

PLANNING COMMISSION Meeting Agenda

Monday, January 14, 2019 7:00 PM

City Council Chambers – 222 NE 2nd Avenue

Commissioner John Savory (Chair)

Commissioner Larry Boatright (Vice Chair)

Commissioner Andrey Chernishov

Commissioner Jeff Mills

Commissioner Jennifer Trundy

1. CALL TO ORDER

- a. Invocation and Pledge of Allegiance
- b. Introduction of new Commissioners
- c. Chair & Vice-Chair Nominations

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. Approval of Planning Commission Minutes for December 10, 2018.

4. NEW BUSINESS - None

5. PUBLIC HEARING

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

a. Consider a request to develop an approximate 531,148 SF warehouse and beverage distribution facility with office space at the southwest corner of SE 1st Avenue and S Mulino Rd. The development has been designed to accommodate a phased expansion which could add an additional 224,640 SF to the warehouse. (**DR 18-10/CUP 18-07 Project Shakespeare**)

6. FINAL DECISIONS - None

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

a. Final Findings DR 18-10/CUP 18-07 Project Shakespeare

7. ITEMS OF INTEREST/REPORT FROM PLANNING STAFF

a. Next regularly scheduled Planning Commission meeting - Monday, January 28, 2019

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)

(If any by the Planning Commission)

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.

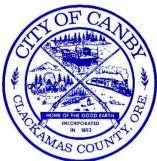
Testimony and evidence must be directed toward the applicable review criteria contained in the staff report, the Comprehensive Plan, or other land use regulations which the person believes to apply to the decision.

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 of 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

SITE AND DESIGN REVIEW STAFF REPORT FILE #: DR 18-10/CUP 18-07 Prepared for the January 14, 2019 Planning Commission Hearing

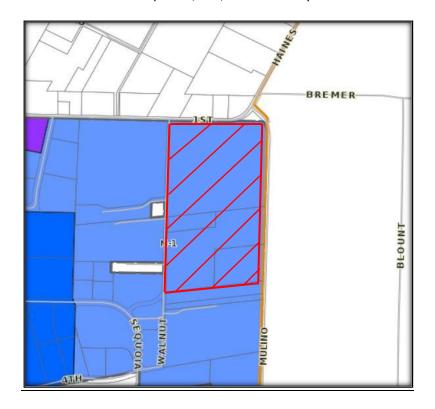
LOCATION: 220 S. Walnut Street, 23397 and 23399 S. Mulino Road

<u>TAX LOT</u>: 31E3400100, 31E3402101, 31E3402100, 31E3402200 (Bordered in map below)

LOT SIZE: 43.17 Total Acres

ZONING: M-1 Light Industrial Zone/IO Canby Industrial Area Overlay Zone

OWNER: Trammel Crow Portland Development, Inc., Donald and Lynnette Zimmer



APPLICANT: VLMK Engineering and Design

REPRESENTATIVE: Jennifer Kimura

APPLICATION TYPE: Site & Design Review/Conditional Use (Type III)

CITY FILE NUMBER: DR 18-10/CUP 18-07

APPLICANT'S REQUEST:

The subject parcels are located at the southwest corner of SE 1st Avenue and S. Mulino Road and extends south approximately 1780 feet and west to border on S. Walnut Street. The applicant is seeking site and design approval to construct an approximate 531,148 square foot building for use as a warehouse and beverage distribution facility, with 16,648 square feet of associated office space. The applicant notes that the building could be phased into an additional 224,640 square feet in a future expansion to the operation. The applicant states that the business will initially employ approximately 242 employees. The number of employees does not meet the minimum of 12 employees per acre provision in the code, and the applicant filed a Conditional Use Application with this request. The building is designed as a single-story structure, and the applicant is proposing concrete tilt-up construction which is common in Pioneer Industrial Park. The applicant proposes three driveway accesses to the public street onto Southeast 1st Avenue and two additional accesses onto S. Mulino Road and one on S. Walnut Street. The proposed access points onto S. Mulino Road and S. Walnut Street will be constructed during Phase 1 of the project but only be available for emergency fire use until completion of Phase 2 expansion. The subject parcels are zoned M-1, Light Industrial, and are correspondingly designated Light Industrial in the Canby Comprehensive Plan. The properties are bordered on the west and south by the M-1 zone that is vacant or industrial developed uses and on the north and east by land in Clackamas County. The subject property has several structures that are planned for demolition as part of the development.

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
- 16.32 M-1 Light Industrial Zone
- 16.35 I-O Canby Industrial Overlay Zone
- 16.42 Signs
- 16.43 Outdoor Lighting Standards
- 16.46 Access Limitations
- 16.49 Site and Design Review
- 16.50 Conditional Uses
- 16.89 Application and Review Procedures

16.120 Parks, Open Space, and Recreational Land

Canby Comprehensive Plan

SECTION II REVIEW FOR CONFORMANCE WITH APPLICABLE APPROVAL CRITERIA:

16.08 General Provisions:

16.08.070 Illegally Created Lots

In no case shall a lot which has been created in violation of state statute or city ordinance be considered as a lot of record for development purposes, until such violation has been legally remedied. (Ord. 740 section 10.3.05(G), 1984)

Findings:

Information from Clackamas County Assessor's Office indicated that tax lot 31E34 00100 was created by deed reference number 240-552 in 1937, tax lot 2100 reference 485-158 in the 1950's, tax lot 2101 reference 77-3140 in 1975, and tax lot 2200 reference 545-584 in the 1950's and by Lot Line Adjustment 97-035085/97-035086 in 1997. Based on available information, it appears that the parcels were created prior to 1976 when State Statues required all divisions of land to go through a land use process. The parcels can be considered legal lots for land use purposes. The applicant intends to reconfigure the four existing lots through a boundary survey approval process. The process would eliminate an existing property line that will run through the proposed building footprint.

