

PLANNING COMMISSION

Meeting Agenda

Monday, September 24 2018

7:00 PM

City Council Chambers – 222 NE 2nd Avenue

Commissioner John Savory (Chair)

Commissioner Larry Boatright (Vice Chair)

Commissioner John Serlet

Commissioner Derrick Mottern

Commissioner Tyler Hall

Commissioner Shawn Varwig

Commissioner Andrey Chernishov

1. CALL TO ORDER

- a. Invocation and Pledge of Allegiance

2. CITIZEN INPUT ON NON-AGENDA ITEMS

(This is an opportunity for audience members to address the Planning Commission on items not on the agenda. Each person will be given 3 minutes to speak. You are first required to fill out a testimony/comment card prior to speaking and hand it to the Recording Secretary. These forms are available by the sign-in podium. Staff and the Planning Commission will make every effort to respond to questions raised during citizen input before tonight's meeting ends or as quickly as possible thereafter.)

3. MINUTES

- a. Not available for this meeting.

4. NEW BUSINESS

5. PUBLIC HEARING

(To testify, please fill out a testimony/comment card and give to the Recording Secretary.)

- a. Consider a request from ICON Construction & Development, LLC for an Annexation and Zoning Map Amendment to annex 9.61 acres consisting of 3 tax lots and adjacent right-of-way located between N Pine St and N Oak St at NE 15th and NE 16th Avenues and rezone from County RRFF-5 to R-1 Low Density Residential. (**ANN 18-03/ZC 18-03 N Pine**)
- b. Consider a request from Allen Manual/Ed Netter Construction, Inc. for a Subdivision to consist of 6 common-wall single family residential homes at 480 S Pine St. (**SUB 18-03 Pine Place Subdivision**).
- c. Consider a request from Marquis Companies for a Conditional Use Permit and Planned Unit Development modification to expand a memory care addition to their existing Marquis Hope Village Assisted Living and Post Hospital Care facility at 1577 S Ivy St. (**CUP 18-04/PUD 18-02**).

6. FINAL DECISIONS - None

(Note: These are final, written versions of previous oral decisions. No public testimony.)

- a. **ZC 18-04 Zoning Map Amendment - Busse**
- b. **ANN 18-03/ZC 18-03 N Pine Annexation & Zoning Map Amendment**
- c. **SUB 18-03 Pine Place Subdivision**
- d. **CUP 18-03/PUD 18-02 Marquis Expansion**

7. ITEMS OF INTEREST/REPORT FROM PLANNING STAFF

- a. Next regularly scheduled Planning Commission meeting is scheduled for Monday, October 8, 2018.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION

9. ADJOURNMENT

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for person with disabilities should be made at least 48 hours before the meeting at 503-266-7001. A copy of this agenda can be found on the City's web page at www.canbyoregon.gov. City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5.

For a schedule of the playback times, please call 503-263-6287.

PUBLIC HEARING FORMAT

The public hearing will be conducted as follows:

- **STAFF REPORT**
 - **QUESTIONS** (If any, by the Planning Commission or staff)
 - **OPEN PUBLIC HEARING FOR TESTIMONY:**
 - APPLICANT** (Not more than 15 minutes)
 - PROPONENTS** (Persons in favor of application) (Not more than 5 minutes per person)
 - OPPONENTS** (Persons opposed to application) (Not more than 5 minutes per person)
 - NEUTRAL** (Persons with no opinion) (Not more than 5 minutes per person)
 - REBUTTAL** (By applicant, not more than 10 minutes)
 - **CLOSE PUBLIC HEARING** (No further public testimony allowed)
 - **QUESTIONS** (If any by the Planning Commission)
 - **DISCUSSION** (By the Planning Commission)
 - **DECISION** (By the Planning Commission)
- All interested persons in attendance shall be heard on the matter. If you wish to testify on this matter, please be sure to complete a Testimony Card and hand it to the Recording Secretary. When the Chair calls for Proponents, if you favor the application; or Opponents if you are opposed to the application please come forward and take a seat, speak into the microphone so the viewing public may hear you, and state your name, address, and interest in the matter. You may be limited by time for your statement, depending upon how many people wish to testify.

EVERYONE PRESENT IS ENCOURAGED TO TESTIFY, EVEN IF IT IS ONLY TO CONCUR WITH PREVIOUS TESTIMONY. All questions must be directed through the Chair. Any evidence to be considered must be submitted to the hearing body for public access.

Testimony and evidence must be directed toward the applicable review criteria contained in the staff report, the Comprehensive Plan, or other land use regulations which the person believes to apply to the decision.

Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-maker and interested parties an opportunity to respond to the issue, may preclude appeal to the City Council and the Land Use Board of Appeals based on that issue.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue may preclude an action for damages in circuit court.

Before the conclusion of the initial evidentiary hearing, any participant may ask the hearings body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing. The Planning Commission shall grant such requests by continuing the public hearing or leaving the record open for additional written evidence or testimony. Any such continuance or extension shall be subject to the limitations of the 120-day rule, unless the continuance or extension is requested or agreed to by the applicant.

If additional documents or evidence are provided by any party, the Planning Commission may, if requested, allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any such continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time period.



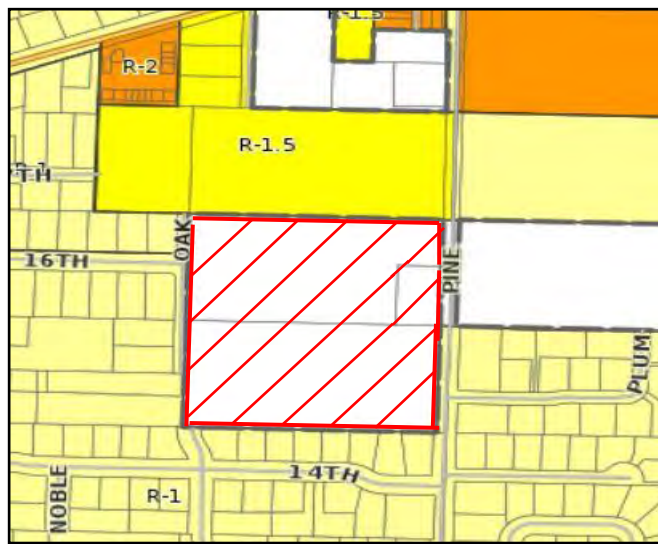
City of Canby

N PINE ANNEXATION AND ZONE CHANGE STAFF REPORT

FILE #: ANN 18-03/ZC 18-03

Prepared for the September 24, 2018 Planning Commission Meeting

LOCATION: 1467 and 1575 N. Pine Street on the west side of N. Pine Street approximately 850 feet south of NE Territorial Road and approximately 150 feet north of NE 14th Avenue and extends west to border on N. Oak Street.



ANNEXATION PROPERTY SIZE: The site is approximately 9.61 gross acres and 9.31 net acres, (minus .30 acres of Street R.O.W).

TAX LOTS: Tax Lots 31E28DD03100, 31E28DD03200, and 31E28DD03201

COMPREHENSIVE PLAN DESIGNATION: Low Density Residential (LDR)

CURRENT ZONING DESIGNATION: Clackamas County: Rural Residential Farm Forest-5 Acre (RRFF-5)

PROPOSED ZONING: Low Density Residential (R-1)

OWNER: CNS Acres, LLC and Scott Vandecoevering

APPLICANT: ICON CONSTRUCTION AND DEVELOPMENT, LLC

REPRESENTATIVE: RICK GIVENS

APPLICATION TYPE: Annexation/Zone Change (Type IV)

CITY FILE NUMBER: ANN 18-03/ZC 18-03

I. **PROJECT OVERVIEW & EXISTING CONDITIONS**

The property owners of three different parcels located in the northeast portion of the City of Canby's Urban Growth Boundary (UGB) propose annexation into the city limits. The property owners also propose a zone change application to change the current zoning from the Clackamas County RRFF-5 (Rural Residential Farm Forest-5) to the City of Canby's R-1, Low Density Residential Zone. The subject parcels are contiguous and are bordered on the west,

east and south by developed subdivisions and on the north by vacant land. The proposed annexation area is entirely surrounded by incorporated land within the Canby City limits. The annexation will also extend into N. Pine Street and incorporate 20 feet of right-of-way along the property frontage. The applicant is requesting a zone change to R-1 (Single-Family Residential) which is consistent with the current Canby Comprehensive Plan designation.

The City of Canby's annexation ordinance requires either a Development Concept Plan (DCP) or a Development Agreement (DA) for most properties that are a part of an annexation request. These particular properties are designated on the City of Canby Annexation Development Map (16.84.040(A)) as located within the Development Agreement area. Subsequently, the applicant submitted a Development Agreement that must be adopted by the City Council and recorded within seven days of final approval of the application. The Development Agreement addresses applicable criteria listed in Section 16.84.040 CMC as well as dedications, street construction, and utility design issues which the City desires to be guaranteed or reflected in any upcoming subdivision application. The applicant also submitted a conceptual development plan for future development of the parcels into a 40 lot subdivision for single-family homes.

The annexation area is located within the City of Canby's Urban Growth Boundary. The City of Canby Comprehensive Plan has envisioned the ultimate urbanization of this area and its intended land use, and the Comprehensive Plan Map for these particular lots indicates a Low Density Residential use. The designation corresponds to the zone changes requested by the applicant. The area is currently within Clackamas County's jurisdiction and is presently zoned as Rural Residential Farm Forest-5 Acre (RRFF-5). This zone change is to rezone the properties involved to the City zoning of R-1 zone in accordance with the corresponding City Comprehensive Plan Map land use designation. The zone designation will take effect when the properties are annexed as indicated in this application.

II. ATTACHMENTS

- A.** Application Forms
- B.** Submitted Written Narrative and materials
- C.** Neighborhood Meeting Notes/Attendance List/Notification Letter
- D.** Pre-Annexation application Meeting Minutes
- E.** Survey of Property to Be Annexed and Legal Description of Private Property and adjacent N. Pine Street right-of-way to be annexed
- F.** Maps: Aerial Vicinity Map, Assessor Map, Canby Comprehensive Plan Map, Proposed Annexation Area Map
- G.** Transportation Planning Rule Analysis - contracted by applicant with City's Consulting Traffic Engineer
- H.** Development Agreement
- I.** Agency/Citizen Comments

III. APPLICABLE REVIEW CRITERIA & FINDINGS

Major approval criteria used in evaluating this application include the following Chapters from the *City of Canby's Municipal Code including the Land Development and Planning Ordinance* (Title 16):

- 16.84 Annexations
- 16.54 Amendments to Zoning Map

- 16.89 Application and Review Procedures
- 16.16 R-1 Low Density Residential Zone

City of Canby Comprehensive Plan Policies and Implementation Measures

State Statutes- ORS 195.065 and 222

Clackamas County/City of Canby Urban Growth Management Agreement (UGMA)

Chapter 16.84 Annexation Compliance

16.84.040. A.1.b. Annexation Development Map.

A. *The following criteria shall apply to all annexation requests.*

1. *The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):*

a. *A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map. The terms of the Development Agreement may include, but are not limited to:*

- 1. Timing of the submittal of an application for zoning*
- 2. Dedication of land for future public facilities including park and open space land*
- 3. Construction of public improvements*
- 4. Waiver of compensation claims*
- 5. Waiver of nexus or rough proportionality objections to future exactions*
- 6. Other commitments deemed valuable to the City of Canby*

For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.

b. *A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:*

- 1. Water*
- 2. Sewer*
- 3. Storm water*
- 4. Access*
- 5. Internal Circulation*
- 6. Street Standards*
- 7. Fire Department requirements*
- 8. Parks and open space*

For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification. (Ord. 1294, 2008)

Findings: A copy of a Development Agreement (DA) is required for this application, and a copy is included in the file. The DA provided information to address City of Canby future infrastructure requirements for the area, and work has gone into planning for how the defined area would best be developed and served by all necessary infrastructure.

A traffic analysis was not required for this proposal. However, DKS Engineering provided a Transportation Planning Rule Analysis to address traffic impacts associated with anticipated full development of the properties in accordance with the applicable zoning designation and the planning rule. The analysis, dated July 25, 2018 summarized how the requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), are met for the subject properties. The surrounding roadways and intersections were found to have sufficient capacity to accommodate the proposed annexation, and zone change in the Development Agreement Area. The Transportation Planning Rule requirements of State Statute were determined to have been met as documented in the Analysis.

All necessary utility services are generally available or can be made available through service line extensions to the annexation area. The submitted narrative indicates the options for necessary infrastructure to serve this area. The applicant indicated that development of future infrastructure will be addressed with submittal of a subdivision application at a later date. The applicant is aware that park SDC's are required in lieu of park dedication. There is concern voiced about the poor condition of N. Pine Street in the vicinity of this annexation area. Eventual subdivision and development of the proposed property will result in one-half street improvements for the length of the property frontage on N. Pine. However, the development will also result in additional traffic on the existing poor surface of N. Pine Street in the area.

Criteria 16.84.040.A.2 *Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning – low density residential, light industrial, etc.) Currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient.*

Findings: A land needs analysis is required with all annexations to assess the current amount of developable land within the same zone designation of that requested in the application. A 3-year supply of developable R-1 zoned land is to be considered sufficient. The City Council previously provided a defined policy direction to staff that stated analysis of actual number of platted lots based on a reasonable assessment of expected consumption rate moving forward is the appropriate metric to utilize in determining the adequacy of the developable land supply.

The applicant included in the file an analysis indicating the deficiency of Canby's three-year

supply of developable land based on population data obtained from Portland State University Population Research Center and existing available platted and proposed lots. The applicant provided an analysis that included subdivisions that are preliminarily approved and have yet to record platted lots. The applicant determined that approximately 421 new households units for single-family lots in the next three years, and the total lots projected to be available. The applicant stated that if all existing lots are built out within three years approximately 43 lots will still be needed to meet housing needs. The applicant did not factor in an absorption rate into the submitted data. Based on available information, the city has had an average absorption rate of nearly 45 lots per year for the last 10 years, but that number has increased to 62 for the last 3 year average. This indicates the supply of readily available platted lots with all necessary infrastructures is projected to be below a three-year supply if no other subdivisions are approved. However the applicant did not factor in the recently approved Riverside Park Subdivision that included an additional 90 lots in four phases and addition of a new pump station prior to development. If annexed, this property would add to the buildable land supply. It will likely take 2 to 3 years for this land to be fully platted and the lots made available.

Staff would like to add that under Oregon Administrative Rule Chapter 660-024-0040, Land Need, the UGB is based on a 20-year land need and a 20-year population forecast. The 3-year supply introduced into the CMC above “is considered to be sufficient” within the City limits and indicates a minimum number of available lots for the land supply and not a maximum number. It appears that a “sufficient” number of lots does not necessarily intend to establish that the number of lots cannot exceed the 3-year supply if the need increases when a strong housing demand exists. Staff also submits that, based on the increasing number of applications for new dwellings, the consumption rate is possibly approaching a 100% consumption rate average as new homes are constructed and occupied by new home owners. The quick sale and occupancy of new homes continues to rapidly reduce the number of available lots.

Criteria 16.84.040.A.3 *Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.*

Findings: Future subdivision is anticipated to develop the site at a higher net density per acre than exists at this time. Potential traffic generation has been shown to be within the capabilities of the surrounding road system with no mitigation necessary. However, improvements to the road surface on N. Pine Street does need to be a high priority which will be increased with the annexation. The subject parcels are surrounded on three sides by developed subdivisions. City parkland and additional neighborhood parks and a walking trail are situated nearby. This will add to the social and aesthetic effects of development on the subject properties and the future development of the neighborhood livability. Staff does not foresee any significant impacts from the proposal or need to mitigate any identified concerns. Staff agrees the annexation and future development of the subject parcels is consistent with development in this area of Canby. This criterion is satisfied.

Criteria 16.84.040.A.4 *Statement of availability, capacity and status of existing water, sewer,*

drainage, transportation, park and school facilities

Findings: The subject parcels are not in a Development Concept Plan Area but designated within a Development Agreement Area of the Canby Annexation Development Map. The applicant is aware of the obligation to provide dedications for future public facilities and the construction of streets and water and sewer lines as well as other related development. Information provided demonstrated how utility infrastructure will be made available, and unmanageable capacity issues were not identified by City departments and agencies during this review process. The applicant will pay park SDC's in lieu of park dedication. Tree resources will be made available as part of a Street Tree Plan during the subdivision process. This criterion can be met at the time of development.

Criteria 16.84.040.A.5 *Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time*

Findings: Staff finds that the information contained in the applicant's narrative and the file is sufficient, and the applicable criteria can be met.

Criteria 16.84.040.A.6 *Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand.*

Findings: This staff report incorporates the applicant's conceptual site plan for future development as findings. All necessary utility extensions are available to serve this area when development occurs after annexation, and connections to existing facilities are available and preferred depending on the development project. Staff finds that with appropriate conditions of approval, information provided in the file is sufficient and this criterion can be met.

Criteria 16.84.040.A.7 *Statement outlining method and source of financing required to provide additional facilities, if any.*

Findings: The applicant will pay the necessary costs of their own development. Information in the file indicated that most infrastructure facilities in the northeast Canby area are expected to be built by individual developers. Staff finds that information in the file is sufficient for this case, and the applicable criteria can be met.

Criteria 16.84.040(A)(8) *Statement indicating the type and nature of any comprehensive plan text or map amendments or zoning text or map amendments that may be required to complete the proposed development.*

Findings: The applicant intends to follow the low density residential zoning designation of the Comprehensive Plan. The only change is a zoning map amendment to change the zone to R-1, and the Zone Map Change Application that accompanies this annexation request will satisfy this criteria. Staff finds that the criterion in **16.84.040(A)(8)** can be met.

Criteria 16.84.040.A.9 *Compliance with other applicable city ordinances or policies*

Findings: Based on available information, staff concludes that the proposal complies with all other city ordinances and policies.

Criteria 16.84.040.A.10 *Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222*

Findings: Oregon Revised Statutes (ORS) Chapter 222 provides regulation of city boundary changes and other development requirements. Staff concludes that this proposal complies with all applicable provisions in the Oregon Revised Statutes. The applicable criteria can be met.

Chapter 16.54 Amendments to the Zoning Map Analysis

The assignment of an appropriate zoning district is a part of any annexation application within the City of Canby. The approval criteria are similar to that for approval of an annexation.

16.54.010 & 0.20 & 0.30 Amendments to the Zoning Map

Findings:

16.54.010 – Authorization to initiate amendments: **The property owners have authorized initiation of the proposed annexation and map amendment by signing an application form and Consent to Annex Form. This criterion has been met.**

16.54.020 – Application and Fee: **The map amendment application and associated fee were received from the applicant. This criterion has been met.**

16.54.030 – Public Hearing on Amendment: **This criterion will be met when the Planning Commission holds a public hearing and makes a recommendation to the City Council and when the City Council conducts its own hearing and issues a decision.**

16.54.040 Standards and criteria

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

A. *The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development;*

Findings: The subject properties are not identified as being in an “Area of Special Concern” that is delineated in Policy 6 of the Comprehensive Plan. Additionally, the proposed zone for the properties is consistent with the zone designation on the Comprehensive Plan Map. Staff concludes that the request meets provisions in Policy 6 and the Comprehensive Plan.

B. *Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation. (Ord. 749 section 1(B), 1984; Ord.740 section 10.3.85(D), 1984)*

Findings: Problems or issues in the extension of utility services have not been raised by City service providers that would prevent services at the time of development. It appears that future development of the properties can meet standards for adequate public facilities.

16.08.150 Traffic Impact Study (TIS)

A. *Determination based on information provided by the applicant about the proposed development, the city will determine when a TIS is required and will consider the following when making that determination.*

1. *Changes in land use designation, zoning designation, or development standard.*
2. *Changes in use or intensity of use.*
3. *Projected increase in trip generation.*
4. *Potential impacts to residential areas and local streets.*
5. *Potential impacts to priority pedestrian and bicycle routes, including, but not limited to school routes and multimodal street improvements identified in the TSP.*
6. *Potential impacts to intersection level of service (LOS).*

Findings: The Transportation Planning Rule (TPR) within State Statute (OAR 660-12-0060-9) requires that there be a record of traffic generation findings which are consistent with the City's Transportation System Plan with any Comprehensive Plan Map Amendment or Zoning Map Amendment. As previously mentioned, DKS Engineering provided a TPR Analysis that confirmed the proposed annexation met provisions of the TPR. The findings of the analysis determined that the zone change contemplated and the resulting traffic, if developed as allowed, was assumed for trip modeling in the 2010 Canby Transportation System Plan, and therefore, the Transportation Planning Rule requirements are met. The zone change from the proposed annexation would not have a significant effect on the surrounding transportation network, and no mitigation measures would be required to satisfy TPR requirements. This review criterion is met.

Chapter 16.89.060 Process Compliance

16.89.060 Type IV Decision

For certain applications, the City Council makes a final decision after a recommendation by the Planning Commission. These application types are referred to as Type IV decisions.

- A. Pre-application conference. A pre-application conference may be required by the Planning Director for Type IV applications.
- B. Neighborhood meetings. The applicant may be required to present their development proposal at a neighborhood meeting (see Section 16.89.070). Table 16.89.020 sets the minimum guidelines for neighborhood review but the Planning Director may require other applications to go through neighborhood review as well.
- C. Application requirements. Type IV applications shall be made on forms provided by the Planning Director. The application shall be accompanied by all required information and fees.
- D. Public notice and hearings. The public notice and hearings process for the Planning Commission's review of Type IV applications shall follow that for Type III applications, as provided in subsections 16.89.050.D and 16.89.050.E.

E. Decision process.

1. Approval or denial of a Type IV decision shall be based on the standards and criteria located in the code.
2. The hearings body shall issue a final written order containing findings and conclusions recommending that the City Council approve, approve with conditions, or deny the application.
3. The written decision shall explain the relevant criteria and standards, state the facts relied upon in rendering the decision, and justify the decision according to the criteria, standards, and facts.
4. In cases involving attorneys, the prevailing attorney shall prepare the findings, conclusions, and final order. Staff shall review and, if necessary, revise, these materials prior to submittal to the hearings body.

F. City Council proceedings:

1. Upon receipt of the record of the Planning Commission proceedings, and the recommendation of the Commission, the City Council shall conduct a review of that record and shall vote to approve, approve with conditions, or deny the recommendation of the Planning Commission.
2. The City Council may question those individuals who were a party to the public hearing conducted by the Planning Commission if the Commission's record appears to be lacking sufficient information to allow for a decision by the Council. The Council shall hear arguments based solely on the record of the Commission.
3. The City Council may choose to conduct public hearings on Comprehensive Plan amendments, amendments to the text of this title, zone map amendments, and annexations. If the Council elects to conduct such hearings, it may do so in joint session with the Planning Commission or after receiving the written record of the Commission. (Ord. 1080, 2001)

Findings: Annexations are processed as a Type IV “quasi-judicial” process which is considered through a public hearing at the Planning Commission that forwards a recommendation to the City Council. The City Council also holds a public hearing and issues a final decision. The notice requirements are the same as for Type III applications.

In this particular case, the annexation request will not be scheduled for a public vote. On March 15, 2016, the Governor signed Senate Bill SB1573 that mandates some properties, meeting certain criteria, to file for annexation without going through a public vote process that might otherwise currently be in effect through local City Charter provisions and adopted code. This application meets the criteria stated in SB1573, and a public vote will not be held for this annexation application.

Notice of this application and the Planning Commission and Council Hearing dates was made to surrounding property owners on August 31, 2018, at least 20-days prior to the hearing. Prior notification and neighborhood meetings were completed during application process. The site was posted with a Public Hearing Notice sign by September 14, 2018. A notice meeting ordinance requirements of the public hearings was published in the Canby Herald on September 19, 2018. A pre-application meeting was held April 4, 2018. These findings indicate that all processing requirements have been satisfied with this application to date.

Public Testimony Received

Notice of this application and opportunity to provide comment was mailed to owners of lots within 500 feet of the subject properties and to all applicable public agencies and City departments on August 20, 2018. Complete comments are documented in the file. As of the date of this Staff Report, the following comments were received by City of Canby from the following persons/agencies:

Persons/Agency/City Department Comments.

Comments were received from the following persons/agencies/city departments:

Doug Onion, 1132 NE 15th Avenue

Conclusion Regarding Consistency with the Standards of the Canby Municipal Code

Staff concludes, as detailed in the submittal from the applicant and as indicated here in this staff report, including all attachments hereto, that:

1. The applications and proposed use is in conformance with applicable sections of the City's Comprehensive Plan and Land Development and Planning Ordinance when the determinations contained in this staff report are applied.
2. The proposed annexation can meet the approval criteria set forth in CMC 16.84.040.A.
3. The zoning of the property, if annexed, should be R-1 as indicated in the application and pursuant to the approval criteria set forth for map amendments in CMC 16.54.040.
4. The proposed annexation's requested zoning district of R-1 is in conformance with the Comprehensive Plan Land Use Plan Map.
5. The application complies with all applicable Oregon Revised Statutes.
6. There are sufficient public and private agency utility and service capacity to serve the site at the anticipated development intensity.
7. In accordance with the UGMA with Clackamas County, this proposed annexation application includes a description of the adjacent N. Pine Street right-of-way with the properties proposed for annexation.
8. It has been determined that existing land available is below a three-year supply of developed R-1 zoned lots within the City limits. Therefore, the supply does not exceed a three-year supply and there is a "need" for low density residential zoned land for development at this time.

16.89 Recommendation

Based on the application submitted and the facts, findings and conclusions of this report, but without benefit of a public hearing, staff recommends that the Planning Commission recommend to the City

Council that:

1. ANN 18-03/ZC 18-03 be approved and,
2. Upon annexation, the zoning of the subject properties be designated as R-1 as indicated by the Canby Comprehensive Plan Map.



City of Canby
 Planning Department
 222 NE 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

LAND USE APPLICATION

Zone Map Change Application

APPLICANT INFORMATION: *(Check ONE box below for designated contact person regarding this application)*

Applicant Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Representative Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name(s)*: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

* All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.

PROPERTY & PROJECT INFORMATION:

Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
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Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation
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Brief description of proposed development or use

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE



City of Canby
 Planning Department
 222 NE 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
 Ph: 503-266-7001
 Fax: 503-266-1574

CHECKLIST

ZONE MAP CHANGE (Amendments to Zoning Map Chapter 16.54)

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email to: PlanningApps@canbyoregon.gov

Applicant City
 Check Check

- One (1) copy of this application packet. The City may request further information at any time before deeming the application complete.
- Payment of appropriate fees – cash or check only. Refer to the city’s Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.
- Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT** for all property owners and all residents within 500 feet of the subject property. If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to “Occupant.” A list of property owners may be obtained from a title insurance company or from the County Assessor’s office.
- Comprehensive Plan designation of the property.
- The application shall be accompanied by a written narrative explaining the existing use of the property and the need for the change in zoning.
- Two (2) paper copies of the proposed plans, printed to scale no smaller than 1”=50’ on 11 ½ x 17” paper. The plans shall include the following information:
 - Vicinity Map. Vicinity map at a scale of 1”=400’ showing the relationship of the project site to the existing street or road pattern.
 - Site Plan-the following general information shall be included on the site plan:
 - Date, north arrow, and scale of drawing;
 - Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
 - Property lines (legal lot of record boundaries);
 - Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
 - Location of all jurisdictional wetlands or watercourses on or abutting the property;
 - Finished grading contour lines of site and abutting public ways;
 - Location of all existing structures, and whether or not they are to be retained with the proposed development;
 - The location of streets, sewer, water, electric, and other utility services;
 - Major topographic and landscape features.
- One (1) copy of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes to include the date of the meeting and a list of attendees.

3. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application

Visit our website at: www.canbyoregon.gov
 Email Application to: PlanningApps@canbyoregon.gov

materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.

4. Staff investigates the request, writes a staff report, places a public notice in the newspaper, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
5. The staff report will be available ten (10) days prior to the hearing.
6. The Planning Commission holds a public hearing after the determination of a complete application. At the hearing the staff report is presented. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
7. The Commission then issues findings of fact which support approval, modification or denial of the application and passes such recommendation on the City Council for final action within forty (40) calendar days after the close of the hearing.

STANDARDS AND APPROVAL CRITERIA FOR A ZONE CHANGE

In judging whether or not the zoning should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the City, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, State and local districts in order to preserve functions and local aspects of land conservation and development:
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

Upon receipt of the record of the Planning Commission proceedings, and the recommendation of the Commission, the City Council shall conduct a review of that record and shall vote to approve, deny, or approve subject to modification, the recommendation of the Planning Commission. The City Council shall hear the arguments based upon the record. Additional or supplemental information not included within the original record shall not be considered. The arguments on the record shall not be conducted as a public hearing.

16.54.060 IMPROVEMENT CONDITIONS

- A. In acting on an application for a zone change, the Planning Commission may recommend and the City Council may impose conditions to be met by the proponents of the change before the proposed change takes effect. Such conditions shall be limited to improvements or physical changes to the property which are directly related to the health, safety or general welfare of those in the area. Further, such conditions shall be limited to improvements which clearly relate to and benefit the area of the proposed zone change. Allowable conditions of approval may include, but are not necessarily limited to:
 1. Street and sidewalk construction or improvements.
 2. Extension of water, sewer, or other forms of utility lines;
 3. Installation of fire hydrants.
- B. The City will not use the imposition of improvement conditions as a means of preventing planned development, and will consider the potential impact of the costs of required improvements on needed housing. The Planning Commission and City Council will assure that the required improvements will not reduce housing densities below those anticipated in the Comprehensive Plan.



City of Canby
 Planning Department
 222 NE 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

LAND USE APPLICATION

ANNEXATION Process Type IV

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

Applicant Name: Scott Vandecoevering Phone: 503-807-2681
 Address: 1575 N Pine Street Email: scottv@crimsontrace.com
 City/State: Canby, OR Zip: 97013

Representative Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name: Scott Vandecoevering Phone: 503-807-2681
 Signature: *Scott Vandecoevering*
 Address: 1575 N Pine Street Email: scottv@crimsontrace.com
 City/State: Canby, OR Zip: 97013

Property Owner Name: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations.
- All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

1575 N Pine Street, Canby, OR 97013 .47 acres 31E28DD03201
 Street Address or Location of Subject Property Total Size of Property Assessor Tax Lot Numbers

single family residential, on-site well RRFF5 Low density residential
 Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation

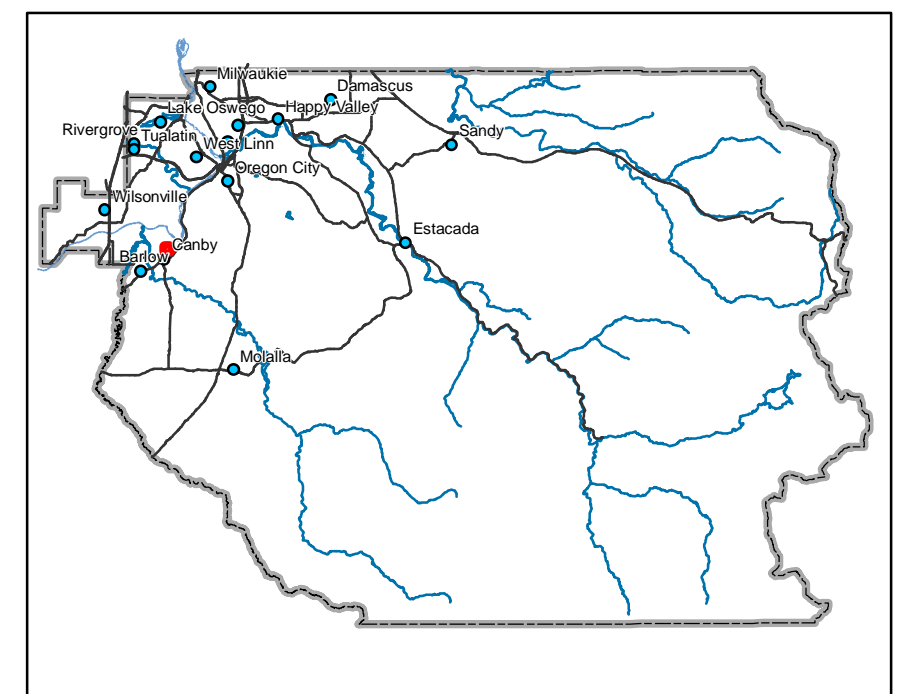
continue to be single family residential
 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

Cancelled Taxlots

- 2190
- 2902
- 3000
- 2901
- 2900
- 2700
- 1990
- 1901
- 1904
- 1905
- 1906
- 2200
- 2300
- 2000
- 2001
- 1500

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

11/1/2017



86-20

R1.5
86-02

86-20

230

**PETITION FOR ANNEXATION BY CONSENT
PURSUANT TO ORS 222**

I/We, CNS Acres, LLC, do hereby respectfully petition the City Council of the City of Canby to annex contiguous property to the City pursuant to ORS 222.

(Metes and Bounds Legal Description and Map Required)
(These can be attached to the Consent to Annexation Form)

Map # <u>31E28DD</u>	Tax Lot # <u>3100</u>
Map # <u>31E28DD</u>	Tax Lot # <u>3200</u>
Map # _____	Tax Lot # _____

The signatures below are the consent of the owner(s) of the property to the proposed annexation. Petitioners hereby certify that they are the owner(s) of said property as ownership is described in ORS 222. Petitioners further certify to the City that they are the legal owner(s) of record and are the sole owners of the property.

Dated this 7th day of September, 2018.

Signature: _____ Typed
or Printed Name: CNS Acres, LLC, Carolyn Adkins,

Signature: Nancy J. Hamilton
Typed or Printed Name: CNS Acres, LLC, Nancy J. Hamilton,

Signature: Shirley Hollar
Typed or Printed Name: CNS Acres, LLC, Shirley Hollar

**PETITION FOR ANNEXATION BY CONSENT
PURSUANT TO ORS 222**

I/We, CNS Acres, LLC & Scott Vandecoevering, do hereby respectfully petition the City Council of the City of Canby to annex contiguous property to the City pursuant to ORS 222.

(Metes and Bounds Legal Description and Map Required)
(These can be attached to the Consent to Annexation Form)

Map # <u>31E28DD</u>	Tax Lot # <u>3100</u>
Map # <u>31E28DD</u>	Tax Lot # <u>3200</u>
Map # <u>31E28DD</u>	Tax Lot # <u>3201</u>

The signatures below are the consent of the owner(s) of the property to the proposed annexation. Petitioners hereby certify that they are the owner(s) of said property as ownership is described in ORS 222. Petitioners further certify to the City that they are the legal owner(s) of record and are the sole owners of the property.

Dated this _____ day of _____, 20 _____.

Signature: _____

Typed or Printed Name: CNS Acres, LLC, Carolyn Adkins,

Signature: _____

Typed or Printed Name: CNS Acres, LLC, Nancy J. Hamilton,

Signature: *Scott Vandecoevering*

Typed or Printed Name: Scott Vandecoevering

Petition for Annexation by Consent



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Annexation
Legal Description

A Tract of land being a portion of Lots 62 and 63, "Canby Gardens", Plat No. 230, Plat Records of Clackamas County, located in the Southeast one-quarter of Section 28, Township 3 South, Range 1 East of the Willamette Meridian, City of Canby, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a red plastic cap marked "Centerline Concepts" found at the southeast corner of "Caitlyns Place" (Plat No. 4488), Plat Records of Clackamas County; thence along the east line of said "Caitlyns Place", and continuing along the west lines of said Lots 62 and 63, North 00°00'23" East, 659.92 feet to the southwest corner of Lot 61 of said "Canby Gardens"; thence along the south line of said Lot 61, South 89°58'56" East, 660.00 feet to the southeast corner thereof; thence along the centerline of N. Pine Street (County Road No. 2580), being 20.00 feet east of the west right of way line thereof when measured at right angles, being coincident with the east line of said Lots 62 and 63 of said "Canby Gardens", South 00°00'46" East, 659.80 feet to the southeast corner of said Lot 63; thence along the south line of said Lot 63, being coincident with the north line of "Amrine Addition" (Plat No. 1752), Plat Records of Clackamas County, North 89°59'34" West, 660.22 feet to the **POINT OF BEGINNING**.

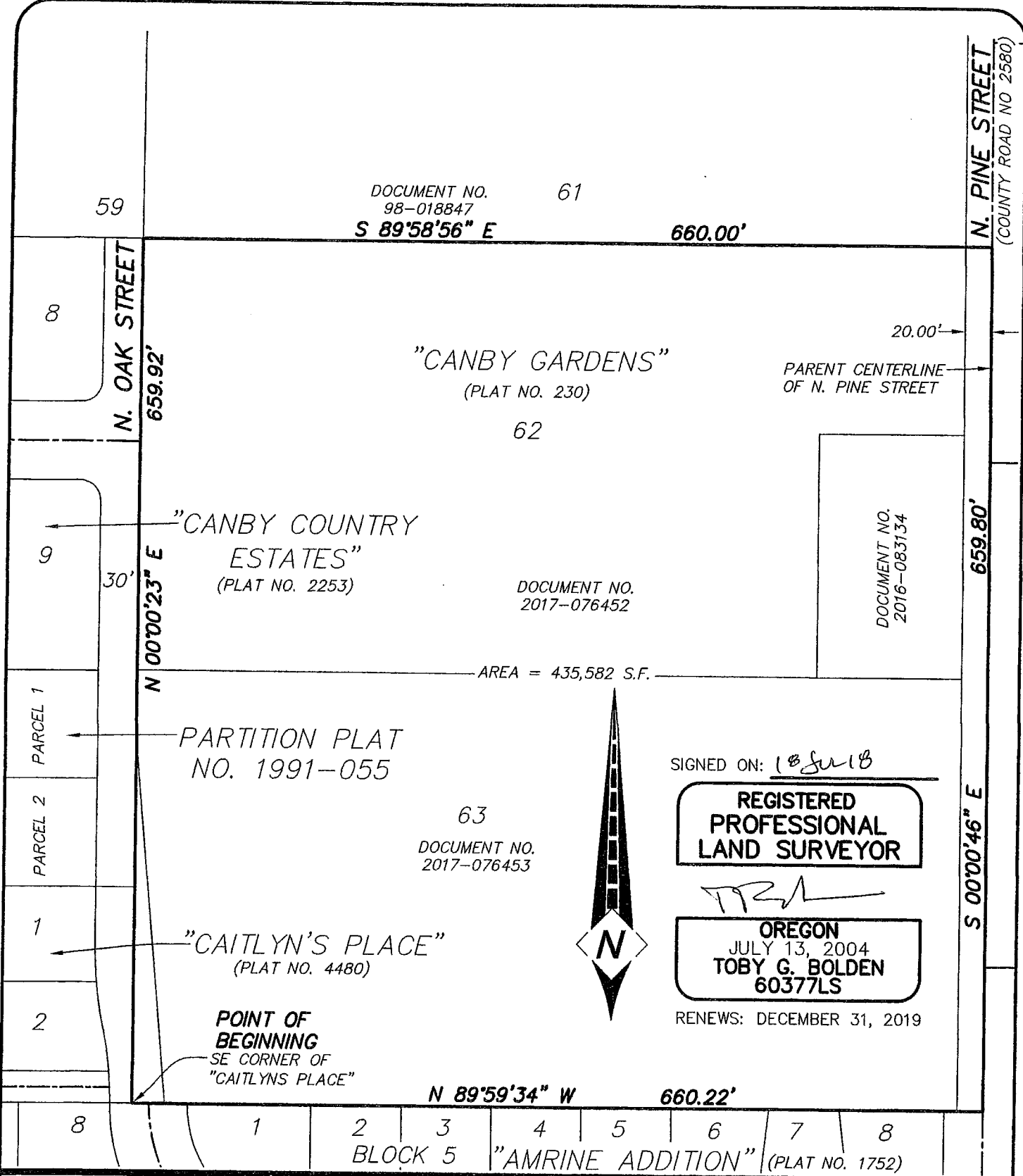
Contains 435,582 square feet.

18 Jul 04

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: 3 (DE 0)



CLIENT: ICON
 ORIG. DATE: 7-17-18
 DRAWN BY: RLC
 SHEET No. 1 OF 1

EXHIBIT "B"
ANNEXATION
 CITY OF CANBY, CLACKAMAS COUNTY, OREGON
 SCALE: 1"=100'

CENTERLINE CONCEPTS
 LAND SURVEYING, INC.
 19376 MOLALLA AVE., SUITE 120
 OREGON CITY, OREGON 97045
 PHONE 503.650.0188 FAX 503.650.0189

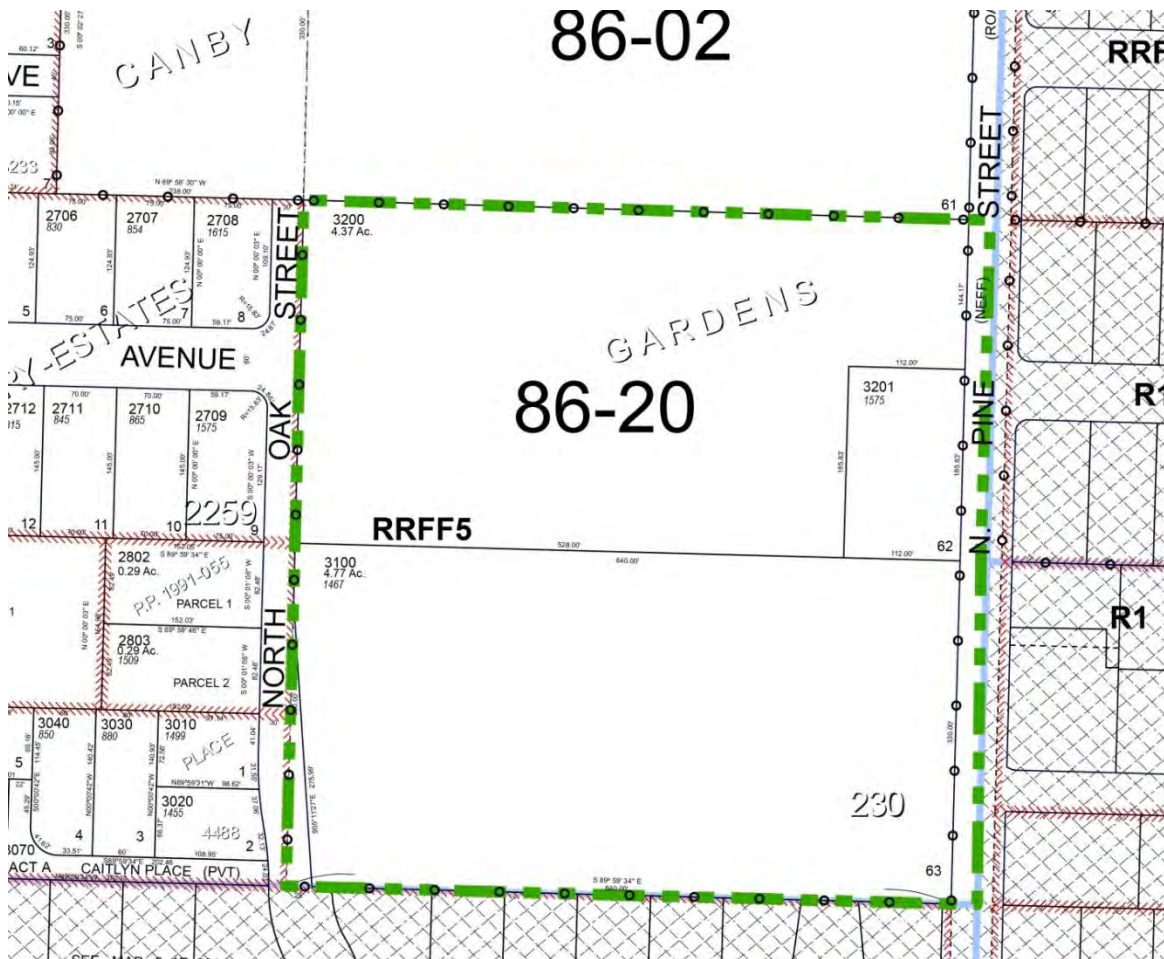
Annexation Application

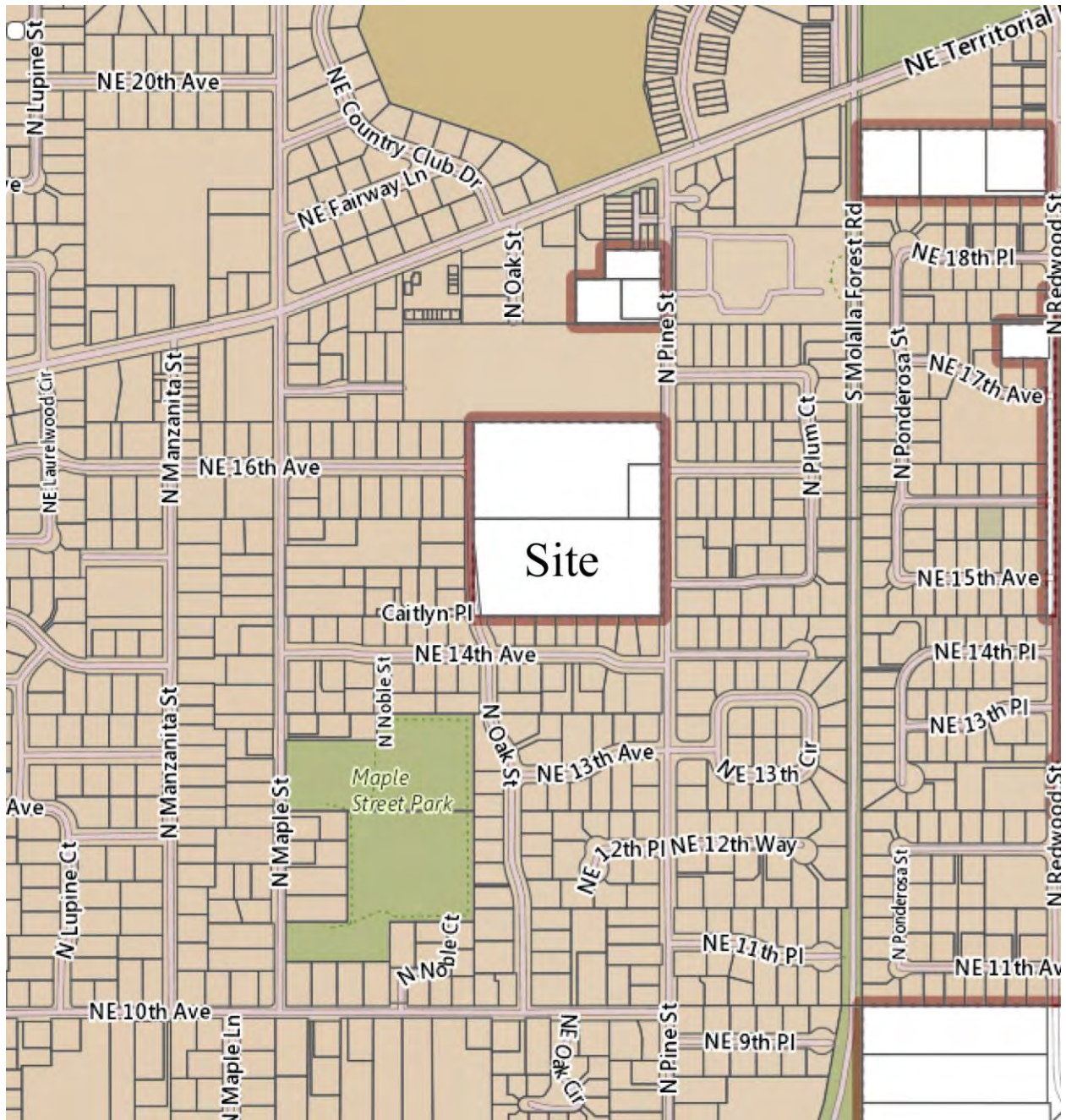
1467 N. Pine St., Canby

Introduction:

The applicant proposes the annexation of a total of approximately 9.14 acres of land to the City of Canby. The subject property is located between N. Pine St. and N. Oak St. at 16th & 15th Avenues. The property is described as Tax Lots 3100 & 3200 of Clackamas County Assessor's Map 31E28DD. Also included in this application is a zone change from Clackamas County RRF-5 to City of Canby R-1 zoning.

