be located under the west end of the existing covered play area.

REMODELING:

1. Existing gymnasium:
 - a. New wood floor.
 - b. New interior lighting.
 - c. Acoustical treatment.
2. Existing corridors: Replacing existing in-wall electric heating units with new in-wall electrical heating units.
3. Paving of existing parking area at south end of school.

END OF MEMO

KAW:jmf

91012\denni001.mem

MEMORANDUM

May 13, 1991
(Revised May 20, 1991)

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

From: Kent Wong

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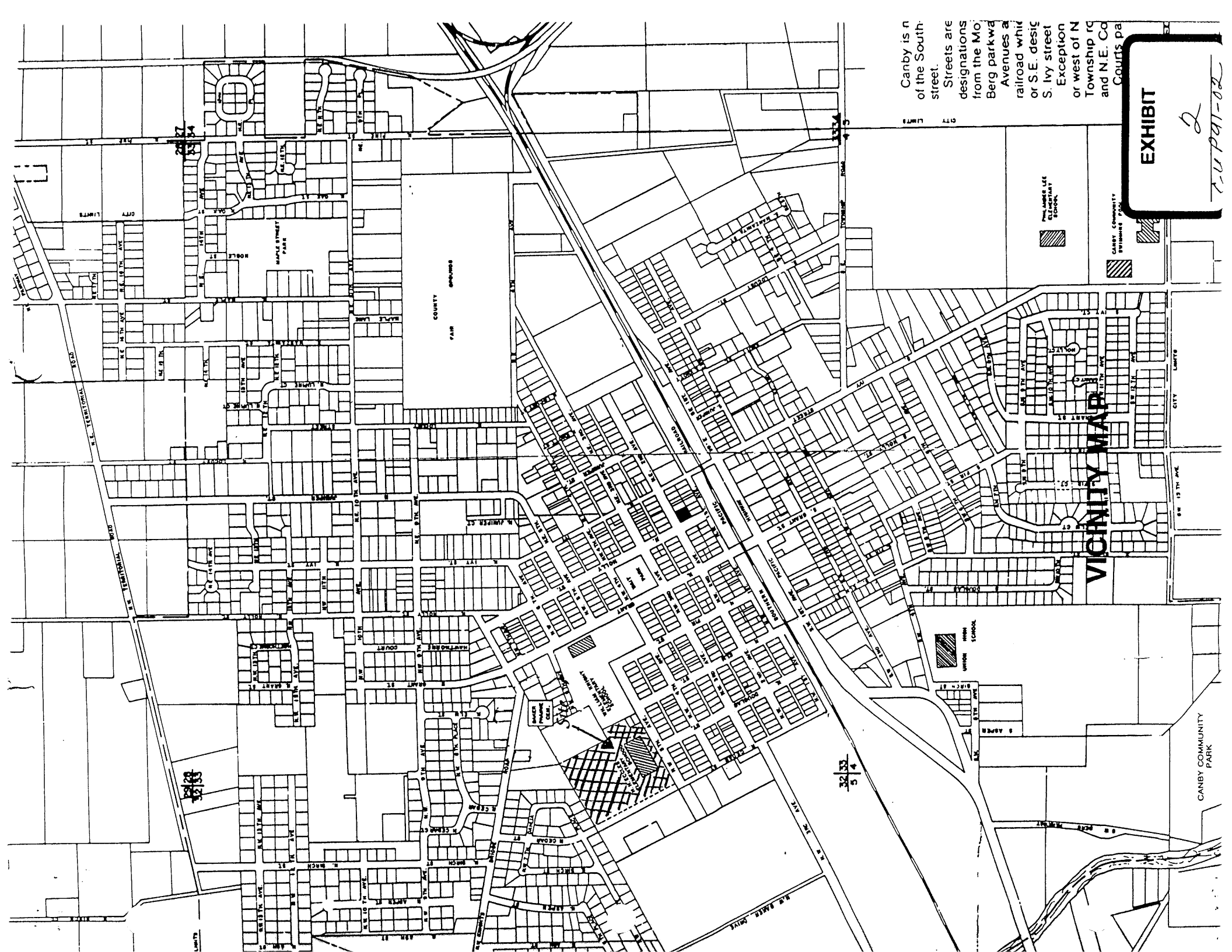
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REMODELING:

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 - a. New wood floor.
 - b. New interior lighting.
 - c. Acoustical treatment.
2. Existing corridors: Replacing existing in-wall electric heating units with new in-wall electrical heating units.
3. Paving of existing parking area at south end of school for bus drop-off parking, parking for 20 automobiles, and driveway extension of existing to North Cedar Street.

END OF MEMO

KAW:jmf
91012\denni001.mem



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or S.E. desig
S. Ivy street
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or west of N
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and N.E. Co
Court's pa

EXHIBIT
2
CUPAT-02

VICINITY MAP

32/33
5/4

32/33
5/4

CANBY COMMUNITY PARK

CITY LIMITS

CITY LIMITS

CITY LIMITS

CITY LIMITS

CITY LIMITS

CITY LIMITS

COUNTY PARK

MAPLE STREET PARK

UNION SCHOOL

PENN JAMES LEE
ELEMENTARY SCHOOL

CANBY COMMUNITY
CENTER

CITY LIMITS

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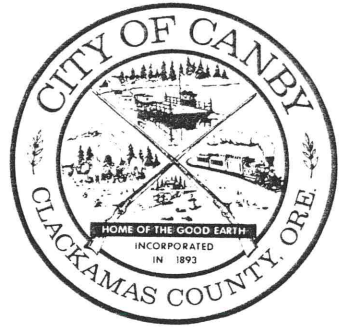
CITY LIMITS

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CITY LIMITS

PLANNING COMMISSION

SIGN-IN SHEET



Date: JUNE 10, 1991

NAME (Please Print)	ADDRESS (Please Print)
- Jolyn Blackwell	160 N.W. 13 th
- Kori Smith	1255 N.W. Ivy
- Terry Blackwell	160 NW 13 th
- Alison Patterson	155 NW 13 th AVE
- Rachel Smith	1255 N. Ivy
- Dawn Smith	1255 N. Ivy
- TRACY Smith	↓
- Ede Grove	140 NW 13 th
- Brian T. Grove	140 NW 13 th Ave
- Helen Grove	140 N.W. 13 th
- David Grove	140 NW 13 th
- Shari Ann Blackwell	160 NW 13 th
- Jim Haas	43 Willamette Green
- Bob Friesen	75 Willamette Green
- Nancy Friesen	75 Willamette Green
- Jeff Cera	64 Willamette Green
- Janice Haas	43 Willamette Green

M. McKENNETT 73 Willamette Green
P. W. Brockway 98 Willamette Green
Charles A. Block 100 NW 13th Ave Canby, OR
Debi SAJovic 1260 N. Holly Canby, OR 97013
Randy SAJovic 1260 N. Holly St. Canby OR 97013
- Ken PATTERSON 155 NW 13th Ave Canby, OR 97013
Cam Sivesind Herald
Mitt DENISON 970 NE 34th Canby, OR 97013
HEINZ RUDOLF 720 SW Washington Portland 97205
Fred Hughes 34 Willamette Green Canby 97013
Tom O'Boon 22 Willamette Green Canby 97013
Robert Smith