16.08.090 Sidewalks Requirements

A. In all commercially zoned areas, the construction of sidewalks and curbs (with appropriate ramps for the handicapped on each corner lot) shall be required as a condition of the issuance of a building permit for new construction or substantial remodeling, where such work is estimated to exceed a valuation of twenty thousand dollars, as determined by the building code. Where multiple permits are issued for construction on the same site, this requirement shall be imposed when the total valuation exceeds twenty thousand dollars in any calendar year.

B. The Planning Commission may impose appropriate sidewalk and curbing requirements as a condition of approving any discretionary application it reviews. (Ord. 740 section 10.3.05(I), 1984)

Findings:

The project is a development of a lot where existing structures will be removed from the properties. Sidewalks and curbs on the street frontages along S. Walnut Street must be constructed to City standards. The right-of-way of SE 1st Avenue and S. Mulino Road are under Clackamas County jurisdiction, but any sidewalks or other improvements shall be planner to City standards unless County standards are greater. All sidewalks within the development area must meet required standards.

16.08.150 Traffic Impact Study (TIS)

A. Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(b) of the State Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards to determine when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities: what information must be included in a Traffic Impact Study; and who is qualified to prepare the Study.

B. Initial Scoping. During the pre-application conference, the city will review existing transportation data to determine whether a proposed development will have impacts on the transportation system. It is the responsibility of the applicant to provide enough detailed information for the city to make a determination. If the city cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. If a TIS is required, the city will provide the applicant with a "scoping checklist" to be used when preparing the TIS.

- C. 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:

Based on criteria listed in 16.08.150 (C) above, staff determined that a TIS was required for this particular development proposal. Subsequently, a TIS was performed by DKS, and their study concluded that the proposal would generate an additional 81 net new trips in the morning peak hour and 89 new trips in the evening peak hour. The study also stated that the proposed site access driveway meets access spacing requirements along the SE 1st Avenue roadway and from the street intersections, and preliminary evaluation indicated proper sight distance will be provided for roadway access. Sight distance needs to be verified, documented, and stamped by a registered professional engineer. Primary access is designed onto SE 1st Avenue with three separate driveways, and two access points onto S. Mulino Road and one onto S. Walnut Street to be constructed but closed and gated for emergency access only until completion of Phase 2 construction. An independent review of the DKS report was conducted Lancaster Engineering.

16.10 Off Street Parking

16.10.030 General requirements

A. Should the owner or occupant of a structure change the use to which the building is put, thereby increasing parking or loading requirements, the increased parking/loading area shall be provided prior to commencement of the new use.

C. In the event several uses occupy a single structure, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.

Findings:

In this particular case, the proposed development is vacant land after removal of existing structures. All uses that will occupy proposed structures in the future must be consistent with uses permitted in the M-1 zone and meet appropriate development standards in the M-1 and I-O zones.

16.10.050 Parking standards designated

Parking for the proposed building can be calculated with the standard for industrial buildings listed in *Table 16.10.050*. This standard states the following:

Warehousing and Manufacturing: 2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office warehousing space. Minimum of 5 parking spaces overall.

Findings:

The applicant referred to the table in 16.10.050. The square footage of the building as indicated in the 16.10.050 table establishes the number of proposed parking spaces based on a formula of 2 spaces for every 1000 square foot of floor space for office use, and 1 space for every 1000 square foot of warehousing space. The applicant stated a total warehousing square footage of 514,500 square feet and 16,648 square foot of office space that results in a total calculation of 547 parking spaces for the office and warehouse area use. The applicant stated that 389 parking spaces is provided, which would be ample spaces for an employee count of 242 people, and requested the Planning Commission to approve a reduction of the required number based on the chart. However, staff observed that the submitted site plan listed an additional 136 spaces for truck parking. Trucks are part of the warehousing operation and could be included with the 389 spaces for a total of 525 parking spaces for the business which is 22 spaces short of the number required under 16.10.050. Regardless, under 16.10.010 the Planning Commission may permit a lesser number of spaces.

16.10.060 Off-street loading facilities

A. The minimum number of off-street loading berths for commercial and industrial uses is calculated using the table listed in 16.10.060(A).

Findings:

Based on the table and total square footage of the proposed building, three loading berths are required under the criteria. However, the applicant indicates that at least 62 berths are planned because of this type of business. The proposal meets this standard as well as size and screening requirements.

16.10.070 Parking lots and access

16.10.100 Bicycle Parking

Findings:

Staff finds that applicant's response adequately addresses this criterion. The submitted plans and narrative indicate that the provisions for bicycle parking listed in 16.10.100 can be met. The information provided addressed provisions for parking space size, number, and type listed in 16.10.070 and other requirements for parking lot and access standards. Site accesses will be developed during the construction process. The proposal must meet the driveway and intersection spacing distance for Clackamas County on S. Mulino Road and SE 1st Avenue to the intersection of S. Walnut Street which are County jurisdiction. The City controls S. Walnut Street as a local street and provisions of 50 feet for an intersection and 10 feet from a driveway for a local street as listed in the Public Works Design Standards are met. However, the City driveway standards for collector streets is 100 feet from an intersection and 100 feet from another driveway. The truck driveway is proposed 7 feet from S. Walnut Street and the driveways onto SE 1st Avenue and S. Mulino Road exceed the 100 foot spacing standard.

16.32 M-1 (Light Industrial Zone)

Findings:

The underlying zoning of the property is M-1. The property is not located within the DCO (Downtown Canby Overlay Zone) or the (OHC) Outer Highway Commercial sub-area, but is situated in the I-O Canby Industrial Area Overlay zone (Pioneer Industrial Park) which permits uses in the underlying M-1 zone. The M-1 zone states in 16.32.010 that uses permitted outright in the zone include warehouse, and office use when related and incidental to the primary use. Staff concludes that the proposal meets the uses permitted outright in the M-1 zone. Additionally, because the site is within the Industrial Overlay (I-O) zone, the development standards of 16.35 supersede 16.30.030, and the standards in 16.35 must be addressed.