The property included in this request is rectangular in shape and site terrain is level. It is presently developed with one single-family home and an outbuilding. The site is zoned RRF-5 by Clackamas County, but is within the Urban Growth Boundary of the City of Canby and is island of unincorporated land surrounded by land within the Canby city limits. The City's Comprehensive Plan Map designates the site Low Density Residential and, upon annexation, the City's R-1 zoning would be applied to the site. The purpose of this annexation is to allow for the eventual development of the site as a residential subdivision consistent with the density allowed by the R-1 zone.





Vicinity Map



Future Development:

A conceptual future development plan for the site has been prepared and shows a subdivision of 40 lots with a minimum lot size of 7,000 sq. ft. consistent with the proposed R-1 zoning. The design will provide for the completion of Oak St. through the site with a full City standard street. Fifteenth Ave. will be extended through the site from Pine Street to Oak Street. The streets serving the proposed future development are envisioned as low volume local streets that will not provide for through traffic. The future development of this site will contribute to the need for more city parks by providing Parks SDC payments with the construction of future single-family homes.



Future Development Conceptual Plan

Compliance with Annexation Approval Criteria:

The procedures and approval criteria for annexation application are set forth in Division Six of the Canby Municipal Code, as detailed in Chapter 16.84. Compliance with the relevant approval criteria is demonstrated in proposed findings below:

16.84.020 State regulations.

The regulations and requirements of Oregon Revised Statutes Chapter 222 are adopted by reference and made a part of this division. (Ord. 740 section 10.6.20, 1984)

Comment: The State of Oregon passed Senate Bill 1573, which went into effect March 15, 2017 (ORS 222.225). The bill eliminated the requirement for elections for annexations when specified criteria are met. Specifically, the petition for annexation must:

- Be submitted by all owners of land in the annexation territory;
- The annexation territory must be included within the urban growth boundary of the city or Metro and is, or will be, subject to acknowledged comprehensive plan of city;
- At least one parcel in the annexation territory must be contiguous to the existing city limits; and
- The proposal must conform to all other requirements of the city's ordinances.

The proposed annexation will meet all of these criteria. The petition for annexation is signed by the owners of record of the properties within the annexation area. The property is within the urban growth boundary and is subject to the acknowledged City of Canby Comprehensive Plan (Comprehensive Plan). The property is an island of unincorporated land surrounded by the existing city limits on all sides. The proposal complies with all other requirements of the city's ordinances, as demonstrated in this narrative. Since these requirements are met, the provisions of 16.84.030 which relate to filing deadlines for elections do not apply.

16.84.030 Filing procedure.

Whenever an application for annexation is filed, it shall be reviewed in accordance with the following procedures:

- A. *Application Filing Deadlines.* *Application deadlines are established to permit public hearings by both the Planning Commission and the City Council in time to meet state and county requirements for submitting ballot information for these election dates. Application deadlines are as follows:*
1. *Regular annexation dates are in May and November. Annexations must be filed with the City before 5:00 p.m. on the last working day in August for a ballot election in May and the last working day in February for a ballot election in November. Incomplete applications may result in missing these planned election dates, at the City's discretion.*
 2. *Annexations can be scheduled for a special election provided that all costs associated with the special election are covered by the applicant. Special elections will be scheduled by the City Council following the required City Council hearing on the application.*

Comment: Not applicable because the proposed annexation complies with the provisions of SB 1573.

- B. *Application Submittal.* *Application procedures shall be as described in Chapter 16.89, on forms provided by the Planning Department. (Ord. 899 section 6, 1993; Ord. 740 section 10.6.30, 1984; Ord. 981 section 36, 1997; Ord. 1019 section 18-20, 1999; Ord. 1080, 2001; Ord 1237, 2007; Ord. 1294, 2008)*

Comment: The required application form has been prepared and is included with the applicant's submittal.

16.84.040 Standards and criteria.

A. *The following criteria shall apply to all annexation requests.*

1. *The City of Canby Annexation Development Map shall determine which properties are required to submit either (See Figure 16.84.040):*
 - a. *A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map. The terms of the Development Agreement may include, but are not limited to:*
 1. *Timing of the submittal of an application for zoning*
 2. *Dedication of land for future public facilities including park and open space land*
 3. *Construction of public improvements*
 4. *Waiver of compensation claims*
 5. *Waiver of nexus or rough proportionality objections to future exactions*
 6. *Other commitments deemed valuable to the City of Canby*

For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.

Comment: The subject property is within a designated Development Agreement area. A draft of a proposed DA that would be recorded in accordance with requirements of this section is attached to this application.

- b. *A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:*

1. *Water*
2. *Sewer*
3. *Stormwater*
4. *Access*
5. *Internal Circulation*
6. *Street Standards*
7. *Fire Department requirements*
8. *Parks and open space*

For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification. (Ord 1294, 2008)

Comment: Not applicable. The subject property is not located within a DCP area.

2. *Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning - low density residential, light industrial, etc.) Currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient;*

Comment: Canby’s estimated population for the years 2015 through 2017, according to the Portland State University Population Resource Center (PRC), is shown in the chart below:

Year	PRC Pop. Est.
2015	16,010
2016	16,420
2017	16,660

The above figures are based on population within the Canby city limits. PRC data and projections for the Canby Urban Growth Boundary, which includes population within the city limits as well as areas that are presently outside of the city but within the UGB, are shown in the following table:

2000	2010	AAGR (2000-2010)	2017	2035	2067	AAGR (2017-2035)
13,323	17,097	2.5%	17,976	24,045	35,118	1.6%

AAGR = Average Annual Growth Rate

Source: Coordinated Population Forecast for Clackamas County, its Urban Growth Boundaries (UGB), and Area Outside UGBs 2017-2067(Draft), PRC

For the purposes of judging the need for developable land for single-family homes, it is most appropriate to use the population data for the UGB as a whole, since the city limits will gradually become coterminous with the UGB over the next twenty to forty years. The AAGR from 2017 to 2035 will likely taper off gradually from the 2.5% AAGR that occurred between 2000 and 2010. However, using a conservative approach of applying an AAGR of 1.6%, the projected population of the Canby UGB over the next three years would be as follows:

Year	Est. Population
2018	18,264
2019	18,556
2020	18,853
2021	19,155

Assuming an average of 2.8 persons per household, the projected population increase of 1,179 people would generate 421 new households in the next three years. Since development outside the city limits is constrained by Clackamas County’s Rural zoning, nearly all of these new households will be accommodated by development located within the Canby city limits.

Data provided by Canby City Planning indicates the following new housing subdivisions and partitions are under way in Canby:

Table 1: Current Inventory, July, 2018

Subdivision Name	Zoning	Homes			
		Total Lots	Permitted for Building	Lots Restricted from Building	Lots Remaining
Timber Park	R-1.5	105	18	5	82
Northwood Estates 2	R-1	31	28	0	3
Northwood Estates 3	R-1	21	15	0	6
Faist Addition 6	R-1	30	26	1	3
Faist Addition 7	R-1	6	4	0	2
Caitlyn's Place	R-1	6	4	0	2

Partition Plat	Zoning	Homes			
		Total Lots	Permitted for Building	Lots Restricted from Building	Lots Remaining
PP2017 Allee & Brito	R-1	2	0	0	2
PP2017-048 Pierce	R-1	3	0	0	3
PP2018-024 Harris	R-1	1	0	0	1
PP2018-018 White River	R-1	1	0	0	1
Mathieson (Unrecorded)	R-1	1	0	0	1
July 1 2018 Inventory					106

In addition to the above platted development projects, the following subdivisions are presently in process:

Table 5: In Process Development Projects

Application Name and/or Applicant	Zoning	Anticipated Lots
Faist Addition Phase 8, Netter	R-1	26
Tanoak, Marnella	R-1	8
Beck Pond, Stafford Land Co.	R-1/R-1.5	69 Total: 23 R-1, 46 R-1.5
Redwood Landing, Icon	R-1	82
Seven Acres, Sprague	R-1	22
Canby Townhomes, Busse	C-R	30
S Pine Townhomes, Netter & Manuel	R-2	6
Cougar Run, Canby School District	R-1	23
Faist Addition Phase 9, Netter	R-1	6
Total:		272

It is unknown how quickly these projects will come on line to address projected housing needs. If all of them take place within the three year window set forth in the annexation criteria as considered to be sufficient, approximately 43 additional lots would still be needed to meet projected housing need. It is important to note that the three year building supply criterion is not an absolute. Rather, it is given as a guideline that the City can use to determine the pace at which additional lands should be annexed. It is also important to recognize that the subject property is an island completely surrounded by lands within the existing city limits. The annexation and future development of the subject property is of value to the

city because it facilitates the widening and completion of the roadway system serving existing residents of Canby. For this reason, there is a greater need to annex the subject property than other properties around the periphery of the city limits.

3. *Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89,020 of the City of Canby Land Development and Planning Ordinance.*

Comment: The subject property is an island of unannexed property surrounded by existing city limits. The surrounding area is a mixture of single-family subdivisions and newly developing subdivisions (to the east, across Pine Street). Land immediately to the north of this site is vacant (R-1.5 zoning) and wooded, but the owner of that property has had preliminary conversations with the City regarding developing the property as a single-family subdivision.

The future development of the subject property would continue the existing single-family residential development pattern found in this area. The lots would be typical 7,000 sq. ft. residential lots. This is consistent with the designated land use pattern set forth in the Canby Comprehensive Plan. Because there will be no variation in land use pattern, the impact on the surrounding area will be minimal.

A neighborhood meeting was held on July 18, 2018 and minutes of that meeting are included with this application.

4. *Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;*

Comment: All required services are available to adequately provide for the future development of the subject property. There is a sewer stubbed to the end of N Oak Street, as well as sewers at Pine Street's intersection with NE 15th Avenue and NE 17th Avenue. Six inch water lines are available in street rights-of-way on both the east and west sides of the subject property. Storm water can be accommodated on site via dry wells. Maple Street Park is within walking distance of the site, and future lots will contribute Park SDCs needed to expand the City's park system. Canby School District will have the opportunity to comment on the proposed annexation, but to our knowledge there are no current capacity issues that would affect this annexation proposal.

5. *Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;*

Comment: There will not be any increased demand for public facilities at this time since the application will only annex the subject area to the City of Canby. A separate application for development of the property would be submitted in the future. Discussions with City staff at the pre-application conference indicate that all required services are readily available to accommodate the future development of this site.

6. *Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;*

Comment: The only additional facilities required would be the installation of utilities within the future subdivision itself. These are normal requirements of any land development.

7. *Statement outlining method and source of financing required to provide additional facilities, if any;*

Comment: All infrastructure for the future development would be the responsibility of the developer.

8. *Statement indicating the type and nature of any comprehensive Plan text or map amendments or Zoning text or map amendments that may be required to complete the proposed development. Proposed zoning must be consistent with zoning identified in any applicable adopted Development Concept Plan. (Ord. 1292, 2008; Ord. 1422, 2015)*

Comment: A zone change from County Rural Residential-Farm-Forest 5 zoning to City of Canby R-1 will be approved per the attached Development Agreement.

9. *Compliance with other applicable city ordinances or policies;*

Comment: Compliance with City zoning and development ordinances will be reviewed at the time of future development application submittal.

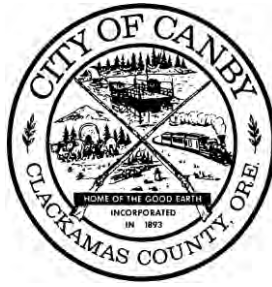
10. *Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (Ord. 740 section 10.6.40, 1984; Ord. 981 section 37, 1997; Ord. 1294, 2008)*

Comment: As discussed above, the proposed annexation is consistent with the provisions of ORS 222.225. All requirements of ORS Chapter 222 will be met through the City's review of the proposed annexation.

Sign-in Sheet 7-18-18

Pine Street Annexation
 Neighborhood Meeting

Name	Address	email
CHARLES A McCLAIN	760 NE 14 th AVE	chuckamcclain@gmail.com
TALLY R. McCLAIN	11 " " "	
Paula Browning	1165 NE 13 th CIR	paulap@canby, OR
Debra Crighton	1040 NE 14 th Ave	batcat100@yahoo.com
Don + Carolyn Adkins	9925 S. Carriage Ln - Canby	cdadkins@canby.com
Nancy Hamilton	145 NE 11 th Canby	cmnancyham@canby.com
Jeff + Shirley Hollar	1541 N. Oak St.	shollar@canby.com gigs1509@ " "
Jan Westfall	1499 N Oak St.	denjanmol@yahoo.com
GEORGE SCHMIDT	854 NE 16 th AVE	george.schmidt@themeigroup.com
KATIE WYNNE	810 NE 16 th AVE	KATHRYNRWYNNE@GMAIL.COM
Dale Shatto	1360 N. Oak St.	
Steven Manse	745 NE 16 th Ave	stevemanse@gmail.com



Pre-Construction Meeting

1467 N Pine Street

April 4, 2018

10:30 am

Attended by:

Tim Gettel, Wave Broadband, 503-307-0029

Gary Stockwell, CU Electric, 503-263-4307

Rick Givens, Planning Consultant, 503-479-0097

Jennifer Cline, Public Works, 503-266-0780

Bryan Brown, Planning Department, 503-266-0702

Jim R Stuart, Canby Utility, 503-263-4322

Darren Gusdorf, ICON Construction, 503-481-4450

Hassan Ibrahim, Curran-McLeod Engineering, 503-684-3478

This document is for preliminary use only and is not a contractual document.

PLANNING CONSULTANT, Rick Givens

- This piece of property is an island surrounded by the City of Canby and it will need to be annexed. ICON Construction is looking at the piece of property to develop and has been talking to the landowners. This is an R-1 zone and we will be also looking at doing a preliminary plat process.

CANBY UTILITY, WATER DEPARTMENT, Jim R Stuart

- We do not have a lot of information and we have 6 inch water lines on both the east and west side of the proposed development. Without more information that is about all, we give you at the time.
- Rick asked if there were any pressure issues in this area and Jim said we do not have any pressure issues in Canby. Rick asked if there would be any problems with supply on the 6 inch lines and Jim said no. Darren said you would probably want the water looped together and Jim said yes and we will work with your engineering group as far as looping the system.
- There is a well on the property somewhere located between proposed lots 36 and 37. Rick asked if they needed to decommission it and Jim said yes and we will need documentation showing it. Gary said we have an old electrical service we call disconnected, but the panel is still energized. When you get to the point where you start scraping and breaking ground you will need to have that disconnected, whether it is you or the landowner calling us to have it done, we do not want to have any surprises. Jerry said there was another well at 1575 N Pine Street and wanted the developers to know there was a water well and they need to be at a 267 ft radius away for placement any drywells.

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- Electrically, it is a pretty straight forward project for us and we have tie-ins at three locations for you. When the plan is approved by the planning commission and the lots will not change

I will put together an electrical plan and it will also show street lighting. We will submit a cost to you at that time.

- Gary asked if they were planning to do both the annexation and subdivision application together and both Rick and Darren said they thought they would do them together.

WAVE BROADBAND, Tim Gettel

- Tim asked Gary when he got his electrical design plan completed if he could get a copy.
- Let me know when the trench line will be open.
- Do you know when you will be starting and Darren said once all the approvals and the annexation are complete we are looking at spring/summer of 2019.

CURRAN-MCLEOD ENGINEERING, Hassan Ibrahim

- On the annexation perspective for the sanitary sewer, there is adequate capacity to serve the site.
- We will need a traffic study completed to see if there will be any mitigation.
- N Pine Street is a collector street per the City of Canby Transportation System Plan (TSP). On the other side of N Pine Street, it is built to a 20 ft half street improvement and will be 40 ft wide curb to curb and you will need to dedicate 10 ft on your side of the property. We have allowed on the other side a 6 ft curb tight sidewalk and Hassan asked Bryan if we wanted to do the same on this side or do a planter strip. Bryan said this will be a 60 ft right-of-way (ROW) and does not allow bike lanes and parking on both sides, so one side will not have parking. Hassan said correct, we have the bike line on the east side. It looks like we will be looking at a 6 ft curb tight sidewalk and Bryan said if we do not do a curb tight sidewalk we will be sacrificing any on street parking, but we may not even need on street parking and Hassan agreed.
- To discuss the interior streets, they will be classified as local streets at 28 ft wide and it will only give you parking on one side of the street if you do a 34 ft wide street you have parking on both sides.
- The horizontal curves need to be a minimum of 165 ft and Rick agreed.
- The cul-de-sac bubble radius is 48 ft and the minimum ROW radius is 54 ft and includes the eyebrow.
- To mimic what they did before with Clackamas County on N Pine Street you will need to do dual ADA ramps at each corner. On our local streets, you can do only one ADA ramp.
- I believe we built N Oak Street to be a 40 ft wide street and this is a local street, do we want it that wide? Bryan said we have it established here in this section of N Oak Street and we have it established at NE 16th Avenue. We received an easement from this property owner for 10 ft when Caitlyn Place was being accepted and Hassan said correct. Bryan said they did not pave the whole thing and Hassan said they paved 28 ft. Hassan said we need to make a decision on whether we continue the 40 ft along that section and Bryan asked if we know if the two lots from Caitlyn Place facing N Oak Street if they have a separated sidewalk. Hassan brought the plans showing the street profile of N Oak in front of Caitlyn Place subdivision. Discussion ensued. Jerry asked if you necked down the roadway would the sewer main still remain in the ROW and Hassan said it will be in the street. Hassan said the sidewalks are 6 ft and curb tight and when we get farther down the process, we could narrow it down. Bryan said it looks like you are planning a 52 ft wide local streets when I measured

it and maybe you were planning 34 ft wide streets. Rick said yes we were planning on doing 34 ft wide streets throughout and Bryan said I would encourage you to do it because the planning commission will have problems with the neighbors with no on-street parking on one side with the narrower lot frontages. Hassan said our standard for local streets has a range of ROW and what they have done on the other side is they have dedicated 57 ft of ROW and Rick said the other subdivisions and Hassan said yes. They did 34 ft paved street with 6 ft sidewalks and 4-1/2 ft planter strip with 1/2 ft curb and it left them 1/2 ft from the property line.

- Is this existing house on its own tax lot and separate from yours? Rick said yes, this is a conceptual drawing and Jerry said this presents a problem and Hassan said yes. Bryan said this house has the new sewer service because their septic failed and Jerry said when they planned on developing this property the sewer main was supposed to go through and the owners of 1575 N Pine were supposed to annex by a certain date so we could put our sewer main through because we do not have depth anywhere else. Bryan said there was a two year follow up on the annexation which is getting close. Rick said he can talk to them and see if they will join the annexation. Bryan said the property owner has an obligation to follow up with an annexation and I do not think it has been two years yet. Jerry said I do not think they will have depth at NE 15th Avenue and you will need to look at all different scenarios for the sewer. Hassan said they might have to come from different directions to serve the site. Darren asked if there was an easement put on the property for the stub and Bryan said it went directly into the manhole and Jerry said when the sewer was going to continue the property owner was going hook into it from there. Right now the property owner has a private line going into the manhole because their septic failed. Discussion ensued on placing an easement on the property. Jennifer said she would prefer to have a pedestrian path and not have an easement through lot 1's property.
- Your layout looks like you are encroaching on his property and Rick said he showed a future dedication just to make the eyebrow be in the right spot, but we can move it further away and not have it there.
- What do you plan on doing for your storm drainage and Rick said we are planning on doing a LID, swale system, but it is so flat it may not work. Hassan said drywells are an option as long as there are no conflicts with existing wells in the area and you need to be outside the 267 ft radius. Rick asked if there were any other wells in the area and Jerry said just this well. Hassan said you could use a conveyance system to bypass the 267 ft radius. Darren said we will have to do a percolation test.
- There is a large telephone duct run on the west side of N Pine Street. Jerry said there is not much room around there and if you have to reconnect to the manhole you will have to dig around the duct run again. It is doable and they can get through it and just for your information if they dig around there I placed pea gravel around it.

PUBLIC WORKS DEPARTMENT, Jennifer Cline

- Jennifer has a question about the continuance of N Oak Street heading north. Bryan said Rick is working on the layout of the property to the north and he has a possibility of the layout. Bryan showed (3) alternative plans for connecting N Oak Street. Pat Sisul did these plans and Rick has chosen one of them. Gary said this is the one I chose for my plans and it was the plan depicting an offset street. Discussion ensued. Hassan said when you decide on

what connecting plan to go with we would like you to do a profile to ensure the street grades work. Rick said do you want Oak Street to be a through street and Bryan said we do want N Oak Street to connect and whether it is with or without the jogs, which is slightly better not to have the jogs. Hassan said if we do not do the jog then we are over the 400 maximum block length. Bryan said there 660 ft across here which is not allowed and we have to have an intervening street, but he has that and it just has a jog in it. Rick said we are over the 400 ft and Bryan said if you go over the 600 ft you need to have a pedestrian path.

CITY OF CANBY, PUBLIC WORKS DEPARTMENT, Jerry Nelzen

- There is a sewer stubbed to the back of N Oak Street and Jennifer asked how deep is the sewer and the answer was 5 ft to 6 ft deep. Hassan said at NE 15th Avenue it was deeper along with NE 17th Avenue. Hassan said the sewer needs to be as deep as possible.

CITY OF CANBY, PLANNING DEPARTMENT, Bryan Brown

- I have not had a lot of time into this project, but this subdivision looks fine on its own and the question is what to do with the next property to the north because if you do not interconnect a street then you have the block length of issues. I was more concerned we were not adversely affecting water, sewer, electric and the other services and we need to keep in mind the next property that connects and how it all fits together.
- Darren asked if it matters if we do them separately or together and Bryan said you are never guaranteed an annexation will pass. I think they would be hard pressed not to annex it and I think you should use the island information because of the lot need and if you feel pretty confident that you can still demonstrate that we are not going to have a three-year supply of R-1 lots. If for some reason the annexation gets denied or slowed down then you would have wasted all of the extra engineering time developing the final aspects of your subdivision and that is the risk. Rick said as far as the annexation goes and we were to separate them and were not developing until next year we would probably have enough time to do a two-step process. Jennifer asked if they did a concept plan through Planning and Bryan stated this one does not need a concept plan for the area, it needs an understanding of the infrastructure for a 3-lot area than just that lot. If we want to make this design conform and in some way it will guarantee where we need streets and utilities to connect we have to come to a development agreement, we are required by the ordinance to develop the development agreement, but the only thing that needs to be in it, is what we want the proposed subdivision has in it after the annexation. If we want the pedestrian easement we can put it in the development agreement and if we wanted to make sure N Oak Street connects and/or does not have to be contiguous and have a 150 ft separation, these are just a few examples.
- My other questions were are they planning on bringing both applications in at the same time or not and it looks like they will be together. Darren said Rick and I have the general criteria for the annexation for this amount of land available, do you see the city council or planning commission having any concerns giving this type of an island. Bryan said he does not think it matters that it is an island and I think it is a criterion because it does not really talk about it.
- Rick asked Bryan if he could send him the fees.



720 SW Washington St.
 Suite 500
 Portland, OR 97205
 503.243.3500
 www.dksassociates.com

MEMORANDUM

DATE: July 25, 2018

TO: Bryan Brown, City of Canby

FROM: Christopher S. Maciejewski, PE, PTOE
 Jordin Kelly, EIT

SUBJECT: Canby ICON – Transportation Planning Rule (TPR) Analysis P#11010-102

This memorandum summarizes how the requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), are met for a proposed annexation for properties located on tax lots 31E28DD03100, 3200, and 3201 in Canby, Oregon. There are currently two single family houses on the site, with one proposing to be demolished along with the construction of a 41 single family unit subdivision. The following section describes the consistency of the annexation request with both the City’s Comprehensive Plan and Transportation System Plan.

Property Zoning Designation

The proposed annexation is located outside Canby’s City Limits in unincorporated Clackamas County and is currently designated Clackamas County RRFF-5: Rural Residential Farm Forest. The City’s comprehensive plan designation is LDR: Low Density Residential and the proposed zoning is R-1: Low Density Residential. Therefore, the proposed zoning is consistent with the City’s adopted Comprehensive Plan designation. Table 1 below summarizes the zone change information for these properties.

Table 1: Designation Summary of the Proposed ICON Annexation

Property	Tax Lots	Lot Size (acres)	Proposed Zoning	Clackamas County Zoning	City of Canby Comprehensive Plan Land Use
1467 N Pine Street	3100	4.77	R-1 (Low Density Residential)	RRFF-5 (Rural Residential Farm Forest)	LDR (Low Density Residential)
1575 N Pine Street	3200, 3201	5.1	R-1 (Low Density Residential)	RRFF-5 (Rural Residential Farm Forest)	LDR (Low Density Residential)

Transportation Planning Rule Findings

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning, and does not create a significant impact on the surrounding transportation system beyond currently allowed uses. The TPR allows a change in land use zoning in the event that a zone change would make the designation consistent with both the Comprehensive Plan and the Transportation System Plan. The allowance (found in Section 9) was added to the TPR in December 2011 and fits the circumstances of the project parcel. Specifically, section 9 states:



Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

- (a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP;
- (c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area

Each of these criteria is addressed below:

- (a) The proposed zoning is consistent with the City's Comprehensive Plan and adopted Transportation System Plan (TSP), including a review of the forecasted development types and amounts from the travel demand forecasts utilized for the TSP.¹
- (b) The City of Canby has adopted the Transportation System Plan (2010) and the proposed zoning is consistent with the TSP.
- (c) This subsection applies if the area was added to the urban growth boundary (UGB). Since the parcels are already within the UGB, provisions from subsection (c) would not apply.

Based on the discussion above, all three criteria are satisfied; therefore, the proposed rezone will not have a significant effect on the transportation system. Additionally, the transportation assessment performed as part of the City's TSP accounts for the proposed uses related to redevelopment of the property, therefore the proposed rezoning is consistent with the acknowledged transportation system plan.

Trip Generation Documentation

Trip generation is the method used to estimate the number of vehicles that are added to the surrounding roadway network as a result of the proposed project. The trip generation for the proposed project was estimated using similar land uses as reported by the Institute of Transportation Engineers (ITE).²

Trip generation was calculated for the proposed 41 dwelling units (ITE Land Use Code 210: Single Family Housing) as well as the existing dwelling unit (ITE Land Use Code 210) for the AM and PM peak hour, and daily trips.

As shown in Table 2 at the top of the next page, the net vehicle trips (proposed minus existing) expected to be added to the surrounding roadway network is 29 (7 in, 22 out) AM peak hour trips, 40 (25 in, 15 out) new PM peak hour trips, and 378 daily trips.

¹ This tax lot is included in TAZ 113 in the Canby Small Community Model which assumed 66 existing households and 176 future households.

² Institute of Transportation Engineers (ITE) manual, Trip Generation, 10th Edition.



Table 2: Net Trip Generation Summary

ITE Land Use	ITE Code	Daily Trips	AM Peak Hour			PM Peak Hour		
			IN	OUT	TOTAL	IN	OUT	TOTAL
Proposed: 41 Dwelling Units	210 (Single Family Detached Housing)	387	7	23	30	26	15	41
Existing: 1 Dwelling Unit	210 (Single Family Detached Housing)	9	0	1	1	1	0	1
Net Vehicle Trips Added (Proposed – Existing)		378	7	22	29	25	15	40

AFTER RECORDING RETURN TO:
City of Canby
P O Box 930
Canby OR 97013

UNTIL REQUESTED OTHERWISE,
SEND TAX STATEMENTS TO:

CNS Acres, LLC
9925 S. Carriage Lane
Canby, OR 97013

Scott Vandecoevering
1575 N. Pine Street
Canby, OR 97013

DEVELOPMENT AGREEMENT (ANNEXATION)

RECITALS:

1. CNS Acres, LLC and Scott Vandecoevering hereinafter referred to as “APPLICANTS”, own real property commonly described as 1467 and 1575 N Pine Street, Canby, OR 97013 and more particularly described in the attached Exhibit A and depicted on a survey attached as Exhibit B.
2. The City of Canby, hereinafter referred to as “CANBY”, is an Oregon municipal corporation.
3. The property described in Exhibit A and depicted on Exhibit B is located within the boundaries of a designated annexation “Development Agreement Area” as shown on the City of Canby Annexation Development Map (City of Canby Municipal Code Title 16, Figure 16.84.040).
4. CANBY procedures for annexation specify the Planning Commission shall conduct a public hearing to review any proposed annexations and determine the appropriate zoning designation upon annexation. The Planning Commission shall furnish its recommendation concerning annexation and assigned zoning to the City Council. The City Council will determine whether the applicable standards and criteria of Canby Municipal Code 16.84.040 are met and will determine appropriate zoning for the property based on the criteria set forth in the Canby Municipal Code 16.54.040.
5. The purpose of this Annexation Development Agreement is to satisfy the requirements of Canby Municipal Code 16.84.040 including providing adequate public information and information evaluating the physical, environmental, and related social effects of a proposed annexation. The proposed annexation does not require the statutory development agreement of ORS 94.504 et seq.

NOW, THEREFORE, it is hereby agreed:

I. CANBY MUNICIPAL CODE 16.84.040 APPLICABLE PROVISIONS.

A. Timing of the submittal of an application for zoning. Concurrent with review of this Agreement, the Council shall consider APPLICANTS’ annexation application and requests that, upon approval of the annexation by the City Council, the property described in Exhibit A shall be zoned R-1. This approach will insure that the development agreement as well as the annexation and zone change approvals are consistent with City Code 16.84.

B. Scope of annexation request. In addition to the property owned by APPLICANTS and described in Exhibit A, APPLICANTS’ annexation application shall include the western portion of the N Pine Street right-of-way and the eastern portion of the N. Oak Street right-of-way that are presently outside of the city limits and adjacent to the APPLICANTS’ property. The western portion of the N Pine Street right-of-way and

eastern portion of the N. Oak Street right-of-way shall be as described in Exhibit A and depicted on Exhibit B. APPLICANTS agree to dedicate street right-of-way for N Pine Street and N. Oak Street to meet the standards of the City of Canby with future land use actions on the property as part of the development approval process.

C. Timing for Recording. APPLICANTS shall have seven (7) calendar days from the date the City Council takes final action approving this Agreement, the annexation, the zone change request, to record this Agreement. A condition of approval will be attached to the annexation and zone change approval imposing this requirement.

D. Dedication of land for future public facilities including park and open space land. At the time of development, APPLICANTS agree to dedicate street right-of-way for N. Pine Street, N. Oak Street and for other streets being created inside the property to the standards of the City of Canby and to satisfy CANBY's parkland dedication obligation through payment of the City's park system development charge.

E. Street construction/layouts, utilities, right of ways/dedications, and lots. At the time of development, City required public street improvements will be constructed to Canby Municipal Code specifications by APPLICANTS. Specifically, APPLICANTS agree to improve the western one-half of the N Pine Street and eastern one-half of the N. Oak Street rights-of-way along the frontage of the property. APPLICANTS will also be responsible for the dedication and construction of new street within APPLICANTS' property to Canby Municipal Code specification. Street cross section layouts, public utilities, franchise utilities, and right-of-way-widths/associated dedications will be determined at the time of development in conformance with the Canby Municipal Code and Canby Public Works Design Standards. The submitted Conceptual Site Plan A, dated July, 2018, in conjunction with the ANN/ZC 18-?? applications is for general reference only and is non-binding. Lot sizes and layouts will be determined at the time of development and are contingent upon street cross sections and right-of-way widths.

F. Utility availability. At the time of development, APPLICANTS agree to ensure that utilities and infrastructure are available to serve the property described in Exhibit A at densities currently authorized in the R-1 zone. To the extent that additional utility or service infrastructure is required to serve the property in the future, APPLICANTS agree to provide those utilities and services in a way that is commensurate with the impacts from development and consistent with the City's Code. APPLICANTS also agree to allow connection to APPLICANTS' constructed public facilities by adjacent property owners.

G. Water and Sewer. At the time of development, APPLICANTS agree to install public waterlines in all new or extended public streets and sewer lines in new City streets as is needed to serve the development. CANBY agrees that APPLICANTS can connect to the public water system and that APPLICANTS can connect the existing public sanitary sewer. CANBY agrees that no new sewer main is needed in N. Pine Street along the frontage of the APPLICANTS' properties.

H. Waiver of compensation claims. APPLICANTS waive compensation or waiver of land use regulations as provided in ORS 195.300 and 195.336, as well as Measure 49, resulting from annexation and the concurrent zone change approval.

I. Rough proportionality of future exactions. To the extent that this agreement identifies right-of-way dedication, utility or service obligations, these obligations are necessary and will be limited to an amount necessary to serve this development based on the proposed development application as well as on the uses and densities permitted in the R-1 zone.

J. Other commitments deemed valuable to the City of Canby. APPLICANTS agree any future development will meet the requirements of the adopted CANBY Municipal Code in effect at the time of development.

II. OTHER CONSIDERATIONS.

A. Duration. This Agreement shall be effective upon CANBY, acting by and through its city council, approving this Agreement and upon its recording with the Clackamas County Recording Office. As used herein, "approval" means the granting of the approval and the expiration of the period of appeal, or if appeal is filed, the resolution of that appeal. This Agreement shall continue in effect for a period of eight (8) years after its effective date unless cancelled as provided in Section II, C below

B. Recording. Within seven (7) calendar days after the City Council makes a final decision approving ANN/ZC 18-??, APPLICANTS shall record this agreement with the Clackamas County Recorder's Office and provide a copy of the recorded agreement to the City Attorney.

C. Cancellation. This Development Agreement shall not be cancelled.

D. Modification. This Agreement may be modified, amended, or extended upon the mutual consent of APPLICANTS and CANBY.

Dated this _____ day of _____, 2018.

CNS Acres, LLC

Scott Vandecoevering

CITY OF CANBY, OREGON

By: _____
Rick Robinson, City Administrator

Dated: _____

APPROVED AS TO FORM:

By: _____

Dated: _____

APPROVED BY ACTION OF CITY COUNCIL ON _____, 2018.
CITY COUNCIL RESOLUTION NO.: _____.

STATE OF OREGON)
) ss.
County of Clackamas) _____, 2018

Personally appeared before me, CNS Acres, LLC, and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

STATE OF OREGON)
) ss.
County of Clackamas) _____, 2018

Personally appeared before me, Scott Vandecoevering, and acknowledged the foregoing instrument to be his voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

STATE OF OREGON)
) ss.
County of Clackamas) _____, 2018

Personally appeared before me, RICK ROBINSON, as the City Administrator of the City of Canby, Oregon.

Notary Public for Oregon
My Commission Expires: _____



CENTERLINE CONCEPTS
LAND SURVEYING, INC.

19376 Molalla Avenue, Ste. 120, Oregon City, OR 97045
P. 503-650-0188 F. 503-650-0189

Exhibit "A"
Annexation
Legal Description

A Tract of land being a portion of Lots 62 and 63, "Canby Gardens", Plat No. 230, Plat Records of Clackamas County, located in the Southeast one-quarter of Section 28, Township 3 South, Range 1 East of the Willamette Meridian, City of Canby, County of Clackamas, State of Oregon, being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a red plastic cap marked "Centerline Concepts" found at the southeast corner of "Caitlyns Place" (Plat No. 4488), Plat Records of Clackamas County; thence along the east line of said "Caitlyns Place", and continuing along the west lines of said Lots 62 and 63, North 00°00'23" East, 659.92 feet to the southwest corner of Lot 61 of said "Canby Gardens"; thence along the south line of said Lot 61, South 89°58'56" East, 660.00 feet to the southeast corner thereof; thence along the centerline of N. Pine Street (County Road No. 2580), being 20.00 feet east of the west right of way line thereof when measured at right angles, being coincident with the east line of said Lots 62 and 63 of said "Canby Gardens", South 00°00'46" East, 659.80 feet to the southeast corner of said Lot 63; thence along the south line of said Lot 63, being coincident with the north line of "Amrine Addition" (Plat No. 1752), Plat Records of Clackamas County, North 89°59'34" West, 660.22 feet to the **POINT OF BEGINNING**.

Contains 435,582 square feet.

18 JUL 18

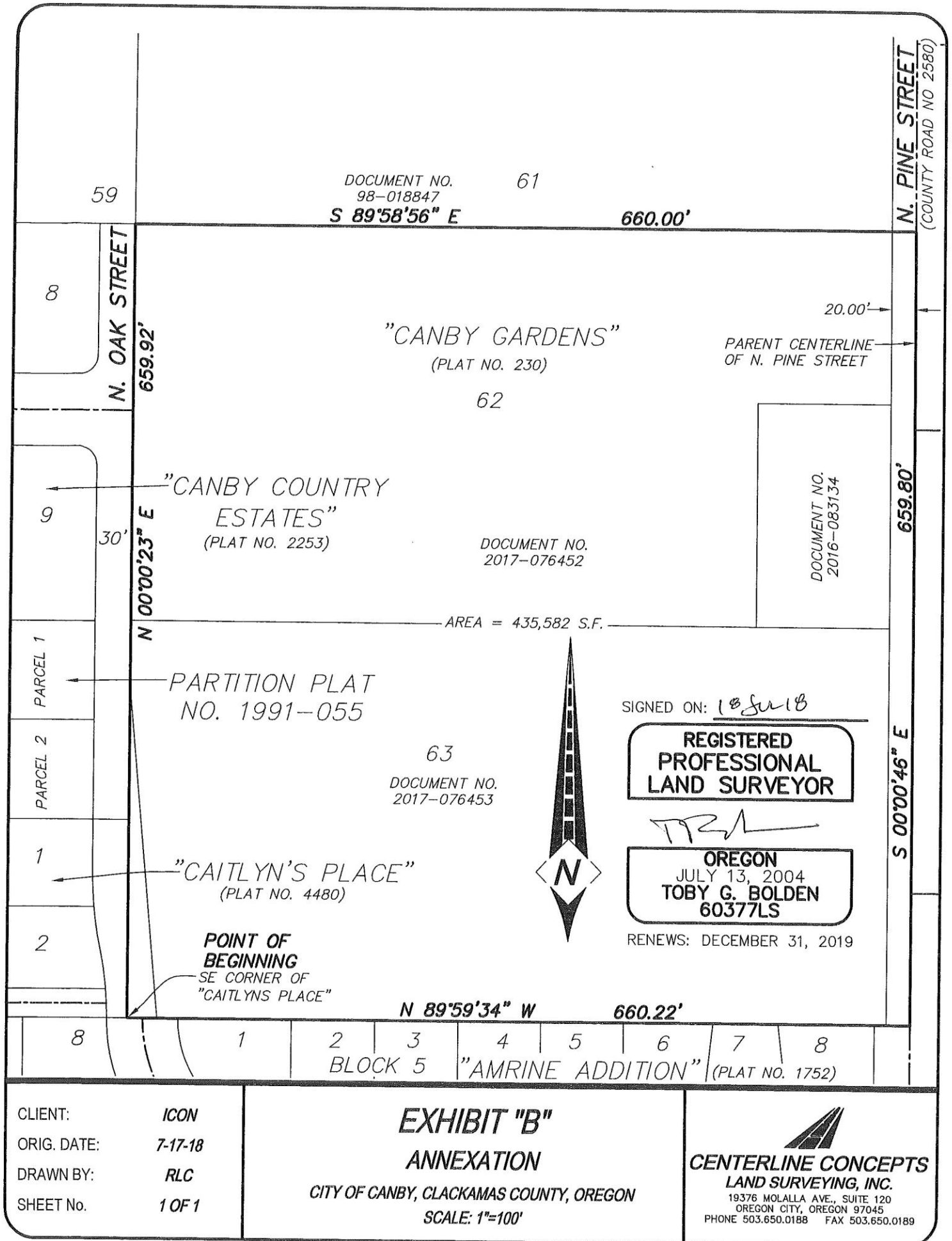
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS

RENEWS: 3 (DEC)

EXHIBIT "B"



Plotted: 7/18/2018 - 10:56am, M: \PROJECTS\ICON-PINE ST-N-1467\dwg\ANNEXATION.dwg, Layout: LAYOUT

CITY OF CANBY –COMMENT FORM

If you are unable to attend the Public Hearings, you may submit written comments on this form or in a letter. Please send comments to the City of Canby Planning Department:

By mail: Planning Department, PO Box 930, Canby, OR 97013
In person: Planning Department at 222 NE Second Street
E-mail: PublicComments@canbyoregon.gov

Written comments to be included in Planning Commission packet are due by Wednesday, September 12, 2018.

Written comments to be included in City Council packet are due by Wednesday, October 3, 2018.

Written and oral comments can be submitted up to the time of the Public Hearings and may also be delivered in person during the Public Hearings.

Application: ANN 18-03/ZC 18-03 N Pine Annexation and Zone Change

COMMENTS:

I am usually pro-growth but honestly, North Pine Street cannot handle anymore traffic. The road is in HORRIBLE shape and has been as long as I've lived there since 2001. I would vote "NO" for any more traffic until the road is fixed. It's embarrassing. You need a 4x4 with good suspension to keep from damaging your car.

CITIZEN NAME: Doug Onion
EMAIL: onionpatchkid@canby.com
ORGANIZATION/BUSINESS/AGENCY: _____
ADDRESS: 1132 NE 15th Ave.
PHONE # (optional): (503) 266-7878
DATE: 9/10/18

PLEASE EMAIL COMMENTS TO
PublicComments@canbyoregon.gov

AGENCIES: Please check one box and fill in your Name/Agency/Date below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

NAME: _____
AGENCY: _____
DATE: _____

Thank you!

City of Canby, Canby Planning Department, 222 NE 2nd Ave, Canby 97013, 503-266-7001



City of Canby

STAFF REPORT

FILE #: SUB 18-03

Pine Place Subdivision

Prepared for the September 24, 2018 Planning Commission Meeting

LOCATION: 480 S. Pine Street

ZONING: R-2 High Density Residential

Tax Lots: 31E34C01701



PROPERTY SIZE: 0.38 acres

COMPREHENSIVE PLAN LAND USE MAP DESIGNATION: HDR – HIGH DENSITY RESIDENTIAL

CURRENT ZONING: R-2 High Density Residential

OWNER: ED NETTER CONSTRUCTION, INC.

APPLICANT: Allen Manual

APPLICATION TYPE: Subdivision (Type III)

CITY FILE NUMBER: SUB 18-03

I. **PROJECT OVERVIEW & EXISTING CONDITIONS**

The subject property is located on the east side of S. Pine Street approximately 160 feet north of Township Road. The property owner requests to subdivide a 0.38 acre parcel into a six lot subdivision that is intended for townhome (common wall) residential development. The parcel is designated High Density Residential (HDR) in the Comprehensive Plan with an R-2, High Density Residential Zone classification. The Parcel is bordered on all sides by the R-2 zone and surrounded by multi-family and single-family residential development.

II. **Attachments**

A. Application forms

- B. Application narrative
- C. Applicant Site (Tentative Plat), Utility Plan, Impervious Surface Conformance Map
- D. Draft Shared Driveway Easement Maintenance Agreement – Netter Park
- E. Pre-application meeting minutes
- F. Neighborhood meeting attendance sheet
- G. Warranty Deeds/Title Report
- H. Assessor Map
- I. Agency Comments – City Engineer, Fire Department
- J. Citizen Comments

III. APPLICABLE CRITERIA & FINDINGS

Applicable criteria used in evaluating this application are listed in the following sections of the *City of Canby's Land Development and Planning Ordinance*:

- 16.08 General Provisions
- 16.10 Off-street Parking and Loading
- 16.20 R-2 High Density Residential Zone
- 16.43 Outdoor Lighting Standards
- 16.46 Access Limitations on Project Density
- 16.62 Subdivisions-Applications
- 16.64 Subdivisions-Design Standards
- 16.86 Street Alignments
- 16.88 General Standards & Procedures
- 16.89 Application and Review Procedures
- 16.120 Parks, Open Space, and Recreation Land General Provisions
- City of Canby Comprehensive Plan

Findings:

Based on available information, it appears the subject parcel was created in its current configuration by a survey filed on June 19, 1972 prior to 1976 Oregon State Statute requirements that all subdivisions must have land use approval. Subsequently, it can be concluded that the parcel is a legal lot for land use purposes.

The existing City of Canby Comprehensive Plan has envisioned the ultimate urbanization of this area, and the intended land use of this parcel is appropriate for the proposal, and the request is consistent with applicable policies of the Comprehensive Plan.

Staff determined that a Traffic Impact Study (TIS) for development resulting from the subdivision is not necessary.

The applicant has provided a Site layout of the subdivision with dimensions shown, a utility service plan for water and sewer services, and an impervious surface conformance map.

An existing public sidewalk will be modified with necessary curb cuts across the Pine Street frontage. An additional internal private sidewalk connecting the 6 units together just behind the parking outside of each garage is shown on the Site Plan. The private sidewalk may best be included as part of the shared driveway easement and maintenance agreement.

The applicant has indicated plans to erect a 6' chain link fence with screening slats along the south property line to match existing similar fencing along the east and north property line. The applicant has not yet provided any information as to how on-site storm water runoff

will be handled. A full storm water drainage analysis will be required with approval of the construction plans for this development.

As a condition of approval, a Street Tree Plan shall be submitted with the final plat, and street tree fees paid prior to release of the final plat.

The City prefers a fee in lieu of Park SDC payments rather than designation of open park space for this project.

As a condition of approval, the applicant shall pay the applicable Public Improvement Engineering and Site Plan Development Engineering Plan review fees prior to recording the final plat or beginning construction.

The R-2 zone does not list a minimum lot size but states a minimum residential density of 14 dwellings units per acre under provisions in Section 16.20.030(A). By dividing the proposed number of units by the parcel size, the request meets the density standard.

The submitted site plan indicated that parking requirements will be met with 2 spaces for each individual lot and four on-site visitor parking spaces along the west edge of the share private drive.

Upon staff's request, the applicant submitted revised drawings after the initial application submittal adding dimensions to the Site Plan (tentative plat), a utility service plan, and an impervious surface conformance map. With the use of pervious driveway pavement on two of the interior lots, the 70% maximum allowed impervious lot surface has been met. The City Engineer indicates new sewer service laterals from the existing sewer line in S Pine Street will be needed to serve the units.

The applicant has submitted a draft "Shared Driveway Maintenance Agreement that is necessary to assure future maintenance and repair for the common shared private drive. The recorded plat for this subdivision will need to provide a shared private drive easement as well with a note referring to the "Shared Driveway Maintenance Agreement". Staff mentioned above that the private sidewalk located at the back of the unit parking spaces may also be best to be covered by the maintenance agreement and plat easement area. As a condition of approval, this meets standards.

Staff has reviewed the applicant's narrative and submitted material and finds that this subdivision application conforms to the applicable review criteria and standards subject to the conditions of approval noted in *Section V* of the staff report.

IV. PUBLIC/AGENCY COMMENTS

Notice of this application and opportunity to provide comment was mailed to owners and residents of lots within 500 feet of the subject properties and to all applicable public agencies. All citizen and agency comments/written testimony that was received to date are attached and will be presented to the Planning Commission.

The City Engineer provided a memo with eight (8) comments dated July 30, 2018 that will be listed as a condition of approval.

The City Fire Marshall commented: "Where is the water supply?" "Will these have fire sprinklers?"

V. CONCLUSION AND CONDITIONS OF APPROVAL

Based on the application submitted and the facts, findings, and conclusions of this report, staff recommends that the Planning Commission **approve** Subdivision SUB 18-03 pursuant to the Conditions of Approval presented in *Section V*.

General Public Improvement Conditions:

1. Prior to the start of any public improvement work, the applicant must schedule a pre-construction conference with the city and obtain construction plan sign-off from applicable agencies.
2. The development shall comply with all applicable City of Canby Public Works Design Standards.
3. The final design plans shall conform to the comments provided by the City Engineer in his memorandum dated July 30 2018.
4. Public improvements such as sidewalk and street improvements are required during development.

Fees/Assurances:

5. All public improvements are normally installed prior to the recordation of the final plat. If the applicant wishes to forgo construction of any portion of the public improvements until after the recordation of the final plat, then the applicant shall provide the City with appropriate performance security (subdivision performance bond or cash escrow) in the amount of 110% of the cost of the remaining public improvements to be installed.
6. If the applicant chooses to provide a subdivision performance bond for some or all of the required public improvements, the applicant shall obtain a certificate from the city engineer that states:
 - a. The applicant has complied with the requirements for bonding or otherwise assured completion of required public improvements.
 - b. The total cost or estimate of the total cost for the development of the subdivision. This is to be accompanied by a final bid estimate of the subdivider's contractor, if there is a contractor engaged to perform the work, and the certificate of the total cost estimate must be approved by the city engineer.
7. The applicant must guarantee or warranty all public improvement work with a 1 year subdivision maintenance bond in accordance with 16.64.070(P), except for sidewalks.
8. The applicant must pay the appropriate city Master Fee authorized public improvement and Site Plan Development Engineering Plan Review fee as applicable prior to the construction of public or private improvements.

Streets, Signage & Striping:

9. A roadway striping plan shall be submitted by the applicant and shall be approved by city engineer and by the Public Works street department prior to the construction of public improvements.
10. A roadway signage plan shall be submitted by the applicant and shall be approved by the city engineer and by the Public Works street department prior to the construction of public improvements.
11. The applicant shall be responsible for installing all required street signage and striping at the time of construction of public improvements, unless other arrangements are agreed to by the City.

Sewer:

12. New sewer laterals shall be installed from the sewer main in S Pine Street to each individual unit.

Storm water:

13. A storm water drainage plan to address on-site runoff from the shared private drive shall be submitted if determined to be required by the City Engineer in compliance with the Canby Public Works Design Standards.

Grading/Erosion Control:

14. The applicant shall submit grading and erosion control plans for approval by Canby Public Works in conjunction with construction plan approval prior to the installation of public improvements and start of grading with this subdivision.
15. The applicant shall grade all areas of the site, including the proposed lots, to minimize the amount of soil to be removed or brought in for home construction.

Final plat conditions:

General Final Plat Conditions:

16. The applicant shall apply for final plat approval at the city and pay any applicable city fees to gain approval of the final subdivision plat. Prior to the recordation of the final plat at Clackamas County, it must be approved by the city and all other applicable agencies. The city will distribute the final plat to applicable agencies for comment prior to signing off on the final plat if deemed necessary.
17. All public improvements or submittal of necessary performance security assurance shall be made prior to the signing and release of the final plat for filing of record.
18. The final plat shall conform to the necessary information requirements of CMC 16.68.030, 16.68.040(B), and 16.68.050. The city engineer or county surveyor shall verify that these standards are met prior to the recordation of the subdivision plat.
19. All "as-builts" of City public improvements installed shall be filed with Canby Public Works within sixty days of the completion of improvements.
20. Clackamas County Surveying reviews **pending subdivision plat documents for Oregon Statutes and county requirements. A subdivision final plat prepared in substantial conformance with the approved tentative plat must be submitted to the City for approval** within one year of approval of the tentative plat or formally request an extension of up to 6-months with a finding of good cause.
21. The applicant shall record the final plat at Clackamas County within 6 months of the date of the signature of the Planning Director.
22. The applicant shall assure that the city is provided with a copy of the final plat in a timely manner after it is recorded at Clackamas County, including any CC&Rs recorded in conjunction with the final plat.
23. The City shall assign addresses for each newly created subdivision lot and distribute that to the developer, and other agencies that have an interest.

Dedications

24. The applicant shall dedicate by separate instrument ROW width for the full length of streets on the Final Plat.

Easements

25. A 12 foot utility easement along all of the lot's street frontages shall be noted on the final plat unless specifically waived by utility service providers. This easement may be combined with other easements and shall be measured from the property boundary.

26. The plan shall designate a share private drive access easement for the benefit of each lot owner to assure access across lot lines. A Share Driveway Maintenance Agreement shall be recorded with the Plat.
27. Sidewalk easements are required along the frontage of the newly created private lots for any portion of the public sidewalk that will lie on private property.

Street Trees

28. A Street Tree Plan shall be submitted with the final plat, and street tree fees must be paid prior to release of the final plat. The plan will allow the city to establish street trees per the Tree Regulation standards in Chapter 12.32 of the Canby Municipal Code. The total per tree fee amount is calculated at one tree per 30 linear feet of total street frontage on both sides of all internal streets and the adjacent side of external streets or as determined by an approved Street Tree Plan on a per tree basis.

Monumentation/Survey Accuracy Conditions

29. The county surveyor and/or city engineer shall verify that the lot, street, and perimeter monumentation shall meet the requirements set forth in Oregon Revised Statutes and conform with the additional survey and monumentation standards of 16.64.070(M)(1-3) prior to recordation of the final plat.

Residential Building Permits Conditions:

30. Construction of all required public improvements and recordation of the final subdivision plat must be completed prior to the construction of any homes.
31. The homebuilder shall apply for a City of Canby Site Plan Permit and County Building Permit for each home.
32. The homebuilder shall apply for a City of Canby Erosion Control Permit.
33. All residential construction shall be in accordance with applicable Public Works Design Standards.
34. Individual lot on-site storm water management shall be designed in compliance with the Canby Public Works Design Standards.
35. Clackamas County Building Codes Division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for home construction per contract with the City. The applicable county building permits are required prior to construction of each home.
36. Per the Canby Public Works Design Standards, minimum residential driveway widths at the inside edge of the sidewalk shall be 12 feet and the maximum residential driveways widths shall be 24 feet with an allowed exception for 28 feet for a home with 3 or more garages.
37. Sidewalks and planter strips shall be constructed by the homebuilder as shown on the approved tentative plat.
38. All usual system development fees shall be collected with each home within this development.

Narrative for Proposed Subdivision
Address: 480 S Pine, Canby
Owner: Ed Netter Construction, Inc
Applicant: Allen Manuel, CRB

The subject property is a square and level 0.42 acre parcel that is zoned R-2 and is in the Comprehensive Plan as HDR. The property is surrounded on all sides by R-2 zoning. This property was formerly the site of a manufactured single family residence. The residence has been removed and only the garage remains. This structure will be removed with redevelopment.

The area is substantially developed with higher density uses but three legacy single family residences remain nearby. The owner proposes to partition the parcel into six lots suitable for town home construction. The proposed design envisions two structures with three town homes in each. These homes would all face on S. Pine. Access would be through a small parking lot between the structures and the street. Current on street parking would remain.

Evaluation of Applicable Criteria

16.08 General Provisions: This plan complies generally with the zoning, fencing, and parking requirements of this section or can be made to comply with the issuance of subdivision approval and building permits. With appropriate conditions, the proposed partition and future development of each parcel can satisfy the relevant requirement of this section.

16.10 Off-street Parking and loading: The proposed plan envisions two off-street parking places per single family dwelling, one in front of the garage, and one in the garage. Additionally six overflow parking spaces will be provided between the structures and the sidewalk. The requirements of this section are met.

16.20 R-2 High Density Residential Zone: The subject plan is to construct common wall single family residential units. This use is allowed outright by this section. This section requires a minimum density of 14 units per acre. That calculates to 5.85 units for this parcel with the plan calling for 6 units. This section calls for 20' setbacks, front and rear, seven foot setbacks for side yards and a minimum lot width of 20'. The subject plan meets these standards. The subject property is zoned R-2 and is fully surrounded by the same zone so infill standards do not apply. Sight obscuring fencing exists on two sides and will be added on the third side with development. This section limits the impervious surface of any project to no more than 70% of the lot area. This proposed development will have an impermeable surface factor of 64%.

With appropriate conditions, the proposed partition and future development of each parcel can satisfy the relevant requirement of this section.

16.21 Residential design standards: For single family residential this section outlines the street impact of the garage as it relates to the dominance of the street façade, and to the design of the entry way and porch. These conditions will be met in the building permit process. This section is or can be satisfied in the building process.

16.43: This section restricts light trespass for new residential construction. The design of the residential units in this project will accommodate the requirements of this section and be assured through the permitting process.

With appropriate conditions, the proposed partition and future development of each parcel can satisfy the relevant requirement of this section.

16.46 Access Limitations on Project Density: No modifications in the design of S. Pine St at this project are proposed. All access is directly on to S. Pine St. The provisions of this section do not apply to the subject project.

16.60 Major or Minor Partitions. This proposal will create six single family residential lots. Since more than three lots are created it is treated as a subdivision. This section does not apply.

16.64 Subdivisions-Design Standards: This section lays out the design standards for subdivision development. Since the subject proposal is small many of the standards such as block size do not apply. The R-2 zone has no minimum lot size and the proposed project meets the 14 units per acre density standard. No new streets are to be constructed and the existing sidewalk will be modified with curb cuts as appropriate. All necessary utilities are currently installed in the street (12” sewer line, 12” water line) so only direct connection to the homes is required. The developer is asking for no density bonuses.

With appropriate conditions, the proposed partition and future development of each parcel can satisfy the relevant requirement of this section.

16.89 Application and Review Procedures: This application is for a subdivision and as such is subject to Type III procedures. All neighbors within 500 feet the project were notified and a neighborhood meeting was held on 4/16/2018. One neighbor was in attendance. The minutes and attendance list are attached to this application. A pre-application meeting with appropriate fees paid was held on 4/3/2018. Minutes are included in the package. A subdivision application made on forms provided by the planning director is included and the appropriate fees paid.

Planning staff will follow the procedure outlined in this section to process the application.

16 April 2018
Neighborhood Meeting
Ed Netter Construction, Inc
Proposed Development at:
480 S Pine
Canby OR 97013

The meeting was scheduled for 7:30 pm 16 April 2018 at 489 SW First Ave., Canby OR in the basement meeting room of BHG Realty Partners.

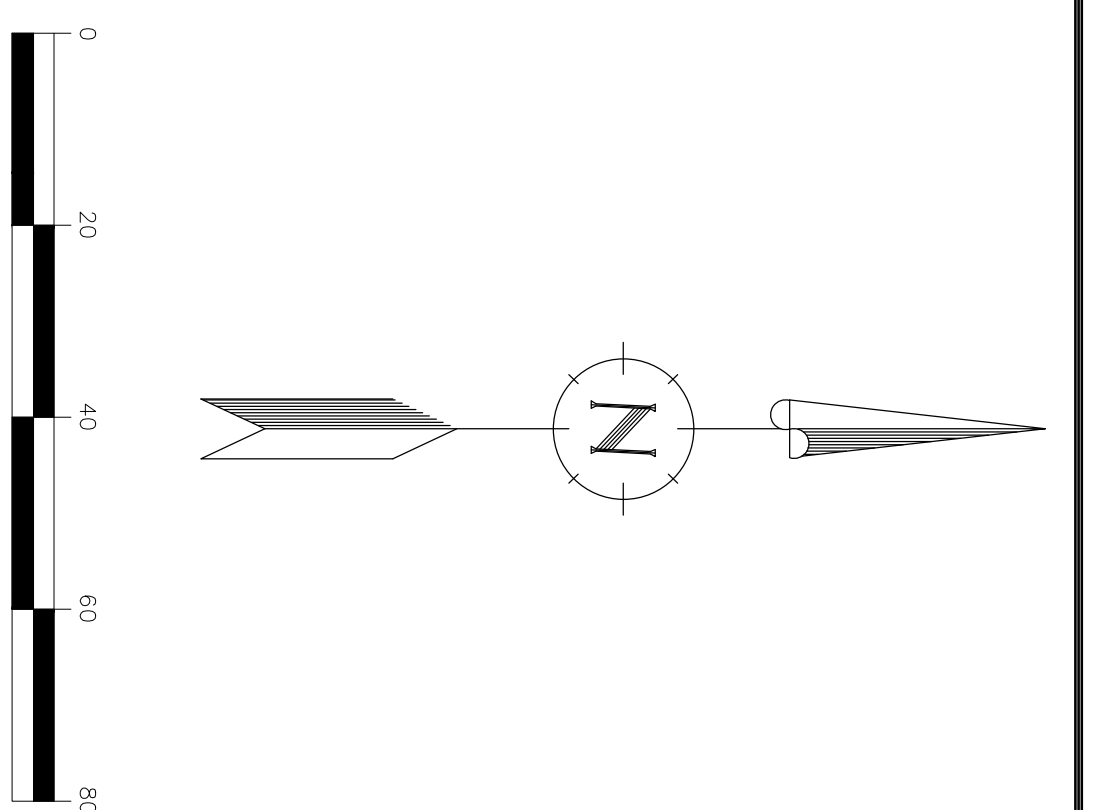
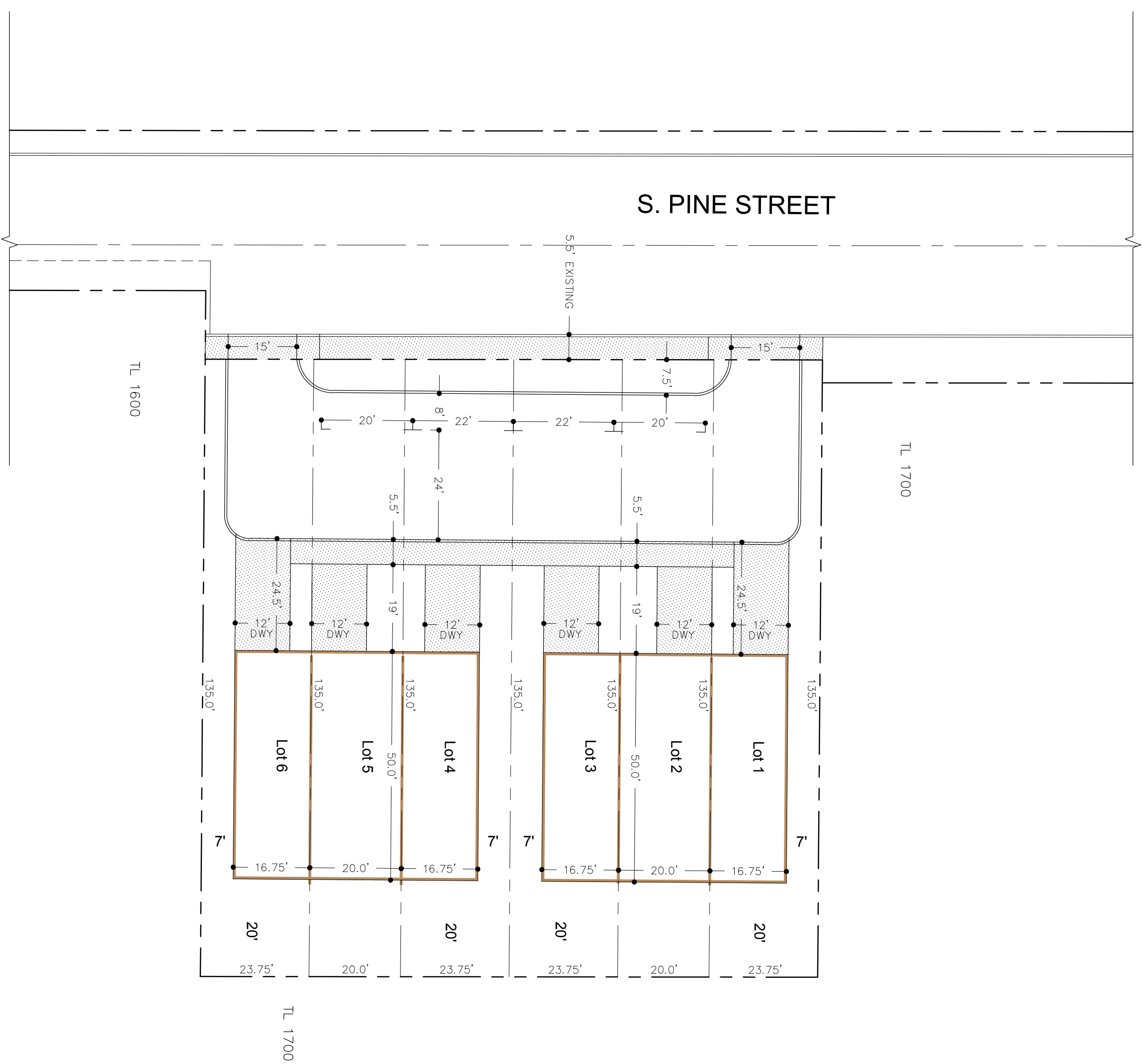
Approximately 90 mailers went out two weeks prior to the meeting.

Only one neighbor attended from a single family residence adjacent to the subject property. We discussed that attendance was probably impacted by most of the neighbors living in rental apartments and thus having little interest.

Ed Netter presented the proposal and discussion followed. He agreed with the neighbor to install fencing adjacent to her property that met her requirements.

There was also discussion about windows facing the neighbor's property. Mr. Netter said he would arrange the design to minimize the impact using the fewest windows possible on that side.

The meeting adjourned at 8:20pm.



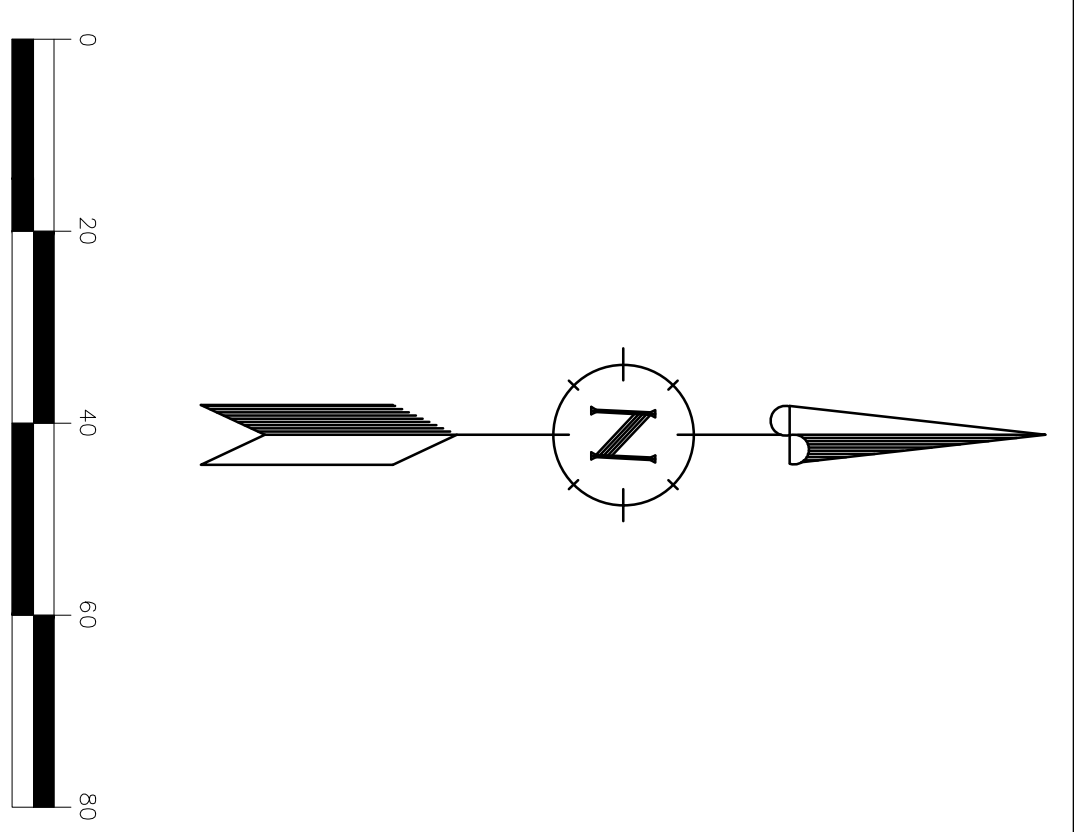
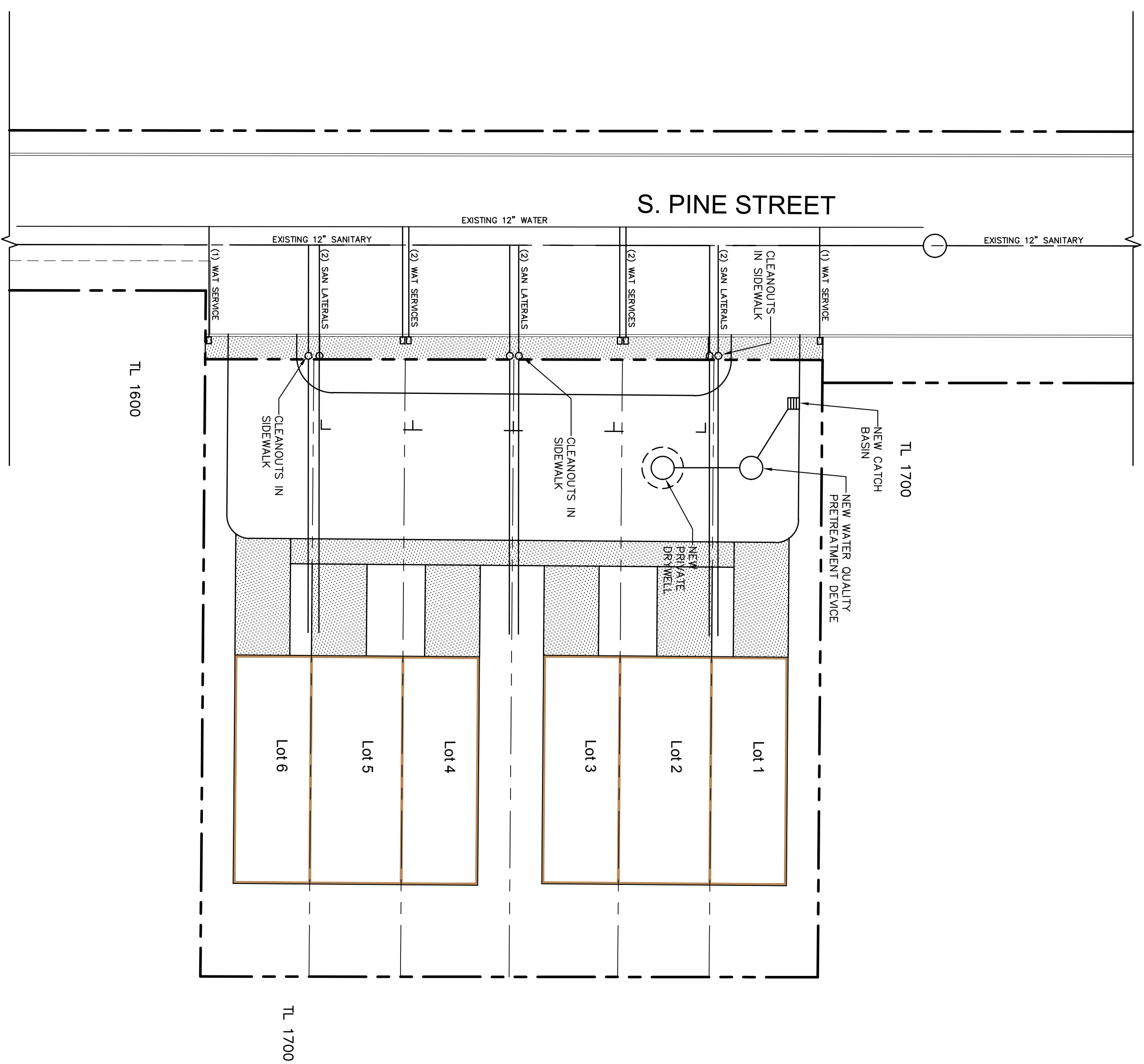
Pine Place Subdivision
Ed Netter

Site Dimensions

SISUL ENGINEERING
375 PORTLAND AVENUE
GLADSTONE, OREGON 97027
(503) 657-0188
DRAWING: Concept Plan.dwg

DATE AUG, 2018
SCALE 1" = 20'
DRAWN PS
JOB SGL18-
SHEET
1A
OF 3 SHEETS

REVISIONS	BY



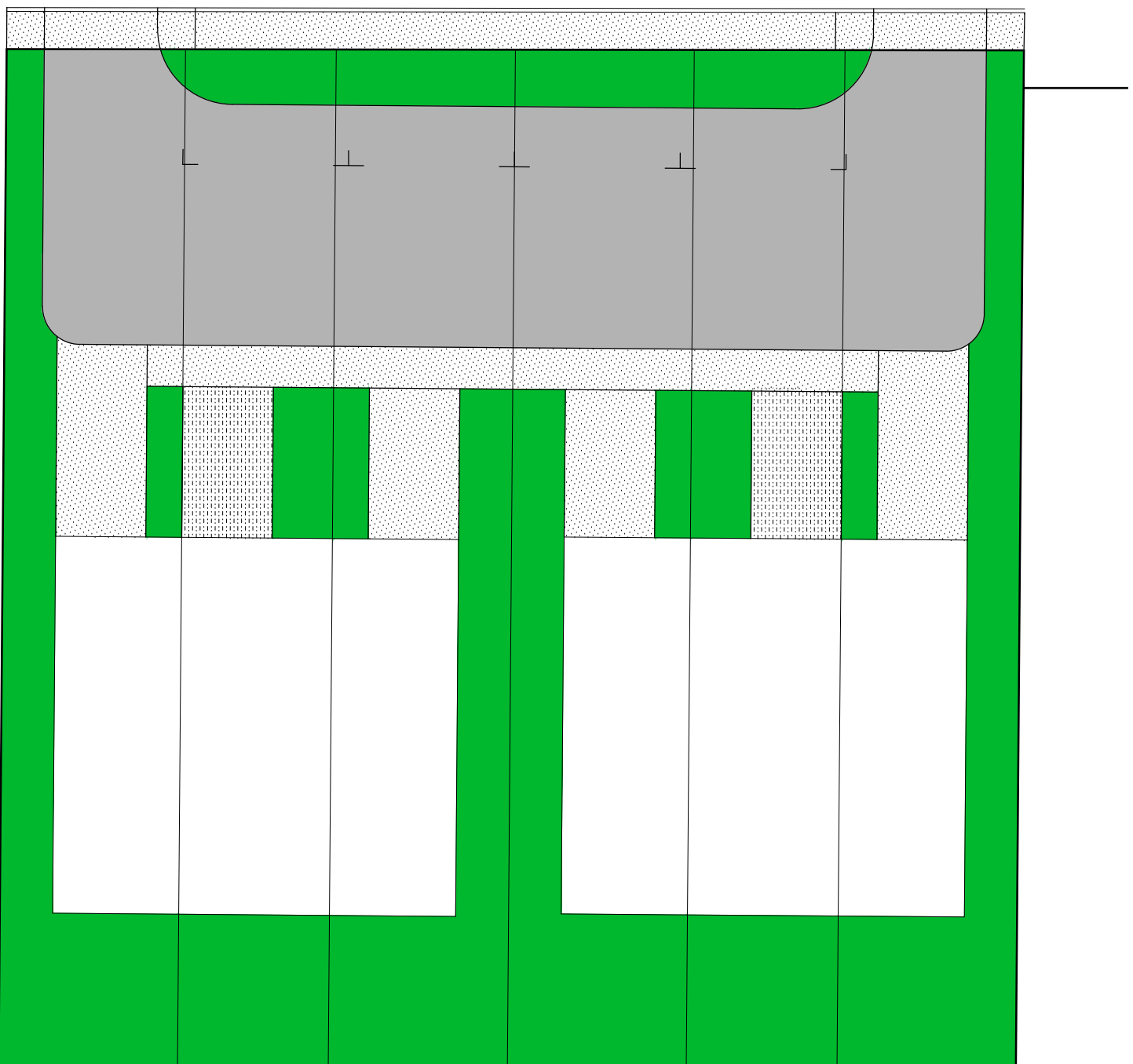
REVISIONS	BY

Pine Place Subdivision
Ed Netter

Utility Plan

SISUL ENGINEERING
 375 PORTLAND AVENUE
 GLADSTONE, OREGON 97027
 (503) 657-0188
DRAWING: Concept Plan.dwg

DATE AUG, 2018
 SCALE 1" = 20'
 DRAWN PS
 JOB SGL18-
 SHEET
3
 OF 3 SHEETS



TOTAL AREA	IMPERVIOUS AREA	%
3,206 SF	1,895 SF	59%
2,700 SF PERVIOUS DWY	1,989 SF 1,755 SF	74% 65%
3,206 SF	1,963 SF	61%
3,206 SF	1,963 SF	61%
3,206 SF	1,895 SF	59%

After recording return to:

DRIVEWAY MAINTENANCE AGREEMENT (DRAFT)
NETTER PARK

Whereas the owners of all lots in Netter Park (hereinafter referred to as “The Owners”) are desirous of providing for the proper emergency access and maintenance of the shared driveway, overflow parking, walkway, and storm drainage facilities (common use facilities), but not including maintenance of waterlines, private and public utilities, and sanitary sewers,

Now, therefore, it is hereby agreed:

1. The owner of Lot 1 shall be the contact person for the Netter Park subdivision, answering all inquiries about the subdivision. This requirement shall be reflected on the deed for Lot 1.
2. The shared driveway serves as a fire and emergency apparatus access and must at all times be maintained free and clear of any and all obstructions for the full 20’ width of the road right of way. [If the access is blocked in any way including by parked vehicles the fire department may clear or cause to be cleared the blockage expressly without incurring any liability on the part of the fire department or agent assisting the fire department in the removal of the blockage.](#)
3. The cost of maintenance and repairs shall be apportioned equally among the owners regardless of frontage or use. [This includes reimbursement to the fire department for any expense incurred in removing any blockage pursuant to #1 above.](#)
4. If any single owner shall damage the common use facilities individually, that owner shall be responsible for the repair of same and full payment of any costs associated with the repair.
5. The owners of the individual lots shall share equally in the liability of the common use facilities.
6. This agreement is binding upon the owners of each parcel, their heirs, successors, and assigns.
7. Invalidation of any provisions of this common use facility maintenance agreement by judgment or court order shall in no way effect any of the other provisions of this agreement, which shall remain in full force and effect.
8. By the consent of four of the lot owners, their heirs, successors, and assigns, the provisions of this document may be amended at a future date except that Article 1 and the fire department reimbursement clause in Article 2 can only be amended with the prior written approval of the local fire district.

In witness whereof, the parties to this agreement have signed this agreement on the date and year set forth below.



City of Canby
 Planning Department
 222 NE 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

LAND USE APPLICATION

SUBDIVISION

Process Type III

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

Applicant Name: Allen Manuel Phone: 503-784-4950
 Address: 489 SW First Ave Email: amanuel@canby.com
 City/State: Canby Zip: OR

Representative Name: _____ Phone: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

Property Owner Name: Ed Netter Const. Inc. Phone: 503-314-8381
 Signature: [Signature]
 Address: POB 1126 Email: netterhomes@hotmail.com
 City/State: Canby OR Zip: 97013

Property Owner Name: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.49 Site and Design Review standards.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>480 S Pine St</u>	<u>0.418 ac.</u>	<u>3S 1E 34C ⁰¹⁷⁰¹ 00799675</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Vacant</u>	<u>R-2</u>	<u>HDR</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Partition property into six lots for the development of six town homes in two buildings.
 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
<u>SUB 18-03</u>	<u>6/6/18</u>	<u>[Signature]</u>	<u>1601</u>	
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

SUBDIVISION APPLICATION – TYPE III

Instructions to Applicants

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email to: PlanningApps@canbyoregon.gov

Applicant City
Check Check

- One (1) copy of this application packet. The City may request further information at any time before deeming the application complete.
- Payment of appropriate fees – cash or check only. Refer to the city’s Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.

SUBDIVISION APPLICATION – TYPE III

Applicant City
Check Check

- Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT** for all property owners and all residents within 500 feet of the subject property. If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to “Occupant.” A list of property owners may be obtained from a title insurance company or from the County Assessor’s office.
- One (1) copy of a written, narrative statement describing the proposed development and detailing how it conforms with the Municipal Code and to the approval criteria, including the applicable Design Review Matrix, and availability and adequacy of public facilities and services. **Ask staff for applicable Municipal Code chapters and approval criteria.**
Applicable Code Criteria for this application includes:

- Three (3) copies of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (payment must be received by the City before the traffic engineer will conduct or review a traffic impact study.)
Ask staff to determine if a TIS is required. *Not required*
- One (1) copy in written format of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees.
- One (1) copy in written format of the minutes of the pre-application meeting
- One copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor’s office. If the property is a legal lot of record created by recorded deed or land sales contract at a time when it was legal to configure property lines by deed or contract,

then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds.

Applicant City
Check Check

- If the development is located in a Hazard ("H") Overlay Zone, submit one (1) copy of an affidavit signed by a licensed professional engineer that the proposed development will not result in significant impacts to fish, wildlife and open space resources of the community. If major site grading is proposed, or removal of any trees having trunks greater than six inches in diameter is proposed, then submit one (1) copy of a grading plan and/or tree-cutting plan. *NA*

SUBDIVISION APPLICATION – TYPE III

- Two (2) 11" x 17" paper copies of the proposed plans, printed to scale no smaller than 1"=50'. The plans shall include the following information:
- Vicinity Map. Vicinity map at a scale of 1"=400' showing the relationship of the project site to the existing street or road pattern.
 - Site Plan-the following general information shall be included on the site plan:
 - Date, north arrow, and scale of drawing;
 - Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
 - Property lines (legal lot of record boundaries);
 - Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
 - Location of all jurisdictional wetlands or watercourses on or abutting the property;
 - Finished grading contour lines of site and abutting public ways;
 - Location of all existing structures, and whether or not they are to be retained with the proposed development;
 - Layout of all proposed structures, such as buildings, fences, signs, solid waste collection containers, mailboxes, exterior storage areas, and exterior mechanical and utility equipment;
 - Location of all proposed hardscape, including driveways, parking lots, compact cars and handicapped spaces, loading areas, bicycle paths, bicycle parking, sidewalks, and pedestrian ways;
 - Callouts to identify dimensions and distances between structures and other significant features, including property lines, yards and setbacks, building area, building height, lot area, impervious surface area, lot densities and parking areas;
 - Location of vision clearance areas at all proposed driveways and streets.
 - Landscape Plan
The following general information shall be included on the landscape plan:
 - Layout and dimensions of all proposed areas of landscaping;
 - Proposed irrigation system;
 - Types, sizes, and location of all plants to be used in the landscaping (can be a "palette" of possible plants to be used in specific areas for landscaping);
 - Identification of any non-vegetative ground cover proposed, and dimensions of non-vegetative landscaped areas;

- Location and description of all existing trees on-site, and identification of each tree proposed for preservation and each tree proposed for removal;
- Location and description of all existing street trees in the street right-of-way abutting the property, and identification of each street tree proposed for preservation and each tree proposed for removal.
- Elevations Plan
 - The following general information shall be included on the elevations plan:
 - Profile elevations of all buildings and other proposed structures;
 - Profile of proposed screening for garbage containers and exterior storage areas;
 - Profile of proposed fencing.
- Sign Plan.
 - Location and profile drawings of all proposed exterior signage.
- Color and Materials Plan.
 - Colors and materials proposed for all buildings and other significant structures.
- Name of Proposed Subdivision Plat (subject to review and approval by Clackamas County).
- Township, range, and section in which the property lies. 310 340 0101
- Title Block Including:
 - Name & address of engineer or surveyor who prepared plans
 - Date that the plans were prepared
 - Scale of the drawings (standard engineer's scale)
- Subdivision boundary, lot lines, lot dimensions, gross area in square feet of each lot (excluding the square footage of accessways for flag lots), proposed public and private easements, and subdivision phase boundaries;
- If any undevelopable tract is proposed to be created, the dimensions, gross area, and purpose of the tract shall be included.
- If any oversized lots are proposed, which in the opinion of the Planning Director are likely to be further divided in the future, provide an illustration of how the lot could be further divided in conformance with all CMC standards in a manner which provides for continuation of streets and provides adequate building envelopes.
- Existing contour lines having the following minimum intervals:
 - One-foot contour intervals for ground slopes up to five percent;
 - Two-foot contour intervals for ground slopes between five and ten percent;
 - Five-foot contour intervals for ground slopes exceeding ten percent.
 - Include base flood elevation and delineation of any areas on the property subject to inundation in the event of a 100-year flood.
- Location and proposed disposition of all existing: driveways, wells, septic tanks, drain fields, easements, drainage ways, and jurisdictional watercourses or wetlands on or abutting the property. As a reminder, the property owner is responsible for meeting all state/federal wetland and waterway regulations.
- Location, names, right-of-way width, improvement dimensions, curve radius, and grades of all existing and proposed streets and public access ways within the proposed subdivision and abutting the subdivision.
- Identify the classification of all streets in accordance with the Canby Transportation System Plan. Show typical cross-sections of proposed street improvements, including identification of proposed street trees. Provide street center profiles showing the finished grade of all streets as approved by the City Engineer, including extensions for a reasonable distance beyond the limits of the proposed subdivision.

- Location and type of existing and proposed transit facilities.
- Location of all proposed utilities, including sewer, water, storm water, electric, telephone, and natural gas; including utility sizes and grades.
- Indicate on the proposed plans how the proposed lots meet Canby's solar access standards (only applicable to lots created in an R-1, R-1.5, or R-2 zoning district).

SUBDIVISION – TYPE III: APPLICATION PROCESS

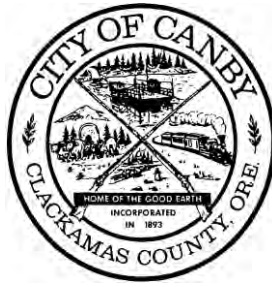
1. Prior to submitting an application, all applicants are encouraged to request a pre-application meeting with the City or the City Planner may determine that a pre-application meeting is necessary after an application has been discussed or upon receipt of an application by the City. To schedule a pre-application meeting, an applicant must submit a completed pre-application form, two (2) sets - 11" x 17" paper copies of preliminary drawings, and an electronic submittal of all application materials either on CD, a jump drive, or by email to PlanningApps@canbyoregon.gov to the Planning Department and pay the appropriate fees. You will receive an email notice verifying the date of the Pre-Application meeting.
2. Prior to submitting an application, all applicants must hold a neighborhood meeting with surrounding property owners and any recognized neighborhood association representative, pursuant to the procedures described in Canby Municipal Code Section 16.89.070. In certain situations, the Planning Director may waive the neighborhood meeting requirement.
3. At the time an application is submitted to the City, payment of all required application processing fees is required. An application will not be accepted without payment of fees. Please see the Master Fee Schedule on our website at www.canbyoregon.gov
4. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. Along with the comments received from others, the application is reviewed for completeness. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
5. Staff investigates the application, writes a staff report, issues public notice, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
6. Prior to the public hearing, the City will prepare notice materials for posting on the subject property. This material will be posted **City Staff** at least ten (10) days before the public hearing.
7. The staff report will be available to all interested parties seven (7) days prior to the hearing.
8. The Planning Commission holds a public hearing. The staff report is presented to the Commission. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
9. The Commission then issues findings of fact which support approval, modification, or denial of the application. A decision may be appealed to the City Council.
10. If an approval or a denial is appealed, City Council holds a public hearing. The staff report is presented and testimony taken, as at the original hearing(s). Unless the City Council decides to hear the appeal de novo, only testimony regarding items already in the record is permitted, and no new information may be entered. In the case of an appeal, the Council may affirm, revise or reverse the action of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.

11. Prior to construction of any of the subdivision improvements required pursuant to CMC 16.64.070, a preconstruction meeting is held with the City and all applicable utility and service providers. If required, this meeting must be held before issuance of any permits.

SUBDIVISION – TYPE III: STANDARDS AND CRITERIA

Under Section 16.62.020 of the Canby Municipal Code, an application for tentative subdivision approval shall be evaluated based on the following standards and criteria:

- A. Conformance with the text and applicable maps of the Comprehensive Plan;
- B. Conformance with other applicable requirements of the Land Development and Planning Ordinance;
- C. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties; and
- D. 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.



Pre-Application Meeting

480 S Pine Street

April 3, 2018

10:30 am

Attended by:

Ed Netter, Owner, 503-314-8381

Gary Stockwell, CU Electric Dept, 503-263-4307

Jennifer Cline, Public Works, 503-266-0780

Jerry Nelzen, Public Works, 503-266-0759

Jim R Stuart, CU Water Dept, 503-263-4322

Hassan Ibrahim, Curran-McLeod Eng, 503-684-3478

This document is for preliminary use only and is not a contractual document.

OWNER, Ed Netter

- We are developing just under half an acre and hopefully putting in (2) three-plexes, which will be individually connected townhomes. They will have the 7 ft set back on the sides of each three-plex and have six driveways out onto S Pine Street. We also built five of the six duplexes that face S Pine on the opposite side of the street and one flag lot duplex that is directly across the street from this site.

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- The property is pretty much vacant and there was a manufactured home on the site and Ed concurred. We have a single 3 inch conduit that comes across the SW corner of the property and will be adequate for the lower duplex, but we will have to have you do a road crossing from the existing transformer and bring another 3 inch conduit over for the second building. Ed said we currently have power and Gary said there is a 2 inch conduit that comes from this box up to the shop, but it will pretty much go away and we will re-use the 3 inch here, but we will need another one. We will do a secondary box for these 3 individual townhomes and then another secondary box for these 3 individual townhomes.
- A street light is already existing across the street and unless the city desires another street light and Hassan said my comment was to have the area evaluated and see if additional lighting is needed. Gary said he drove through the area and it was fine with the existing lumination. Hassan asked if you think it is adequate and Gary said yes.
- Let us know when you are going to start the demolition and we can disconnect the service.

CANBY UTILITY, WATER DEPARTMENT, Jim Stuart

- Are these individual tax lots or will they be apartments or condos and Ed said they are individual tax lots. Jim said these will have to have individual water meters.
- We have a 12 inch main in the street and there should not be an issue.

CURRAN-MCLEOD ENGINEERING, Hassan Ibrahim

- You will need to get a demolition permit for the shop.
- I would assume there was a sanitary sewer lateral that served the previous house and the answer was yes. Jerry said we located the sewer lateral and Hassan asked if it was capped and Jerry said no. Hassan asked if the sewer lateral lined up to one of the lots and could be reused if not, you will have to put in a new sewer lateral along with the other five townhomes.
- Will this be a continuous driveway? Ed said what we have done in the past is put in different colored concrete so it shows whose property is whose, but if you look at the middle unit it is 22 ft wide and the outside units are 16 ft wide and I believe we need 16 ft of concrete to get two parking spaces. Hassan said he was talking about driveway approach separation and how do we separate the two driveways so no one mistakenly goes into the other driveway. Jennifer said technically you have to have a 5 ft break between the driveways. Discussion ensued. Jennifer asked if Bryan gave him a variance for this and Ed said Bryan sent a comment sheet and it reads; access appears to be suitable with six driveways backing out into the public street since they are associated with individual lots. More than four cars on the lot are prohibited to back onto the public street. Discussion ensued. Jennifer and Hassan described what the driveways should look like and Ed asked if they had a drawing and Jennifer said she would send him a drawing.
- The storm drainage has to be discharged on site and we will need to have a report from your engineer. It will need to say all private storm drainage can be discharged on site without impact to the adjoining properties. You can use drywells, rain gardens or vegetated swales.
- As far as the sewer laterals, if they happen to be close together we may ask you to do a bigger trenched area and just repave it, depending on where the sewer laterals will be located in the field.

PUBLIC WORKS DEPARTMENT, Jerry Nelzen

- If you want to try to utilize the one existing sewer lateral I will need to TV it.
- You will need to do Romac saddles on all the laterals. We want to run 6 inch laterals and put the cleanouts somewhere in the sidewalk area where it is convenient to switch to 4 inch and use the brooks box detail.
- Will you supply the traffic control plan on these crossings or will your contractor? Ed said he would be doing it. Jerry said once you get to that point contact me with your plans and we can work together on them.
- One of our crew needs to be on site when you are backing filling the sewer laterals.
- Once you get the erosion control permit filled out, we can meet on site and discuss any issue and minimize any erosion problems. We want to make sure no dirt comes off the site and tracked onto S Pine Street.
- Did Bryan discuss the street trees with you and Ed said no. Jerry said you will need to have a conversation with Bryan the next time you talk to him.

Sign In Please

	Name	Address	Email
1	Lynne Woolhiser	1222 S Township Rd	ldragonfire1@yahoo.com
2	Allen Manuel	31150 S. Needy	amanuel@caulby.com
3	Ed Netter	1847 S Fir	netterhomes@hotmail.com
4			
5			
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9			
10	7:30 start - 4/16/13		
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25			

Allen Manuel

From: David Epling [EplingD@canbyoregon.gov]
Sent: 02/28/2018 8:57 AM
To: 'Allen Manuel'
Subject: FW: Traffic Impact: 480 S Pine

From: Bryan Brown
Sent: Tuesday, February 27, 2018 5:04 PM
To: David Epling <EplingD@canbyoregon.gov>
Subject: RE: Traffic Impact: 480 S Pine

Dave,

Six Townhomes are not enough impact at this location for a traffic study to be necessary. This is a standard local street allowing driveway access to the street. Please let Allen know.

Bryan

Bryan Brown | Planning Director
City of Canby | Development Services
222 NE 2nd Avenue | PO Box 930
Canby, OR 97013
ph: 503-266-0702 | fax: 503-266-1574
email: brownb@canbyoregon.gov ; website: www.canbyoregon.gov
Send applications to: PlanningApps@canbyoregon.gov

PUBLIC RECORDS LAW DISCLOSURE

This email is a public record of the City of Canby and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

From: David Epling
Sent: Friday, February 23, 2018 8:27 AM
To: Bryan Brown <BrownB@canbyoregon.gov>
Subject: FW: Traffic Impact: 480 S Pine

From: Allen Manuel [<mailto:amanuel@canby.com>]
Sent: Thursday, February 22, 2018 5:04 PM
To: David Epling <EplingD@canbyoregon.gov>
Subject: Traffic Impact: 480 S Pine

David,
Are we going to need a traffic impact study for the subdivision at 480 S Pine, the R2 project to make 6 townhome lots?