16.35 Canby Industrial Overlay Zone (I-0) - Applicable Criteria:

16.35.25 Pre-application review and conditions of approval

Findings: A pre-application meeting was held and the meeting notes are included with this application.

16.35.30 Uses Permitted Outright

Findings: The proposed use is permitted outright in the M-1 zone and subsequently in the I-0 zone as allowed under Section 16.35.30.

16.35.040 Conditional Uses

16.35.040 Conditional Uses

A. Any proposed site development, change in use, land division, or other action that results in any of the following requires conditional use approval in the I-O zone:

1. Less than 12 employees per developed acre. For the purposes of this section only, "developed" means all areas used for buildings, landscaping, vehicle maneuvering and parking areas, outdoor storage, and other areas occupied by the use. For the purposes of this section only, employees mean full-time equivalents unless the City specifically allows other interpretations;

Findings:

The criterion listed in this section under "A" above is applicable to this case, because the proposal does not meet the 12 employees per developed acre provision. Subsequently, the proposed use requires conditional use review and approval under the I-O zone. The applicant filed a Conditional Use Application in conjunction with this application.

- B. To approve a conditional use in the I-O zone, the Planning Commission shall find that each of the following additional criteria are either met, or can be met by observance of conditions, unless it is not applicable:
- 1. The proposed use is compatible with the industrial nature of the park and will have minimal negative impact on the development and use of surrounding properties;
- 2. The proposed use does not pose a threat to public health or safety; and
- 3. The proposed use is beneficial to the overall economic diversity and vitality of the City.

Findings:

Based on the submitted information, staff is supportive of the applicant's findings with regard to the above I-O zone conditional use permit criteria. The applicant's request for conditional use approval to reduce the required number of 12 employees per developed acre is not in conflict with the criteria listed above. On a case by case basis, the Planning Commission has approved reduction of the number of employees for previous conditional uses. Staff determines that the above criteria can be met.

16.35.50 Development Standards

Findings:

The standards listed in this section focus mostly on the orientation of the building to the roadway and property lines and covers access, right-of-way plantings, lighting, and the type of buildings. The applicant submitted a detailed site plan, landscape plan, grading

plan, and lighting plan and, thereby, adequately addressed conformance with all criteria in this section.

16.35.60 Design Guidelines

16.35.70 I-O Design Review Matrix

Findings: Criteria for the buildings, such as building setbacks, placement of new parking spaces, building materials and architectural detail was discussed in the applicant's narrative, drawings, and design matrix, and staff concludes that the new development meets

design criteria.

16.42.040 Signs

Findings: The applicant is not proposing new signs at this time. Any signs will be reviewed with submittal of a Sign Permit Application at the time of construction and must meet sign

review size criteria.

16.43 Outdoor Lighting Standards

Findings: The applicant states that outdoor site lighting for this project will be constructed to meet requirements listed in this section and submitted information as part of the building permit package. A lighting fixture cut sheet was provided on page E1.1 and a photometric site plan on page E1.2 of the submitted material. It appears that outdoor pole and exterior wall mounted lighting fixtures shall comply with the shielding requirements to prevent light trespass defined in Figure 16.43.1 and will not exceed the

16.46 Access Limitations on Project Density

maximum permitted lumen output.

Findings: As previously mentioned, primary ingress and egress for the project is from SE 1st
Avenue with future or emergency accesses proposed on S. Walnut and S. Mulino Road.
Based on available information, the proposed driveways will meet spacing standards
listed in the section for S. Walnut Street but must be reviewed with the filing of a
driveway opening permit with Canby Public Works. Driveways on SE 1st Avenue and S.
Mulino Road must meet Clackamas County standards if greater than the City standards.

The City of Canby officially classifies SE 1st Avenue as a local street in the TSP, however the County has the roadway classified as a collector street and a more recent Alternative Otto Road Industrial Road Extension to 99E Traffic Analysis has recommended that the City consider SE 1st Avenue adjacent to project Shakespeare be a collector street. Subsequently, the City will also address SE 1st Avenue as a collector with regard to

access spacing. The proposed driveways meet the 200 foot spacing standard from each other indicated to apply by Section 16.35.050.F. The minimum spacing of a driveway to a roadway on a collector street is indicate to be 100' by Table 16.46.30. This criterion is also met. The City has deferred to Public Works Design Standards in regards to street standard spacing since adoption. In this case the Public Works street and driveway spacing standards is consistent with Table 16.46.30 in the Canby Municipal Code except for the footnote to CMC Table 16.46.030 that states the distance between driveways must be measured from driveway centerlines on both sides of the street. However, this provision for both sides of the street is not included in the Canby Public Works standards, and has not been applied to new development on Parkway and Collector streets within the industrial park. Since SE 1st Avenue, is a County Road and subject to their road standards, they have indicated that low volume driveways are discounted in industrial park settings and little safety or conflicts results from such low volume drives. Therefore, the City driveway spacing standards may be considered to conform with City and County standards with approval by the County currently being limited to only 2 driveways.

16.46.070 Exception Standards

Findings: If the proposed access does not meet the access standards, an exception may be approved if the applicant demonstrates that the proposal meets criteria listed in Section 16.46.070.

16.49.040 Site and Design Review - Criteria and Standards

- B. In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:
 - 1. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and
 - 2. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - 3. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
 - 4. The proposed development incorporates the use of LID best management practices whenever feasible based on site and soil conditions. LID best management practices

include, but are not limited to, minimizing impervious surfaces, designing on-site LID storm water management facilities, and retaining native vegetation.

- 5. The Board shall, in making its determination of compliance with this Ordinances, shall use the matrix in Table 16.49.040 to determine compatibility unless this matrix is superseded by another matrix applicable to a specific zone or zones under this title. An application is considered to be compatible with the standards of Table 16.49.040 if the following conditions are met:
 - a. The development accumulates a minimum of 60 percent of the total possible number of points from the list of design criteria in Table 16.49.040; and
 - b. At least 10 percent of the points used to comply with (a) above must be from the list of LID Elements in Table 16.49.040. (Ord. 1338, 2010).
- D. In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the INTENT of the design review standards set forth in this ordinance.