First American Title

Customer Service Department
 121 SW Morrison St., Suite 300
 Portland, OR 97204
 Phone: 503.219.TRIO (8746)
 Fax: 503.790.7872
 Email: cs.portland@firstam.com
 Date: 2/23/2018

OWNERSHIP INFORMATION

Owner: Ed Netter Construction Inc
 Coowner:
 Site: 480 S Pine St Canby 97013-4550
 Mail: PO Box 1126 Canby OR 97013

Parcel #: 00799675
 Ref Parcel #: 31E34C 01701
 TRS: T: 03S R: 01E S: 34 Q: SW
 County: Clackamas

PROPERTY DESCRIPTION

Map Grid: 746-D7
 Census Tract: 022907 Block: 2001
 Neighborhood: CANBY
 School Dist: 86 CANBY
 Subdiv/Plat:
 Land Use: RSFR SINGLE FAMILY RESIDENCE
 Zoning: Canby-R2 High Density Residential
 Watershed: Abernethy Creek-Willamette River
 Legal: Section 34 Township 3S Range 1E Quarter
 C TAX LOT 01701|Y|179081

ASSESSMENT AND TAXATION

Market Land: \$139,462
 Market Impr: \$53,130
 Market Total: \$192,592 (2017)
 % Improved: 28
 Assessed Total: \$136,160 (2017)
 Levy Code: 086-002
 Tax: \$2,344.46 (2017)
 Millage Rate: 17.2184

PROPERTY CHARACTERISTICS

Bedrooms:	Building Area: 1,782 SqFt	Year Built:
Baths, Total: 0.00	First Floor: 1,782 SqFt	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size: .42 Acres
Baths, Half:	Basement Fin:	Lot Size: 18,295 SqFt
Total Units: 1	Basement Unfin:	Lot Width:
# Stories: 0.00	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling: No	Attic Unfin:	Roof Shape:
Heating: Forced Air	Attic Total:	
Ext Walls: 7	Garage:	
Building Style:		Const Type: 7.0

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
ED NETTER CONSTRUCTION INC	09/28/06	0000089712	\$315,000	Warranty	\$315,000	Const

This title information has been furnished without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON


GRANTOR'S NAME
James E. Surdam

GRANTEE'S NAME
Ed Netter Construction, Inc.

SEND TAX STATEMENTS TO:
Ed Netter
P.O. Box 1126
Canby, OR 97013

AFTER RECORDING RETURN TO:
Ed Netter
P.O. Box 1126
Canby, OR 97013

Clackamas County Official Records 2006-089712
Sherry Hall, County Clerk



\$31.00
0102468820060097120020023 09/28/2006 10:34:38 AM
D-D Cnt=1 Stn=13 BARBARA
\$10.00 \$11.00 \$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

James E. Surdam, Grantor, conveys and warrants to

Ed Netter Construction, Inc., a Oregon Corporation, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

Subject to and excepting:

2006-2007 property taxes are a lien not yet due and payable. Rights of the public and governmental agencies in and to any portion of said land lying with the boundaries of streets, roads and highways.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$315,000.00 (See ORS 93.030)

DATED: September 20, 2006

James E. Surdam
James E. Surdam

FIDELITY NATIONAL TITLE CO. 08-851483

STATE OF OREGON
COUNTY OF Clackamas

This instrument was acknowledged before me on
September 25, 2006

by James E. Surdam
Barbara Klutman

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: 12-31-10

EXHIBIT ONE

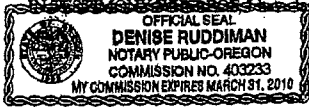
A tract of land being a part of Government Lot 5, in the Southwest quarter of Section 34, Township 3 South, Range 1 East, Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the Southerly extension of the division line of the Philander Lee D.L.C. which divides the claim into East and West halves, which is North 0°04' West 160.0 feet from a point where the said Southerly extension of the division line intersects the South line of Section 34, and which is also the Northwest corner of that certain tract of ground conveyed to Richard B. Stefani by deed recorded in Book 472, Page 139, Deed Records of Clackamas County; thence South 89°33' East along the North line of the Stefani Tract 150.0 feet to the Northeast corner thereof; thence North 0°04' West parallel with the said Southerly extension of the division line of the claim 135.0 feet; thence North 89°33' West parallel with the North line of the Stefani Tract 150 feet to said Southerly extension of the claim division line; thence South 0°04' East 135.0 feet to the point of beginning.

EXCEPTING THEREFROM that portion dedicated to the City of Canby for road purposes, by Deed recorded April 4, 2000, Recorder's No. 2000-021624.

STATE OF OREGON, }
County of Clackamas } ss.
On September 25, 2006, before me personally appeared _____
JAMES E. Surdan
whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

BY THE NOTARY PUBLIC HEREUNTO set my hand and affixed my official seal on the date first written above.

 Denise Ruddiman
Notary Public for Oregon
My commission expires 3-31-10

FORM No. 25 - ACKNOWLEDGMENT, INDIVIDUAL EB COPYRIGHT 2001 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR 97204

(2)

WARRANTY DEED — STATUTORY FORM
(INDIVIDUAL or CORPORATION)

RICHARD T. OATHES AND KATHLEEN J. OATHES, husband and wife,

Grantor, conveys and warrants to JAMES E. SURDAN AND VELMA SURDAN,
husband and wife,

Grantee, the following described real property:

REC-45936
A tract of land being a part of Government Lot 5, in the Southwest Quarter of Section 34, T. 38, R. 1 E., Willametta Meridian, County of Clackamas, State of Oregon, more particularly described as follows: Beginning at a point on the Southerly extension of the division line of the Philander Lee D.L.C. which divides the Claim into East and West halves, which is North 0°04' West 160.0 feet from a point where the said Southerly extension of the division line intersects the South line of Section 34, and which is also the Northwest corner of that certain tract of ground conveyed to Richard B. Stefani by deed recorded in Book 472, page 139, Deed Records of Clackamas County; Thence South 89°33' East along the North line of the Stefani Tract 150.0 feet to the Northeast corner thereof; Thence North 0°04' West parallel with the said Southerly extension of the division line of the Claim 135.0 feet; Thence North 69°33' West parallel with the North line of the Stefani Tract 150.0 feet to said Southerly extension of the Claim division line; Thence South 0°04' East 135.0 feet to the point of beginning.

88 50791

SAFECO TITLE INSURANCE CO. 4-59

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring the title to the property should check with the appropriate city or county planning department to verify approved uses. This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses."

Encumbrances:

The true consideration for this conveyance is \$ 19,000.00 (Here comply with the requirements of ORS 93.030')

Dated this 17th day of October, 1985, if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Richard T. Oathes
Richard T. Oathes

Kathleen J. Oathes
Kathleen J. Oathes

STATE OF OREGON
County of Clackamas
October 17, 1985
Personally appeared the above named
Richard T. Oathes and Kathleen J. Oathes

STATE OF OREGON, County of _____, 1985
Personally appeared _____ and _____ who, being duly sworn, each for himself and not for the other, did say that he, she or she, the _____ grants to and vests in the _____ the _____ A corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be his or her own act and deed.

and acknowledged the foregoing instrument to be _____ voluntary act and deed

Before me
Notary Public for Oregon
My commission expires _____
[Signature: Paula C. Bugley]

Before me
Notary Public for Oregon
My commission expires _____

* If the consideration consists of or includes other property or value, add the following:
* The actual consideration consists of or includes other property or value or or promised which is part of the whole consideration (describe exactly)

Richard T. & Kathleen J. Oathes

Grantor's Name and Address

James E. & Velma Surdam

Grantor's Name and Address

After recording return to:
James E. & Velma Surdam

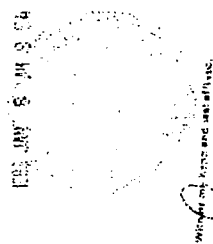
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address:
James E. & Velma Surdam

Name, Address, Zip 2972-431

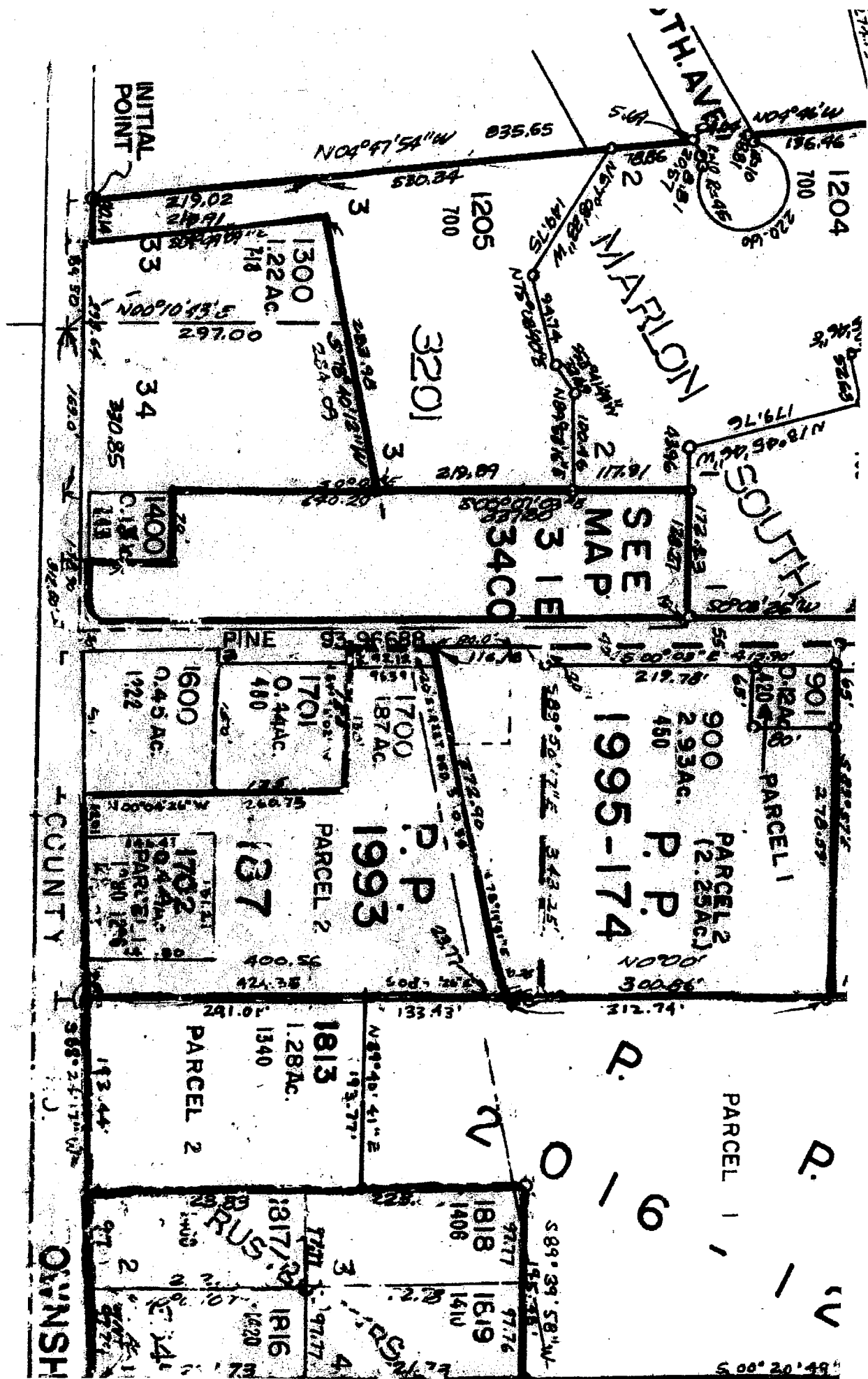
SAFECO Stock No. ORL-0303 (Rev. 4-84)

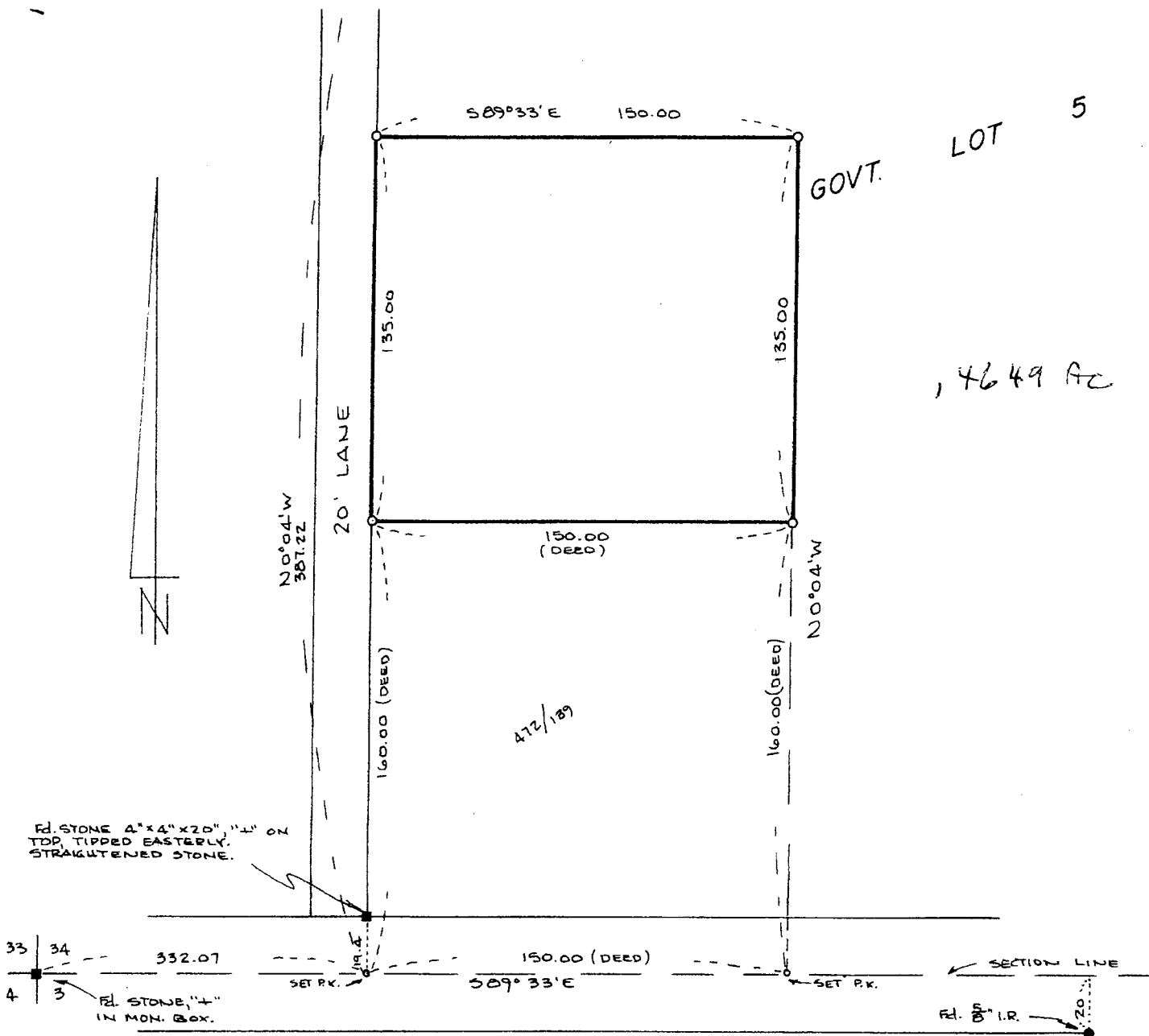
STATE OF OREGON
COUNTY OF CLACKAMAS
I, _____, County Clerk, do hereby certify that the foregoing instrument was duly recorded for recording in the records of said County.



WITNESSED my hand and seal this _____ day of _____, 1985.
[Signature: Paula C. Bugley]
Notary Public for Oregon
My commission expires 10/17/87

312 34 40





Fd. STONE 4"x4"x20" "I" ON TOP, TIPPED EASTERLY, STRAIGHTENED STONE.

33 | 34
4 | 3
Fd. STONE "I" IN MON. BOX.

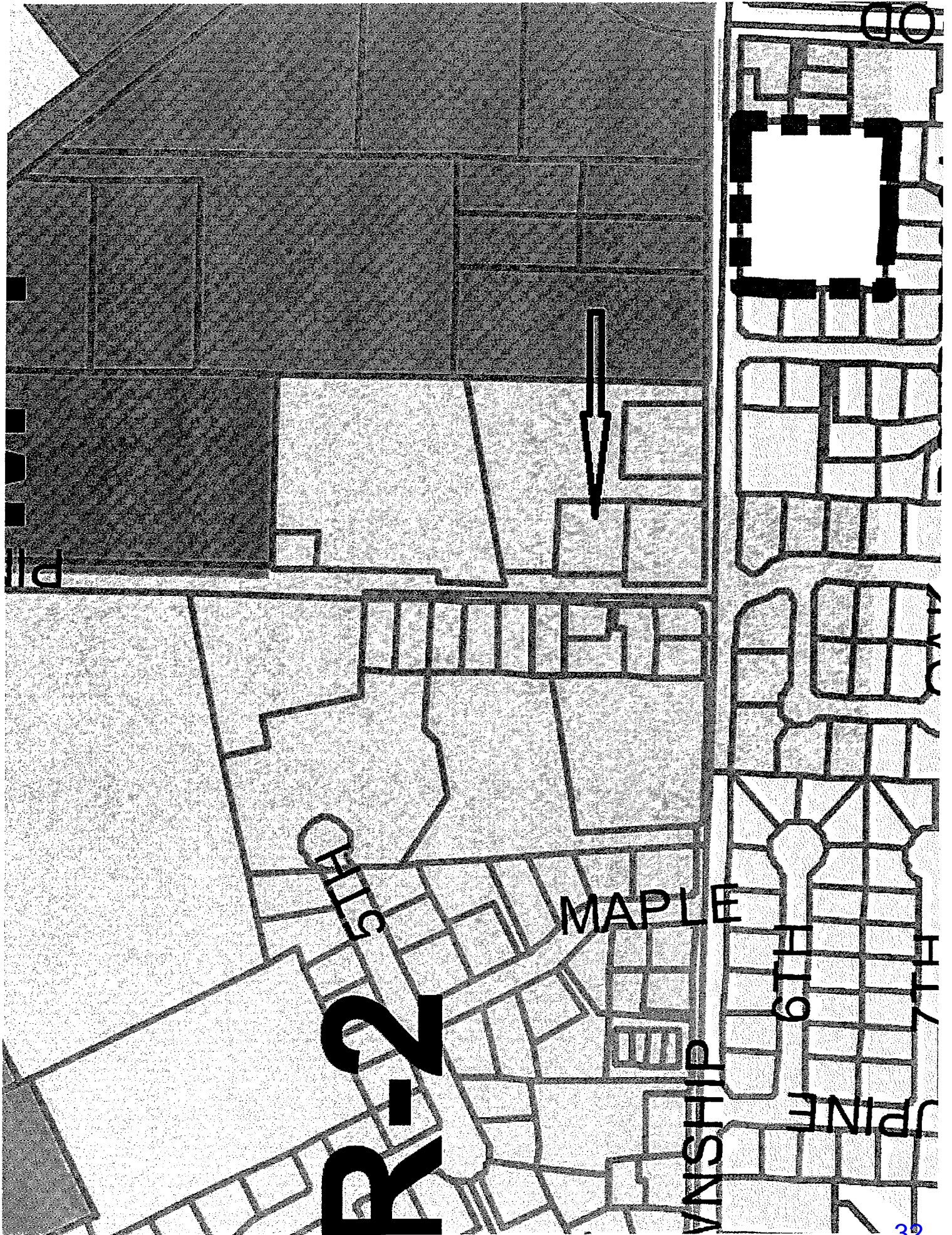
CLACKAMAS COUNTY
FILED
JUN 19 1972
DEALER Z. MILNE, County Surveyor
Donald J. McIntosh

REGISTERED
OREGON
LAND SURVEYOR
Donald J. McIntosh
JULY 14, 1967
DONALD J. McINTOSH
807

LOCATION
SW 1/4 SEC 34, T3S, R1E, W.M.

PACIFIC SURVEYS
656-0979 266-9979

CLIENT HAROLD OATHES
JOB No. 850 BY B. SCHNEER



CITY OF CANBY –COMMENT FORM

If you are unable to attend the Public Hearing, you may submit written comments on this form or in a letter addressing the Planning Commission. Please send comments to the City of Canby Planning Department:

By mail: Planning Department, PO Box 930, Canby, OR 97013
In person: Planning Department at 222 NE 2nd Ave, Canby, OR 97013
E-mail: PublicComments@canbyoregon.gov

Written comments to be included in the Planning Commission’s meeting packet are due by Noon on Wednesday, August 1, 2018. Written comments can also be submitted up to the time of the Public Hearing on Monday, August 13, 2018 and may be delivered in person to the Planning Commission during the Public Hearing at 7 pm in the City Council Chambers, 222 NE 2nd Avenue, 1st Floor.

Application: SUB 18-03 PINE PLACE SUBDIVISION, ED NETTER/ALLEN MANUAL
COMMENTS:

Where is the fire water supply?

Will these have Fire Sprinklers ?

NAME: _____
EMAIL: _____
ADDRESS: _____
PHONE # (optional): _____
DATE: _____

PLEASE EMAIL COMMENTS TO
PublicComments@canbyoregon.gov

Thank You!

AGENCIES: Please check one box and fill in your Name/Agency/Date below:

- Adequate Public Services (of your agency) are available
- Adequate Public Services will become available through the development
- Conditions are needed, as indicated
- Adequate public services are not available and will not become available
- No Comments

NAME: Todd Gary
AGENCY: Canby Fire District
DATE: 7/30/2018


CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

July 30, 2018

MEMORANDUM

TO: Public Comments
City of Canby

FROM: Hassan Ibrahim, P.E. 
Curran-McLeod, Inc.

**RE: CITY OF CANBY
PINE PLACE SUBDIVISION REVIEW COMMENTS
CITY FILE # (SUB 18-03)**

We have reviewed the submitted preliminary plans on the above mentioned project and have the following comments:

1. S Pine Street at the site frontage is improved with curbs and sidewalks on both sides of the street. However, the site has two existing driveways, these two driveways need to be removed and new driveways are constructed at the new locations as shown on the preliminary plans. The driveways shall be constructed to be ADA compliance.
2. An erosion control permit will be required from the City of Canby prior to any on-site disturbance.
3. A demolition permit will be required prior to demoing the existing building on-site.
4. New sanitary sewer services shall be extended from the existing sanitary sewer on S Pine Street to serve the new lots. The existing service don't appear to be in the right location and it needs to be capped and witnessed by the City public works staff.
5. A storm drainage analysis shall be submitted to the City for review and approval during the final design phase. The analysis shall meet Chapter 4 of the City of Canby Public Works Design Standards dated June 2012.
6. Any UIC structures location shall meet at least one of the two conditions: (1) the vertical separation distance between the UIC and seasonal high groundwater is more than 2.5 feet or (2) the horizontal separation distance between the UIC and any water well is a minimum of 267 feet in accordance of the City of Canby Stormwater Master Plan,

C:\H A \Projects\Canby\1009 Gen Eng\Pine Place Subdivision Comments.doc

Appendix "C", Groundwater Protectiveness Demonstration and Risk Prioritization for Underground Injection Control (UIC) Devices.

7. All private storm drainage generated from the lots shall be discharged on-site as per Chapter 4-4.113 of the City of Canby Public Works Design Standards dated June 2012.
8. Street lights exist on S Pine street. Illumination shall be evaluated and if necessary, additional lights shall be installed.

Should you have any questions or need additional information, please let me know.



City of Canby

CONDITIONAL USE/PLANNED UNIT DEVELOPMENT STAFF REPORT

FILE #: CUP 18-04/PUD 18-02

Prepared for the September 24, 2018 Planning Commission Meeting

LOCATION: 1577 S. Ivy Street

TAXLOT: 41E04D00802 (Bordered in red in the map below)



LOT SIZE: 4.89 acres

ZONING: R-1.5 Medium Density Residential

OWNER: Hope Village, Inc.

APPLICANT: Marquis Companies, Representative: Scott Miller

APPLICATION TYPE: Planned Unit Development/Conditional Use Permit (Type III)

CITY FILE NUMBER: CUP 18-04 & PUD 18-02

APPLICANT'S REQUEST:

The applicant is seeking approval to expand the previously approved Hope Village Master Plan by constructing a 13,449 square foot building for a memory care facility. The building addition location is adjacent to and on the same tax lot as an existing Assisted Living and Post Hospital Care facility. It is connected by a service entrance. The proposal is a modification to the previously approved Hope Village Master Plan. The request necessitated the realignment of the one-way driveway entrance off of S. Ivy Street and the redesign and addition of parking spaces.

SECTION I APPLICABLE REVIEW CRITERIA:

City of Canby Land Development and Planning Ordinance Chapters

- 16.08 General Provisions
- 16.10 Off-Street Parking and Loading

- 16.18 R-1.5 Medium Density Residential Zone
 - 16.36 Planned Unit Development (PUD) Overlay Zone
 - 16.42 Signs
 - 16.43 Outdoor Lighting Standards
 - 16.46 Access Limitations
 - 16.50 Conditional Uses
 - 16.70-76 Planned Unit Development (PUD)
 - 16.89 Application and Review Procedures
- Canby Comprehensive Plan

SECTION II REVIEW FOR CONFORMANCE WITH APPLICABLE APPROVAL CRITERIA:

16.10 Off-Street Parking and Loading - Findings

Conditional Use 96-05 (CUP 96-05/PUD 96-16/DR 96-16) approved 69 parking spaces for the existing Hope Village Assisted Care facility. In this particular case, the proposed building is intended as a memory care wing of the Assisted Care facility and is attached by a service entrance. Subsequently, the “Institutions” category listed under off-street parking provisions Table 16.10.050 applies and requires one space for every two beds, and one space per employee. The applicant proposes 24 beds and seven employees, so nineteen spaces are required for the addition. The applicant will develop 20 new spaces to meet the provision and that increases the total number of spaces from 69 to 89 for the whole facility. The applicant has indicated that five bicycle spaces are provided per Section 16.10.100 which complies with the seniors or with disabilities bicycle parking standard of 4 or 1 space per five units.

16.18 R-1.5 Medium Density Residential Zone - Findings

The R 1.5 zone requires a minimum of 6 dwelling units per acre. In this case, the use is institutional and not strictly residential. The zone references conditional uses listed in the R-1 as appropriate and the use is listed in 16.16.020(E) under the conditional use section. The PUD overlay and associated site development plan allows approval of any suitable arrangement of any housing types appropriate in the underlying zone.

16.36 Planned Unit Development (PUD) Overlay Zone - Findings

The use of the PUD application makes sense with this project as there is no need or desire to subdivide the property into separate lots. The application of the PUD Overlay is accomplished through the use of the Conditional Use process. The PUD Overlay offers flexibility to make this project possible.

16.42 Signs - Findings

No signs are planned for this project.

16.43 Outdoor Lighting Standards – Findings

Building lighting is planned with the fixtures similar to those used on the main Hope Village Campus. Parking lighting is shown on the site plan. A final lighting plan shall indicate compliance with lighting fixture height and shielding parameters and avoidance of light trespass across property boundaries.

16.46 Access Limitations or Project Density – Findings

The subject property is bordered on the south by a one-way entrance off S. Ivy Street that currently serves this area of Hope Village. The entrance was approved under a previous land use case, and the proposed building will share this entrance. The driveway circles the assisted care facility and exists onto S. Ivy Street on the north side of the building. The applicant intends to realign the entrance but major changes will not occur as a result of this proposal. The new alignment closely matches SE 16th Avenue across S. Ivy Street.

16.50 Conditional Uses – Findings

The application has been determined to satisfactorily comply with all four conditional use criteria as outlined in the applicant’s narrative submittal.

16.70 Planned Unit Development (PUD) Regulations – Findings

Staff concurs with the applicant’s determination that the PUD application works well for this development project and provides a clear path for approval of the proposed project plan.

16.72 PUD Applications – Findings

The proper form and content for the PUD application has been submitted.

16.74 PUD Uses Permitted- Findings

Although the proposed use is considered institutional, it can be considered in the PUD allowed uses associated with a residential unit.

16.76 PUD Requirements – Findings

Staff accepts findings in the applicant’s narrative for development standards in the R 1.5 zone for a single-story addition to the existing assisted care facility. The proposal is consistent with the Hope Village Master Plan.

16.89 Application and Review Procedures – Findings

All necessary application forms and review processes have been satisfied with this development proposal – including a pre-application meeting, holding a neighborhood meeting, and submittal of 2 Type III land use applications. Staff determined that the proposal does not meet criteria to initiate a traffic study. Staff has sent notice to surrounding property owners and placed a legal advertisement of the public hearing within the Canby Herald, and a notification sign on the property.

Public Comments:

Public comments received at the time this staff report was written are available in the file.

Agency Comments:

Comments concerning this development proposal were received from the following agencies:

SECTION III STAFF CONCLUSION/RECOMMENDATION:

Staff concludes that the use is in conformance with the City’s Comprehensive Plan and the Land Development and Zoning Ordinance. Additionally, the relevant standards for development were met. The public service and utility provision to the site is available or can be made available through the improvements planned. Based on the application submitted and the facts, findings, and conclusions of this report, staff recommends that the Planning Commission approve Conditional Use Permit/Planned Unit Development CUP 18-04/PUD 18-02 pursuant to making any necessary Commission findings and the following conditions of approval.

Approval of this application is based on submitted application materials. Approval is strictly limited to the submitted proposal and is not extended to any other development of the property. Any modification of development plans not in conformance with the approval of application File No. CUP 18-04/PUD 18-02, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code.

Conditions Unique to this Proposal

1. The interior private street shall be designed to City local street structural standards as indicated in section 2.207 of the City of Canby Public Works Design Standards per CMC Sec. 16.64.070(C)(2).
2. An irrigation plan for the landscape areas shall be submitted with approval of the final construction plans.
3. The construction plans shall indicate ADA compliant ramps at the S Ivy Street intersection with the private access drive.
4. Outdoor visitor bike racks shall be provided on a suitable all weather surfaces.

Procedural Conditions – Prior to Issuance of Building Permit the following must be completed:

5. The applicant shall provide payment of the City of Canby public and private engineering plan review fees as indicated in the City Master Fee Schedule in conjunction with approval of the final construction plans.
6. The design engineer shall submit a final storm water management plan and analysis for City review of the suitability of the proposed methodology for meeting City standards identified in Chapter 4 of Canby Public Works Design Standards during final construction plan approval. Any storm plan utilizing use of new drywells shall be approved by DEQ and provide required spacing separation from existing operating water wells.
7. Sediment and Erosion Control Permits will be required from the City prior to commencing site work.
8. Prior to the issuance of a building permit, the installation of public utilities, or any other site work other than rough site grading, construction plans designed and stamped by a professional engineer registered in the State of Oregon must be approved and signed by the City and all other utility/service providers through the City's preconstruction approval process. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provisions is subject to approval by the appropriate utility/service providers.
9. Clackamas County shall provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical permits for this project. Fire & Life Safety includes Canby Fire District prior to issuance of a City building permit.

Section IV Attachments/Exhibits:

1. Application Forms – PUD, Conditional Use Permit
2. Applicant narrative
3. Plan Set
4. Neighborhood Meeting Attendance & Comments
5. Pre-application Conference Summary & Planning Memo
6. Public/Agency Comments



City of Canby
 Planning Department
 222 NE 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
 Ph: 503-266-7001
 Fax: 503-266-1574

LAND USE APPLICATION

Conditional Use Process Type III

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

Applicant Name: Scott Miller - Marquis Companies Phone: (971) 206-2330
 Address: 4560 SE International Way, Suite 100 Email: smiller@marquis companies.com
 City/State: Milwaukie, OR Zip: 97222

Representative Name: Gretchen Stone - CB Two Architects Phone: (503) 480-8700
 Address: 500 Liberty Street SE, Suite 100 Email: gretchen@cbtwoarchitects.com
 City/State: Salem, OR Zip: 97301

Property Owner Name: Marquis Companies Phone: (971) 206-2330
 Signature: [Signature]
 Address: 4560 SE International Way, Suite 100 Email: smiller@marquiscompanies.com
 City/State: Milwaukie, OR Zip: 97222

Property Owner Name: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.49 Site and Design Review standards.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>1577 S. Ivy - Hope Village</u>	<u>4.89 acres</u>	<u>41E04D 00802</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Assisted Living and Post Hospital Care</u>	<u>R-1.5</u>	<u>Medium Density Residential</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Addition to the assisted living of a 24 bed memory care wing
 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE



City of Canby
 Planning Department
 222 NE 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

CHECKLIST

Conditional Use Process Type III

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email to: PlanningApps@canbyoregon.gov

Applicant City
 Check Check

- One (1) copy of this application packet. The City may request further information at any time before deeming the application complete.
- Payment of appropriate fees – cash or check only. Refer to the city’s Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.
- Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT** for all property owners and all residents within 500 feet of the subject property. **If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to “Occupant.”** A list of property owners may be obtained from a title insurance company or from the County Assessor’s office.
- One (1) copy of a written statement describing the Conditional Use Permit request, and detailing how your request meets the approval criteria. **Ask staff for applicable Municipal Code chapters and approval criteria.** Applicable Code Criteria for this application includes:

 16-18 R1.5 Medium Density Residential, 16.50 Conditional Use,

 16.70 - 16.76 Planned Unit Development Regulations, 16.10 Off-Street Parking & Loading,

 16.82 Special Housing Project for the Elderly or Handicapped.

- One copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor’s office. If the property is a legal lot of record created by recorded deed or land sales contract at a time when it was legal to configure property lines by deed or contract, then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds.
- If the development is located in a Hazard (“H”) Overlay Zone, submit one (1) copy of an affidavit signed by a licensed professional engineer that the proposed development will not result in significant impacts to fish, wildlife and open space resources of the community. If major site grading is proposed, or removal of any trees having trunks greater than six inches in diameter is proposed, then submit one (1) copy of a grading plan and/or tree-cutting plan.
- Two (2) 11” x 17” paper copies** of the proposed plans, printed to scale no smaller than 1”=50’. The plans shall include the following information:
 - Vicinity Map.**
 - Vicinity map at a scale of 1”=400’ showing the relationship of the project site to the existing street or road pattern.
 - Site Plan**-the following general information shall be included on the site plan:
 - Date, north arrow, and scale of drawing;

- Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
- Property lines (legal lot of record boundaries);
- Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
- Location of all jurisdictional wetlands or watercourses on or abutting the property;
- Finished grading contour lines of site and abutting public ways;
- Location of all existing structures, and whether or not they are to be retained with the proposed development;
- Layout of all proposed structures, such as buildings, fences, signs, solid waste collection containers, mailboxes, exterior storage areas, and exterior mechanical and utility equipment;
- Location of all proposed hardscape, including driveways, parking lots, compact cars and handicapped spaces, loading areas, bicycle paths, bicycle parking, sidewalks, and pedestrian ways;
- Callouts to identify dimensions and distances between structures and other significant features, including property lines, yards and setbacks, building area, building height, lot area, impervious surface area, lot densities and parking areas;
- Location of vision clearance areas at all proposed driveways and streets.
- Landscape Plan**
The following general information shall be included on the landscape plan:
 - Layout and dimensions of all proposed areas of landscaping;
 - Proposed irrigation system;
 - Types, sizes, and location of all plants to be used in the landscaping (can be a “palette” of possible plants to be used in specific areas for landscaping);
 - Identification of any non-vegetative ground cover proposed, and dimensions of non-vegetative landscaped areas;
 - Location and description of all existing trees on-site, and identification of each tree proposed for preservation and each tree proposed for removal;
 - Location and description of all existing street trees in the street right-of-way abutting the property, and identification of each street tree proposed for preservation and each tree proposed for removal.
- Elevations Plan** - The following general information shall be included on the elevations plan:
 - Profile elevations of all buildings and other proposed structures;
 - Profile of proposed screening for garbage containers and exterior storage areas;
 - Profile of proposed fencing.
- Sign Plan.**
 - Location and profile drawings of all proposed exterior signage.
- Color and Materials Plan.**
 - Colors and materials proposed for all buildings and other significant structures.

CONDITIONAL USE – TYPE III: APPLICATION PROCESS

1. Prior to submitting an application, all applicants are encouraged to request a pre-application meeting with the City, or the City Planner may determine that a pre-application meeting is necessary after an application has been discussed or upon receipt of an application by the City. To schedule a pre-application meeting, an applicant must submit a completed pre-application form and set of preliminary plans to the Planning Department.

2. At the time an application is submitted to the City, payment of all required application processing fees is required. An application will not be accepted without payment of fees. City Staff can provide you with information concerning application fees.
3. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are also routed to various City/State/County departments, as applicable, for their comments. The City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
4. Staff investigates the application, writes a staff report, issues public notice, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
5. Prior to the public hearing, the City will prepare notice materials for posting on the subject property. Staff will post this material at least ten (10) days before the public hearing.
6. The staff report will be available to all interested parties at least seven (7) days prior to the hearing.
7. The Planning Commission holds a public hearing. The staff report is presented to the Commission. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
8. The Commission then issues findings of fact which support approval, approval with conditions, or denial of the application. A decision may be appealed to the City Council.
9. If the Planning Commission decision is appealed, City Council holds a public hearing. The staff report is presented and testimony taken, as at the original hearing(s). Unless the City Council decides to hear the appeal de novo, only testimony regarding items already in the record is permitted, and no new information may be entered. In the case of an appeal, the Council may affirm, revise, or reverse the decision of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.

CONDITIONAL USE PERMIT – TYPE III: STANDARDS AND CRITERIA

Under Section 16.50.010 of the Canby Municipal Code, an application for CONDITIONAL USE PERMIT approval shall be evaluated based on the following standards and criteria:

- 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; and
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features; and
- C. All required public facilities and services exist to adequately meet the needs of the proposed development; and
- 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.



City of Canby
 Planning Department
 222 NE 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001


LAND USE APPLICATION

PUD/Condominium Type III

APPLICANT INFORMATION: (Check ONE box below for designated contact person regarding this application)

Applicant Name: Scott Miller - Marquis Companies Phone: (971) 206-2330
 Address: 4560 SE International Way, Suite 100 Email: smiller@marquiscompanies.com
 City/State: Milwaukie, OR Zip: 97222

Representative Name: Gretchen Stone - CB Two Architects Phone: (503) 480-8700
 Address: 500 Liberty Street SE, Suite 100 Email: gretchen@cbtwoarchitects.com
 City/State: Salem, OR Zip: 97222

Property Owner Name: Marquis Companies Phone: (971) 206-2330
 Signature: 
 Address: 4560 SE International Way, Suite 100 Email: smiller@marquiscompanies.com
 City/State: Milwaukie, OR Zip: 97222

Property Owner Name: _____ Phone: _____
 Signature: _____
 Address: _____ Email: _____
 City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ① All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ② All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations, including but not limited to CMC Chapter 16.49 Site and Design Review standards.
- ③ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>1577 S. Ivy - Hope Village</u>	<u>4.89 acres</u>	<u>41E04D 00802</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Assisted Living and Post Hospital Care</u>	<u>R-1.5</u>	<u>Medium Density Residential</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Addition to the assisted living of a 24 bed memory care wing
 Describe the Proposed Development or Use of Subject Property

STAFF USE ONLY				
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE
PUD 18-02/CUP 18-04	7-20-18	BB		



City of Canby
 Planning Department
 222 NE 2nd Avenue
 PO Box 930
 Canby, OR 97013
 (503) 266-7001

CHECKLIST

PUD/Condominium

Type III

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive, FTE or via email: PlanningApps@canbyoregon.gov

- | Applicant
Check | City
Check | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) paper copy of this application packet. You must also submit the application packet on a CD, flash drive or via email. The City may request further information at any time before deeming the application complete. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Payment of appropriate fees - cash or check only. Refer to the city's Master Fee Schedule for current fees. Checks should be made out to the <i>City of Canby</i> . |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT for all property owners and all residents within 500 feet of the subject property. If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to "Occupant." A list of property owners may be obtained from a title insurance company or from the County Assessor's office. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of a written, narrative statement describing the proposed development and detailing how it conforms with the Municipal Code and to the approval criteria, including the applicable Design Review Matrix, and availability and adequacy of public facilities and services. <u>Ask staff for applicable Municipal Code chapters and approval criteria.</u>
Applicable Code Criteria for this application includes:
<u>16-18 R-1.5 Medium Density Residential, 16.50 Conditional Use,</u>
<u>16-70 - 16.76 Planned Unit Development Regulations, 16.10 Off-Street Parking & Loading,</u>
<u>16.82 Special Housing Project for the Elderly or Handicapped.</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | Three (3) copies of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (<u>payment must be received by the City before the traffic engineer will conduct or review a traffic impact study.</u>
Ask staff to determine if a TIS is required. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One (1) copy of the minutes of the pre-application meeting |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | One copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor's office. If the property is a legal lot of record created by recorded deed or land sales contract at a time when it was legal to configure property lines by deed or contract, then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds. |

Visit our website at: www.canbyoregon.gov

Email Application to: PlanningApps@canbyoregon.gov

- If the development is located in a Hazard (“H”) Overlay Zone, submit one (1) copy of an affidavit signed by a licensed professional engineer that the proposed development will not result in significant impacts to fish, wildlife and open space resources of the community. If major site grading is proposed, or removal of any trees having trunks greater than six inches in diameter is proposed, then submit one (1) copy of a grading plan and/or tree-cutting plan.
- Two (2) 11” x 17” paper copies of the proposed plans, printed to scale no smaller than 1”=50’. The plans shall include the following information:
 - Vicinity Map. Vicinity map at a scale of 1”=400’ showing the relationship of the project site to the existing street or road pattern.
 - Site Plan-the following general information shall be included on the site plan:
 - Date, north arrow, and scale of drawing;
 - Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
 - Property lines (legal lot of record boundaries);
 - Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
 - Location of all jurisdictional wetlands or watercourses on or abutting the property;
 - Finished grading contour lines of site and abutting public ways;
 - Location of all existing structures, and whether or not they are to be retained with the proposed development;
 - Layout of all proposed structures, such as buildings, fences, signs, solid waste collection containers, mailboxes, exterior storage areas, and exterior mechanical and utility equipment;
 - Location of all proposed hardscape, including driveways, parking lots, compact cars and handicapped spaces, loading areas, bicycle paths, bicycle parking, sidewalks, and pedestrian ways;
 - Callouts to identify dimensions and distances between structures and other significant features, including property lines, yards and setbacks, building area, building height, lot area, impervious surface area, lot densities and parking areas;
 - Location of vision clearance areas at all proposed driveways and streets.
 - Landscape Plan, with the following general information:
 - Layout and dimensions of all proposed areas of landscaping;
 - Proposed irrigation system;
 - Types, sizes, and location of all plants to be used in the landscaping (can be a “palette” of possible plants to be used in specific areas for landscaping);
 - Identification of any non-vegetative ground cover proposed, and dimensions of non-vegetative landscaped areas;
 - Location and description of all existing trees on-site, and identification of each tree proposed for preservation and each tree proposed for removal;
 - Location and description of all existing street trees in the street right-of-way abutting the property, and identification of each street tree proposed for preservation and each tree proposed for removal.
 - Elevations Plan

The following general information shall be included on the elevations plan:

 - Profile elevations of all buildings and other proposed structures;
 - Profile of proposed screening for garbage containers and exterior storage areas;
 - Profile of proposed fencing.
 - Sign Plan.

- Location and profile drawings of all proposed exterior signage.
- Color and Materials Plan.
- Colors and materials proposed for all buildings and other significant structures.

APPLICATION PROCESS

1. Prior to submitting an application, all applicants are encouraged to request a pre-application meeting with the City - or- the Planning Director may determine that a pre-application meeting is required prior to submitting an application. To schedule a pre-application meeting, an applicant must submit a completed pre-application form and set of preliminary plans to the City Planner, and after receiving the Planner's initials, must then make and take (3) copies of the pre-application materials to the Canby Public Works Department to schedule the pre-application meeting. The amount of the fee for a pre-application meeting is based on whether the application involves a public hearing or not.
2. Prior to submitting an application, applicants may be required to hold a neighborhood meeting with surrounding property owners and any recognized neighborhood association representative, pursuant to the procedures described in Canby Municipal Code Section 16.89.070. In certain situations, the Planning Director may waive the neighborhood meeting requirement.
3. At the time an application is submitted to the City, payment of all required application processing fees is required. An application will not be accepted without payment of fees. City Staff can provide you with information concerning application fees.
4. Staff will check the application, making sure that it is complete and all fees are paid. Copies of the application materials are routed to various City/State/County departments, as applicable, for their comments. The application is reviewed for completeness; the City Planner will accept or return the application with a written list of omissions within thirty (30) calendar days of the submittal.
5. Staff investigates the application, writes a staff report, issues public notice, notifies surrounding property owners, and makes all facts relating to the request available to the Planning Commission and all interested parties.
6. Prior to the public hearing, the City will prepare notice materials for posting on the subject property. This material will be posted **by Staff** at least ten (10) days before the public hearing.
7. The staff report will be available to all interested parties seven (7) days prior to the hearing.
8. The Planning Commission holds a public hearing. The staff report is presented to the Commission. Testimony is presented by the applicant, proponents and opponents, followed by rebuttal from the applicant.
9. The Commission then issues findings of fact which support approval, modification, or denial of the application. A decision may be appealed to the City Council.
10. If an approval or a denial is appealed, City Council holds a public hearing. The staff report is presented and testimony taken, as at the original hearing(s). Unless the City Council decides to hear the appeal de novo, only testimony regarding items already in the record is permitted, and no new information may be entered. In the case of an appeal, the Council may affirm, revise or reverse the action of the Planning Commission in all or in part. The Council may also remand the matter back to the hearing body for further consideration.
11. Prior to construction of the project, a preconstruction meeting is held with the City and all applicable utility and service providers. If required, this meeting must be held and approval of Plan set by all agencies, and payment of Canby System Development Charge (SDC) and construction excise tax to the City before issuance of any building permits for the project(s) by Clackamas County.

July 19, 2018

Bryan Brown, Planning Director
City of Canby, Planning Department
222 NE 2nd Avenue
Canby, OR 97013

RE: Conditional Use Permit and
Modification to a Planned Unit Development
Marquis at Hope Village
1577 S. Ivy Street

I. REQUESTS

Marquis Companies with CB Two Architects respectfully request approval of a consolidated land use application for an amendment to the Hope Village Conditional Use Permit (CUP) and Planned Unit Development (PUD) to allow for the expansion of a memory care addition to their existing Marquis Hope Village Assisted Living and Post Hospital Care facility, located within the Hope Village campus. The requested approvals will allow Marquis and Hope Village to expand the continuum of care and realize a broader age in place model at Hope Village.

II. PROJECT DESCRIPTION

The request to amend the Hope Village Master Plan is triggered by Marquis Care's proposal to expand their existing facility located at the southeastern corner of the Hope Village Senior Living Community. Currently Marquis provides both Assisted Living and Post Hospital Care in this location. The proposal is for a 13,449 square foot single story addition to the Assisted Living side of the building which will house a secure 24 bed memory care wing. The new wing will provide specialized care to residents suffering from Alzheimer's and other forms of dementia who are not able to perform everyday activities and may need assistance with tasks such as grooming, dressing, and eating.

Residents of the new wing will be seniors with a decline in memory or other thinking skills that will be cared for in a secure setting that offers a mix of private and semi-private rooms with common areas for activities, recreation and dining as well as administrative areas and laundry.

As previously noted, the proposed addition will be made to the south of the southeastern wing of the existing building. This will require that the corner of the Marquis site be reworked to allow for the construction. Improvements to the site beyond the building addition will include: realignment of the southernmost entrance drive so that it is generally aligned with SE16 Avenue at its intersection to S Ivy Street; the parking areas will be reconfigured to include 20 new parking spaces; and landscaping and pedestrian walks will be installed.

The proposed addition will not be a change of use, and is simply an expansion of the existing facility. The single story addition is appropriate and consistent with other development within the Hope Village campus and provides a nice transition to the single family neighborhood across S Ivy. The proposal remains consistent with the Policies of the Comprehensive Plan and the requirements of City development standards as well as the Hope Village master plan.

III. CONDITIONAL USE PERMIT

As with previous improvements at Hope Village the proposed addition is allowed as a Conditional Use within R1.5 Medium Density Residential Zone. The following information provides the required approval criteria and explanations as to how this proposal meets the applicable criteria which will allow the City of Canby Staff and the Canby Planning Commission to approve this request and allow for the construction of the proposed addition.

Approval Criteria –

- 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; and

PROJECT INFORMATION:

This proposal is an addition to an existing care facility within an existing senior housing campus which was approved as part of a Planned Unit Development as a Conditional Use for Senior Citizens or Handicapped in 1991. The proposed addition will serve the needs of existing Hope Village residents and other seniors suffering from dementia related illnesses. The use is consistent to the existing care facilities, as well as the independent senior housing units located within the campus.

- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features; and

PROJECT INFORMATION:

The addition is sited ideally and provides for a nearly seamless connection to the existing structure. The topography, existing improvements and infrastructure allow for expansion that is consistent in scale. The architectural style will be the same for a cohesive look. Please reference plans submitted with the application materials for additional details about location, scale, and design style.

- C. All required public facilities and services exist to adequately meet the needs of the proposed development; and

PROJECT INFORMATION:

All required public facilities and services exist to adequately meet the needs of the proposal. Domestic water and sanitary sewer connections will be made on site no connections in the public right of way are anticipated. Access to the site will continue through existing access points on S Ivy Street. All proposed improvements will happen within the Marquis at Hope Village site.

- 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.

PROJECT INFORMATION:

As noted previously, the proposed improvements are limited to expanding an existing use. The architectural style will be consistent and compatible with the existing building. The addition will not alter the character or the surrounding area in anyway and will not limit or preclude the use of surrounding properties. The area of proposed work will take place solely on the Hope Village campus. The proposed use is ancillary to the existing assisted living facility and will be serviced from this same facility. Please reference the accompanying plans for further details on the design and the specific location of the proposal.

IV. PLANNED UNIT DEVELOPMENT

The proposed addition requires an amendment to the existing PUD, as such applicable design standards for this proposal are found in the Canby Municipal Code Chapters 16.18 R-1.5 Medium Density Residential Zone, Section 16.18.030. The following provides the applicable development standards for this proposal and information and details confirming that the proposal meets the applicable standards as required. Additional information and details can be found on the provided Site Plan.

- A. Minimum and maximum lot area:
 - 1. For single family dwellings: five thousand (5,000) square feet minimum and six thousand five hundred (6,500) square feet maximum.
 - 2. For two, three, or four-family dwellings: minimum of six units per acre. Density is calculated by dividing the number of dwelling units by the property area in acres (minimum area required for street right-of-way and public park/open space areas).
 - 3. The Planning Commission may approve smaller or larger lots in accordance with subsection B,

PROJECT INFORMATION:

This proposal does not include single family dwellings or two up to four-family dwellings. Marquis proposes an addition to the existing licensed senior care facility located within an approved PUD. The area of the campus where the Marquis facility is situated has a site area of more than 4.5 acres and the Hope Village campus is over 32 acres.

- B. Lot area exceptions – Is not applicable to this request.

- C. Minimum width and frontage: in the R-1.5 district the minimum is forty feet, except that the Planning Commission may approve lots having less frontage subject to special conditions to assure adequate access. Twenty feet is permitted for single family attached (common wall) housing on interior lots.

PROJECT INFORMATION:

The Marquis development site has over 400 feet of frontage on S Ivy, therefore meeting the standard.

- D. Minimum yard requirements:
 - 1. Street yard: twenty feet on side with driveway; fifteen feet for all other street sides: except that street yards may be reduced to the feet for covered porches only.
 - 2. Rear yard: all corner lots, ten feet single story or fifteen feet two-story; all other lots: fifteen feet single story or twenty feet two-story. One story building components must meet the single story setback requirements;
 - 3. Interior yard: seven feet, exception as otherwise provided for zero-lot line housing.
 - 4. Interior and rear yards may be reduced to three feet, or the width of any existing utility easement, whichever is greater, for detached accessory structures, except accessory dwellings, erected sixty feet or more from any street other than an alley. The height limitations noted in subsection E.2 below apply. Utility easements may only be reduced with the approval of all utility providers.
 - 5. Infill standards may also apply.

PROJECT INFORMATION:

The building is setback from S Ivy by 20 feet. There is no applicable rear yard setback for this project. The Interior yard or interior side yard setback is 22 feet to the building and 7 feet to the entrance drive. Standards are met as required. Please reference Site Plan for conformance.

- E. Maximum building height:
 - 1. Principal building: thirty-five feet.
 - 2. Detached accessory structure:

- a. If located inside the allowed building footprint for the principal building, a detached accessory structure may be up to twenty-two feet tall, as measured to the highest point of the roof.
- b. If located outside the allowable building footprint for the principal building, a detached accessory structure is subject to a step-up height standard, and is allowed outright only if it meets this standard. The structure shall not exceed eight feet tall, as measured to the highest point of the roof, at a distance of three feet from the property line. The structure may increase in height by one foot vertically for every one foot horizontally away from the three foot line, up to the maximum height of twenty-two feet.
- c. A conditional use permit is required to locate the structure outside of the allowed building footprint for the principal building in violation of the step-up height standard.
- d. Detached accessory structures over twenty-two feet tall are not permitted.

PROJECT INFORMATION

The building addition will have a maximum height of 18 feet – 7 inches. In addition to the addition, a new trash enclosure is anticipated on the south side of the entrance drive and an emergency generator enclosure on the north side of the addition. These accessory structures will be approximately 6 feet tall (below the 8 foot maximum for accessory structures) and be well over 3 feet from the property lines.

- F. The maximum amount of impervious surface allowed in the R-1.5 zone shall be 70 percent of the lot area.
 1. Impervious surface includes all surface areas that create a barrier to or hinder the entry of water into the soil in comparison with the natural conditions prior to development. Impervious surface include, but are not limited to, buildings, parking areas, driveway, roads, sidewalks, patios, packed earth, and oiled surfaces. Open, uncovered retention/detention facilities, green roofs, and permeable surfacing materials shall not be considered impervious surfaces. Roof surfaces are also considered 'pervious' when 100% of the annual average roof runoff is captured and reused on-site for irrigation or approved interior uses.
 2. To limit impervious surface, alternative surfacing materials may be used. Alternative surfacing includes, but is not limited to paving blocks, turf block, pervious concrete, and porous asphalt. Other similar approved materials are encouraged. Utilization of alternative surfacing methods shall be subject to review and approval by the City Public Works Department for compliance with other applicable regulations and development standards. Maintenance of alternative surfacing materials located on private property is the responsibility of the property owner.

PROJECT INFORMATION

The Marquis site currently has a coverage area or impervious surface area of about 50 percent. With the current proposal, impervious surface are will increase to about 58 percent. City Staff indicated that with the original land use approval required 10 percent of the site to be landscaped; however with code changes this amount has increase to 15 percent. When the proposed addition is complete the Marquis "parcel" will exceed this with a landscaped area of about 42 percent.

G. Other regulations:

1. Vision clearance distance shall be ten feet from a street to an alley or a street to a driveway, and thirty feet from a street to any other street.

PROJECT INFORMATION:

This standard will be met for the southern driveway off of S. Ivy. The addition is setback 20 feet from the property line which is on the back side of the public sidewalk. Planting material used in the landscaping will be low to conform to the standard as required.

2. All setbacks to me measured from the foundation line of the building. Overhangs shall not exceed two feet; mechanical units, used for heating/cooling of residential units are exempt from the interior and/or rear yard setback requirements.

PROJECT INFORMATION:

Proposal meets standard as required. Please reference the provided plans for confirmation of compliance.

3. Required yards on southern and western exposures may be reduced by not more than five feet for eaves or canopies to provide shade.

PROJECT INFORMATION:

Standard noted; however it does not apply to this proposal.

4. Accessory buildings shall not have a larger footprint than the primary building.

PROJECT INFORMATION:

Standard noted and proposal does comply. The new trash enclosure, which may be considered an accessory structure, is approximately 81 square feet and a potential emergency generator enclosure that is 286 square feet both are just a fraction of the proposed building addition.

Other standards and criteria that may apply to this proposal as part of a PUD are found in Canby Municipal Code Chapter 17.76, Section 16.76.030. The standard or criteria and how the proposal complies with it are noted as follows:

- A. The site approval as acted upon by the commission shall be binding upon the developer, and variations from the plan shall be subject to approval by the commission.

PROJECT INFORMATION:

The developer, Marquis Companies, understands the requirement and will comply as required.

- B. All land within the planned unit development may be subject to contractual agreements with the city and to recorded covenants providing for compliance with the city's requirements.

PROJECT INFORMATION:

As noted previously the developer, Marquis Companies, understands and accepts this potential.

- C. The development of the property in the manner proposed will be in keeping with the requirements of this title, other than those provisions allowing for special treatment of PUD's.

PROJECT INFORMATION:

The project, as proposed, is consistent with the existing Hope Village master plan and the approved PUD.

- D. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities.

PROJECT INFORMATION:

The proposed single story addition complies with this standard. The siting of the addition is ideal and will be a cohesive expansion whose scale is appropriate to the existing facility and overall campus.

- E. The development must be designed so that the land areas and buildings around the perimeter of the project do not conflict with the adjoining properties. The commission may establish special conditions for the perimeter of the development to minimize or mitigate potential conflicts.

PROJECT INFORMATION:

The proposed addition will not conflict with the adjoining properties. The addition is setback from the south property line by more than 22 feet, exceeding the minimum 7 foot setback. Perimeter landscaping will be provided between the property and vehicle use areas as well as landscaping around the building. Existing parking and vehicle use areas are currently located adjacent to this property line, this proposal will not change this condition; therefore the site conditions will remain consistent with no impacts to surrounding properties.

- F. Each planned unit development shall be a complete development considering all previous requirements. The commission may, in addition, require the inclusion of facilities such as special curbs, sidewalks, streetlights, storm drainage, sanitary sewers, underground power and telephone lines, landscaping and adequate easements for utilities.

PROJECT INFORMATION:

The proposal is for an addition to the existing facility, as such all utility services are in place on site to adequately serve the development proposal. Given that the facility is located within a retirement community it has been designed to fit within the confines of the campus and to meet jurisdictional requirements. It is understood that the commission will review it for compliance.

- G. Land which is not intended for physical development, such as buildings or street uses, may be required to remain in open space usage perpetually. Maintenance of such open space areas shall remain the responsibility of the individual owner or owners' association, in a manner outlined in the by-laws of such association.

PROJECT INFORMATION:

Landscaped open space will be maintained as required.

- H. The manner in which any open space or park and recreational area is to be maintained shall be submitted, along with the preliminary copy of the proposed owners' association bylaws and contractual agreements, with the preliminary subdivision. In the case of an individual owner, the commission may impose special requirements to assure long-term maintenance.

PROJECT INFORMATION:

The Marquis parcel is maintained by the operator as part of their lease agreement. All proposed improvements such as structures, landscaping and parking areas fall under this agreement and will be maintained as required by the contract.

Additions to provided off-street parking are required for this proposal; standards for this are found in Chapter 16.10 Off-Street Parking and Loading of the Canby Municipal Code. Parking for the existing "80 assisted living units and 50 skilled nursing facility beds (the "Facility")" was determined as part of CUP 96-05/PUD and DR 96-16 land use approvals; the total number of spaces proposed and approved at that time was 69. Estimates using data from similar existing facilities, indicated the actual number of spaces needed was less, "daily use of the facility will require 51 parking spaces with 3 spaces for service vehicles, 3 van spaces, 20 visitor spaces, 12 spaces for assisted living staff and 19 spaces for nursing staff. Staff concludes these estimates seem reasonable for this type of senior residential facility and the proposed 69 spaces will be adequate."

To determine the number of additional parking space that the addition will require we are using Table 16.10.050 found in Chapter 16.10. Based on the population residing in the memory care wing the most appropriate use description is "Institutions: a. Convalescent home, nursing home or sanitarium". The calculation formula for this use is "1.00 spaces per two beds for patients or residents, plus 1.00 space per employee".

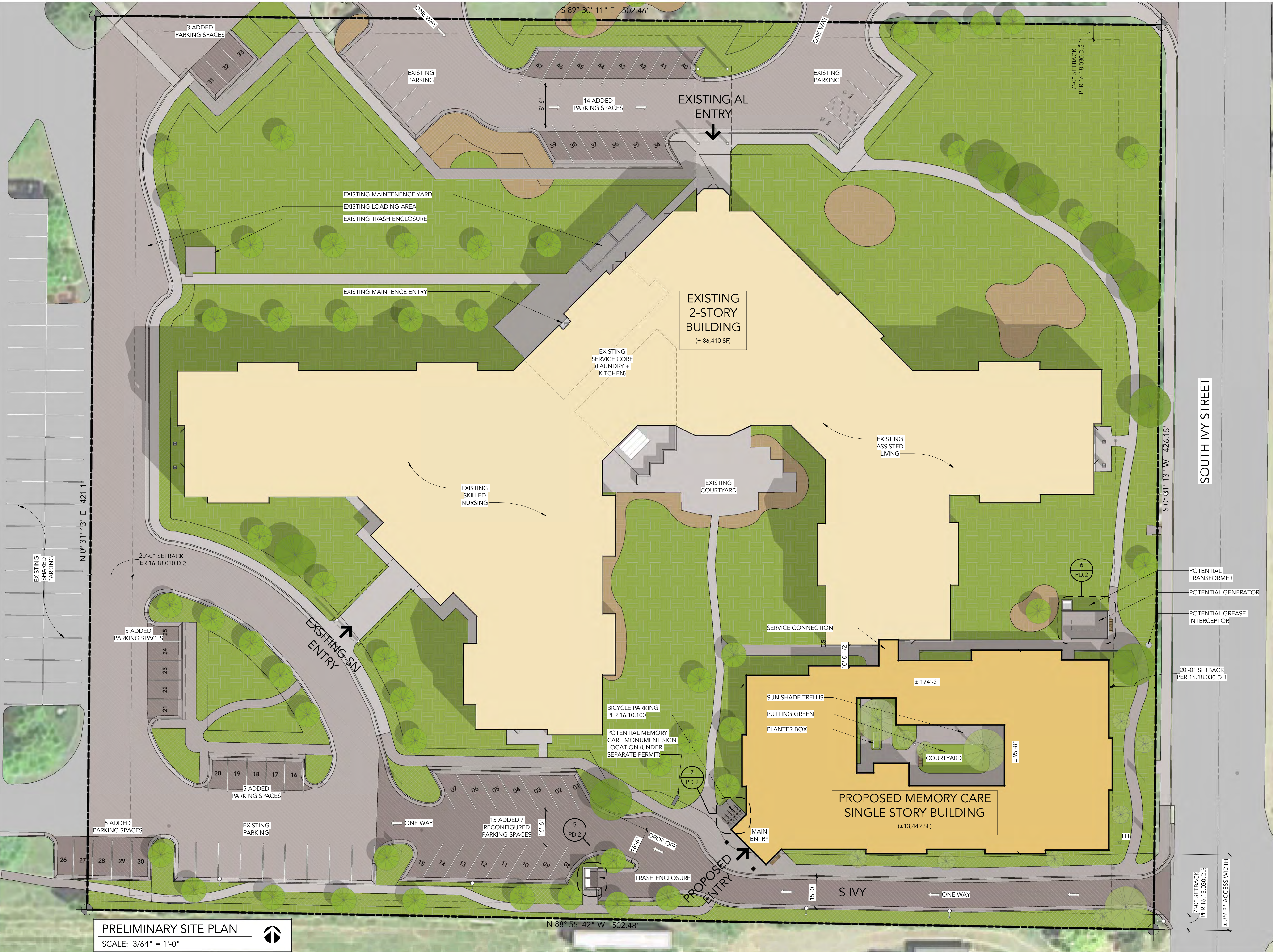
PROJECT INFORMATION:

The proposed addition will require 19 off-street parking spaces; this is calculated at 24 beds (requires 12 spaces) and 7 employees for peak shifts (requires 7 spaces). Our proposal provides 20 spaces exceeding the minimum required by code and increasing the number of spaces from 69 to 89. Based on the type of residents within the facility, the staff and anticipated visitors we believe that this number will be ample to meet the needs of the facility once the addition is complete.

V. CONCLUSION

In conclusion, we believe that this Narrative and other associated application materials provides City Staff and the Commission with the information required to render an affirmative decision to allow for the proposed addition of a 24 bed memory care wing to the Marquis Hope Village facility. This proposal meets all of the applicable development standards for a Conditional Use Permit in the R-1.5 zone and the requirements for a modification to the PUD. The proposal is consistent with the Marquis facility and the Hope Village Retirement Community campus. As noted at the beginning of this narrative, the addition of a memory care component will provide another level of assistance adding to the continuum of care available to the residents of Hope Village as well as to the greater Canby community. This proposal helps to provide needed care to a specific population that is currently not being met.

Marquis Companies with CB Two Architects and their consultants look forward to working with the City of Canby and other jurisdictional agencies on this development project.



PRELIMINARY SITE PLAN
SCALE: 3/64" = 1'-0"

BUILDING SUMMARY

USE & OCCUPANCY CLASSIFICATION
INSTITUTIONAL; GROUP I-1, CONDITION 2
BUILDING CONSTRUCTION TYPE
V-B
COURTYARD AREA
± 2,000 SF
RESIDENT UNITS
22
RESIDENT BEDS
24 (20 SINGLE OCCUPANCY + 2 DOUBLE OCCUPANCY)

TOTAL BUILDING AREA		
TYPE	LEVEL	AREA
EXISTING BUILDING	GROUND	44,241 SF
EXISTING BUILDING	SECOND	42,199 SF
IMPROVEMENT	GROUND	13,449 SF
TOTAL BUILDING AREA		99,889 SF

EXISTING PARKING COUNT		
TYPE	PHASE	#
90 DEG - EXISTING	EXISTING	50
90 DEG - EXISTING	EXISTING TO REMAIN	9
90 DEG - ADA - EXISTING	EXISTING TO REMAIN	2
90 DEG - EXISTING	EXISTING TO REMAIN	8
TOTAL EXISTING PARKING		69

IMPROVEMENT PARKING COUNT			
TYPE	DIMENSIONS	PHASE	#
90 DEG - EXISTING		EXISTING	23
90 DEG - EXISTING	EXISTING	EXISTING TO REMAIN	9
90 DEG - ADA - EXISTING	EXISTING	EXISTING TO REMAIN	2
90 DEG - EXISTING	EXISTING	EXISTING TO REMAIN	8
60 DEG - ANGLED	8'-6" x 19'-10"	NEW/RECONFIGURED	29
90 DEG - STANDARD	9'-0" x 18'-0"	NEW/RECONFIGURED	5
90 DEG - STANDARD - 2' EXT.	9'-0" x 18'-0"	NEW/RECONFIGURED	13
TOTAL IMPROVEMENT PARKING			89

PER TABLE 16.10.050, INSTITUTIONS - CONVALESCENT HOME, NURSING HOME, OR SANITARIUM: REQUIRED # OF PARKING SPACES = 1 SPACE PER 2 BEDS + 1 SPACE PER EMPLOYEE. MEMORY CARE ADDITION = 24 BEDS + 8 EMPLOYEES @ PEAK = 24 / 2 + 8 = 20 SPACES REQUIRED. 46 SPACES EXISTING, 89 SPACES TOTAL AFTER IMPROVEMENT. 89 - 69 = 20 SPACES ADDED **OK**

BICYCLE PARKING		
TYPE	DIMENSIONS	# OF PARKING SPACES - REQUIRED # OF PARKING SPACES = 4 (BUILDING DOES NOT HAVE DWELLING UNITS). 5 SPACES PROVIDED OK
BICYCLE SPACE	2'-0" x 6'-0"	5
TOTAL SPACES		5

SITE AREA INFORMATION		
TYPE	AREA	% AREA
TOTAL IMPERVIOUS AREA	123,745 SF	58%
TOTAL LANDSCAPING AREA	89,219 SF	42%
TOTAL SITE AREA	212,964 SF	100%

1. PER 16.49.080.C.3, RESIDENTIAL ZONES ARE TO HAVE A MINIMUM 30% LANDSCAPE AREA: TOTAL SITE AREA = 212,964 SF; LANDSCAPED AREA = 89,219 SF; 89,219 SF / 212,964 SF = 42% > 30% - **OK**
 2. PER 16.18.030.F, IMPERVIOUS SURFACE ALLOWED THE R-1.5 ZONE SHALL BE 70 PERCENT OF THE LOT AREA: TOTAL SITE AREA = 212,964 SF; IMPERVIOUS SURFACE = 123,745 SF; 123,745 SF / 212,964 SF = 58% < 70% - **OK**

PARKING LANDSCAPE AREA		
TYPE	AREA	% AREA
PARKING AREA IMPERVIOUS SURFACE	53,787 SF	79%
PARKING AREA LANDSCAPE	14,311 SF	21%
TOTAL PARKING AREA PER 16.49.120.C.1	68,098 SF	100%

PER 16.49.120.D.1, PARKING IN ALL RESIDENTIAL, INDUSTRIAL, AND COMMERCIAL ZONES ARE TO HAVE A MINIMUM 15% PARKING LANDSCAPE AREA: TOTAL PARKING AREA = 68,098 SF; PARKING LANDSCAPED AREA = 14,311 SF; 14,311 SF / 68,098 SF = 21% > 15% - **OK**

SITE PLAN LEGEND

- | OBJECT/PATTERN | DESCRIPTION(S) |
|--------------------|--|
| --- | - PROPERTY LINE |
| --- | - SETBACK LINES |
| --- | - ROOF OUTLINE |
| [Light Yellow Box] | - EXISTING BUILDING FOOTPRINT |
| [Dark Yellow Box] | - BUILDING ADDITION FOOTPRINT |
| [Green Box] | - TOTAL LANDSCAPE AREA |
| [Grey Box] | - TOTAL PARKING AREA PER 16.49.120.C.1 |
| [Patterned Box] | - PARKING AREA LANDSCAPING |
| ● | - PROPERTY DATUM POINT |
| LB ● | - LIGHT BOLLARD |
| ○ | - POLE LIGHT |
| FH ▽ | - FIRE HYDRANT |

CB Two ARCHITECTS
A LIMITED LIABILITY COMPANY

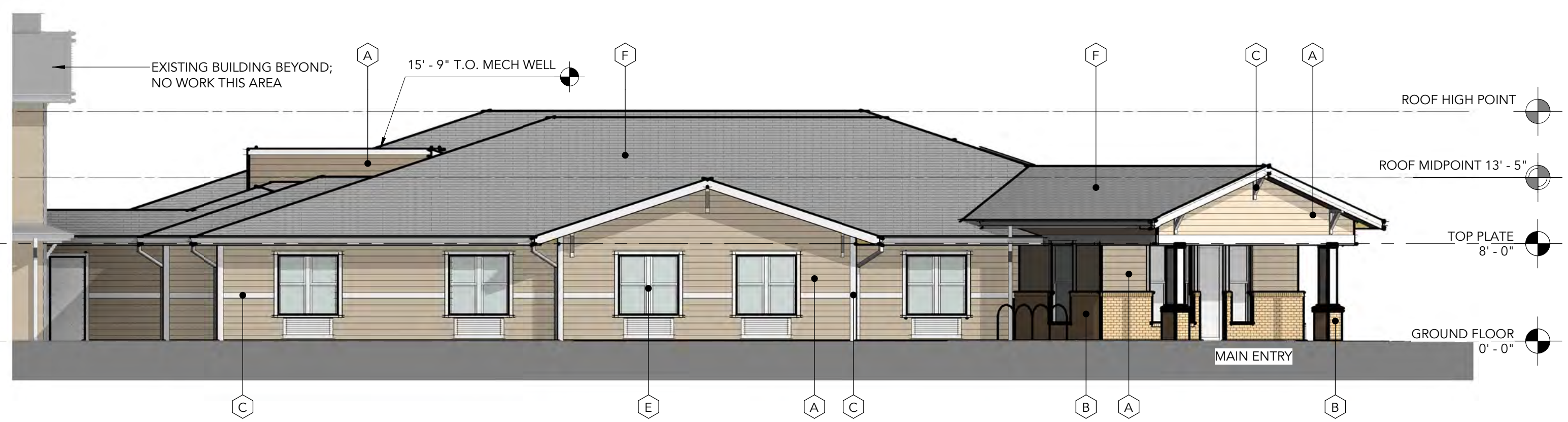
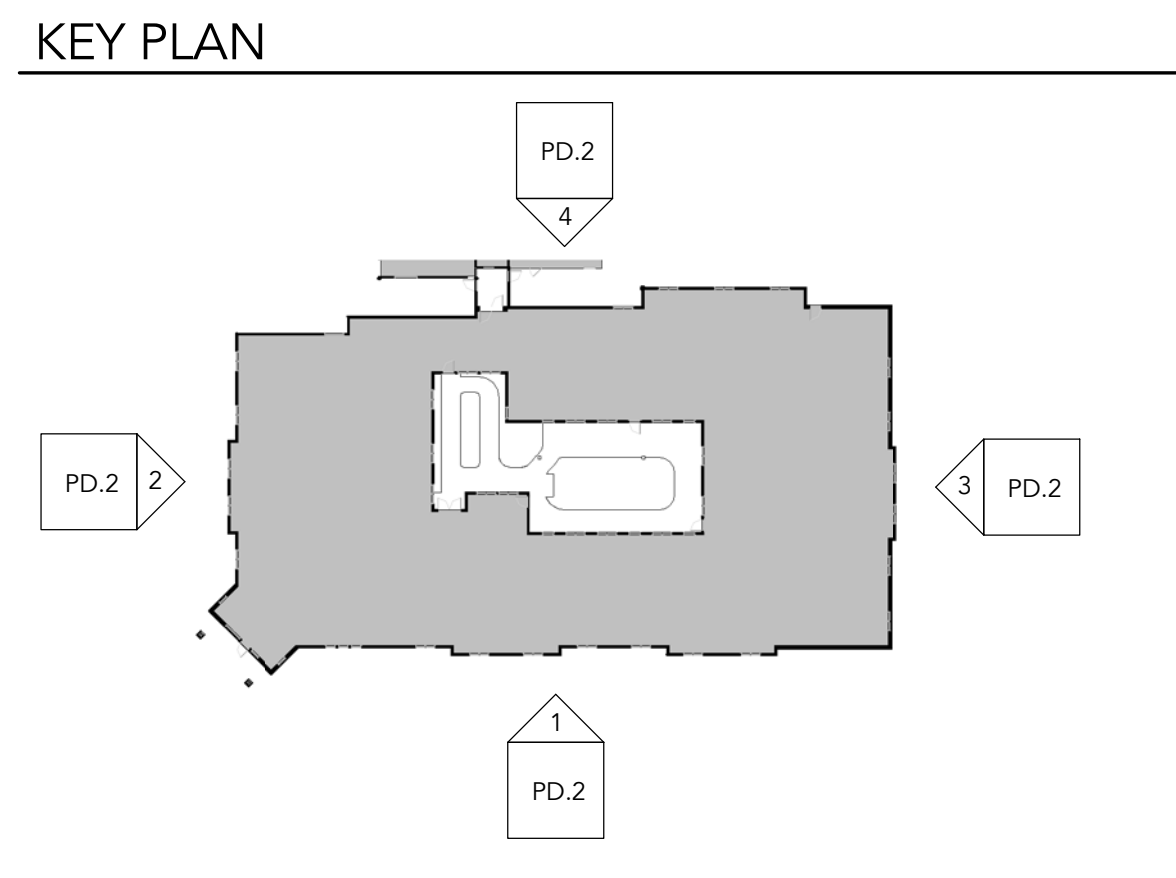
MARQUIS COMPANIES

MARQUIS CANBY MEMORY CARE ADDITION
1589 S IVY, CANBY, OR 97013

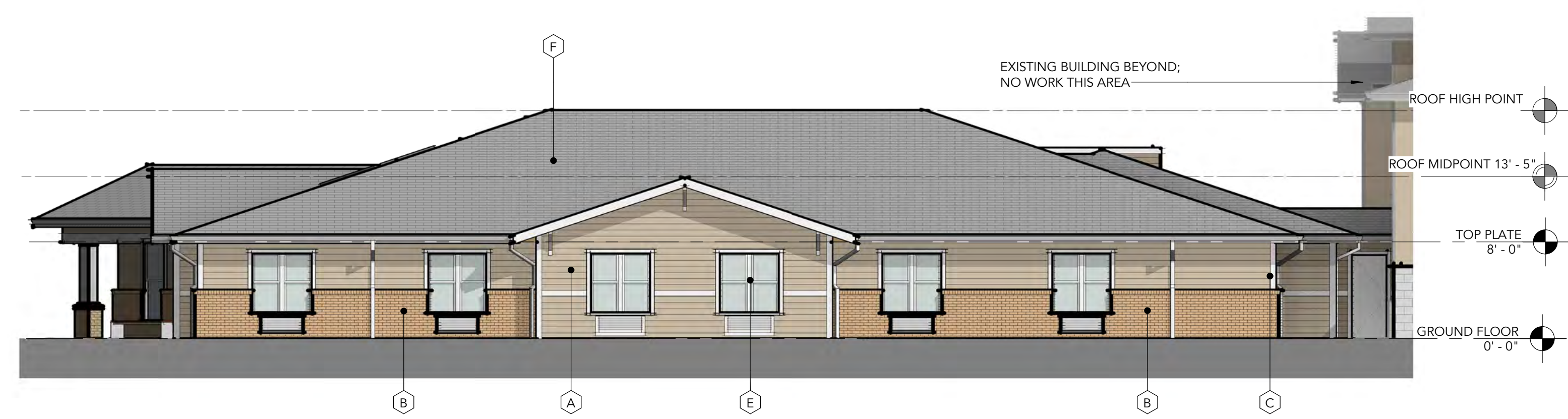
PD.1
MAY 23, 2018



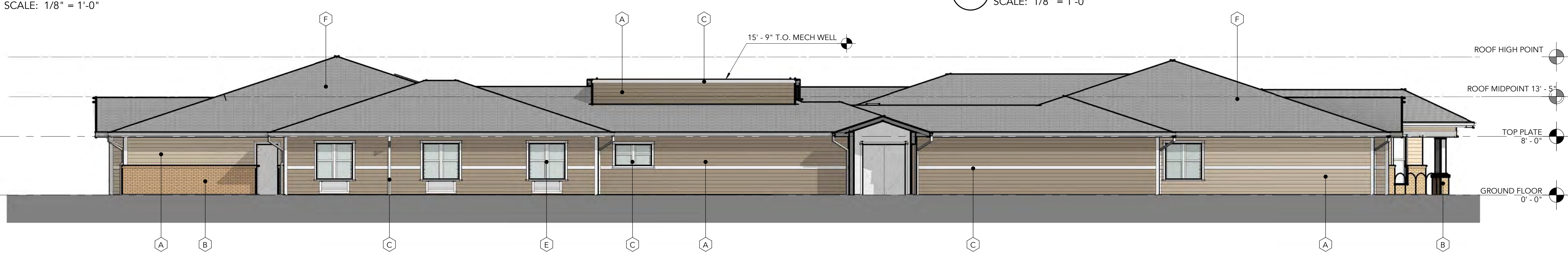
1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



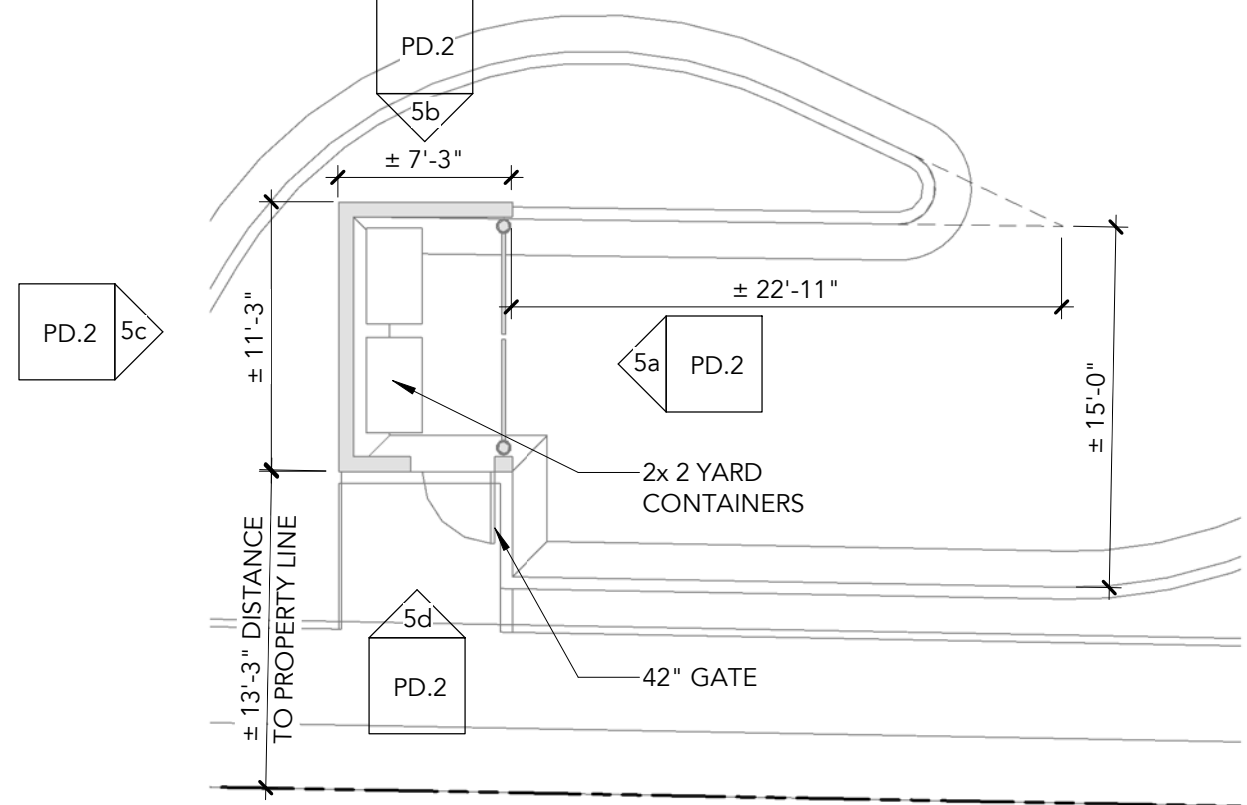
3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



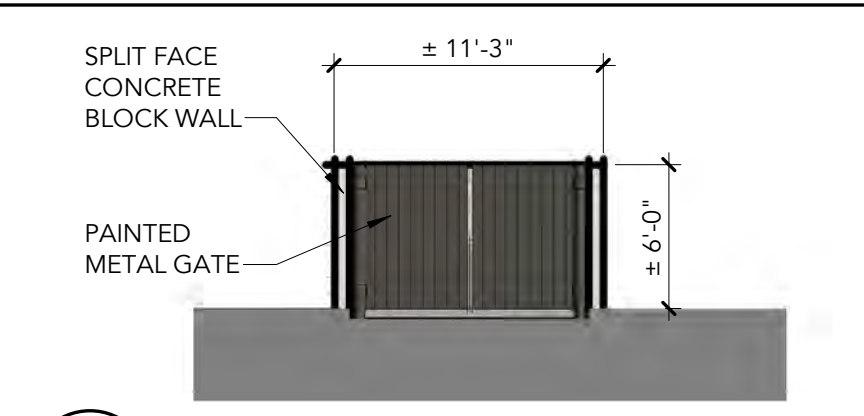
4 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

PRELIMINARY MATERIALS

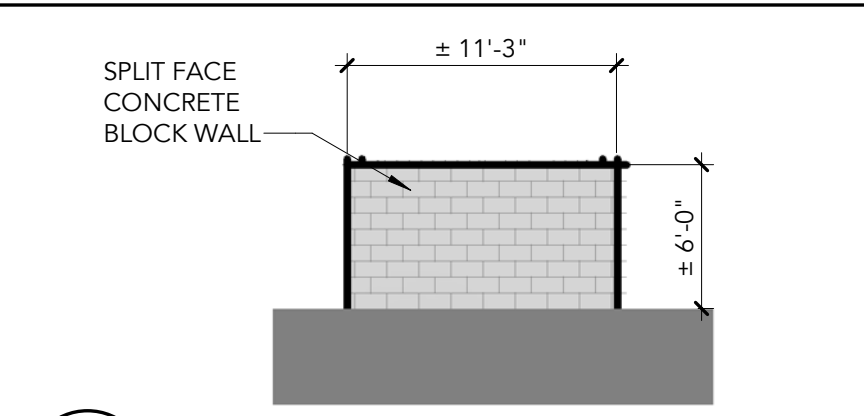
A LAP SIDING MATERIAL: FIBER CEMENT EXPOSURE: 1/2" COLOR: TAN, TO MATCH (E) BUILDING	C TRIM MATERIAL: FIBER CEMENT COLOR: WHITE, TO MATCH (E) BUILDING	E WINDOW MATERIAL: VINYL COLOR: WHITE, TO MATCH (E) BUILDING
B BRICK COLOR: TO MATCH (E) BUILDING	D BRICK CAP COLOR: TO MATCH (E) BUILDING	F ROOF MATERIAL: COMPOSITION TILE COLOR: DARK GRAY, TO MATCH (E) BUILDING



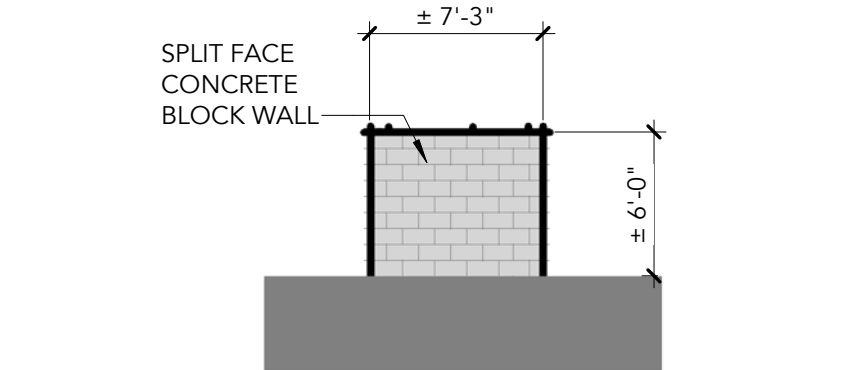
5 (N) TRASH ENCLOSURE
SCALE: 1/8" = 1'-0"



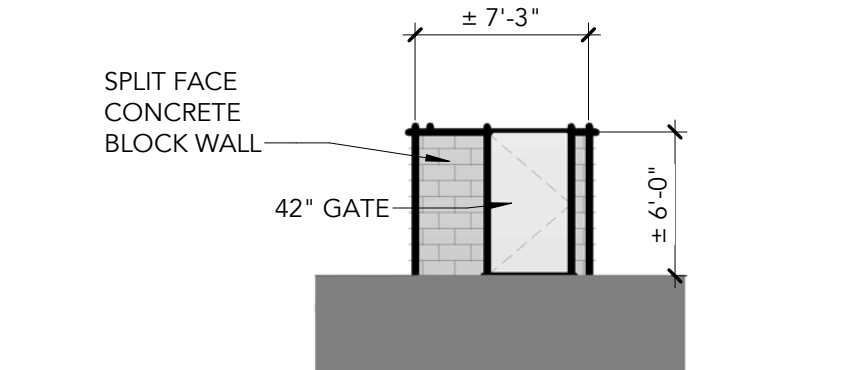
5a TRASH ENCLOSURE EAST
SCALE: 1/8" = 1'-0"



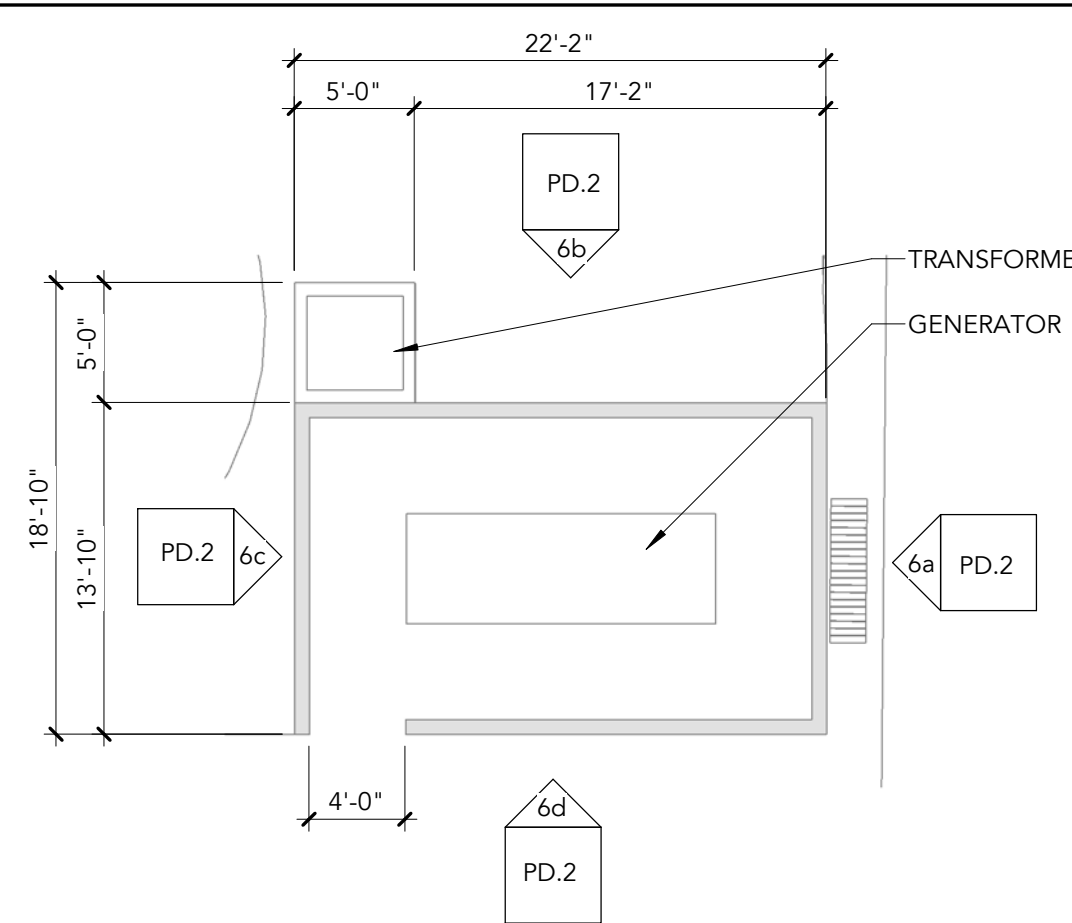
5c TRASH ENCLOSURE WEST
SCALE: 1/8" = 1'-0"



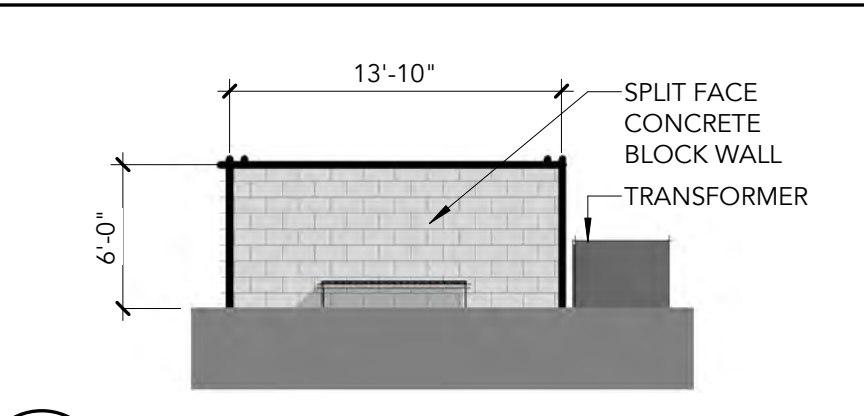
5b TRASH ENCLOSURE NORTH
SCALE: 1/8" = 1'-0"



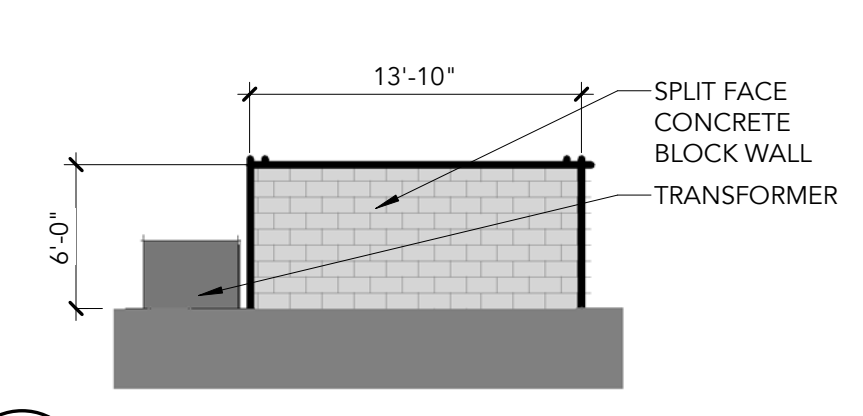
5d TRASH ENCLOSURE SOUTH
SCALE: 1/8" = 1'-0"



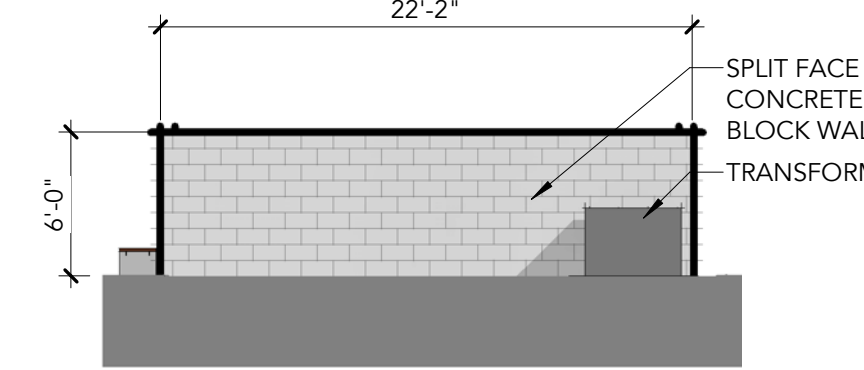
6 (N) GENERATOR ENCLOSURE
SCALE: 1/8" = 1'-0"



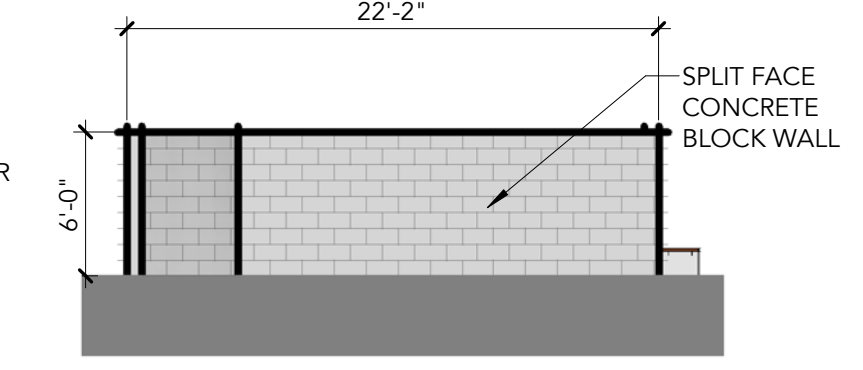
6a GENERATOR EAST
SCALE: 1/8" = 1'-0"