Findings: The applicant filed a Type III application, and provided a response to Table 16.35.040 in the I-O zone to demonstrate compliance with the total point menu in that applicable Table. The table in 16.49.040 is superseded by the I-O zone to make Table 16.35.040 matrix applicable to this case. Information provided to the file established that the proposal meets the criterion for Table 16.35.040.

16.49.065 Bicycle and pedestrian facilities

Developments coming under design review shall meet standards listed in this section.

Findings: Staff concludes that the applicant adequately addressed this criterion, and provided 9 bike parking spaces for the development.

16.49.070 Landscaping provisions, Authority and intent

The purpose of this section is to establish standards for landscaping within the City of Canby in order to enhance the environmental and aesthetic quality of the city.

16.49.080 General provisions for landscaping

Findings: The applicant provided scaled landscape plans and detailed comments to address planting and landscape provisions listed in this section. The information contained specifics on LID storm water management, controls during construction, specification of tree and plant materials, irrigation, and other information required in this section and contained in the landscape calculation form provided with the application. After a review of all information provided, staff concluded that the project meets these standards.

16.50 Conditional Uses:

16.50.010 Authorization to grant or deny conditional uses.

A conditional use listed in this title shall be permitted, altered, or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of the ordinance codified in this title as a conditional use, a change in the use, or reduction in lot area, or an alteration of the structure, shall require the prior issuance of a conditional use permit. In judging whether or not a conditional use permit shall be approved or denied, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the location proposed and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable.

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the city;
- B. The characteristics of the site are suitable for the proposed use considering size, shape, design, location, topography, existence of improvements and natural features;
- C. All required public facilities and services exist to adequately meet the needs of the proposed development;
- D. The proposed use will not alter the character of the surrounding areas in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone. (Ord. 740 section 10.3.75 (A), 1984)

Findings:

In addition to the criteria listed in Section 16.35.040 for conditional uses in the I-O zone, the above criteria should also be addressed to assure consistency of the use within the zone based on the employment density factor. Staff has reviewed the proposed use and the criteria in 16.35.040 that resulted in the necessity for a Conditional Use Application against the above criteria. Staff determined that:

There are no policies in the Canby Comprehensive Plan or other policies that would be inconsistent with the applicant's proposed use or request for an exception to the outright permitted minimum employment density.

The site is suitable for the proposed use which will offer warehouse wages to approximately 242 employees, with the possibility of future growth and expansion of the business. The proposal will further enhance the economic benefit to Canby and bring the investment and use closer to the employment density desired in the Pioneer Industrial Park. There is no evidence that the use proposed conflicts with future or current industrial uses in the industrial park.

Based on comments from City agencies at the Pre-Application Conference, all public utilities are available and adequate to serve this proposed use on this site.

The applicant states the actual number of employees that could be employed after expansion of the business will increase for the facility. The parcel is approximately 42 acres in size and would require 504 employees to meet the standard of 12 employees per acre. If the proposed project is considered for the overall square footage of the building and the number of employees required for the business it still can be considered a significant number of jobs provided locally in Canby. It does not appear that the initial employment density of the project will adversely impact surrounding uses or limit or preclude the surrounding properties from the uses listed as permitted outright in the zone.

16.89 Application and Review Procedures

16.89.020 Description and Summary of Processes

All land use and development applications shall be decided by using the procedures contained in this Chapter. Specific procedures for each type of permit are contained in Sections 16.89.030 through 16.89.060. The procedure type assigned to each permit governs the decision-making process for that permit. Additional requirements may be found in the individual chapters governing each permit type. The four types of procedure are described below. Table 16.89.020 lists the City's land use and development applications and their required procedures.

C. <u>Type III Procedure (Quasi-Judicial/Legislative)</u>. Type III decisions are made by the Planning Commission after a public hearing, with appeals reviewed by the City Council. Type III procedures generally use discretionary approval criteria.

Finding:

The proposed project is subject to a Type III Site and Design Review procedure. The required land use application process has been followed. Both a pre-application meeting and a neighborhood meeting were held prior to formal public hearing application. Meeting notes for both meetings were included with the applicant submittal. The proposed project is subject to a Type III Site and Design Review procedure as set forth in Chapter 16.89 and Conditional Use Chapter 16.50 and subject to criteria and standards in the appropriate Sections of the CMC. Therefore, this proposal is subject to Planning Commission review and decision.

16.89.050 Type III Decision

Findings: Requirements under this section are included in the application materials. The Preapplication was held on September 19, 2018. The neighborhood meeting was held November 1, 2018.

16.120 Parks, Open Space, and Recreation Land

Findings: The applicant accepts the application of a parks SDC fee prior to issuance of a building permit in lieu of park land dedication with this development project. This standard is met.

Public Comments:

No public comments were received at the time this staff report was written.

Agency Comments:

The City Engineer stated comments in a memo dated December 20, 2018 that are include in the file.

ODOT comments dated December 19, 2018 stated the following: "ODOT has determined there will be no significant impacts to state highway facilities and no additional state review is required."

No other agencies commented concerning the beyond input from the pre-application meeting.

SECTION III STAFF CONCLUSION/RECOMMENDATION:

Staff concludes that the use is in conformance with the City's Comprehensive Plan and the Zoning Ordinance. Additionally, the relevant site and design standards and minimum acceptable compatibility scores are met, and the site can accommodate the proposed use. The public service and utility provision to the site is available or can be made available through future improvements. Staff recommends **approval** of DR 18-10/CUP 18-07 subject to meeting the conditions of approval listed below.

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 DR 18-10/CUP 18-07, including all conditions of approval, shall first require an approved modification in conformance with the relevant sections of the Canby Municipal Code.