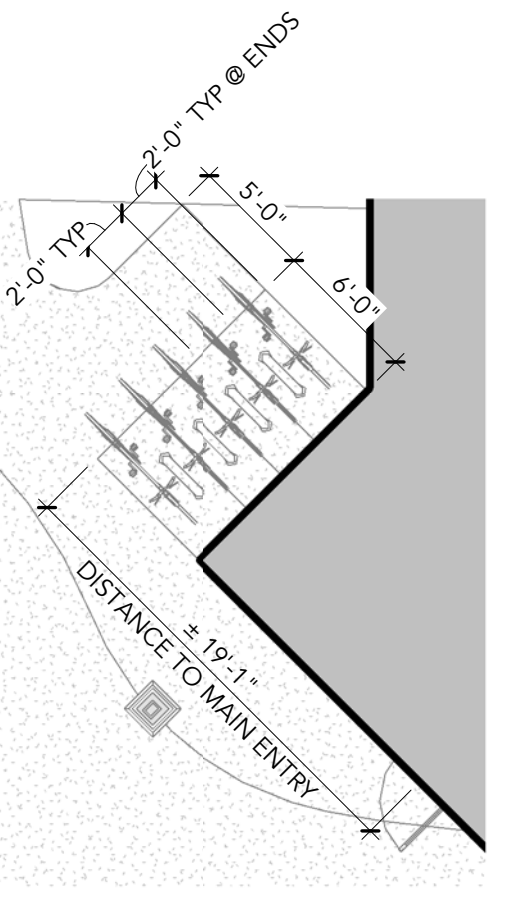
6c GENERATOR WEST
SCALE: 1/8" = 1'-0"



6b GENERATOR NORTH
SCALE: 1/8" = 1'-0"



6d GENERATOR SOUTH
SCALE: 1/8" = 1'-0"



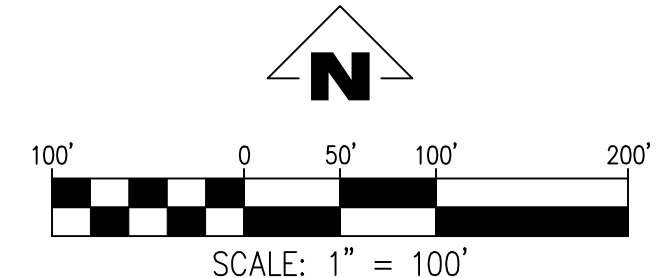
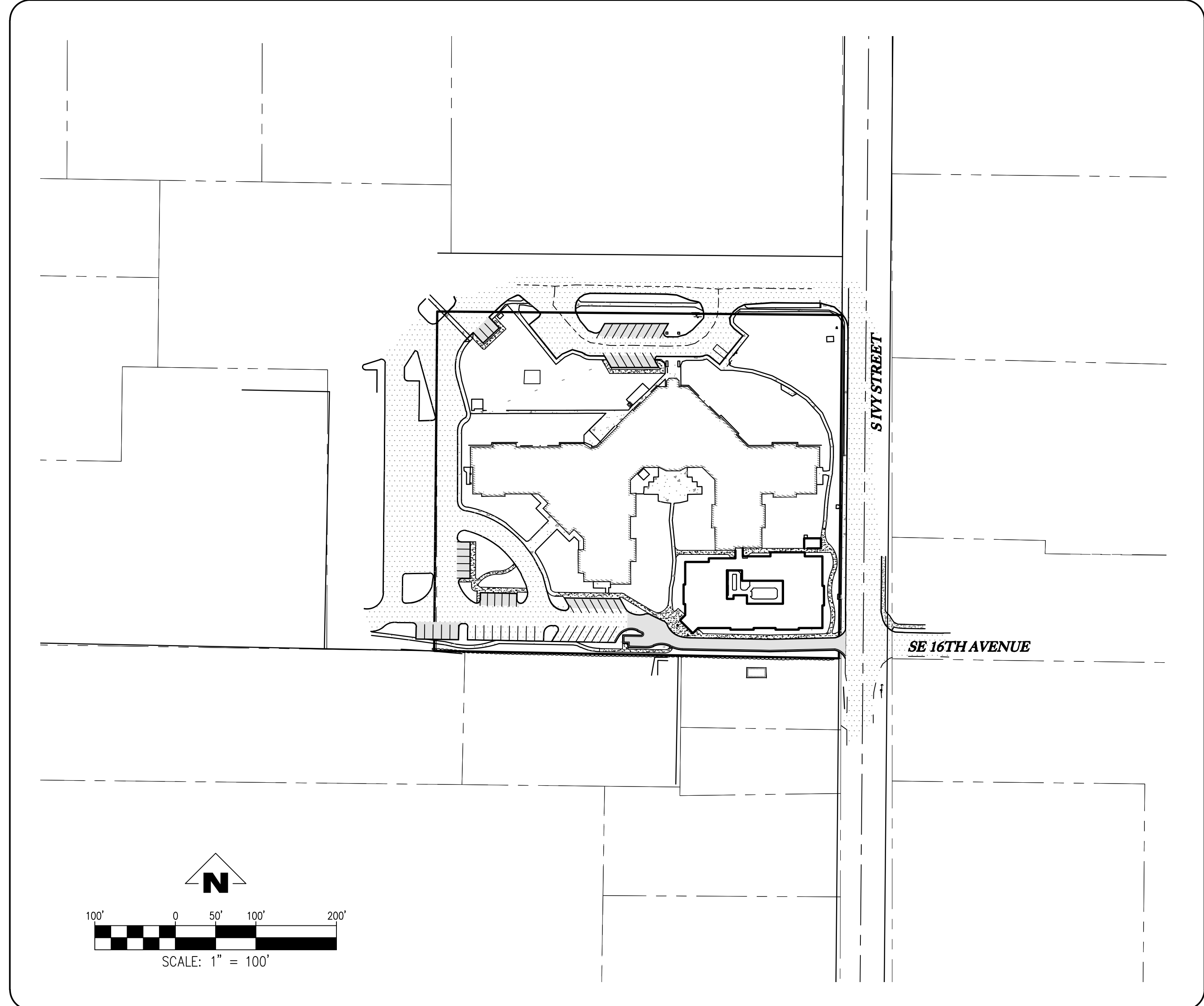
7 (N) BICYCLE STALLS
SCALE: 1/8" = 1'-0"

MARQUIS CANBY MEMORY CARE ADDITION

BUILDING ADDITION
SE 1/4 SEC. 04, T.4S, R.1E., W.M.
CITY OF CANBY, OREGON

LEGEND

-----	ROCK WALL
-----	FLOW LINE
-X-849-X-	FENCE
-----	MINOR CONTOUR
-----	MAJOR CONTOUR
-----	WETLAND
SS-SS	SANITARY SEWER LINE
SD-SD	STORM DRAIN LINE
G-G	GAS LINE
W-W	WATER LINE
OH-OH	OVERHEAD UTILITIES LINE
COM-COM	COMMUNICATIONS LINE
E-E	ELECTRIC LINE
○	FIRE HYDRANT
○	AIR RELEASE
○	WATER BLOWOFF
○	WATER METER/SERVICE
○	WATER VAULT
○	IRRIGATION SPRINKLER HEAD
○	CULVERT / OUTFALL
○	STORM DRAIN MANHOLE
○	CATCH BASIN / AREA DRAIN
○	SANITARY SEWER MANHOLE
○	UTILITY MANHOLE
○	UTILITY CLEAN OUT
○	UTILITY VALVE
○	UTILITY VAULT
○	UTILITY PEDESTAL
○	UTILITY POLE
○	UTILITY GUY POLE
○	UTILITY GUY WIRE
○	UTILITY/LIGHT POLE
○	LIGHT POLE
○	LIGHT SIGNAL JUNCTION BOX
○	JUNCTION BOX
○	ELECTRIC METER/SERVICE
○	ELECTRIC PEDESTAL
○	ELECTRIC VAULT
○	TELEPHONE MANHOLE
○	COMMUNICATIONS PEDESTAL
○	COMMUNICATIONS VAULT
○	GAS METER/SERVICE
○	GAS PEDESTAL
○	DECIDUOUS TREE
○	EVERGREEN TREE
○	SIGN POST
○	MAILBOX



ENGINEER'S NOTE TO CONTRACTOR

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS ARE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT THOSE SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS.

THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.

IMPERVIOUS AREA ONSITE

EXISTING	= 118,441 SF (2.719 AC)
REMOVED	= 14,331 SF (0.329 AC)
REPLACED	= 5,071 SF
NEW	= 25,431 SF (0.595 AC)
NEEDS TREATMENT	= 25,431 SF (AC)
IS TREATED	= 25,431 SF (AC)
FEE-IN-LIEU	= 0 SF (AC)

IMPERVIOUS AREA OFFSITE

EXISTING	= 183 SF
REMOVED	= 183 SF
REPLACED	= 0 SF
NEW	= 684 SF
NEEDS TREATMENT	= 501 SF
IS TREATED	= 501 SF
FEE-IN-LIEU	= 0 SF

SITE DATA

AREA:	4.89 Ac.
DISTURBED AREA:	1.10 Ac.
ZONING:	R-1.5 MDR
TAX MAP:	4S1E 04D
TAX LOT:	00802

THIS DESIGN COMPLIES WITH ORS 92.044 (7) IN THAT NO UTILITY INFRASTRUCTURE IS DESIGNED TO BE WITHIN ONE (1) FOOT OF A SURVEY MONUMENT LOCATION SHOWN ON A SUBDIVISION OR PARTITION PLAT. NO DESIGN EXCEPTIONS NOT FINAL FIELD LOCATION CHANGES SHALL BE PERMITTED IF THAT CHANGE WOULD CAUSE ANY UTILITY INFRASTRUCTURE TO BE PLACED WITHIN THE PROHIBITED AREA.

NOTICE TO EXCAVATORS:
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER.
(NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987).

POTENTIAL UNDERGROUND FACILITY OWNERS

Dig Safely.

Call the Oregon One-Call Center
DIAL 811 or 1-800-332-2344

EMERGENCY TELEPHONE NUMBERS	
NW NATURAL GAS	
M-F 7am-6pm	503-226-4211 Ext.4313
AFTER HOURS	503-226-4211
PGE	503-464-7777
CENTURY LINK	1-800-491-0118
FRONTIER	1-800-921-8101
CANBY PUBLIC WORKS	503-266-2573
CANBY WATER DEPARTMENT	503-266-1156
CLACKAMAS COUNTY	503-655-8459

PROJECT CONTACTS

APPLICANT:

MARQUIS COMPANIES, INC.
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SUITE 100
MILWAUKIE, OREGON 97222
ATTN: SCOTT MILLER
(503) 887-5903 (P)

CIVIL ENGINEER:

EMERIO DESIGN, LLC
6445 FALLBROOK PL, SUITE 100
BEAVERTON, OR 97008
ENGINEER CONTACT: ERIC EVANS
(503) 746-8812 (P)
(503) 639-9592 (F)

SURVEYOR:

EMERIO DESIGN, LLC
6445 FALLBROOK PL, SUITE 100
BEAVERTON, OR 97008
SURVEYOR CONTACT: KING PHELPS
(503) 746-8812 (P)
(503) 639-9592 (F)

UTILITY CONTACTS

GAS:

NORTHWEST NATURAL GAS COMPANY
220 NW 2ND AVE.
PORTLAND, OR 97209

CABLE:

COMCAST
14200 SW BRIGADOON CT.
BEAVERTON, OR 97005

TELEPHONE:

VERIZON NORTHWEST
P.O. BOX 1100
BEAVERTON, OR 97075

FIRE:

CANBY FIRE DISTRICT
221 S PINE STREET
CANBY, OR 97013
(503) 266-5851 (P)

POWER:

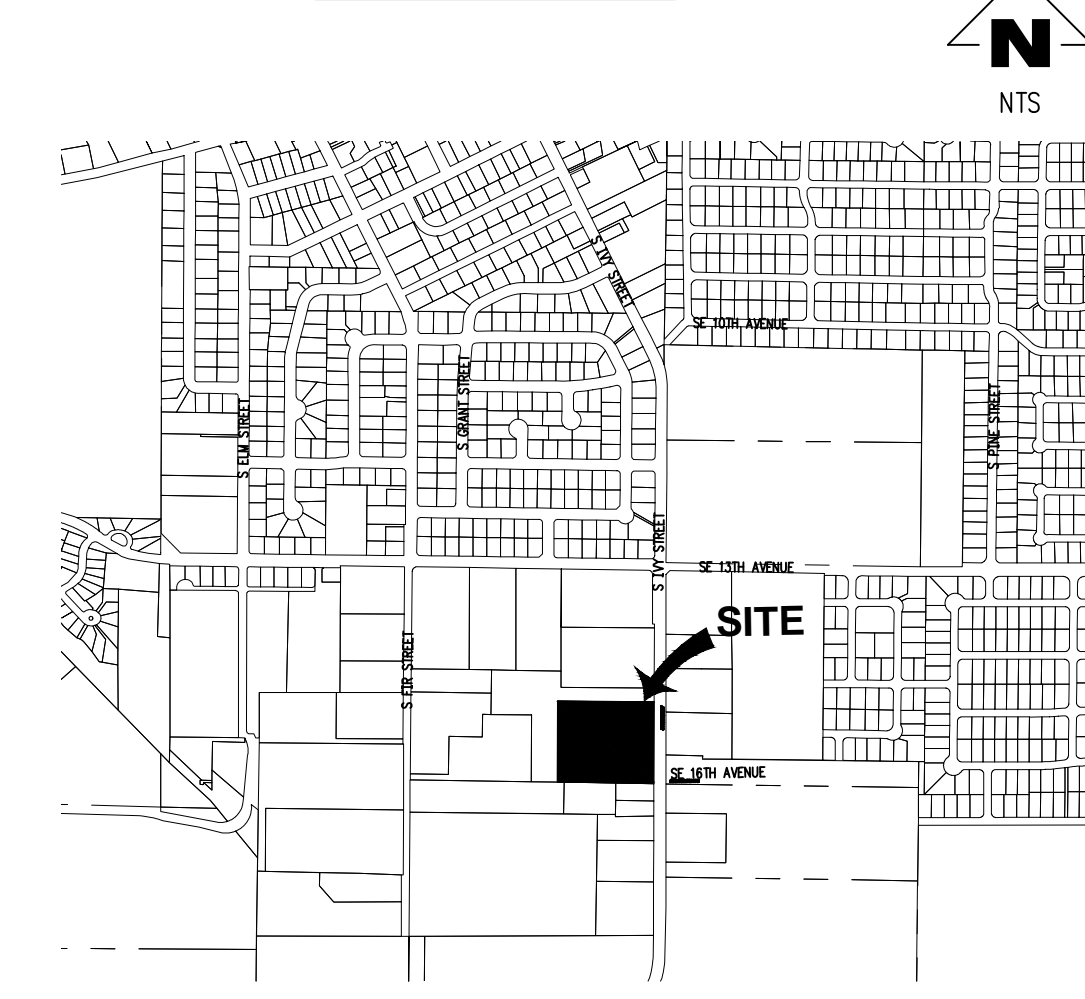
CANBY UTILITY
154 NW 1ST AVENUE
CANBY, OR 97013

WATER:

CANBY WATER DEPARTMENT
154 NW 1ST AVENUE
CANBY, OR 97013
(503) 266-1156 (P)

CANBY PROJECT: TBD
QUARTER SEC: SE ¼ SECTION 04
T4S R1E W.M.

VICINITY MAP



DRAWING INDEX

SH.	TITLE
C1.00	COVER SHEET & INDEX OF DRAWINGS & LEGEND
C2.00	CONSTRUCTION NOTES
C3.00	EXISTING CONDITIONS & DEMO PLAN
C4.00	SITE PLAN
C5.00	GRADING PLAN
C6.00	UTILITY PLAN
C7.00	CONSTRUCTION DETAILS

BENCHMARK INFORMATION

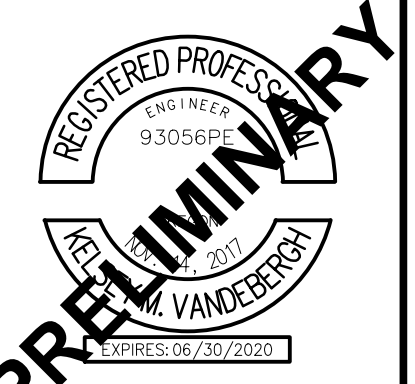
THE DATUM FOR THIS SURVEY IS BASED UPON AN ASSUMED ELEVATION OF 100 FEET.

CANBY MARQUIS
ADDITION
TAXMAP 4S1E 04D
TAXLOT 00802
CANBY, OREGON

COVER SHEET & INDEX
OF DRAWINGS &
LEGEND

NO.	DATE	DESCRIPTION
1	7/2018	PLANNING SUBMITTAL

EMERIO Design
8285 SW MARLBOROUGH AVE, SUITE 100
BEAVERTON, OREGON 97008
TEL: (503) 515-5528
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www.emeriodesign.com



PRELIMINARY
SHEET
C1.00
OF
7

GENERAL NOTES

- 1. ALL REFERENCES TO CITY DESIGN STANDARDS REFER TO THE CURRENT STANDARDS.
- 2. THE DESIGN ENGINEER WILL BE RESPONSIBLE FOR INSPECTION OF THE PROPOSED IMPROVEMENTS WITH OVERSIGHT FROM THE CITY'S PUBLIC WORKS AND ENGINEERING STAFF.
- 3. A WORK SCHEDULE WILL BE REQUIRED FROM THE CONTRACTOR SO THAT THE ENGINEER CAN HAVE AN INSPECTOR ON-SITE AT THE APPROPRIATE TIMES. IF THE WORK SCHEDULE IS REVISED THE CONTRACTOR IS TO NOTIFY THE ENGINEER AT LEAST 24 HOURS NOTICE OF ANY TESTING REQUIRING THE PRESENCE OF THE ENGINEER AND/OR CITY STAFF.
- 4. THE CONTRACTOR IS TO RECEIVE THE APPROVAL OF THE ENGINEER AND THE CITY OF ANY PROPOSED CHANGES TO THE PLANS OR STANDARD REQUIREMENTS.
- 5. A BUILDING DEPARTMENT PLUMBING PERMIT IS REQUIRED FOR UTILITIES BEYOND THE FIRST CLEANOUT OR METER ON PRIVATE PROPERTY.
- 6. A PUBLIC IMPROVEMENT GUARANTEE AGREEMENT OR A PUBLIC WORKS PERMIT, A PRE-CONSTRUCTION MEETING WITH THE CITY OF CANBY, AND INSTALLATION OF EROSION CONTROL MEASURES ARE REQUIRED PRIOR TO BEGINNING CONSTRUCTION.
- 7. PRIOR TO SITE CLEARING, 8' TALL CHAIN-LINK FENCING SHALL BE PLACED AT TREE EASEMENT BOUNDARIES PRIOR TO SITE GRADING. THE CITY ARBORIST SHALL INSPECT & APPROVE ALL ON-SITE TREE PROTECTION MEASURES PRIOR TO THE START OF THE SITE WORK. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE CITY ARBORIST AND ARRANGE FOR THIS APPROVAL TO TAKE PLACE. NO PERMITS WILL BE ISSUED FROM ENGINEERING, PLANNING, OR BUILDING DEPARTMENTS WITHOUT TREE PROTECTION APPROVAL FROM THE CITY ARBORIST. ALL TREE PROTECTION MEASURES SHALL REMAIN IN PLACE AND FULLY FUNCTIONAL FOR THE ENTIRE TIME THAT SITE WORK AND CONSTRUCTION IS TAKING PLACE.
- 8. A CITY REPRESENTATIVE AND A REPRESENTATIVE OF THE ENGINEER MUST BE PRESENT AT ALL TESTING AND THE CITY SHALL BE FURNISHED A COPY OF ALL TEST RESULTS. IF ENGINEER OR CITY DO NOT WITNESS TESTING, CONTRACTOR WILL BE REQUIRED TO RE-TEST.
- 9. ALL FEES FOR STREET TREES SHALL BE PAID TO THE CITY OF CANBY PARKS AND RECREATION DEPARTMENT.
- 10. NO BUILDING PERMITS WILL BE GIVEN UNTIL THE IMPROVEMENTS HAVE BEEN ACCEPTED BY THE CITY AS SUBSTANTIALLY COMPLETE.
- 11. CONTRACTOR SHALL VERIFY DEPTH AND LOCATION OF EXISTING UTILITIES AND POINTS OF CONNECTION PRIOR TO ORDERING MANHOLES. IF DISCREPANCIES ARE FOUND, CONTRACTOR SHALL NOTIFY THE ENGINEER.

WATER NOTES

- 1. WATER MAINS SHALL BE DUCTILE IRON PIPE CONFORMING TO AWWA C151 CLASS 52. PIPE IS TO HAVE CEMENT MORTAR LINING AND BITUMINOUS SEAL COAT CONFORMING TO AWWA C104. JOINTS ARE TO BE PUSH-ON RUBBER GASKETED JOINTS UNLESS NOTED OTHERWISE ON THE PLAN. PIPE FITTINGS ARE TO BE OF THE SAME MATERIAL AND CLASS AS PIPE OF DOMESTIC ORIGIN.
- 2. WATER MAINS HAVE A MINIMUM COVER OF 36".
- 3. THRUST BLOCKS ARE TO BE PROVIDED AT ALL CHANGES IN DIRECTION AND BRANCHES. THRUST BLOCKING CONCRETE STRENGTH IS TO BE 3000 PSI. SEE DETAILS FOR THRUST BLOCK SIZING. POUR THRUST BLOCKS AGAINST UNDISTURBED EARTH.
- 4. GATE VALVES SHALL BE RESILIENT SEAT, NON-RISING STEM WITH "O" RING PACKING, COMPLYING WITH AWWA CLASS "C" SPECIFICATIONS. THE VALVES SHALL BE DESIGNED TO WITHSTAND A WORKING PRESSURE OF 150 PSI. GATE VALVES SHALL BE FURNISHED WITH A TWO-INCH SQUARE OPERATING NUT AND SHALL OPEN COUNTERCLOCKWISE WHEN VIEWING FROM ABOVE. BUTTERFLY VALVES SHALL BE RUBBER SEAT TYPE AND BUBBLE-TIGHT AT 150 PSI, AND SHALL CONFORM TO AWWA C504. BUTTERFLY VALVES SHALL BE MUELLER OR APPROVED EQUAL. OPERATING NUT SHALL BE LOCATED ON THE SIDE OF THE MAIN SHOWN ON THE PLANS. VALVE BOXES SHALL BE "VANCOUVER" PATTERN.
- 5. FIRE HYDRANTS SHALL CONFORM WITH AWWASPECIFICATION C-502. PUMPER OUTLET IS TO FACE THE DIRECTION OF ACCESS. ACCEPTABLE MODELS ARE MUELLER CENTURION A-42 OR CLOW MEDALLION F-2545. HYDRANT COLOR SHALL BE YELLOW.
- 6. GRANULAR BACKFILL (3/4"-0) IS TO BE COMPACTED TO 95% MAXIMUM DRY DENSITY PER AASHTO T 180 TEST METHOD AND NATIVE MATERIAL SHALL BE COMPACTED TO 95% OF IN-PLACE DRY DENSITY OF SURROUNDING SOIL. EXCAVATION, BEDDING, AND BACKFILL SHALL BE IN ACCORDANCE WITH DIVISION 204 OF THE CITY OF WEST LINN STANDARD CONSTRUCTION SPECIFICATIONS. BACKFILL UNDER NEW STREETS SHALL BE CLASS "E".
- 7. SERVICE LATERALS SHALL BE TYPE K COPPER LATERAL SIZES SHALL BE 1". FOR DOUBLE SERVICES TWO 1" WATER SERVICES SHALL BE LAID SIDE BY SIDE. CORPORATION STOPS SHALL BE MUELLER H 15008 OR FORD F1000 4Q. ANGLE METER STOP SHALL BE MUELLER H 14258 OR FORD 1" KV43-444W-Q. METER BOXES SHALL BE EQUAL TO BROOKS #37 WITH A 37-S LID AND COVER. METER BOXES ARE TO BE INSTALLED 3/4" ABOVE FINISH GRADE AND 2-1/2" FROM THE CURB IN PLANTER STRIPS OR FLUSH WITH SIDEWALK SURFACE IN A SIDEWALK.
- 8. ALL WATERLINES WILL BE PRESSURE TESTED AND PURIFICATION TESTED BEFORE CONNECTION TO THE CITY WATER SYSTEM. PRESSURE TEST SHALL BE CONDUCTED AT 180 PSI OR 1.5 TIMES THE NORMAL WORKING PRESSURE, WHICHEVER IS HIGHER AND SHALL MEET THE REQUIREMENTS OF DIVISION 403.14 OF THE WEST LINN PUBLIC WORKS STANDARD CONSTRUCTION SPECIFICATIONS.
- 9. CHLORINATION SHALL CONFORM WITH DIVISION 403.13 OF THE W.L.S.C.S.
- 10. DO NOT CONNECT NEW PIPE TO EXISTING PIPE PRIOR TO TESTING. THE CITY OF WEST LINN REQUIRES ACCEPTANCE OF NEW WATERLINE PRIOR TO CONNECTION TO EXISTING WATER SYSTEM.
- 11. A PLUMBING PERMIT IS REQUIRED FOR SERVICE LATERAL INSTALLATIONS BEYOND THE WATER METER.
- 12. ALL MATERIALS, INSTALLATION, TESTS, AND CHLORINATION TO BE IN STRICT ACCORDANCE WITH THE CITY OF WEST LINN PUBLIC WORKS STANDARD CONSTRUCTION SPECIFICATIONS, AND THE OREGON STATE HEALTH DIVISION ADMINISTRATION RULES, CHAPTER 333.

STREET NOTES

- 1. NEW STREET SECTIONS ARE TO BE CLEARED OF ALL SURFACE VEGETATION AND OTHER MISCELLANEOUS STRUCTURES OR MATERIALS. GRUB IMPROVEMENT AREAS TO REMOVE ALL BURIED VEGETATIVE MATTER AND DEBRIS TO A DEPTH OF 8" BELOW SUBGRADE. PROPERLY DISPOSE OF ALL WASTE MATERIAL.
- 2. STREET SUBGRADE SHALL CONFORM TO DIVISION 501 OF THE CITY OF CANBY STANDARD CONSTRUCTION SPECIFICATIONS. AREAS TO RECEIVE FILL ARE TO BE INSPECTED BY CITY OF CANBY PERSONNEL PRIOR TO PLACEMENT OF THE FILL. THE CONTRACTOR SHALL HAVE FILL AREAS TESTED FOR COMPACTION BY A CERTIFIED TESTING LAB IN ACCORDANCE WITH W.L.S.C.S. DIVISION 501.03.08. SUCH TESTING WILL BE AT THE CONTRACTOR'S EXPENSE.
- 3. AGGREGATE BASE ROCK SHALL CONFORM TO THE REQUIREMENTS OF W.L.S.C.S. DIVISION 205. BASE COURSE SHALL BE 1-1/2"-0 CRUSHED ROCK AND LEVELING COURSE SHALL BE 3/4"-0. CITY OF CANBY REQUIRES A PROOF ROLL WITH A LOADED TO YARD DUMP TRUCK OF THE SUBGRADE PRIOR TO PLACEMENT OF THE ROCK AND AGAIN AFTER PLACEMENT OF THE BASE ROCK AND PRIOR TO PAVING. ALL UNDERGROUND UTILITIES INCLUDING LATERALS, SERVICES, AND POWER OR GAS CONDUITS WILL BE IN PLACE BEFORE SUBGRADE PROOF ROLL WILL TAKE PLACE.
- 4. ASPHALT CONCRETE SHALL CONFORM TO THE REQUIREMENTS OF W.L.S.C.S. DIVISION 205. 2" BASE LIFT SHALL BE CLASS "B" A.C. AND 2" FINAL LIFT SHALL BE CLASS "C" A.C. MEETING THE SPECIFICATIONS OF W.L.S.C.S. DIVISION 505. THE TOP LIFT OF ASPHALT CONCRETE SHALL NOT BE PLACED PRIOR TO RECEIVING PERMISSION FROM THE CITY OF WEST LINN ENGINEERING DEPARTMENT.
- 5. CONSTRUCT CURB AND GUTTER USING 3300 PSI CONCRETE MEETING THE SPECIFICATIONS OF W.L.S.C.S. DIVISION 205 (AFTER 28 DAYS) WITH MAXIMUM 1-1/2" AGGREGATE SIZE. CONTRACTION JOINTS AT 15' MAXIMUM ON CENTERS. THREE INCH WEEPHOLES ARE TO BE INSTALLED ON ALL LOTS UPHILL OR EVEN WITH THE STREET. GENERALLY, WEEPHOLES SHALL BE LOCATED AT THE CENTER AND LOWEST EDGE OF CURB FOR EACH LOT. HANDICAP RAMPS SHALL BE CONSTRUCTED AT EACH CURB RETURN AT INTERSECTIONS BY CONTRACTOR UNLESS OTHERWISE NOTED ON THE PLANS. CONTRACTOR SHALL STAMP LOCATION OF SEWER AND WATER CROSSINGS WITH AN (S) OR A (W). A PROOF ROLL OF THE CURBLINES IS REQUIRED PRIOR TO POURING CURBS.
- 6. ALL MATERIALS, INSTALLATION, TESTS, AND INSPECTIONS TO BE IN STRICT ACCORDANCE WITH CITY OF WEST LINN PUBLIC WORKS STANDARD CONSTRUCTION SPECIFICATIONS.
- 7. A STREET CONSTRUCTION ENCROACHMENT PERMIT OR SIMILAR PERMIT MAY BE REQUIRED FROM THE CITY OF WEST LINN. CONSTRUCTION PERMIT FEES OR OTHER SIMILAR FEES OR BONDING REQUIRED OF THE CONTRACTOR WILL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN.
- 8. MONUMENT BOXES WILL BE REQUIRED AT ALL STREET CENTERLINE INTERSECTIONS, POINTS OF CURVATURE AND POINTS OF TANGENCY. BOXES SHALL CONFORM TO CLACKAMAS COUNTY SURVEYOR REQUIREMENTS.

STORM SEWER NOTES

- 1. EIGHT INCH TO 24-INCH STORM DRAIN PIPE IS PREFERRED TO BE SEAMLESS RIBBED PVC PIPE CONFORMING TO ASTM F 794. WHERE LARGER PIPE IS REQUIRED OR LACK OF COVER PREVENTS USE OF RIBBED PVC PIPE, PIPE SHALL BE CLASS 3 NON-REINFORCED, CONCRETE PIPE CONFORMING TO ASTM C14. REINFORCED CONCRETE PIPE CONFORMING TO ASTM C-76. CLASS IV, OR DUCTILE IRON PIPE CONFORMING TO AWWA C151 CLASS 52. RUBBER JOINTS ARE REQUIRED FOR ALL CONCRETE PIPE. SIX INCH AND SMALLER STORM DRAIN PIPE SHALL CONFORM TO ASTM D 3034 PVC PIPE.
- 2. GUTTER INLETS SHALL BE POURED IN-PLACE CONCRETE WITH A MINIMUM COMPRESSIVE STRENGTH OF 3300 PSI. FRAME SHALL BE FABRICATED OF STRUCTURAL STEEL, ASTM A-7, A-36, A-373.
- 3. MANHOLE BASE MAY BE POURED IN PLACE CONCRETE WITH A MINIMUM COMPRESSIVE STRENGTH OF 3300 PSI OF PRECAST. MANHOLE RISERS AND TOPS SHALL BE PRECAST SECTIONS WITH A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI. TOPS SHALL BE ECCENTRIC CONES EXCEPT WHERE INSUFFICIENT HEADROOM REQUIRES FLAT TOPS. INTERIOR DIMENSIONS NOTED ON THE PLANS ARE MINIMUMS. SOME OR ALL OF THE STORM DRAIN REQUIRED WILL BE OVERSIZED MANHOLES. CONTRACTOR SHALL CHECK WITH MANHOLE MANUFACTURER FOR ACTUAL SIZE OF MANHOLE NEEDED FOR TYPE AND SIZE OF PIPE TO BE USED. INVERTS SHALL BE CONSTRUCTED SO AS TO PROVIDE SMOOTH FLOW-THROUGH CHARACTERISTICS. PIPE SHALL BE CONNECTED TO MANHOLE BY MEANS OF A FLEXIBLE CONNECTION AND SHALL HAVE A SHEAR JOINT LOCATED 18" OUTSIDE OF THE MANHOLE.
- 4. ALL MANHOLES LOCATED IN EASEMENT AREAS REQUIRE TAMPER PROOF LIDES AND LID SHALL BE SET 12 INCHES ABOVE PROPOSED GRADE.
- 5. CLEANOUT PIPE, FITTINGS, AND JOINTS SHALL BE THE SAME SPECIFICATIONS AS FOR PIPE. CASTINGS ARE SHOWN ON DETAILS AND SHALL CONFORM TO ASTM A48 (GRADE 30). CLEANOUT RISER SHALL MATCH DOWNSTREAM PIPE DIAMETER.
- 6. GRANULAR BACKFILL (3/4"-0) IS TO BE COMPACTED TO 95% MAXIMUM DRY DENSITY PER AASHTO T-180 TEST METHOD AND NATIVE MATERIAL SHALL BE COMPACTED TO 95% OF IN-PLACE DRY DENSITY OF SURROUNDING SOIL.
- 7. STORM DRAIN SERVICE LATERALS SHALL BE 4" PIPE CONFORMING TO THE SAME SPECIFICATIONS AS THE STORM DRAIN MAIN LINES. SERVICES LATERALS SHALL BE INSTALLED TO A POINT BEYOND THE LINE OR UTILITY EASEMENT AS SHOWN ON THE PLAN. THE SERVICE LATERAL SHALL BE PLUGGED WITH 4" RUBBER RING PLUG, AND THE LOCATION OF THE LATERALS END MARKED WITH A 2"x4" STAKE PAINTED WHITE.
- 8. RIPRAP WHERE NOTED ON THE PLANS IS TO BE CLASS 50 IN ACCORDANCE WITH OREGON STATE HIGHWAY DIVISION SPECIFICATION 714. 9. PRIVATE CATCHBASIN SHALL BE TRAPPED AND SUMPED GIBSON STEEL PRE-FABRICATED CATCHBASIN OR APPROVED EQUAL.
- 10. STORM DRAINS SHALL BE TESTED FOR DEFLECTION IN ACCORDANCE WITH DIVISION 601.03.11 AND VIDEO INSPECTED IN ACCORDANCE WITH DIVISION 601.03.12 OF THE WEST LINN STANDARD CONSTRUCTION SPECIFICATIONS. ALL TESTS SHALL BE WITNESSED BY THE ENGINEER AND A REPRESENTATIVE OF THE CITY.
- 11. A PLUMBING PERMIT FROM THE CITY OF WEST LINN BUILDING DEPARTMENT IS REQUIRED FOR STORM DRAINS BEYOND THE FIRST CLEANOUT.
- 12. ALL MATERIALS, INSTALLATION, TESTS, AND INSPECTIONS TO BE IN STRICT ACCORDANCE WITH THE CITY OF WEST LINN STANDARD CONSTRUCTION SPECIFICATIONS.
- 13. RAIN GARDEN PLANTINGS TO CONFORM TO PLANTING PLANS.

SANITARY SEWER NOTES

- 1. PIPE SHALL BE PVC SEWER PIPE CONFORMING TO ASTM D-3034 SDR 35. MINIMUM STIFFNESS SHALL BE 46 PSI AND JOINT TYPE SHALL BE ELASTOMERIC GASKET CONFORMING TO ASTM D-3212.
- 2. MANHOLE BASE SHALL BE POURED IN PLACE CONCRETE BASE WITH A MINIMUM COMPRESSIVE STRENGTH OF 3300 PSI OR PRECAST. MANHOLE RISERS AND TOPS SHALL BE PRECAST SECTIONS WITH MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI. TOPS SHALL BE ECCENTRIC CONES EXCEPT WHERE INSUFFICIENT HEADROOM REQUIRES FLAT TOPS. INVERTS SHALL BE CONSTRUCTED SO AS TO PROVIDE SMOOTH FLOW-THROUGH CHARACTERISTICS AND CHANNELS MUST BE ABLE TO PASS A 7"x30" CYLINDER INTO PIPES. PVC PIPE SHALL BE CONNECTED TO MANHOLE BY MEANS OF A FLEXIBLE CONNECTION AND SHALL HAVE A SHEAR JOINT LOCATED 18" OUTSIDE OF MANHOLE. CEMENT GROUT FOR CONNECTING PVC SEWER PIPE TO MANHOLE WILL NOT BE PERMITTED.
- 3. ALL MANHOLES LOCATED IN EASEMENT AREAS REQUIRE TAMPER PROOF LIDS AND THE LID SHALL BE SET 12" ABOVE THE PROPOSED GRADE.
- 4. CLEANOUT PIPE, FITTINGS, AND JOINTS SHALL BE THE SAME SPECIFICATIONS AS FOR PIPE. CASTINGS ARE AS SHOWN ON DETAIL AND SHALL CONFORM TO ASTM A48 (GRADE 30). CLEANOUT RISER SHALL MATCH DOWNSTREAM PIPE DIAMETER. FRAME SHALL SIT ON 18"x24" CONCRETE PAD.
- 5. GRANULAR BACKFILL (3/4"-0) IS TO BE COMPACTED TO 95% MAXIMUM DRY DENSITY PER AASHTO T-180 TEST METHOD AND NATIVE MATERIAL SHALL BE COMPACTED TO 95% OF IN-PLACE DRY DENSITY OF SURROUNDING SOIL. EXCAVATION, BEDDING, AND BACKFILL SHALL BE IN ACCORDANCE WITH DIVISION 204 OF THE CITY OF CANBY STANDARD CONSTRUCTION SPECIFICATIONS. BACKFILL UNDER NEW STREETS SHALL BE CLASS "B" AND BACKFILL IN EXISTING STREETS SHALL BE CLASS "E".
- 6. PVC SERVICE LATERALS SHALL BE 4" PIPE CONFORMING TO THE SAME SPECIFICATIONS AS THE SEWER MAINS. SERVICE LATERALS SHALL BE INSTALLED TO A POINT BEYOND THE LINE OF THE SEWER OR UTILITY EASEMENT AS SHOWN ON THE PLAN. THE SERVICE LATERAL SHALL BE PLUGGED WITH A 4" RUBBER RING PLUG, AND THE LOCATION OF THE LATERAL'S END MARKED WITH A 2"x4" STAKE PAINTED GREEN.
- 7. SANITARY SEWER PIPE AND APPURTENANCES SHALL BE TESTED FOR LEAKAGE IN ACCORDANCE WITH W.L.S.C.S. DIVISION 301.03.09 AND MANHOLES SHALL BE VACUUM TESTED IN ACCORDANCE WITH W.L.S.C.S. DIVISION 302.03.07. ALL TESTS SHALL BE WITNESSED BY THE ENGINEER AND THE CITY OF WEST LINN. CONTRACTOR IS RESPONSIBLE FOR COORDINATING TESTING SO THAT ALL TEST SHALL BE PASSED AND NEW LINE SHALL BE ACCEPTED PRIOR TO CONNECTION TO EXISTING SYSTEM.
- 8. A PLUMBING PERMIT FROM THE CITY OF CANBY BUILDING DEPARTMENT IS REQUIRED FOR SANITARY SEWER LATERALS BEYOND THE FIRST CLEANOUT. 9. ALL MATERIALS, INSTALLATION, TEST, AND INSPECTIONS TO BE MADE IN STRICT ACCORDANCE WITH CITY OF CANBY PUBLIC WORKS STANDARD CONSTRUCTION SPECIFICATIONS.

EROSION CONTROL SUMMARY:

- 1. THE INTENT OF THE REQUIREMENT IS TO PREVENT SILTATION FROM REACHING STORM DRAIN SYSTEMS AND DRAINAGEWAYS.
- 2. THE MINIMUM MEASURES NEED TO BE MADE ON ALL PROJECTS.
 - A) A GRAVEL PAD, AT LEAST 50 FEET LONG, IS REQUIRED WHERE VEHICLES WILL LEAVE THE CONSTRUCTION SITE.
 - B) A SEDIMENT BARRIER IS TO BE CONSTRUCTED OF STRAW BALES OR A SEDIMENT FENCE WHERE NOTED IN THE DETAILS OR WHERE SEDIMENT WILL CROSS OUTSIDE THE WORK AREA.
 - C) WHERE EXCAVATED MATERIAL IS PLACED ON HARD SURFACES (SUCH AS STREETS) MATERIAL MUST BE BROOMED OR SCRAPED CLEAN AS SOON AS POSSIBLE.
 - D) RIPRAP EXITS FROM ALL CULVERTS AND STORM DRAIN PIPES DRAINING INTO THE DITCHES OR SWALES. RIPRAP IS TO BE CLASS 50 RIPRAP OR LARGER OR AS NOTED ELSEWHERE IN THE PLANS.
 - E) RESEED OR COVER DISTURBED AREAS AS SOON AS IS POSSIBLE AND PRACTICAL BUT NO LATER THAN THE COMPLETION OF CONSTRUCTION ON THE OTHER PHASES OF WORK. EROSION CONTROL MEASURES SUCH AS HAY BALES AND SILT FENCES MUST REMAIN IN PLACE UNTIL SEEDED AREAS SHOW GROWTH SUBSTANTIAL TO PREVENT EROSION.

GENERAL GRADING AND EROSION CONTROL (PART 1):

- 1. APPROVAL OF THIS EROSION CONTROL (ESC) PLAN DOES NOT CONSTITUTE AN APPROVAL OF PERMANENT ROAD OR DRAINAGE DESIGN (E.G. SIZE AND LOCATION OF ROADS, PIPES, RESTRICTORS, CHANNELS, RETENTION FACILITIES, UTILITIES, ETC.)
- 2. THE IMPLEMENTATION OF THESE ESC PLANS AND THE CONSTRUCTION, MAINTENANCE, REPLACEMENT, AND UPGRADING OF THESE ESC FACILITIES IS THE RESPONSIBILITY OF THE APPLICANT/CONTRACTOR UNTIL ALL CONSTRUCTION IS COMPLETED AND APPROVED, AND VEGETATION OF LANDSCAPING IS ESTABLISHED.
- 3. THE ESC FACILITIES ON THIS PLAN MUST BE CONSTRUCTED IN CONJUNCTION WITH ALL CLEARING AND GRADING ACTIVITIES, AND IN SUCH A MANNER AS TO ENSURE THAT SEDIMENT LADEN WATER DOES NOT ENTER THE DRAINAGE SYSTEM OR VIOLATE APPLICABLE WATER STANDARDS.
- 4. THE ESC FACILITIES SHOWN ON THIS PLAN ARE THE MINIMUM REQUIREMENTS FOR ANTICIPATED SITE CONDITIONS. DURING THE CONSTRUCTION PERIOD, THESE ESC FACILITIES SHALL BE UPGRADED AS NEEDED FOR UNEXPECTED STORM EVENTS AND TO ENSURE THAT SEDIMENT LADEN WATER DOES NOT LEAVE THE SITE.
- 5. THE ESC FACILITIES SHALL BE INSPECTED DAILY BY THE APPLICANT/CONTRACTOR AND MAINTAINED AS NECESSARY TO ENSURE THEIR CONTINUED FUNCTIONING.
- 6. THE ESC FACILITIES ON INACTIVE SITES SHALL BE INSPECTED AND MAINTAINED A MINIMUM OF ONCE A MONTH, OR WITHIN 24 HOURS FOLLOWING A STORM EVENT.
- 7. AT NO TIME SHALL MORE THAN ONE FOOT OF SEDIMENT BE ALLOWED TO ACCUMULATE WITHIN A TRAPPED CATCH BASIN. ALL CATCH BASINS AND CONVEYANCE LINES SHALL BE CLEANED PRIOR TO PAVING. THE CLEANING OPERATION SHALL NOT FLUSH SEDIMENT LADEN WATER INTO THE DOWNSTREAM SYSTEM.
- 8. STABILIZED CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE BEGINNING OF CONSTRUCTION AND MAINTAINED FOR THE DURATION OF THE PROJECT. ADDITIONAL MEASURES MAY BE REQUIRED TO ENSURE THAT ALL PAVED AREAS ARE KEPT CLEAN FOR THE DURATION OF THE PROJECT.

GENERAL GRADING AND EROSION CONTROL (PART 2):

- 1. CLEAN WASTE MATERIAL EXCAVATED FROM ROAD CUT OR TRENCHING AREAS NOT USED IN STREET FILL AREAS MAY BE SPREAD EVENLY ACROSS LOT AREAS IN DEPTHS NOT TO EXCEED SIX INCHES, EXCEPT WHERE NOTED OTHERWISE ON THE PLANS.
- 2. DURING CONSTRUCTION, STRAW BALES, CUTOFF TRENCHES OR SOME OTHER METHOD OF RUNOFF CONTROL SHALL BE USED TO PREVENT EROSION AND/OR SILTATION FROM CROSSING OUTSIDE THE WORK AREA BOUNDARIES.
- 3. LARGE ORGANIC MATERIAL, MISCELLANEOUS PIPE OR CONSTRUCTION MATERIAL MUST BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY.
- 4. NO FILLING OR CUTTING SHALL BE DONE OUTSIDE OF APPROVED GRADING AREAS.
- 5. ALL EROSION CONTROL FACILITIES SHALL MEET THE REQUIREMENTS OF THE CLACKAMAS COUNTY DEPARTMENT OF UTILITIES, EROSION PREVENTION AND SEDIMENT CONTROL PLANS TECHNICAL GUIDANCE HANDBOOK (ECTGH), REVISED AUGUST, 1994; CHAPTER 31 OF THE COMMUNITY DEVELOPMENT CODE; AND THE OREGON ADMINISTRATIVE RULES.

SEEDING/MULCHING:

- 1. ALL AREAS DISTURBED DURING CONSTRUCTION TO BE GRADED TO DRAIN AND COMPACTED TO A MINIMUM OF 90% OF AASHTO T-99 IMMEDIATELY AFTER INSTALLATION OF UTILITIES OR GRADING.
- 2. RECOMMENDED SEED MIXTURE: 80% ELKA DWARF PERENNIAL RYEGRASS AND 20% CREEPING RED FESCUE, BY WEIGHT. APPLICATION RATE SHALL BE 100 POUNDS MINIMUM PER ACRE.
- 3. FERTILIZER SHALL BE 12-16-8 WITH 50% OF THE NITROGEN DERIVED FROM UREA FORMALDEHYDE, AND APPLIED AT A RATE OF 400 POUNDS PER ACRE.
- 4. SEED AND MULCH AT A RATE OF 2000 LBS/AC WITH HEAVY BONDING AGENT OR NETTING AND ANCHORS. MULCH SHALL BE A WOOD CELLULOSE FIBER OR OTHER MATERIAL SUITABLE FOR HYDROMULCHING.
- 5. TEMPORARY OR PERMANENT HYDROSEEDING ARE ACCEPTABLE SEEDING AND MULCHING MUST BE PROVIDED WHENEVER PERENNIAL COVER CANNOT BE ESTABLISHED ON SITES WHICH WILL BE EXPOSED FOR 60 DAYS OR MORE.