SECTIONIV CONDITIONS OF APPROVAL:

Conditions Unique to this Proposal

- 1. The applicant shall file a sign permit for any future signs that shall be limited to the size and height standards applicable to the I-O (Canby Industrial Area Overlay Zone) as indicated in Section 16.42.050, Table 7, of the sign ordinance. Proposed signs, after been found to conform to the sign ordinance, must secure a building permit from Clackamas County Building Inspection prior to their installation.
- 2. The project must be in conformance with the applicable findings and suggestions

outlined by the City Engineer in his memorandum dated December 20, 2018.

Procedural Conditions

Prior to Issuance of a Building Permit the following must be completed:

- 3. The design engineer shall submit to the City of Canby for review and approval at the time of final construction plan approval a storm drainage analysis and report applicable to the defined development area detailing how storm water disposal from both the building and the parking areas is being handled. Any drainage plan shall conform to an acceptable methodology for meeting adopted storm drainage design standards as indicated in the Public Works design standards.
- 4. A Sediment and Erosion Control Permit will be required from the City prior to commencing site work.
- 5. Prior to the issuance of a building permit, the installation of public or private utilities, or any other site work other than rough site grading, construction plans must be approved and signed by the City and all other utility/service providers. A Pre-Construction Conference with sign-off on all final construction plans is required. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, lighting standards, natural gas, telephone, storm water, cable television, and emergency service provisions is subject to approval by the appropriate utility/service provider. The City of Canby's preconstruction process procedures shall be followed.
- 6. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.
- 7. Clackamas County will provide structural, mechanical, grading, and review of Fire & Life Safety, Plumbing, and Electrical permits for this project.

Prior to Occupancy of the Facility:

- 8. Prior to occupancy of the facility, all landscaping plant material indicated on the submitted landscape plan shall either be installed and irrigated with a fully automatic design/build irrigation system as proposed, or with sufficient security (bonding, escrow, etc.) pursuant to the provisions of CMC 16.49.100 (B). The applicant should be aware that the City street tree fee is now \$250 per tree if planted by the City, and the City recommends submittal of a separate Street Tree Plan to assist in the location, species, and total tree count.
- 9. The applicant shall meet recommendations of the TIA as recommended and as amended by staff as follows:
 - A) Provide a proportionate share (five percent) of the costs for the following off-site transportation improvement:
 - a) New traffic signal at the intersection of Sequoia Parkway/Hazel Dell Way and associated required stripping improvement outlined by ODOT on 99E and Sequoia Parkway.
 - B) Communicate truck route information to drivers, including awareness that they should avoid the following roadways in the vicinity of the project site:

- a) S Haines Road between the project site and OR 99E to the north
- b) S Bremer Road east of S Haines Road
- c) S Mulino Road south of SE 1st Avenue/ S Haines Road
- d) N Redwood Street north of OR 99E
- e) Territorial Road as a route to Knights Bridge Road
- f) Township Road west of Sequoia Parkway
- g) Access to or from Mulino Road shall be generally limited to extraordinary or emergency use until either (1) the alternative industrial access road to 99E from Mulino Road and/or Walnut Street is completed and either a suitable roundabout or improvements at the intersection of SE 1st Avenue/Haines Road/Mulino Road/Bremer Road to a collector standard is completed; or (2) S Haines Road has been brought up to current collector standards up to 99E.
- C) Ensure adequate site-access and circulation:
 - a) Site driveways shall be kept clear of visual obstructions (e.g., landscaping, signing, etc.) that could potentially limit sight distance for exiting drivers. This may require removal of existing vegetation to achieve adequate sight distance for the easternmost driveway.
 - b) Prior to occupancy, sight distance at any existing access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon to meet sight distance requirements for the design speeds.
- D) The City concurs with the County that a left turn lane analysis to determine the need for a left turn lane on SE 1st Avenue will be required prior to approval of a County Development Permit.
- E) The applicant's development standards with regard to access, street drainage, and improvements along SE 1st Avenue and S Mulino Road frontages shall conform to the recommended conditions of approval in the County memorandum dated Jan. 3, 2019, except where the City's industrial collector street cross section indicated in the 2010 TSP is more stringent in terms of ROW, paving and sidewalk widths. In addition, the applicant shall enter into a maintenance agreement for any water quality facilities located within the public right-of-way for streets under County control.

Section V Attachments/Exhibits:

- 1. Applications
- 2. Applicant Narrative and Supplemental Narrative on SE Ave Access with 2 Explanatory Drawings
- 3. Proposed Site Plan

- 4. Combined Plan Set
- 5. Applicant Traffic Impact Analysis (DKS & Associates); Independent Peer Review Memorandum of TIA By Lancaster Engineering dated 1.03.19; ODOT response #8723 to TIA for Shakespeare; Otto Road Alternative Alignment Traffic Analysis Oct, 2018
- 6. Agency Comments-Including: City Engineer Revised 12.20.18, Clackamas County 1.02.19 Memorandum; Direct Link
- 7. Citizen Comments: Melvin Borg, Phil & Millie Borg, Roger Skoe
- 8. Neighborhood Meeting Comments
- 9. Pre-application Conference Summary



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

LAND USE APPLICATION

SITE AND DESIGN REVIEW

General Type III

(503) 266-7001 **APPLICANT INFORMATION:** (Check ONE box below for designated contact person regarding this application) ☑ Applicant Name: VLMK Engineering + Design - Jennifer Kimura Phone: 503.222.4453 Address: 3933 SW Kelly Avenue Email: jenniferk@vlmk.com City/State: Portland, Oregon Zip: 97239 ☐ Representative Name: Address: Email: Zip: City/State: ☑ Property Owner NameTrammel Crow Portland Development, Inc Phone: 503.946.4980 Address: 1300 SW 5th Avenue Suite 3050 Email: SSieber@trammellcrow.com City/State: Portland, Oregon Zip: 97201 See attached supplemental ☐ Property Owner Name: signature page Signature: Email: Address: 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, including but not limited to CMC Chapter 16.49 Site and Design Review standards. 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:** No Situs/23397 S Mulino Road 31E34 00100/31E34 02100 220 S Walnut Street/23399 S Mulino Road 42 acres 31E34 02101/31E34 02200 Street Address or Location of Subject Property Total Size of Assessor Tax Lot Numbers **Property** Houses and Outbuildings M1/IO Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation Proposed construction of a new 531,148 sf distribution warehouse with accommodations for future office and warehouse expansion and associated site work. See attached detailed narrative. Describe the Proposed Development or Use of Subject Property

& (CUP 18-07	STAFF USE ONLY		
DR 18-10	11/5/18	lf	1743	
FILE #	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

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

Tax Lot #: 31E34 00100	23.4 Acres		
Zimmer Family Limited Partnership			
Donald Zimmer, General Partner	Date		
Lynnette Zimmer	Date		
Tax Lot #: 31E34 02100	12.66 Acres		
Ruth C. Good	Date		
Irene L. Dewar	Date		
Melvin L Borg	Date		

Tax Lot #: 31E34 02200 Co Trustees of the Philip Alan and Mildred Ellen Bor	4.83 Acres rg, Common Trust
Philip Alan Borg	 Date
Mildred Ellen Borg	Date
Tax Lot #: 31E34 02101	1.94 Acres

Date

Irene L. Dewar



Address: 3933 SW Kelly Avenue

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

Email:

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

☑ Applicant Name: VLMK Engineering + Design - Jennifer Kimura Phone: 503.222.4453

City/State: Portland, O	regon	Zip: 97239				
☐ Representative Name	::		Phone:			
Address:			Email:			
City/State:		Zip:				
☑ Property Owner Nam	eTrammel Crow Portla	and Developm	ent, IncPhone: 5	03.946.4980		
Signature:	L. C	•				T
Address: 1300 SW 5	th Avenue Suite 3050		Email: S	Sieber@tramm	nellcrow.com	
City/State: Portland, O	regon	Zip: 97201		-		
	See attached supp	olemental				
☐ Property Owner Nam	e: signature page		Phone:			
Signature:						
Address:			Email:	· ·		Tr. 2
City/State:		Zip:				
All property owners und limited to CMC Chapter 16. All property owners here to enter the property identiapplication. PERTY& PROJECT 1	49 Site and Design Revieveby grant consent to the (ified herein to conduct an	w standards. City of Canby an	d its officers, agents	s, employees, and	or independent contract	ors
220 S Walnut Street/23 220 S Walnut Street/23	399 S Mulino Road		42 acres		100/31E34 02100 101/31E34 02200	
Street Address or Location	on of Subject Property		Total Size of Property	Assessor Ta	ax Lot Numbers	
Houses and Outbuildin	gs		M1/IO			
Existing Use, Structures,	Other Improvements	on Site	Zoning	Comp Plan	Designation	
Proposed construction expansion and associate					al Use. (Employee per	r acre
Describe the Proposed D					in Industrial O	verlay l
CUP 18-07		STAFF US	E ONLY			
DR 18-10	11/5/18	lf	174	43		
FILE #	DATE DECEIVED	DECEIVE		PECEIDT 4	DATE ADD COMPLETE	

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

Tax Lot #: 31E34 00100	23.4 Acres		
Zimmer Family Limited Partnership			
Donald Zimmer, General Partner	Date		
Lynnette Zimmer	Date		
Tax Lot #: 31E34 02100	12.66 Acres		
Ruth C. Good	Date		
Irene L. Dewar	Date		
Melvin L Borg	Date		

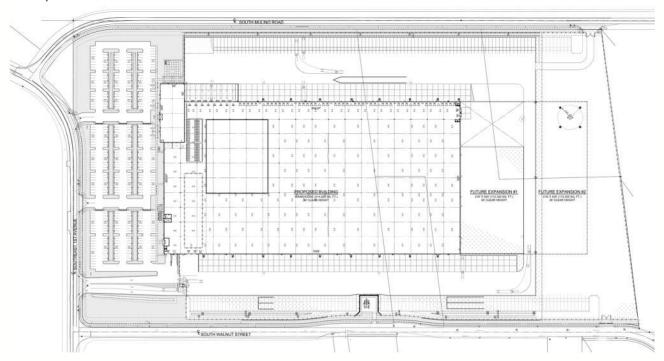
Tax Lot #: 31E34 02200	4.83 Acres		
Co Trustees of the Philip Alan and Mildred Ellen Borg, Common Trust			
Philip Alan Borg	Date		
Mildred Ellen Borg	Date		
Tax Lot #: 31E34 02101	1.94 Acres		

Date

Irene L. Dewar

PROJECT SHAKESPEARE - CANBY PROGRAM A NEW DISTRIBUTION FACILITY

SE First Avenue at S Walnut Street Canby, OR



TYPE III DESIGN REVIEW

Chapter Requirement

Type III Conditional Use - 16.35 Employee / Acre

VLMK Project Number: 20180195

Owner/Developer: Trammell Crow Portland Development, Inc.

1300 SW 5th Avenue, Suite 3050

Portland, Oregon 97201

Submittal Date: November 2nd, 2018



Project: Shakespeare – Canby Program				
Site:	220 S Walnut Street - 23397 S Mulino Road - 23399 S Mulino Road Tax Lots 31E34 00100 - 31E34 02100 - 31E34 02200 - 31E34 02101			
Address:	To Be Determined			
Applicant:	VLMK Engineering + Design	Contact: Jennifer Kimura, 503.222.4453		
Owner:	Trammell Crow Portland Development, Inc.			
Proposal:	New 531,148 Sq. ft. Warehouse / Distribution Facility			
Zoning:	M-1 Light Industrial Zone / I-O Overlay Zone			

Design Review submittal: Type Three

Conditional Use: Type Three

City of Canby, Oregon - Pre-Application number: PRA-1812

Project: Project Shakespeare - Canby Program

OVERVIEW:

The applicant is proposing to construct an approximate 531,148 square foot warehouse and distribution facility with support office on Tax Lots 100, 2100, 2101 and 2200. The development has been designed to accommodate a phased expansion which could add an additional 224,640sf to the warehouse.