SEDIMENT FENCE:

- 1. THE FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL CUT TO THE LENGTH OF THE BARRIER TO AVOID USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM 6-INCH OVERLAP, AND BOTH ENDS SECURELY FASTENED TO THE POST.
- 2. THE FILTER FABRIC FENCE SHALL BE INSTALLED TO FOLLOW THE CONTOURS, WHERE FEASIBLE. THEN FENCE POSTS SHALL BE SPACED A MAXIMUM OF SIX FEET APART AND DRIVEN SECURELY INTO THE GROUND A MINIMUM OF 18 INCHES.
- 3. A TRENCH SHALL BE EXCAVATED, ROUGHLY 6 INCHES WIDE BY 6 INCHES DEEP, UPSLOPE AND ADJACENT TO THE WOOD POST TO ALLOW THE FILTER FABRIC TO BE BURIED. BURY THE BOTTOM OF THE FABRIC 6" VERTICALLY BELOW FINISHED GRADE. ALL AREAS OF FILTER FABRIC TRENCH SHALL BE COMPACTED.
- 4. THE FILTER FABRIC SHALL BE INSTALLED WITH STITCHED LOOPS OVER FENCE POSTS. THE FENCE POST SHALL BE CONSTRUCTED OF 2" X 2" FIR, PINE, OR STEEL. THE FENCE POST MUST BE A MINIMUM OF 48" LONG. THE FILTER FABRIC SHALL NOT BE STAPLED OR ATTACHED TO EXISTING TREES.
- 5. SEDIMENT FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN PERMANENTLY STABILIZED.
- 6. SEDIMENT FENCES SHALL BE INSPECTED BY APPLICANT/CONTRACTOR IMMEDIATELY AFTER EACH RAINFALL, AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

CANBY MARQUIS
ADDITION
TAXMAP 4S1E 04D
TAXLOT 00802
CANBY, OREGON

CONSTRUCTION
NOTES

REVISIONS

NO.	DATE	DESCRIPTION
1	7/2018	PLANNING SUBMITTAL

EMERIO
Design

8285 SW ANHURST AVE, SUITE 180
BEAVERTON, OREGON 97008
TEL: (503) 515-5528
FAX: (503) 639-8592
www.emeriodesign.com

REGISTERED PROFESSIONAL ENGINEER
93056992

PRELIMINARY

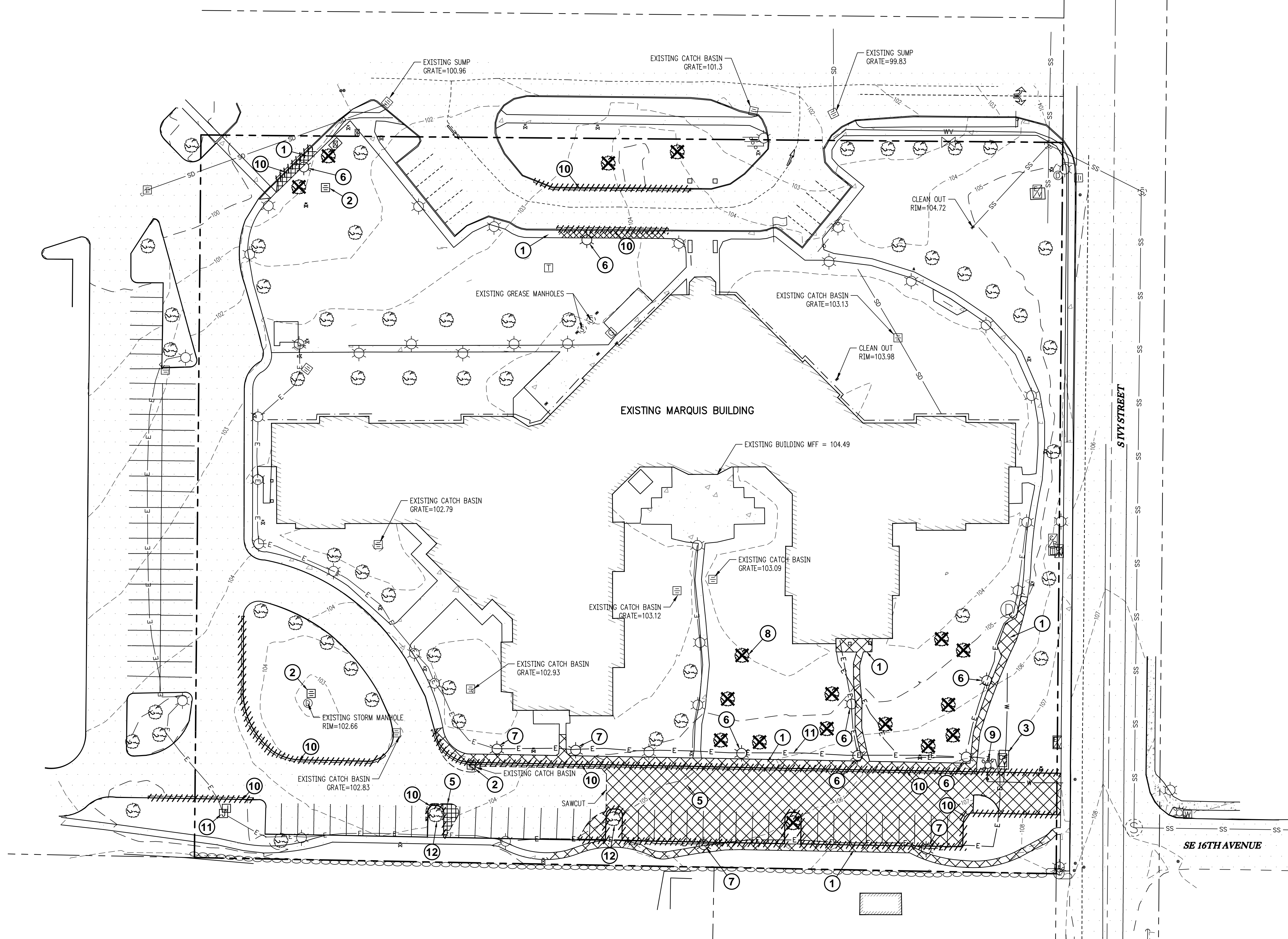
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100% COMPLETE

SHEET

C2.00

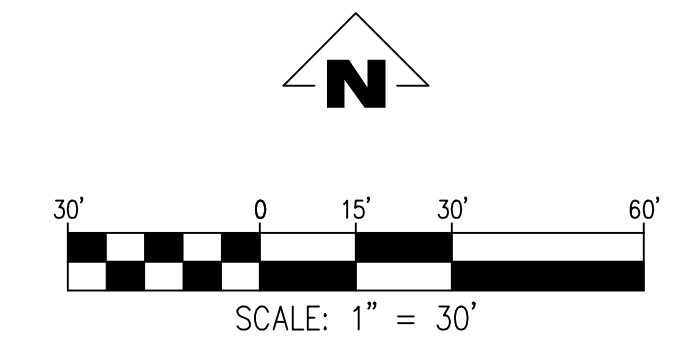
OF

7



- DEMOLITION NOTES**
- ① REMOVE EXISTING SIDEWALK
 - ② REMOVE EXISTING CATCH BASIN
 - ③ REMOVE & RELOCATE EXISTING WATER VAULT
 - ④ REMOVE & RELOCATE EXISTING IRRIGATION LINE AND CONTROL VALVE
 - ⑤ REMOVE EXISTING AC PAVEMENT
 - ⑥ REMOVE EXISTING LIGHT POLE
 - ⑦ RELOCATE EXISTING LIGHT AND CAMERA POLE
 - ⑧ REMOVE EXISTING TREE (TYP. 16)
 - ⑨ REMOVE & RELOCATE EXISTING FIRE HYDRANT
 - ⑩ REMOVE EXISTING CURB
 - ⑪ REMOVE & RELOCATE EXISTING ELECTRICAL
 - ⑫ PROTECT TREE IN PLACE. ARBORIST TO INSPECT DURING CONSTRUCTION.

- LEGEND:**
- △ INDICATES CONTROL POINT
 - ⊕ INDICATES POWER POLE
 - ⋈ INDICATES GUY WIRE
 - INDICATES DOWNSPOUT
 - INDICATES CATCH BASIN
 - INDICATES CLEANOUT
 - ☀ INDICATES STREET LIGHT
 - ⊙ INDICATES STORM MANHOLE
 - ⊙ INDICATES SIGN
 - ⊙ INDICATES SANITARY MANHOLE
 - ⊙ INDICATES WATER VALVE
 - ⊙ INDICATES DECIDUOUS TREE
 - ➔ INDICATES STREET DIRECTIONAL ARROWS
 - ⊙ INDICATES WELL
 - ⊙ INDICATES FIRE HYDRANT
 - ⊙ INDICATES WATER METER
 - ⊙ INDICATES GAS METER
 - ⊙ INDICATES TRANSFORMER
 - ⊙ INDICATES JUNCTION BOX
 - ⊙ INDICATES IRRIGATION CONTROL VALVE
 - ⊙ INDICATES ELECTRICAL VAULT
 - ⊙ INDICATES COMMUNICATION VAULT
 - ⊙ INDICATES FLAG POLE
 - ⊙ INDICATES GAS VALVE
 - ⊙ INDICATES COMMUNICATION PEDISTAL
 - INDICATES 5 FOOT INTERVAL CONTOUR
 - INDICATES 1 FOOT INTERVAL CONTOUR
 - INDICATES HEDGE LINE
 - INDICATES EXISTING ROADWAY PAINT STRIPE
 - INDICATES OVERHEAD POWER
 - INDICATES EXISTING WATER MAIN
 - INDICATES ROADWAY CENTERLINE
 - INDICATES EXISTING CONCRETE
 - INDICATES EXISTING ASPHALT



**CANBY MARQUIS
ADDITION
TAXMAP 4S1E 04D
TAXLOT 00802
CANBY, OREGON**

**EXISTING & DEMO
CONDITIONS & DEMO
PLAN**

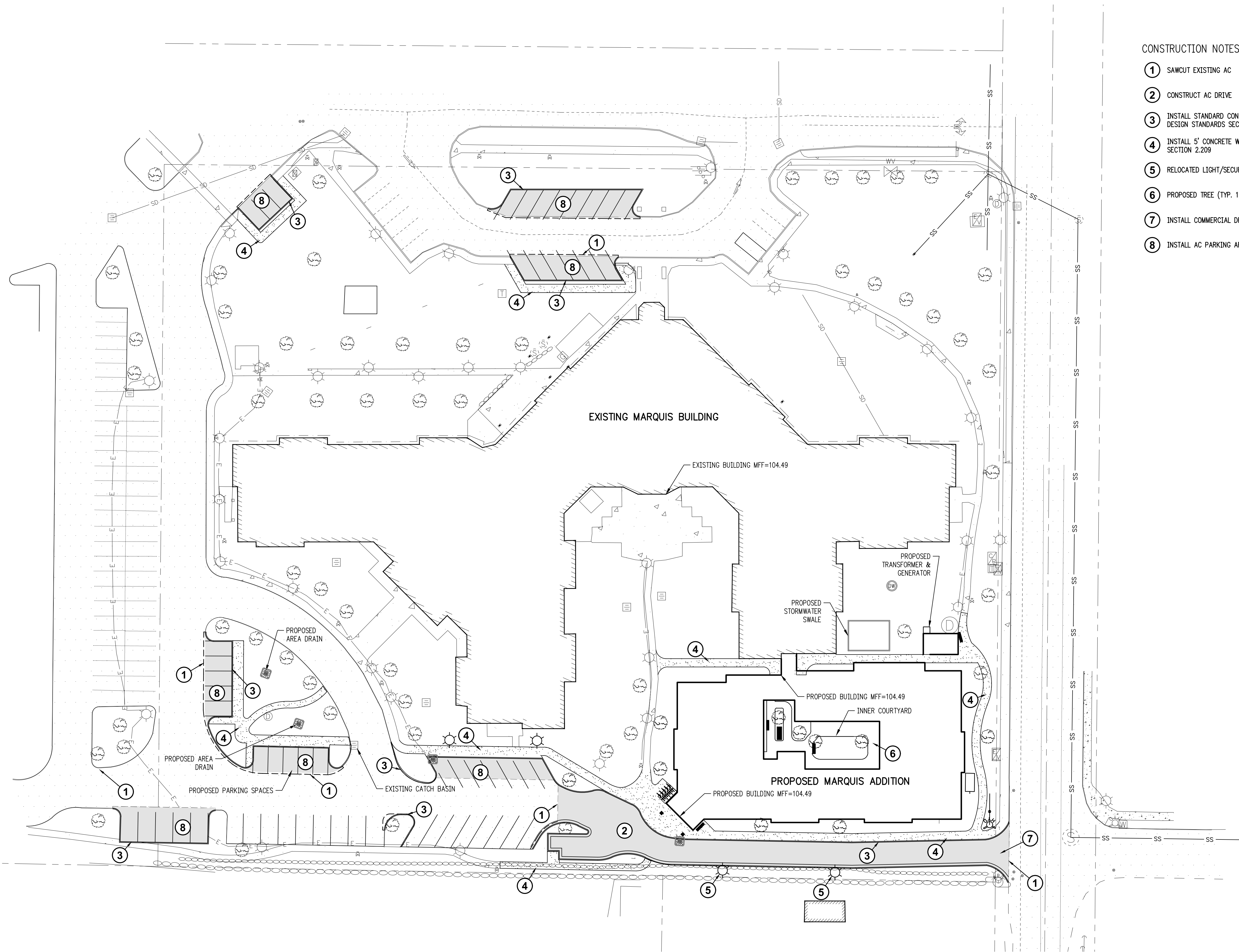
REVISIONS	
NO.	DESCRIPTION
1	PLANNING SUBMITTAL

EMERIO Design
 8285 SW MARQUIS AVE, SUITE 180
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 TEL: (503) 515-5528
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PRELIMINARY
 REGISTERED PROFESSIONAL ENGINEER
 93056600
 K. VAMBERG

SHEET
C3.00
 OF
 7

Plotted: Jul 13, 2018 - 5:08pm P:\086-015 Canby\dwg\cvt\086-015_033con.dwg, Layout: C3.00 EXISTING CONDITIONS & DEMO PLAN, User: kvambergh



CONSTRUCTION NOTES

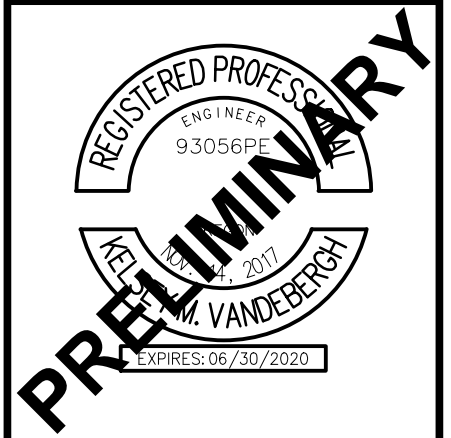
- ① SAWCUT EXISTING AC
- ② CONSTRUCT AC DRIVE
- ③ INSTALL STANDARD CONCRETE CURB AND GUTTER PER CANBY PUBLICS WORKS DESIGN STANDARDS SECTION 2.210
- ④ INSTALL 5' CONCRETE WALKWAY PER CANBY PUBLIC WORKS DESIGN STANDARDS SECTION 2.209
- ⑤ RELOCATED LIGHT/SECURITY CAM POLE
- ⑥ PROPOSED TREE (TYP. 11). SEE LANDSCAPE PLANS
- ⑦ INSTALL COMMERCIAL DRIVEWAY
- ⑧ INSTALL AC PARKING AREA PER DETAIL (SHEET C7.00)

**CANBY MARQUIS
ADDITION
TAXMAP 4S1E 04D
TAXLOT 00802
CANBY, OREGON**

SITE PLAN

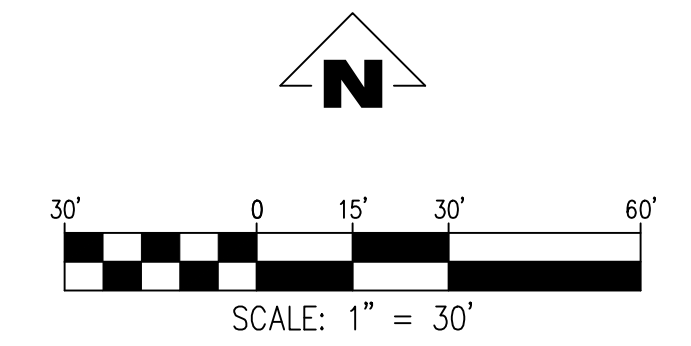
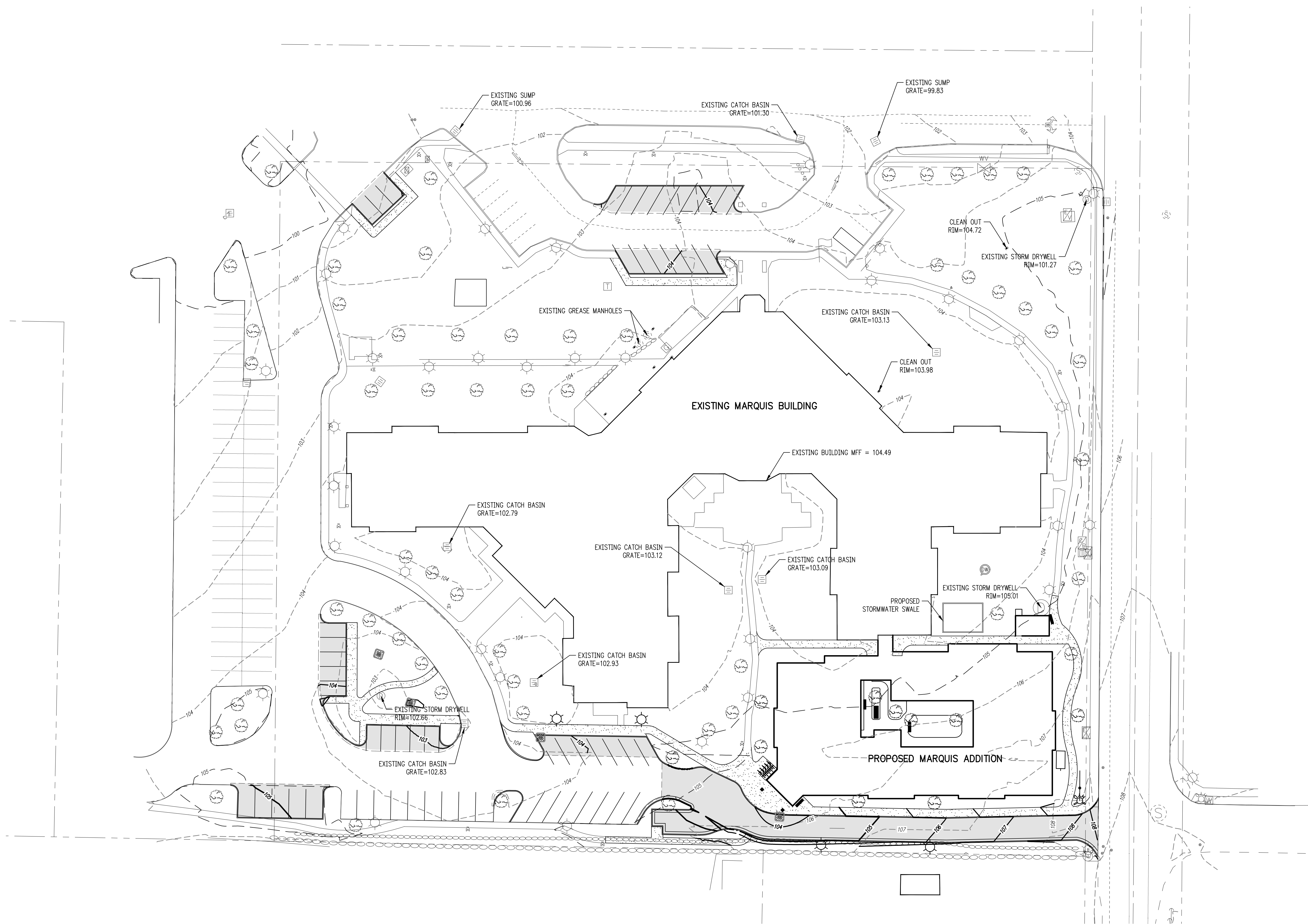
REVISIONS	
NO.	DESCRIPTION
1	PLANNING SUBMITTAL
1	7/2018

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Design**
8285 SW MARQUIS AVE, SUITE 180
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SHEET
C4.00
OF
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Plotted: Jul 13, 2018 - 5:07pm P:\086-015 Canby.dwg\cvt\086-015_04site.dwg, Layout: C4.00 SITE PLAN, User: kvambergh



**CANBY MARQUIS
ADDITION
TAXMAP 4S1E 04D
TAXLOT 00802
CANBY, OREGON**

GRADING PLAN

REVISIONS	
NO.	DATE
1	7/2018
DESCRIPTION PLANNING SUBMITTAL	

EMERIO
Design

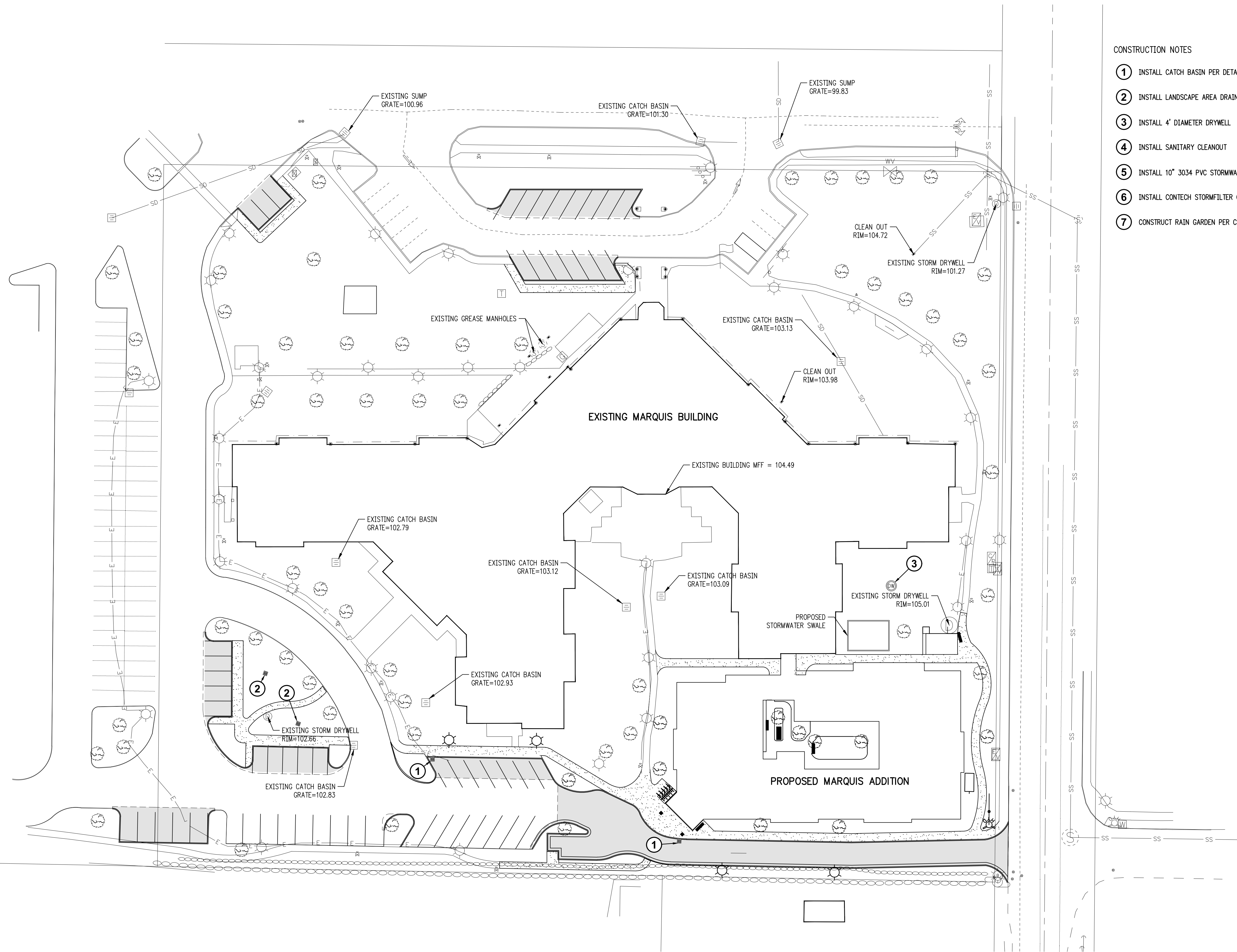
8285 SW MARQUIS AVE, SUITE 180
BEAVERTON, OREGON 97008
TEL: (503) 515-5528
FAX: (503) 639-8592
www.emeriodesign.com

PRELIMINARY

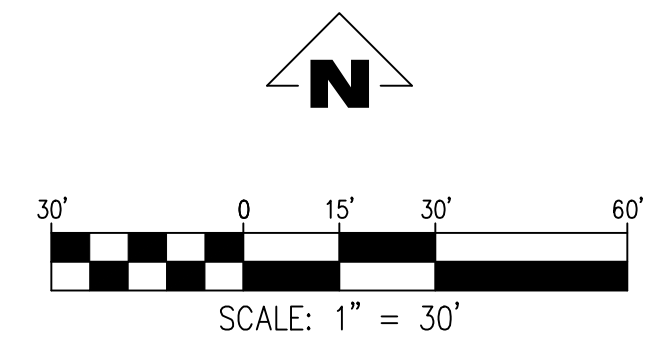
REGISTERED PROFESSIONAL ENGINEER
93056688
KIM VAMBERG
Professional Engineer
No. 93056688, Exp. 3/31/2020

SHEET
C5.00
OF
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Plotted: Jul 13, 2018 - 5:07pm. P:\086-015 Canby\dwg\cvt\086-015_05grading.dwg, Layout: C5.00 GRADING PLAN, User: kvambergh



- CONSTRUCTION NOTES
- ① INSTALL CATCH BASIN PER DETAIL SHEET 7
 - ② INSTALL LANDSCAPE AREA DRAIN
 - ③ INSTALL 4" DIAMETER DRYWELL
 - ④ INSTALL SANITARY CLEANOUT
 - ⑤ INSTALL 10" 3034 PVC STORMWATER PIPE
 - ⑥ INSTALL CONTECH STORMFILTER CATCH BASIN
 - ⑦ CONSTRUCT RAIN GARDEN PER CMS LIDA HANDBOOK STANDARDS



**CANBY MARQUIS
ADDITION
TAXMAP 4S1E 04D
TAXLOT 00802
CANBY, OREGON**

UTILITY PLAN

REVISIONS	
NO.	DATE
1	7/2018
DESCRIPTION PLANNING SUBMITTAL	

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REGISTERED PROFESSIONAL ENGINEER
93056600
EMERIO VAMBERGSH

PRELIMINARY

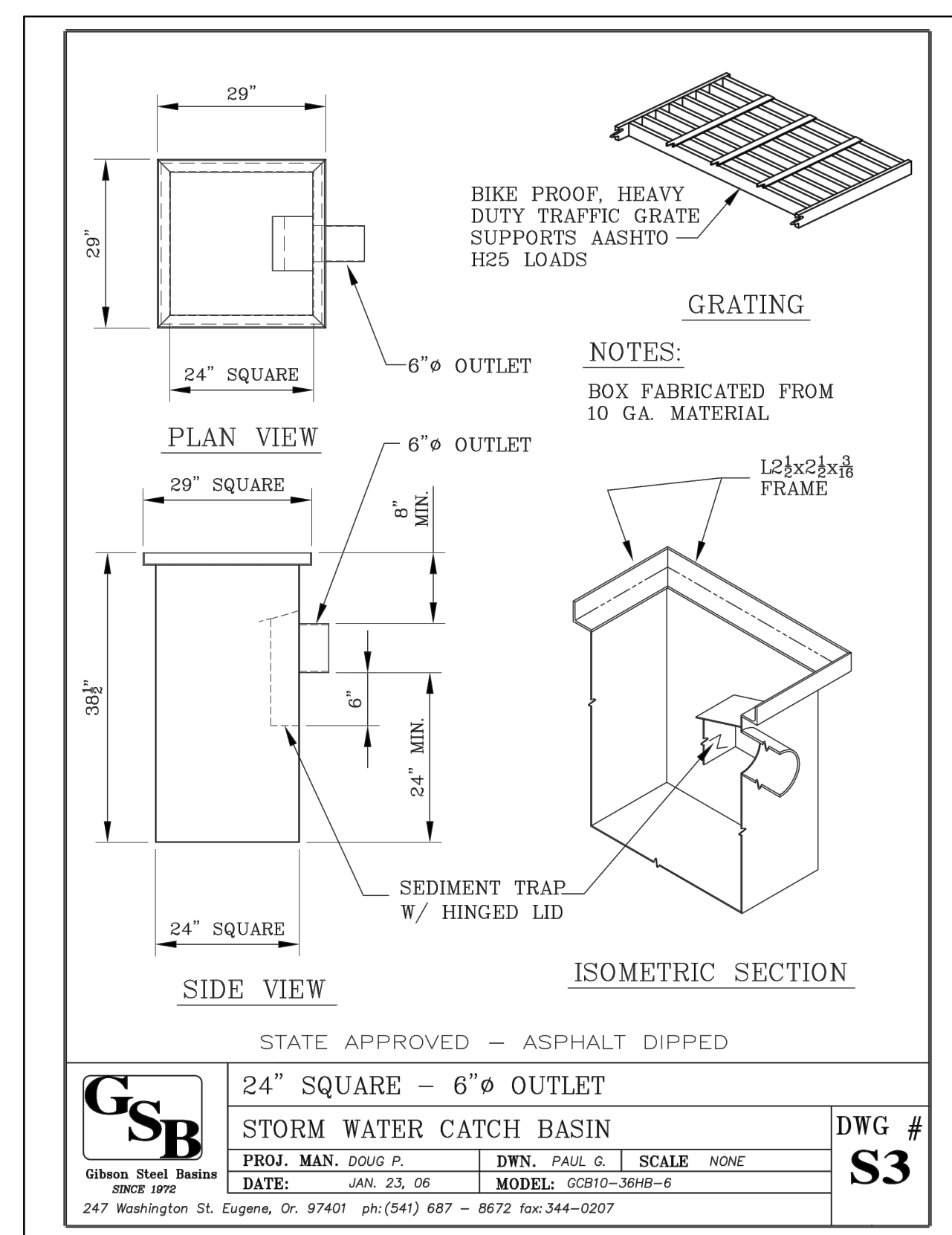
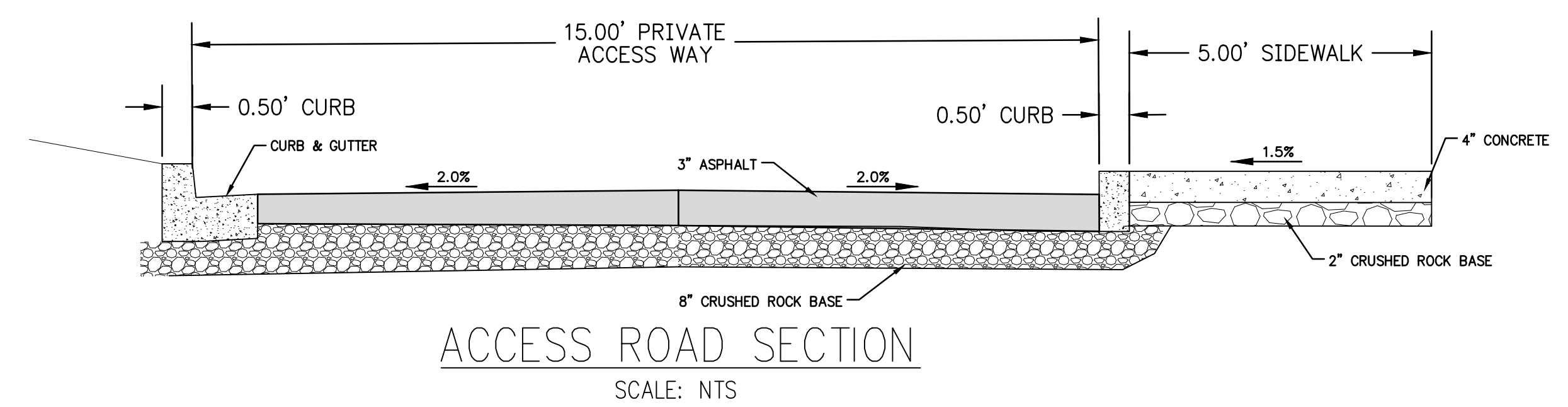
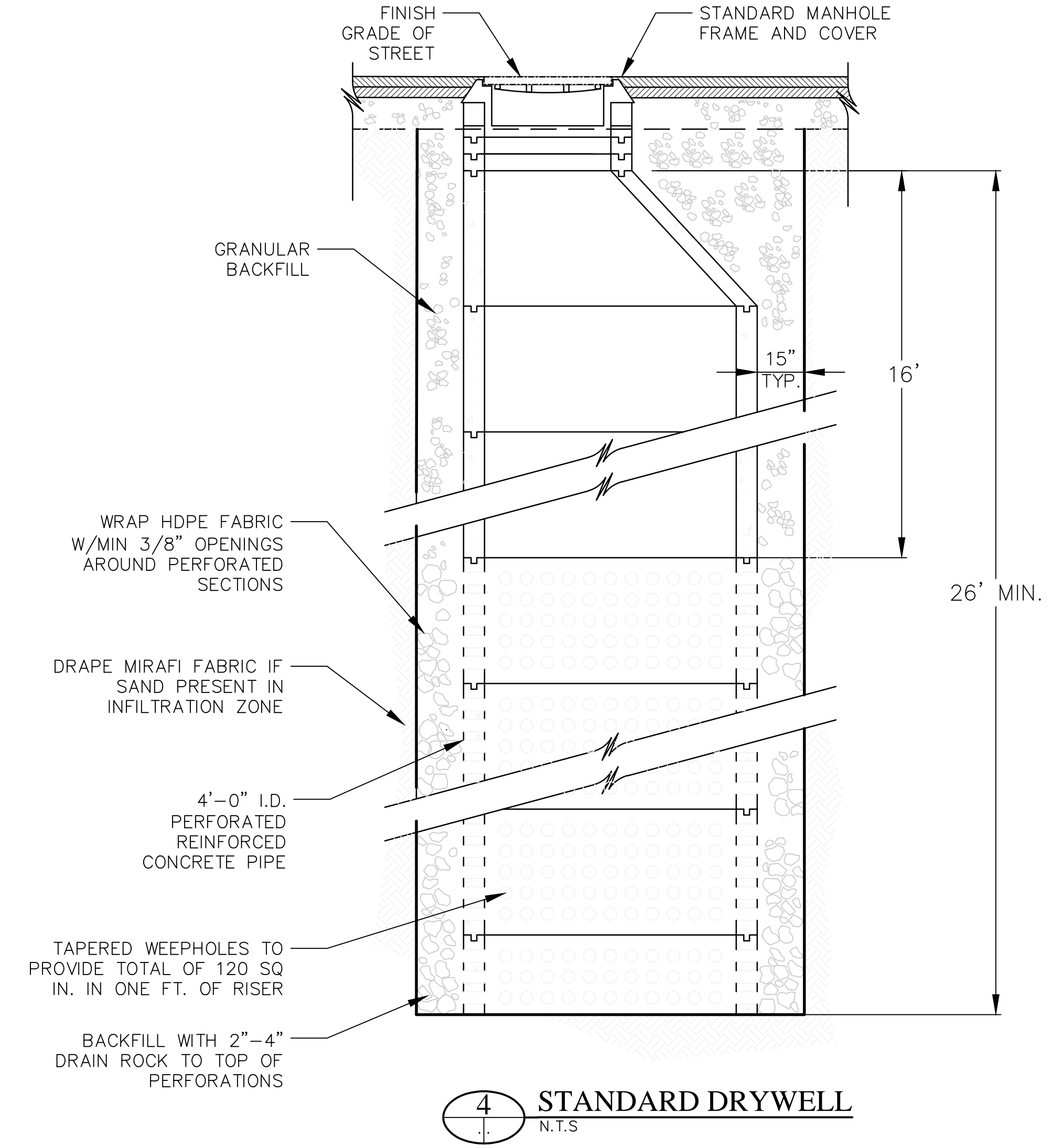
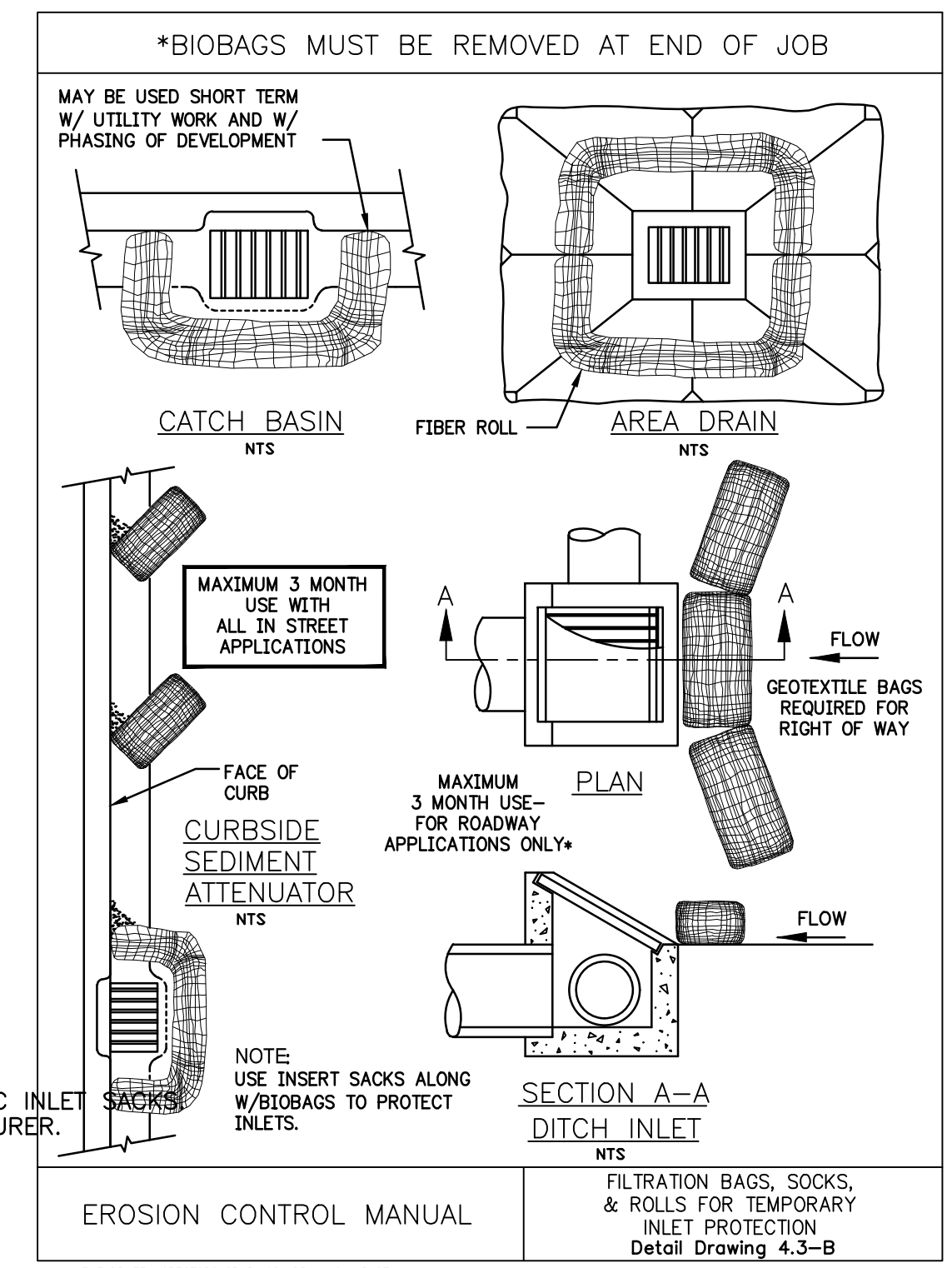
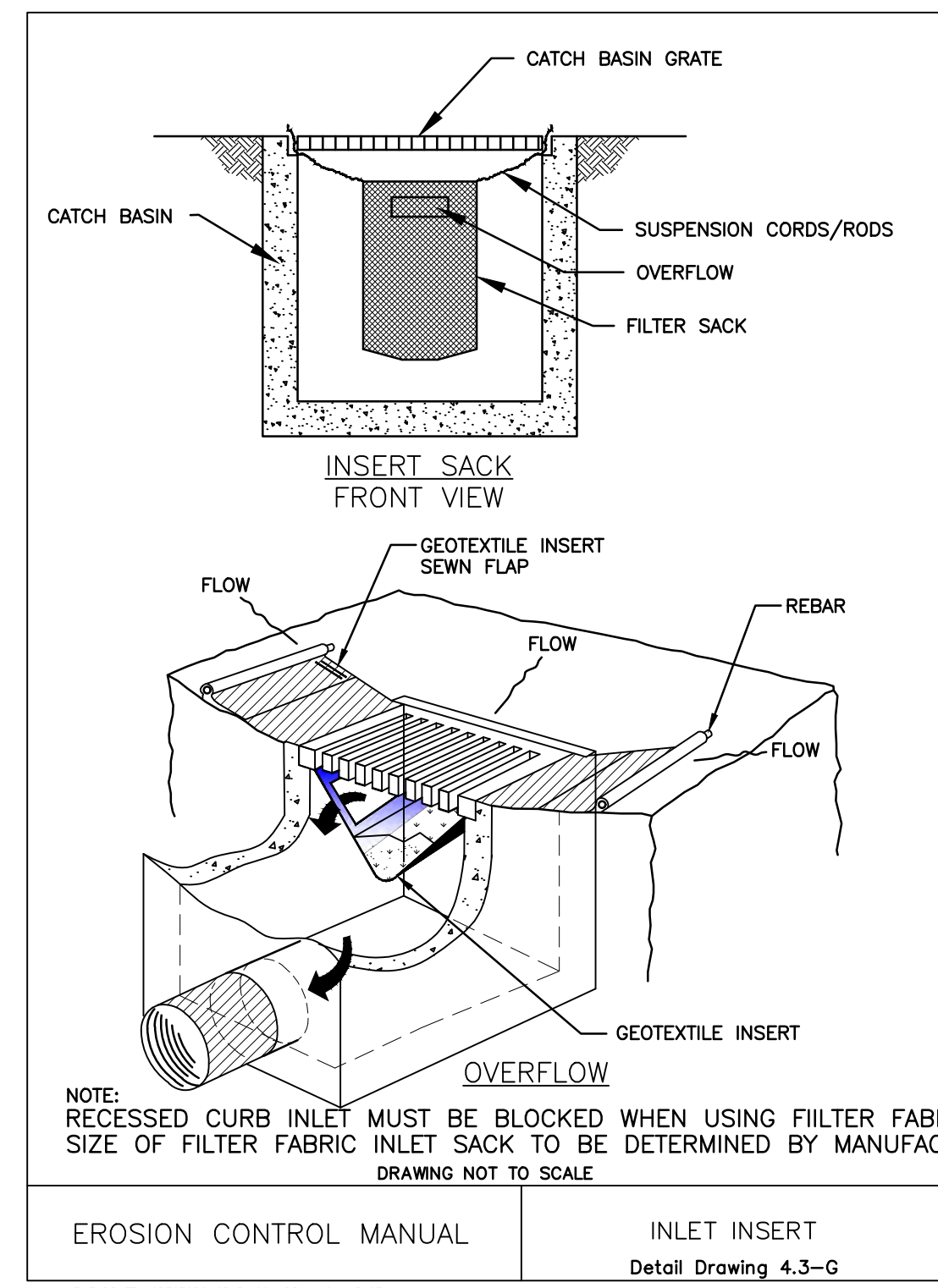
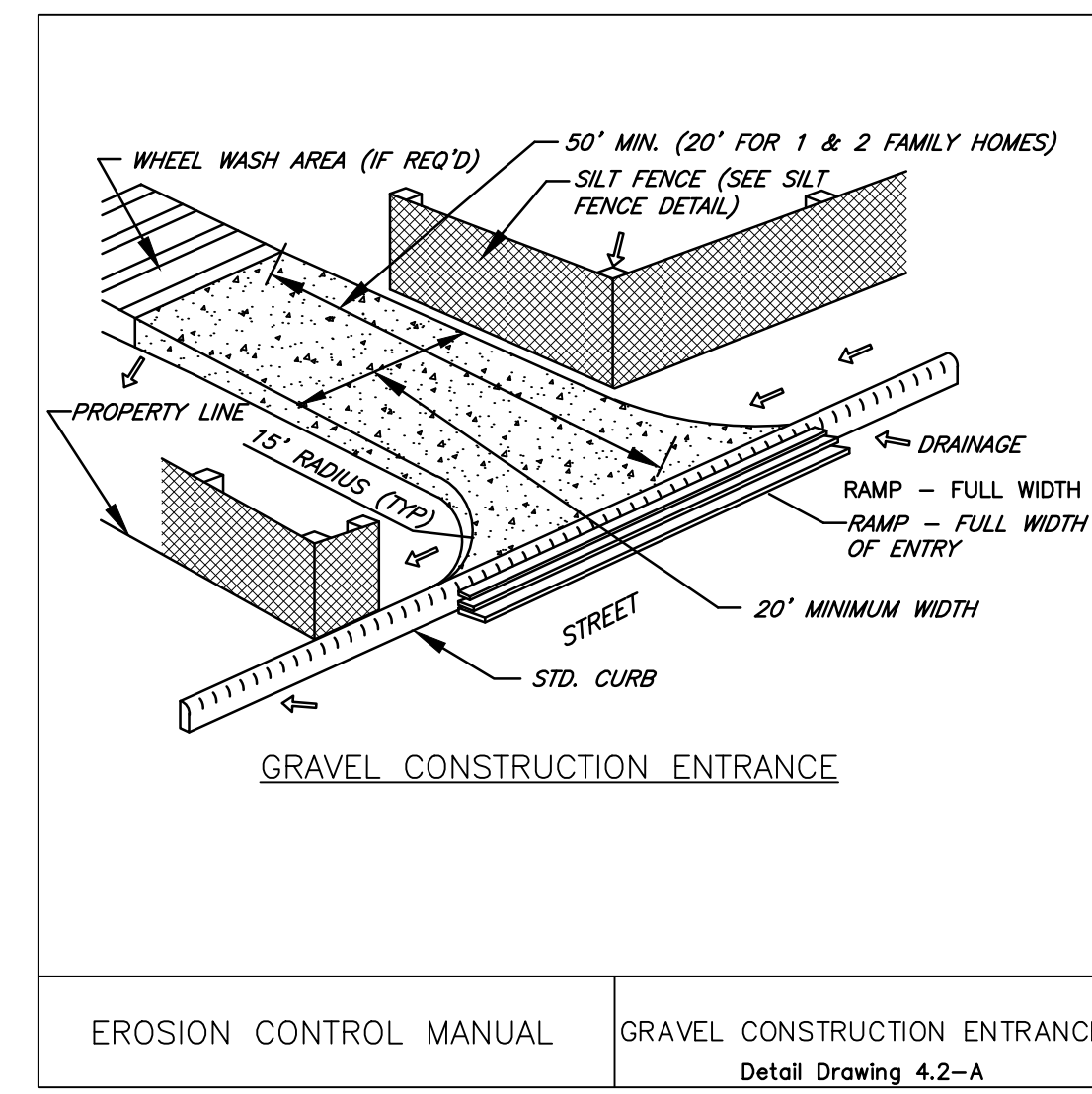
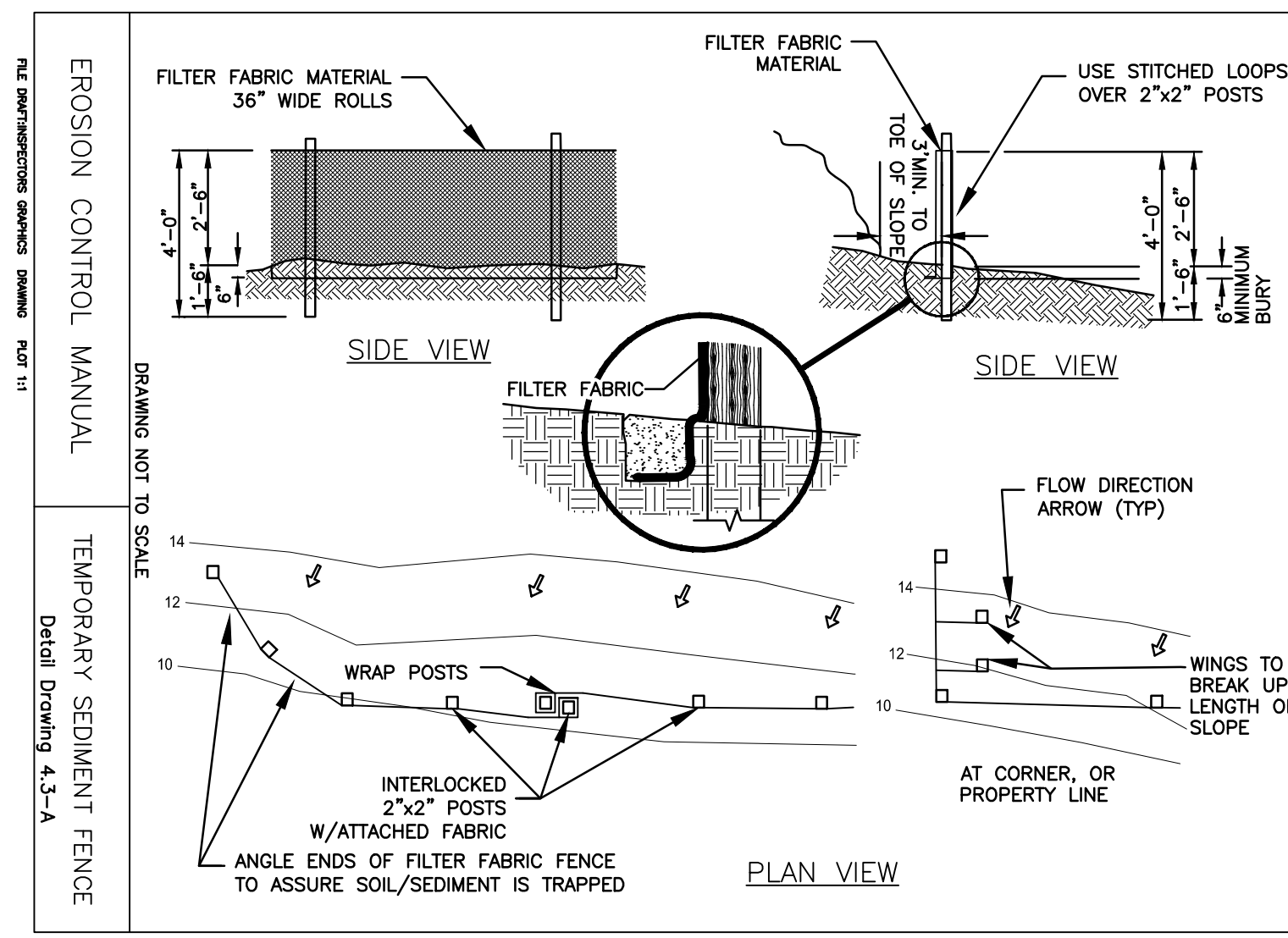
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OF

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CANBY MARQUIS ADDITION TAXMAP 4S1E 04D TAXLOT 00802 CANBY, OREGON

CONSTRUCTION DETAILS

NO. DATE DESCRIPTION

1 7/2018 PLANNING SUBMITTAL

REVISIONS

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REGISTERED PROFESSIONAL ENGINEER
9305699

PRELIMINARY

SHEET **C7.00** OF 7

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INVITATION TO NEIGHBORHOOD MEETING

Dear Neighbor,

You are cordially invited to attend a meeting to discuss a proposed addition to the Marquis Hope Village Residential Care Facility, located at the southeastern section of the Hope Village Retirement Community Campus. The proposed addition is for a Memory Care wing that will have 24 memory care beds, living room, dining room and activity areas, a courtyard and service and administrative spaces within the secure wing. The addition will be a single story and be architecturally consistent with the existing facility.