SITE CONDITIONS:

The site is located at the NE corner of the Canby Pioneer Industrial Park and bounded by S. Mulino Road to the east, S.E. First Avenue to the north and S. Walnut Street to the west. The property includes four separate tax lots with a combined area of approximately 42 acres. All Tax Lots are zoned M-1 (Light Industrial) with an I/O overlay Zone. The properties have been utilized for agricultural purposes and include three residential homes and associated agriculture buildings. The terrain slopes from east to west approximately 25 feet (+/-).

VEHICLE ACCESS:

Vehicle access is proposed from SE First Avenue at three separate driveways. Truck access will be isolated from the autos and will occur at the westernmost drive which is located approximately 157 feet east from the centerline of S. Walnut Street. This driveway will have 330 feet of queuing for trucks entering the site to a secured checkpoint. Two driveways for auto access and parking are proposed to the east of the truck entrance at intervals of approximately 255 feet apart. Two additional driveways will be constructed at the south end of the development for possible future access, one of which will occur at S. Mulino and the other at S. Walnut. The drive at S. Mulino will be designed for emergency access with gravel extending to the truck yard and gates located at the fence line. The drive at S. Walnut will be barricaded with this initial phase of development.

BUILDING USE:

The facility is being designed to accommodate the warehousing and distribution of beverages. The building will contain approximately 514,500sf of warehouse and 16,648sf of ancillary office. The

warehouse will include an approximate 56,000sf cooler and 400sf Will-Call area. Product storage will be palletized and stored in racks or stacked on the floor. The building will be designed for two future warehouse expansions of approximately 112,300 sq. ft. each with an internal cooler expansion of 30,000sf.

CONSTRUCTION MATERIALS:

Building construction will consist of a single ply roof membrane overlaying an insulated steel roof structure supported by concrete tilt-up walls at the perimeter with concrete slab on grade and conventional foundation system. The warehouse will have a minimum 36ft interior clear height with perimeter walls approaching 42ft. The office appendage will be stepped down significantly from the warehouse shell with varying wall heights from 25 to 30 feet to provide articulation both horizontally and vertically. Construction materials utilized for the office will be similar to the warehouse with the perimeter walls containing several window openings and the entry façade will be dressed up with an expanse of storefront glazing, steel canopy and textured accents within the adjacent stepped wall panels. The exterior walls will contain reveals of varying width and finished with a complimenting paint scheme. All rooftop equipment will be setback from the perimeter walls and screened from the public way via wall parapets extending above the roof line.

SITE UTILITIES:

Storm Water:

- Storm water from the roof areas will be collected and retained on site with multiple drywells dispersed around the site.
- Surface water from the asphalt pavement and parking areas will be treated in a combination of vegetated swales and storm water filters upstream of the drywells.

Service Utilities:

- Sanitary sewer exists in S. Walnut Street and is stubbed into the approximate midpoint of the sites west boundary. Sanitary discharge will be limited to domestic wastewater.
- Domestic and Fire water will be extended into the property from the extension of the existing water main within S. Walnut. The fire water will be looped around the building and designed to serve the 8 private hydrants and fire pump for the ESFR sprinkler protection system.
- Power, Natural Gas, Phone and Cable will be extended into the building form the new service extensions within S. Walnut St.

<u>Lighting:</u>

 On-site lighting will be provided by a combination of wall and pole mounted LED lights dispersed around the perimeter of the site for both security and feature purposes in compliance with design standards.

PUBLIC WORKS:

This development will be required to dedicate right-of-way and construct half street improvements along S. Mulino Road, S.E. First Avenue and S. Walnut Street frontages. Improvements will include paving, curb & gutter, landscape planter and sidewalks at all streets with street lights at S. Walnut and S.E. 1st Ave. Water, power, natural gas, phone and cable utilities will be extended down Walnut to S.E. 1st Ave. The existing PGE power poles which occur along the S.E. 1st Ave. frontage will be relocated into the public utility easement.

DIVISION III. - ZONING

Chapter 16.08

GENERAL PROVISIONS

After review of Chapter 16.08, the following section(s) apply to this project and have been addressed with responses as noted below:

16.8.90 SIDEWALKS REQUIRED.

- A In all commercially zoned areas, the construction of sidewalks and curbs (with appropriate ramps for the handicapped on each corner lot) shall be required as a condition of the issuance of a building permit for new construction or substantial remodeling, where such work is estimated to exceed a valuation of twenty thousand dollars, as determined by the building code. Where multiple permits are issued for construction on the same site, this requirement shall be imposed when the total valuation exceeds twenty thousand dollars in any calendar year.
- **B.** The Planning Commission may impose appropriate sidewalk and curbing requirements as a condition of approving any discretionary application it reviews. (Ord. 740 section 10.3.05(I), 1984)

Response:

The right-of-way along S. Walnut Street, S.E. First Avenue and S. Mulino Road are being improved with new sidewalks and curb ramps. On-site sidewalks are proposed from all parking areas to the building along with associated ramps. Two connections are proposed from the public way. Concrete curbs will be provided around the truck yard and parking lot landscape areas as shown on the site plan.

16.8.110 FENCES.

- **A.** Fences not more than three and one-half feet in height may be constructed within the street setbacks of any R-1, R-1.5, R-2 or C-1 zone. Fences not more than six feet in height may be constructed in any interior yard, rear yard, or street yard along an alley; provided, however, that in no case shall a fence be constructed in violation of the requirements of a vision clearance area.
- **B.** On corner lots, the 3.5-foot height limit will apply within the required setback along both street-facing yards.