- What:** Meeting to review a proposal for Marquis Memory Care addition.
- Who:** Marquis Companies, CB Two Architects, property owners and residents in the surrounding area.
- When:** March 21, 2018 at 7:00 PM
- Where:** Hope Village Community Center
1535 S. Ivy Street
Canby, OR 97013

No applications for the proposal have been submitted to the City yet. Your comments and input into the proposal at this early stage will be valuable in helping us to identify issues and shape the proposal. We hope you will attend.

For more information, please feel free to contact Scott Miller with Marquis Companies by telephone at (971) 206-2330 or via email at smiller@marquiscompanies.com.

Marquis Hope Village Neighborhood Meeting Sign in Sheet
March 21, 2018

Name	Contact Information (If Contact Wanted)
Sue Nichols	
Bob Kauffman	
Darlene Kraeber	
Milton Kingland	
Jennie Lee Kingland	
Betty Nolz	
Betty Leung	
Therese Reiter	
Marlene Kauffman	
Craig Gingerich	
Jana Gingerich	
Jan Adrian	
Bob & Donna Nicken	
Tutty Russell	
RONALD J. KALLIS	
DOMIN M. KALLIS	
Delores Ellis	
Judy Koenig	
Geni Pitterka	
Bill + Diane Vermillion	
Kay Parish	1555 S. Hwy St Cascade House #223

#223 Inaper

Thank you for allowing us into your neighborhood on March 21st, 2018! The questions and input were valuable to the process and we look forward to working toward the completion of the project.

Below are answers to the questions that were asked during the meeting. There are also drawings available for reference regarding the discussion.

Question: What will the cost per month be?

Answer: Not yet known, however, it will vary based on need.

Question: Will current Hope Village residents be given priority?

Answer: Yes.

Question: What is the unit size?

Answer: Private rooms have approximately 250 square feet.

Shared rooms have approximately 380 square feet.

Square footage includes a fully accessible bathroom equipped with a lavatory, water closet, and shower.

In addition to the sleeping areas, there is a total of approximately 1,200 square feet of dining and varied activity areas (living room / activity, library, sitting spaces) and approximately 2,000 square feet of outdoor courtyard area with a walking loop and activity areas.

Question: Will continuing care / long term care be available?

Answer: This will depend on the severity of symptoms.

Question: Will there be a direct connection to the AL building and what will access look like?

Answer: Yes, there will be a security code that one will punch in to enter the secure memory care wing.

Question: What is the schedule for completion?

Answer: Estimated completion date is Spring / Summer 2019.

Question: Will there be an open house when construction is complete?

Answer: Yes!



Pre-Construction Meeting

Hope Village Memory Care Facility

July 26, 2017

10:30 am

Attended by:

Scott Miller, Marquis Companies, 503-819-3610
Gretchen Stone, CB Two Architects, 503-480-8700
Frank Howard, Hope Village, 503-956-0189
Bryan Brown, Planning Department, 503-266-0702
Shane Hester, Public Works, Erosion, 503-266-0698

Drew Cornedi, CB Two Architects, 503-480-8700
Craig Gingerich, Hope Village, 503-266-9810
Gary Stockwell, Canby Utility, Electric, 503-263-4307
Jim Stuart, Canby Utility, 503-263-4233
Tim Gettel, Wave Broadband, 503-307-0029

This document is for preliminary use only and is not a contractual document.

MARQUIS COMPANIES, Scott Miller

- We will be adding a 24 bed memory care facility wing onto the building per the drawing we sent.
- We would like to have the same egress/ingress as they do across the street and based on some of the comments from Robert Hixson, Clackamas County it initially appears they are not looking at allowing it. Our question would be is there any room asking or looking at it as an option?

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- I looked at the service for the existing building and there is quite a bit of room on the transformer. I do not know if you are planning on a separate service for this wing or utilizing the service you already have for the existing building. Either one is possible. Although your street improvements on S Ivy Street are really limited, we have a street light needing to be relocated, a conduit run needing to be extended and part of it would be installing a large vault. I will provide the vault, but it will be a part of the improvements and your contractor would provide the excavation. The vault size will be a 8 x 10 ft and would be in the small landscaped area and we will relocate the street light out of the new driveway. If you were looking at an additional service it would be where we would extend from the south boundary and probably set a transformer adjacent to the parking lot. It all depends on what your needs end up being for the new construction.
- Our fees are based on upon your actual effects on the system. I will not be able to estimate any of the costs until I see what you are going to be requesting.

CANBY UTILITY, WATER DEPARTMENT, Jim Stuart

- The current service for the property is adequate to sustain the new facility, however for new services needed it would come from the S Ivy Street's 10 inch main, if the design calls for it.

It would be a separate metered service as well. A representative stated they would keep it with the current facility and not need a new service.

CITY OF CANBY, PUBLIC WORKS, EROSION CONTROL, Shane Hester

- As far as erosion control is concerned we will need you to apply for a permit. Bryan said the erosion control application fee is based upon acreage and you say the site is 4.89 acres and you would need to calculate what area will be disturbed and we base the fee on that.
- Make sure you keep your dirt on your site and put up barriers when needed.

WAVE BROADBAND, Tim Gettel

- We will follow the power in the trench line you provide and let us know when the trench will be available.

CITY OF CANBY, PLANNING DEPARTMENT, Bryan Brown

- The first question you had and the most important is the driveway and it is pretty much out of the city's hands, because Clackamas County controls the operation of the road and go by their standards of what they are going to allow or disallow. It is good to know how our standards might apply and we always try to utilize our standards when it is in the city, but they have operational control of S Ivy Street. This is an arterial street and there is a 330 ft separation requirement between driveways and you are somewhere near 250 ft from this main driveway. When the original Hope Village was approved and subsequently when some major additions occurred the applications and the review processes indicated this would be an entrance only drive and I do not know if it was the county's regulations or the city's, but this separation is part of the problem with this being full service driveway. There is more concern on the county's part also of what is happening with the potential new development south of your site and they are going to want to put a street out to S Ivy Street and the street separation for a driveway from a new street is 660 ft minimum separation. We know there will be a street coming out to serve the next annexed area and this is a concern because you wanted to make this a full serviced driveway and not meeting the separation from the new street. I think with the new streets going in are against having this as a full service driveway. The county also mentioned if you cannot adequately offset it from the existing street, it should directly align and they would like to see where the westbound lane comes straight across. If you do this, the landscaped area would be gone and the electric vault would need to be readjusted. If you are serious about doing this you should redo the parking with one-way angles reinforcing you do not enter this way and you can still do what you have been doing and the county is willing to accept it.
- We have some questions on the parking and the nature of this being a memory care addition the standard is one space per bed. The section of the code, 16.82.010 for housing for the aged and if you take advantage of the provisions of this section of the code it lets you do one parking space for every two beds. This is the standard you should be looking at for what you are adding and if you can think of the facility as a whole it is all a planned unit development and there is some leeway in the parking standards.
- You will need to do at least a traffic scope and we can do a traffic generated letter based upon the use. This will help us determine whether we need to do a study and the fact you are

likely to becoming in only off of S Ivy Street makes the traffic study a little less important to do. It is not a huge addition or a traffic generator, but I think we should have a documentation for the record. The next step is you will need to give us a \$500.00 deposit and we will determine a scope of work for a traffic study, depending on what tasks this scope says and you can choose whether to utilize our traffic engineer or choose your own.

- If you will be utilizing the existing water service/meter you will not be charged system development charge (SDC). Our city's SDC's have changed effective July 1, 2017 and I am not sure the calculations yet, but we are having trouble deciding if this is a residential or commercial/industrial use? Do you have any opinions on this? A representative said they normally fall under the residential category and Bryan said for the waste water charge on a residential multi-family unit if we follow the master SDC schedule does not really give us a lot of flexibility and it can be quite expensive. You would take \$2,167.00 per dwelling unit/bed/room as substitution and Gretchen asked what would be the commercial cost and Bryan said you would tell us the actual estimate of average gallons of daily waste water discharge for the new facility. You would then divide it by 155 and it would be your fee. I do not think the multi-family cost is really equal. Gretchen said they will get back to Bryan and Bryan said he will let the Waste Water Treatment Plant know your decision and they will look over the information. At this moment I do not know a better way to do the estimates other than fixtures and flushing toilets.
- The parks SDC is unique in nature for this project and we are still debating whether to wave it all together. We would try to calculate it on per new employee rate because that is what the parks fee is based upon on how many employees of a building of this square footage employ. You take that number of employees times the fee, which is \$443.25. There is also another calculation and it is based upon units and it would be very expensive for you, it would be timed at \$5,000.00 per the 24 units.
- The transportation SDC will be based upon the use and right now we have not determined what exactly your use would be, memory care or assisted living by reading the categories. The IT code is 254 and it reads if you have 2.74 average/daily/weekday trips and we will have to look this over with our city engineer.
- The stormwater SDC will be calculated on a residential basis of \$166.00 per the 24 units.
- The other fees are a building permit site plan review and before you go to the county to get a building permit, you will pay us and also pay them their building fees. Our fee to review the final plans and to generate the release letter is \$226.25 based upon the square footage. I will have to recalculate it because I added the other section.
- When you get your land use applications approved and you develop your construction drawings we will be reviewing it and at that point you need to estimate the on-site construction costs minus the structure. It is your parking lots and you have to pay the Engineering Plan Review fee of 0.2% of that amount.
- We do not know if you will be tying into your existing sewer for the building, but we will need to know and it is \$100.00.
- You may have a driveway and sidewalk fee of \$100.00 if you are redoing the radius, sidewalks and the ADA ramps and will be inspected by the city.

- We have a construction excise tax and it is for all new residential developments and is based upon the square footage of the units. We charge .25 cents per square foot times the square footage of the 24 units. This money goes to street maintenance.
- You only have to follow the city's code requirements and it's only the roadway standards Clackamas County has jurisdiction over.
- It looks like all the past construction on this site for Hope Village has been a Conditional Use permit and a Planned Unit Development (PUD) and in order to have the flexibility to do this village it has always included a PUD application. You would either be modifying and/or expanding the PUD because you might be utilizing a little bit more property if you add this lot. If you are not adding this lot then you are not expanding the area, but you are modifying the plan. It is related to the Conditional Use and Conditional Use requires a site plan and your site plan is your PUD plan, but I think we should continue with both applications and be consistent with what has been done. It will give you a little more leeway to continue to vary setbacks and flexibility of the design. One of the differences you might want to look at is the original PUD, it had a requirement for 10% of the total 32 acres site to be landscaped and regulations today stipulate 15% of the total site. You should check and see if you far exceeded your total and/or if you can meet today's 15% standards and see if adding this building causes you any problems since the area is grass now.
- You can try to do a study on the parking and try to justify no new parking spaces or otherwise use the reduced standard we talked about.
- Our discussion on the one-way entrance and aligning answers a lot of your options you presented and I had some trouble going through your options, especially in light of the way your driveway is going to be done.
- If you do decide if you want to add some parking and you feel like you need to whether the ordinance requires it or not and you might go with the adjacent property because usually we do not do lot line adjustments to totally get rid of the lot. The city does not have a process which lets you consolidate lots and if you bought this adjacent lot and wanted to make it a part of the Hope Village campus and if it is not platted, I think it is an easy lot consolidation process. You would draw up a new deed and file it of record, now having a single property instead of two tax lots. But if it is platted you will have to replat it.
- The process takes approximately two months and you would submit both applications at the same time. They both have the same review time period, which is up to a 30 day completeness review, next set a hearing 25 days out and it is basically the two month period with a 10 day appeal period that could possibly be appealed to the city council. Once this has been completed you will give us one copy of your construction drawings and we will have the utility provider's sign the signature block we provide to you and make the appropriate copies of the signed plans for us to distribute to the utility providers.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (this "MOU") is made and entered into as of the 25TH day of JUNE, 2013 (the "Execution Date") by and between Hope Village, Inc., an Oregon not for profit corporation formerly known as H.O.P.E., Inc., an Oregon not for profit corporation (the "Landlord"), Marquis Suites Assisted Living Communities, Inc., an Oregon corporation (the "Tenant") and Marquis Companies I, Inc., an Oregon corporation (the "Operator").

RECITALS

- A. Landlord is the owner of certain real property located in Clackamas County, Oregon (the "Real Property").
- B. Pursuant to a Land Lease dated August 29, 1996 (the "Ground Lease"), Tenant is the lessee of the Real Property and has constructed thereon certain improvements that consist of an eighty (80) unit assisted living facility (the "ALF") and a fifty (50) bed skilled nursing facility (the "SNF" and together with the ALF, the "Marquis Facilities"). By Lease Agreement dated May 27, 1997 (the "Facility Lease") the Marquis Facilities are leased by Tenant to Operator.
- C. The Ground Lease gives Landlord the option to purchase the Marquis Facilities under certain terms and conditions (the "Purchase Option").
- D. Landlord is also the owner of certain real property located adjacent to the Real Property (the "Adjacent Property") on which Landlord has developed, among other things, senior cottages, an independent living senior housing facility and a community center (the "Landlord's Senior Living Facilities").
- E. Landlord is interested in expanding the services offered by the Landlord's Senior Living Facilities to include skilled nursing care, assisted living services and home health services, as well as those services described in Exhibit A hereto (collectively, the "Additional Services").
- F. Landlord, Tenant and Operator are interested in working together with respect to the terms on which the Additional Services would be provided by Tenant and Operator at the Marquis Facilities in lieu of Landlord expanding the Landlord's Senior Living Facilities and providing the Additional Services at facilities owned and operated by Landlord on the Adjacent Property.

G. Landlord, Tenant and Operator are interested in confirming in writing the basic terms and conditions of their understanding.

NOW, THEREFORE, in consideration of the foregoing premises and the mutual covenants of the parties set forth herein, IT IS HEREBY AGREED AS FOLLOWS:

1. **Tenant's and Operator's Obligations.** In consideration for Landlord's agreement to secure the Additional Services from the Operator at the Marquis Facilities and subject to Tenant securing all necessary third party consents and approvals, including, but not limited to, the consent of the lender with the first lien on the Marquis Facilities and certificate of need approval from the Oregon Department of Human Services, Tenant would (a) invest an amount to be agreed upon by the parties to (i) expand the Marquis Facilities by adding a twenty four bed memory care unit (the "MCU") and five (5) private rooms to the SNF and (ii) undertake certain cosmetic improvements on the Marquis Facilities (the "Investment") and (b) offer provide the services described on Exhibit A hereto either at the Marquis Facilities or at the Landlord's Senior Living Facilities, as applicable.

2. **Modified Purchase Option.** In consideration for Tenant making the Investment in the Marquis Facilities, the Ground Lease would be amended to provide that the Purchase Option may not be exercised by Landlord prior to January 1, 2023 (after which it may be exercised every three years as provided in the Ground Lease) or sooner in the event of the death of Phillip G. Fogg, Jr. (the "Triggering Event"). If Landlord is interested in purchasing the Marquis Facilities (as upgraded and expanded as a result of the expenditure of the Investment, the "Expanded Marquis Facilities") as a result of the occurrence of the Triggering Event, it shall provide written notice thereof to the estate of Phillip G. Fogg, Jr. within 120 days after the occurrence of the Triggering Event. In all other instances, notice of the exercise of the Purchase Option shall be given in the manner, and shall otherwise be, on the terms and conditions set forth in the Ground Lease. Landlord's right to purchase the Expanded Marquis Facilities shall be subject to the parties' ability to agree within six (6) months after the occurrence of the Triggering Event upon a purchase and sale agreement containing mutually acceptable terms and conditions and the closing of the purchase and sale of the Expanded Marquis Facilities shall occur within twelve months (12) months after the occurrence of the Triggering Event and otherwise on the terms and conditions set forth in such purchase and sale agreement. The parties agree to negotiate in good faith with respect to the terms and conditions of such purchase and sale agreement.

3. **Amendment to Ground Lease.** From and after the Execution Date, the parties hereto shall negotiate in good faith the terms and conditions on which the Ground Lease and the Facility Lease would be amended to incorporate the terms and conditions set forth in Sections 1 and 2 and of such other documents as may be necessary to accurately reflect the agreement of the

parties with respect to the matters set forth in Sections 1 and 2 (collectively, the “Definitive Agreements”). The parties acknowledge and agree that such negotiations will require the parties agreeing on further details with respect to their general agreements as set forth in Sections 1 and 2 and that there can be no assurances that the parties will be able to agree on the terms and conditions of the Definitive Agreements. However, while such negotiations are being pursued in good faith, Landlord shall not take any action to expand or investigate the expansion of the Landlord’s Senior Living Facilities to accommodate the Additional Services.

4. **Estate Planning.** The parties acknowledge and agree that (a) Phillip G. Fogg, Jr. has indicated an intent to consider a donation to Landlord as a part of his estate planning, (b) any such donation shall be made in the sole and absolute discretion of Phillip G. Fogg, Jr. and (c) the potential that any such donation shall be made is not intended to, and shall not, be an inducement to Landlord to enter into this MOU and/or any of the Definitive Agreements contemplated by the terms of this MOU.

5. **Notices.** All notices, instructions or other communications under this MOU shall be in writing and shall be sent by United States registered mail, return receipt requested, by facsimile transmission or by reputable overnight courier requiring signature for delivery, to the respective parties at the following addresses (or at such other address as a party may specify by notice given in accordance with this section) and shall be deemed received upon the actual receipt or refusal of receipt thereof:

If to Landlord: Hope Village, Inc.
PO Box 1128
Canby, Oregon 97013
Attention: Craig Gingerich
Facsimile: 503-266-4673

With copy to: Reif, Reif and Thalhoffer
273 N. Grant Street
PO Box 729
Canby, Oregon 97013
Attention : Roger Reif, Paul Thalhoffer or Nora Clark
Facsimile: 503-266-8555

If to Tenant
Or Operator: Marquis Companies I, Inc.
4560 International Way
Suite 100
Milwaukie, Oregon 97222
Attention: Steven Fogg
Facsimile: (971) 206-5201

With a copy to: The Nathanson Group PLLC
600 University Street
Suite 2000
Seattle, Washington 98101
Attention: Randi S. Nathanson
Facsimile: (206) 299-9335

4. **Miscellaneous.**

(a) This MOU is intended to be a non-binding expression of the interest of the parties hereto in proceeding in good faith with discussions and the negotiation of the Definitive Agreements related to the transactions outlined above. Accordingly, neither party shall be bound to so proceed unless and until Definitive Agreements have been executed by the parties and then their obligation to proceed shall be on the terms and conditions set forth in the Definitive Agreements. Nonetheless, as of the date hereof, this MOU constitutes the entire agreement and understanding between the parties hereto as to the matters set forth herein and supersedes and revokes all prior agreements and understandings, oral and written, between the parties hereto or otherwise with respect to the subject matter hereof. No change, amendment, termination or attempted waiver of any of the provisions hereof shall be binding upon any party unless set forth in an instrument in writing signed by the party to be bound.

(b) This MOU shall inure solely to the benefit of the parties hereto and their respective successors and permitted assigns provided, however, that no party may assign its rights or obligations hereunder other than in the event of the assignment of the Ground Lease or the Facility Lease in accordance with the terms thereof. No third party shall have the right to derive or claim any benefit hereunder and shall have no right to enforce or rely upon any provision of this MOU.

(c) This MOU may be executed in any number of counterparts, which may be executed in either original or electronically transmitted form (e.g., faxed or emailed portable document format (PDF) form), and the parties hereby adopt as original any signatures received via electronically transmitted form.

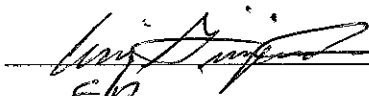
(d) The parties hereto shall cooperate fully at their own expense, except as otherwise provided in this MOU, with each other and their respective counsel, accountants and agents in connection with all steps to be taken as part of their obligations under this MOU.

(e) This MOU will be governed by and construed in accordance with the substantive laws of the State of Oregon, but exclusive of its conflicts of law provisions.

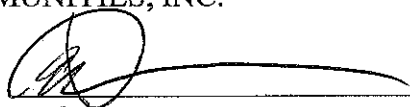
[Remainder of page intentionally blank; signatures begin on next page.]

IN WITNESS WHEREOF, this MOU has been executed and delivered as of the date first above written.

HOPE VILLAGE INC., formerly known as
H.O.P.E., INC.

By: 
Its: EP.

MARQUIS SUITES ASSISTED LIVING
COMMUNITIES, INC.

By: 
Its: CEO

MARQUIS COMPANIES I, INC.

By: 
Its: CEO

EXHIBIT A

CERTAIN OF THE ADDITIONAL SERVICES

Education: Operator will provide Trusted Advisors to present various education topics once a month. Topics will include balance, diabetic teaching, heart disease and other elderly related topics. These education sessions initially will be provided once a month for three months and then the parties will assess the participation levels and revise the schedule as they mutually deem to be necessary and appropriate.

Group Classes: Operator will provide one group exercise class per week at the Community Center owned and operated by Landlord on the Adjacent Property. Classes will include strength training, cardio, flexibility and balance. Operator will assess the feasibility of Garden Home residents attending exercise classes held in the Community Center with transport provided by the Operator using the Marquis Facilities' bus (see below).

Gym Equipment: Operator will provide or arrange for the provision of new gym equipment in the Community Center including a recumbent stepper, a stationary bike and an elliptical. Additional equipment may be provided by Operator based on utilization of the equipment provided and demand for additional equipment.

Personal Training: If requested by the residents of the Landlord's Senior Living Facilities, one-on-one personal training will be provided by Operator to such residents at a cost to be agreed upon by Operator and Landlord.

Routine Biometric Testing: Operator will make quarterly biometric testing available to the residents of the Landlord's Senior Living Facilities in order to allow them to better understand their health status and address areas of concern. The results of this testing will be documented and trended by Operator for the benefit of the residents.

Transportation: Operator will provide transportation in the Marquis Facilities' bus (i) twice a month to activities at the Marquis Facilities, (ii) twice a month to the Community Center and (iii) one a month to local stores and shopping centers.

Outpatient Therapy, Home Health Care, Home Care: Operator is able to provide outpatient and home health services to residents of Landlord's Senior Living Facilities at a cost to be determined based on each resident's individual health plan.

Priority Admissions: Operator will grant priority admission status to the residents of Landlord's Senior Living Facilities, i.e., based on their then needs, they will be offered the first available SNF or ALF bed at the Marquis Facilities.

Laney Fouse

From: Connie Kealey <conniekealey424@gmail.com>
Sent: Sunday, September 02, 2018 2:29 PM
To: PublicComments
Subject: City of Canby

I feel this is a necessary, just concerned about the traffic.
Costance Kealey.



**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF CANBY**

**A REQUEST FOR A ZONE CHANGE
FROM R-1 LOW DENSITY RESIDENTIAL ZONE
TO C-R RESIDENTIAL-COMMERCIAL ZONE**

**FINDINGS, CONCLUSION & FINAL ORDER
1300 S IVY STREET
BUTCH BUSSE**

NATURE OF APPLICATION

The applicant is seeking a Zoning Map Amendment to change an existing tax lot 41E04DA04800, totaling 2.59 acres located at 1300 S Ivy from the existing R-1 Low Density Residential Zone to C-R Residential-Commercial Zone.

HEARINGS

The Planning Commission held a public hearing and considered these applications at its meeting on September 10, 2018 during which the Planning Commission recommended by a 4/1 vote that the City Council deny ZC 18-04 not accepting the recommendation contained in the staff report.

CRITERIA AND STANDARDS

In judging whether or not the Zoning Map should be amended or changed, the Planning Commission and City Council shall consider Section 16.54.040 AND Section 16.88.190 of the Canby Municipal Code which states the applicable review criteria when reviewing a quasi-judicial zone change map amendment, including the following:

For A Map Amendment (Zone Change) (CMC Section 16.54.040):

In judging whether or not the zoning map should be amended or changed, the Planning Commission and City Council shall consider:

- A. The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development;
- B. Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

(Section 16.54.060)

- A. In acting on an application for a zone change, the Planning Commission may recommend and the City Council may impose conditions to be met by the proponents of the change before the proposed change takes effect. Such conditions shall be limited to improvements or physical changes to the property which are directly related to the health, safety or general welfare of those in the area. Further, such conditions shall be limited to improvements which clearly relate to and benefit the area

of the proposed zoned change.

- B. The city will not use the imposition of improvement conditions as a means of preventing planned development, and will consider the potential impact of the costs or required improvements on needed housing. The Planning Commission and City Council will assure that the required improvements will not reduce housing densities below those anticipated in the Comprehensive Plan.

Section 16.88.190

- A. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with the Transportation Planning Rule (OAR 660-012-0060). A plan or land use regulation amendment significantly affects a transportation facility if it:
 - 1. Changes the functional classification of an existing or planned transportation facility;
 - 2. Changes standards implementing a functional classification system;
 - 3. As measured at the end of the planning period identified in the adopted plan:
 - a. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or,
 - b. Would reduce the performance of the facility below the minimum acceptable performance standard identified in the Transportation System Plan.
 - c. Would worsen the performance of a facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the Transportation System Plan.

FINDINGS AND CONCLUSIONS

After holding a public hearing and considering the September 10, 2018 dated staff report, the Planning Commission deliberated and reached a decision on September 10, 2018 recommending denial of the applicant's request for a Zoning Map change. The Planning Commission did not adopt the findings and conclusions contained in the staff report.

After accepting public testimony, the Planning Commission closed the public hearing and made the following additional findings beyond those contained in the staff report to arrive at their decision and support their recommendation:

The Planning Commission found that "circumstances are different today than 15 years ago" in the area around this property. The decision made in 2003 that established the special area of concern "K" for the subject property was found to have not fully considered the limitations associated with access to the property due to driveway spacing standards limiting development to a single-driveway without an exception. It may have been considered appropriate to rezone this property in 2003 when the Comprehensive Plan text amendment was approved when less traffic existed on the adjacent streets and the 10 acre property to the east was an undeveloped vacant field. It is clear today that the increased intensity and/or density of uses possible under the C-R zone will only degrade the livability and safety of those living within the neighborhood and traveling through the adjacent busy intersection. A large amount of new homes have been built directly next door and many more further to the east and approved to the south which has resulted in much greater levels of traffic on the two arterial streets. Heavy pedestrian activity, especially children getting to school raises safety concerns should the volume of traffic from this

site be greatly increased as a result of approving a more intense zone for the property.

RECOMMENDATION

IT IS RECOMMENDED BY THE PLANNING COMMISSION of the City of Canby that the Canby City Council deny **ZC 18-04**.

I CERTIFY THAT THIS ORDER approving **Butch Busse Zone Change ZC 18-02** was presented to and **DENIED** by the Planning Commission to send a recommendation to the City Council of the City of Canby to deny the Zone Change.

DATED this 24th day of September, 2018

John Savory
Planning Commission Chair

Bryan Brown
Planning Director

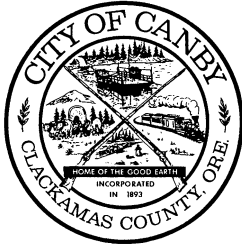
Laney Fouse, Attest
Recording Secretary

ORAL DECISION: September 24, 2018

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

WRITTEN DECISION: September 24, 2018

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

A REQUEST FOR APPROVAL OF ANNEXATION AND ZONE CHANGE FOR PROPERTY LOCATED AT 1467 AND 1575 N. PINE STREET))))	FINDINGS, CONCLUSION & FINAL ORDER ANN 18-03/ZC 18-03 N PINE ANNEXATION ICON CONSTRUCTION AND DEVELOPMENT, LLC
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NATURE OF THE APPLICATION

The Applicants sought approval for an annexation/zone change application ANN 18-03/ZC 18-03 N Pine Annexation to annex 9.61 acres of real property described as Tax Lots 31E28DD03100, 03200 and 3201, Clackamas County, Oregon. The property is zoned Clackamas County RRF-5 and is requested to be zoned City R-1, Low Density Residential.

HEARINGS

The Planning Commission considered applications ANN 18-03/ZC 18-03 N Pine Annexation after the duly noticed hearing on September 24, 2018 during which the Planning Commission recommended by a ___/___ vote that the City Council approve ANN 18-03/ZC 18-03 per the recommendation contained in the staff report.

CRITERIA AND STANDARDS

In judging whether or not the annexation and zone change applications shall be approved, the Planning Commission determines whether criteria from the *City of Canby Land Development and Planning Ordinance* are met, or can be met by observance of conditions. Applicable criteria and standards were reviewed in the Planning Commission staff report dated September 12, 2018 and presented at the September 24, 2018 public hearing of the Planning Commission.

FINDINGS AND REASONS

The Planning Commission considered applications ANN 18-03/ZC 18-03 N Pine Annexation at a public hearing held on September 24, 2018 during which the staff report was presented, including all attachments. Staff recommended that the Planning Commission forward a recommendation of approval to the City Council for the proposed annexation and new zoning designation.

After hearing public testimony, and closing the public hearing, the Planning Commission made no additional findings beyond those contained in the staff report to arrive at their decision and support their recommendation:

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the staff report, concluded that the annexation/zone change meets all applicable approval criteria, and approved Files ANN 18-03/ZC 18-03 N Pine Annexation as stated below. The Planning Commission’s order is reflected below.

ORDER

Based on the application submitted and the facts, findings, and conclusions of the staff report, and the supplemental findings from the public hearing, the Planning Commission recommended to the City Council **APPROVAL** of annexation and zone change applications **ANN 18-03/ZC 18-03 N Pine Annexation** as follows:

1. ANN 18-03/ZC 18-03 be approved and,
2. Upon annexation, the zoning of the subject properties be designated as R-1 as indicated by the Canby Comprehensive Plan Map.

I CERTIFY THAT THIS ORDER approving **ANN 18-03/ZC 18-03 N Pine Annexation** which was presented to and **APPROVED** by the Planning Commission of the City of Canby.
DATED this 24th day of September, 2018.

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

 Laney Fouse, Attest
 Recording Secretary

ORAL DECISION: September 24, 2018

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

WRITTEN DECISION: September 24, 2018

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
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<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

A REQUEST FOR A SUBDIVISION)	FINDINGS, CONCLUSION & FINAL ORDER
Six Lot Townhome Subdivision)	SUB 18-03 Pine Place Subdivision
480 S. Pine Street)	Ed Netter

NATURE OF THE APPLICATION

The Applicant has sought approval for a Subdivision (SUB 18-03) to divide a .38 acre parcel into a 6 lot subdivision on property located at 480 S. Pine Street and approximately 160 feet north of Township Road and described as Tax Map/Lot 31E34C01701 Clackamas County, Oregon. The property is zoned High Density Residential (R-2) under the Canby Municipal Code (CMC).

HEARINGS

The Planning Commission considered application SUB 18-03 after the duly noticed hearing on September 24, 2018 during which the Planning Commission approved SUB 18-03. These findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not a Subdivision Application shall be approved, the Planning Commission determines whether criteria from the *City of Canby Land Development and Planning Ordinance* are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report prepared and presented for the September 24, 2018 and meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented, and written and oral testimony was received at the public hearing. Staff recommended approval of the Subdivision Application and applied Conditions of Approval in order to ensure that the proposed development will meet all required *City of Canby Land Development and Planning Ordinance* approval criteria.

After accepting public testimony, the Planning Commission closed the public hearing and made the following additional findings beyond those contained in the staff report to arrive at their decision and support their recommended Conditions of Approval and the exact wording thereof:

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the additional findings concluded at the public hearing and noted herein, concluding that the residential Subdivision Application met all applicable approval criteria, and recommending that File SUB 18-03 be approved with the Conditions of Approval reflected in the written Order below.

ORDER

The Planning Commission concludes that, with the following conditions, the application meets the requirements for Subdivision approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **SUB 18-03** is approved, subject to the following conditions:

General Public Improvement Conditions:

1. Prior to the start of any public improvement work, the applicant must schedule a pre-construction conference with the city and obtain construction plan sign-off from applicable agencies.
2. The development shall comply with all applicable City of Canby Public Works Design Standards.
3. The final design plans shall conform to the comments provided by the City Engineer in his memorandum dated July 30 2018.
4. Public improvements such as sidewalk and street improvements are required during development.

Fees/Assurances:

5. All public improvements are normally installed prior to the recordation of the final plat. If the applicant wishes to forgo construction of any portion of the public improvements until after the recordation of the final plat, then the applicant shall provide the City with appropriate performance security (subdivision performance bond or cash escrow) in the amount of 110% of the cost of the remaining public improvements to be installed.
6. If the applicant chooses to provide a subdivision performance bond for some or all of the required public improvements, the applicant shall obtain a certificate from the city engineer that states:
 - a. The applicant has complied with the requirements for bonding or otherwise assured completion of required public improvements.
 - b. The total cost or estimate of the total cost for the development of the subdivision. This is to be accompanied by a final bid estimate of the subdivider's contractor, if there is a contractor engaged to perform the work, and the certificate of the total cost estimate must be approved by the city engineer.
7. The applicant must guarantee or warranty all public improvement work with a 1 year subdivision maintenance bond in accordance with 16.64.070(P), except for sidewalks.
8. The applicant must pay the appropriate city Master Fee authorized public improvement and Site Plan Development Engineering Plan Review fee as applicable prior to the construction of public or private improvements.

Streets, Signage & Striping:

9. A roadway striping plan shall be submitted by the applicant and shall be approved

by city engineer and by the Public Works street department prior to the construction of public improvements.

10. A roadway signage plan shall be submitted by the applicant and shall be approved by the city engineer and by the Public Works street department prior to the construction of public improvements.
11. The applicant shall be responsible for installing all required street signage and striping at the time of construction of public improvements, unless other arrangements are agreed to by the City.

Sewer:

12. New sewer laterals shall be installed from the sewer main in S Pine Street to each individual unit.

Storm water:

13. A storm water drainage plan to address on-site runoff from the shared private drive shall be submitted if determined to be required by the City Engineer in compliance with the Canby Public Works Design Standards.

Grading/Erosion Control:

14. The applicant shall submit grading and erosion control plans for approval by Canby Public Works in conjunction with construction plan approval prior to the installation of public improvements and start of grading with this subdivision.
15. The applicant shall grade all areas of the site, including the proposed lots, to minimize the amount of soil to be removed or brought in for home construction.

Final plat conditions:

General Final Plat Conditions:

16. The applicant shall apply for final plat approval at the city and pay any applicable city fees to gain approval of the final subdivision plat. Prior to the recordation of the final plat at Clackamas County, it must be approved by the city and all other applicable agencies. The city will distribute the final plat to applicable agencies for comment prior to signing off on the final plat if deemed necessary.
17. All public improvements or submittal of necessary performance security assurance shall be made prior to the signing and release of the final plat for filing of record.
18. The final plat shall conform to the necessary information requirements of CMC 16.68.030, 16.68.040(B), and 16.68.050. The city engineer or county surveyor shall verify that these standards are met prior to the recordation of the subdivision plat.
19. All "as-builts" of City public improvements installed shall be filed with Canby Public Works within sixty days of the completion of improvements.
20. Clackamas County Surveying reviews **pending subdivision plat documents for Oregon Statutes and county requirements. A subdivision final plat prepared in substantial conformance with the approved tentative plat must be submitted to the City for approval** within one year of approval of the tentative plat or formally request an extension of up to 6-months with a finding of good cause.
21. The applicant shall record the final plat at Clackamas County within 6 months of the date of the signature of the Planning Director.
22. The applicant shall assure that the city is provided with a copy of the final plat in a timely manner after it is recorded at Clackamas County, including any CC&Rs recorded in conjunction with the final plat.

23. The City shall assign addresses for each newly created subdivision lot and distribute that to the developer, and other agencies that have an interest.

Dedications

24. The applicant shall dedicate by separate instrument ROW width for the full length of streets on the Final Plat.

Easements

25. A 12 foot utility easement along all of the lot's street frontages shall be noted on the final plat unless specifically waived by utility service providers. This easement may be combined with other easements and shall be measured from the property boundary.
26. The plan shall designate a share private drive access easement for the benefit of each lot owner to assure access across lot lines. A Share Driveway Maintenance Agreement shall be recorded with the Plat.
27. Sidewalk easements are required along the frontage of the newly created private lots for any portion of the public sidewalk that will lie on private property.

Street Trees

28. A Street Tree Plan shall be submitted with the final plat, and street tree fees must be paid prior to release of the final plat. The plan will allow the city to establish street trees per the Tree Regulation standards in Chapter 12.32 of the Canby Municipal Code. The total per tree fee amount is calculated at one tree per 30 linear feet of total street frontage on both sides of all internal streets and the adjacent side of external streets or as determined by an approved Street Tree Plan on a per tree basis.

Monumentation/Survey Accuracy Conditions

29. The county surveyor and/or city engineer shall verify that the lot, street, and perimeter monumentation shall meet the requirements set forth in Oregon Revised Statutes and conform with the additional survey and monumentation standards of 16.64.070(M)(1-3) prior to recordation of the final plat.

Residential Building Permits Conditions:

30. Construction of all required public improvements and recordation of the final subdivision plat must be completed prior to the construction of any homes.
31. The homebuilder shall apply for a City of Canby Site Plan Permit and County Building Permit for each home.
32. The homebuilder shall apply for a City of Canby Erosion Control Permit.
33. All residential construction shall be in accordance with applicable Public Works Design Standards.
34. Individual lot on-site storm water management shall be designed in compliance with the Canby Public Works Design Standards.
35. Clackamas County Building Codes Division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for home construction per contract with the City. The applicable county building permits are required prior to construction of each home.
36. Per the Canby Public Works Design Standards, minimum residential driveway widths at the inside edge of the sidewalk shall be 12 feet and the maximum residential driveways widths shall be 24 feet with an allowed exception for 28 feet for a home with 3 or more garages.

- 37.** Sidewalks and planter strips shall be constructed by the homebuilder as shown on the approved tentative plat.
- 38.** All usual system development fees shall be collected with each home within this development.

I CERTIFY THAT THIS ORDER approving **SUB 18-03 Pine Place Subdivision** which was presented to and **APPROVED** by the Planning Commission of the City of Canby.
DATED this 24th day of September, 2018.

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

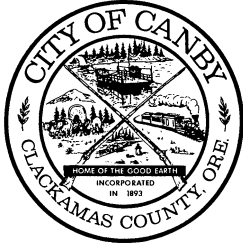
 Laney Fouse, Attest
 Recording Secretary

ORAL DECISION: September 24, 2018

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
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<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				

WRITTEN DECISION: September 24, 2018

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>John Savory</i>				
<i>John Serlet</i>				
<i>Larry Boatright</i>				
<i>Derrick Mottern</i>				
<i>Tyler Hall</i>				
<i>Shawn Varwig</i>				
<i>Andrey Chernishov</i>				



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

A REQUEST FOR CONDITIONAL USE)	FINDINGS, CONCLUSION & FINAL ORDER
PERMIT, PLANNED UNIT)	MARQUIS COMPANIES – SCOTT MILLER
DEVELOPMENT)	CB TWO ARCHITECTS
FOR EXPANSION OF HOPE VILLAGE)	
1577 S. IVY STREET)	

NATURE OF THE APPLICATION

The Applicant has sought an approval for Conditional Use Permit CUP 18-04, Planned Unit Development PUD 18-02 to construct a 24 bed memory care wing addition to the Marquis Assisted Living and Post Hospital Care Facility on the Hope Village Senior Living Community Campus. The development is on a 4.89 acre parcel, otherwise described as Tax Lot 41E04D00802, City of Canby, Clackamas County, Oregon. The property is zoned Medium Density Residential (R-1.5) zone under the Canby Municipal Code (“CMC”).

HEARINGS

The Planning Commission considered application **CUP 18-04/PUD 18-02** after the duly noticed hearing on September 24, 2018 during which the Planning Commission by a ___/___ vote approved **CUP 18-04/PUD 18-02**. These findings are entered to document the specifics of the approval.

CRITERIA AND STANDARDS

In judging whether or not a Conditional Use Permit/Planned Unit Development application shall be approved, the Planning Commission determines whether criteria from the Code are met, or can be met by observance of conditions, in accordance with Chapter 16.50 Conditional Uses, 16.76 Planned Unit Development other applicable code criteria and standards reviewed in the Staff Report prepared for and presented at the September 24, 2018 meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented by staff with a recommendation for approval of the Conditional Use Permit/Planned Unit Development applications (without benefit of the public hearing) along with Conditions of Approval in order to ensure that the proposed development will meet all required City of Canby Land Development and Planning Ordinance approval criteria.

After holding the public hearing where written and oral testimony was received from the applicant, other proponents, those who were neutral, and opponents in attendance; the Planning Commission closed the public hearing and moved into deliberation where they utilized the findings and conditions listed in the staff report along with the overall presentation record at the public hearing

to make the following findings beyond those contained in the staff report to arrive at their decision and support their recommended conditions of approval and the exact wording thereof:

-

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the modifications indicated above, concluded that the Conditional Use Permit/Planned Unit Development application meets all applicable approval criteria, and recommended that File CUP 18-04/PUD 18-02 be approved with the Conditions of Approval stated below. The Planning Commission decision is reflected in the written Order below.

ORDER

The Planning Commission concludes that based on the record on file including testimony of the applicant and public at the public hearing, that the application will meet the requirements for Conditional Use Permit/Planned Unit Development approval. Therefore, **IT IS ORDERED BY THE PLANNING COMMISSION** of the City of Canby that **CUP 18-04/PUD 18-012** is approved, subject to the following conditions of approval:

Conditions of Approval

Staff concludes that, with conditions, the application will meet the requirements for site and design review and conditional use permit approval. The city will not approve the building permit until all applicable conditions of approval are either met or shown to be met on the final construction plans. Staff has concluded the following conditions of approval are appropriate to assure conformance with applicable review criterion:

Conditions Unique to this Proposal

1. The interior private street shall be designed to City local street structural standards as indicated in section 2.207 of the City of Canby Public Works Design Standards per CMC Sec. 16.64.070(C)(2).
2. An irrigation plan for the landscape areas shall be submitted with approval of the final construction plans.
3. The construction plans shall indicate ADA compliant ramps at the S Ivy Street intersection with the private access drive.
4. Outdoor visitor bike racks shall be provided on a suitable all weather surfaces.

Procedural Conditions – Prior to Issuance of Building Permit the following must be completed:

5. The applicant shall provide payment of the City of Canby public and private engineering plan review fees as indicated in the City Master Fee Schedule in conjunction with approval of the final construction plans.

6. The design engineer shall submit a final storm water management plan and analysis for City review of the suitability of the proposed methodology for meeting City standards identified in Chapter 4 of Canby Public Works Design Standards during final construction plan approval. Any storm plan utilizing use of new drywells shall be approved by DEQ and provide required spacing separation from existing operating water wells.
7. Sediment and Erosion Control Permits will be required from the City prior to commencing site work.
8. Prior to the issuance of a building permit, the installation of public utilities, or any other site work other than rough site grading, construction plans designed and stamped by a professional engineer registered in the State of Oregon must be approved and signed by the City and all other utility/service providers through the City's preconstruction approval process. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provisions is subject to approval by the appropriate utility/service providers.
9. Clackamas County shall provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical permits for this project. Fire & Life Safety includes Canby Fire District prior to issuance of a City building permit.

I CERTIFY THAT THIS ORDER approving **ANN 18-03/ZC 18-03 N Pine Annexation** which was presented to and **APPROVED** by the Planning Commission of the City of Canby.
DATED this 24th day of September, 2018.

 John Savory
 Planning Commission Chair

 Bryan Brown
 Planning Director

 Laney Fouse, Attest
 Recording Secretary

ORAL DECISION: September 24, 2018

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
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