- **C.** Arbors that are added to a fence that is constructed of proper design (height and setbacks) and in accordance with this section (16.08.110), are allowed with the following limitations:
 - **1.** The arbor shall not exceed eight (8) feet in height (including the fence and vegetation);
 - **2.** The arbor, or any part of the arbor, shall not obstruct the view of drivers or pedestrians navigating the streets and/or sidewalks in the area;
 - **3.** Vegetation on the arbor shall not be allowed to grow solid at any time, creating a solid barrier that blocks visibility;
 - **4.** If the vegetation becomes too full or too high, the owner is financially responsible to rectify the situation, and to maintain the vegetation, fence, and arbor;
 - **5.** Color, construction, and design must be consistent with other like arbors/fences in the immediate area;
 - **6.** The arbor shall not block, or in any way impede any present significant vistas enjoyed by neighboring homes and/or other points of interest existing at the time of the building of the fence or arbor;
 - 7. The primary purpose of the arbor is to support and sustain foliage/vegetation.
- **D.** No more than one row of fencing is allowed within a required street yard setback.
- **E.** The Planning Commission may require sight-blocking or noise mitigating fences for any development it reviews.
- **F.** The Planning Commission may require fences of up to eight feet in height for any development in C-2, C-M, M-1 or M-2, or Planned Unit Development zones.
- **G.** No fence/wall shall be constructed throughout a subdivision, planned unit development or be part of a project that is/was subject to site and design review approval where the effect or purpose is to wall said project off from the rest of the community unless reviewed and approved by the Planning Commission. (Ord. 890 section 8, 1993; Ord. 740 section 10.3.05(K), 1984; Ord. 955 section 2, 1996; Ord. 981 section 43, 1997)

- **H.** In all zones, private fences along a public pedestrian/bicycle pathway shall comply with the following in order to provide security and visibility for pathway users while maintaining privacy for the residence.
 - 1. Fencing installed as part of a new subdivision shall comply with either (a) or (b) below.
 - **2.** Fencing installed by a property owner on an individual lot shall comply with either (a), (b), or (c) below.
 - **a.** Solid fencing shall be no greater than four (4) feet in height; or
 - **b.** Fencing shall be constructed with black open wire material, wooden slats, or some other material that allows visual access between the pathway and adjacent uses; or
 - **c.** Solid fencing shall be set back at least three (3) feet from the property line that abuts the pathway. (Ord 1338, 2010)

Response:

An 8 foot security fence is proposed to enclose the truck yard around the buildings east, south and west sides. In addition to the security gate at the truck entrance, gates for emergency access will be provided at the emergency and future drives at Walnut St. and Mulino Rd.

16.8.150 TRAFFIC IMPACT STUDY (TIS).

- Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(b) of the State Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize adverse impacts to and protect transportation facilities. This section establishes the standards to determine when a proposal must be reviewed for potential traffic impacts; when a Traffic Impact Study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities: what information must be included in a Traffic Impact Study; and who is qualified to prepare the Study.
- **B.** <u>Initial scoping.</u> During the pre-application conference, the city will review existing transportation data to determine whether a proposed development will have impacts on the transportation system. It is the responsibility of the applicant to provide enough detailed information for the city to make a determination. If the city

cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. If a TIS is required, the city will provide the applicant with a "scoping checklist" to be used when preparing the TIS.

- <u>Determination.</u> 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).

D. <u>TIS General Provisions</u>

- **1.** All transportation impact studies, including neighborhood through-trip and access studies, shall be prepared and certified by a registered Traffic or Civil Engineer in the State of Oregon.
- **2.** Prior to TIS scope preparation and review, the applicant shall pay to the city the fees and deposits associated with TIS scope preparation and review in accordance with the adopted fee schedule. The city's costs associated with TIS scope preparation and review will be charged against the respective deposits. Additional funds may be required if actual costs exceed deposit amounts. Any unused deposit funds will be refunded to the applicant upon final billing.
- **3.** For preparation of the TIS, the applicant may choose one of the following:
 - The applicant may hire a registered Oregon Traffic or Civil Engineer to prepare the TIS for submittal to the city. The city Traffic Engineer will then review the TIS and the applicant will be required to pay to the city any fees associated

with the TIS review; or

- **b.** The applicant may request that the city Traffic Engineer prepare the TIS. The applicant will pay to the city any fees associated with preparation of the TIS by the city Traffic Engineer.
- **4.** The TIS shall be submitted with a concurrent land use application and associated with application materials. The city will not accept a land use application for process if it does not include the required TIS.
- 5. The city may require a TIS review conference with the applicant to discuss the information provided in the TIS once it is complete. This conference would be in addition to any required pre-application conference. If such a conference is required, the city will not accept the land use application for processing until the conference has taken place. The applicant shall pay the TIS review conference fee at the time of conference scheduling, in accordance with the adopted fee schedule.
- **6.** A TIS determination is not a land use action and may not be appealed.
- <u>TIS Scope.</u> The city shall determine the study area, study intersections, trip rates, traffic distribution, and required content of the TIS based on information provided by the applicant about the proposed development.
 - 1. The study area will generally comprise an area within a ½-mile radius of the development site. If the city determines that development impacts may extend more than ½ mile from the development site, a larger study area may be required. Required study intersections will generally include (in addition to the primary access points) collector/collector and above intersections with an anticipated peak hour traffic increase of five-percent from the proposed project.
 - 2. If notice to ODOT or other agency is required pursuant to noticing requirements in Chapter 16.89, the city will coordinate with those agencies to provide a comprehensive TIS scope. ODOT may also require a TIS directly to support an OR 99E approach permit application.
- **F.** <u>TIS Content.</u> A project-specific TIS checklist will be provided to the applicant by the city once the city has determined the TIS scope. A TIS shall include all of the following elements, unless waived by the city.
 - 1. Introduction and Summary. This section shall include existing and projected trip generation including vehicular trips and mitigation of approved development not built to date; existing level and proposed level of service standard for city and

county streets and volume to capacity for state roads; project build year and average growth in traffic between traffic count year and build year; summary of transportation operations; traffic queuing and delays at study area intersections; and proposed mitigation(s).

- **2.** Existing Conditions. This section shall include a study area description, including information about existing study intersection level of service.
- **3.** Impacts. This section should include the proposed site plan, evaluation of the proposed site plan, and a project-related trip analysis. A figure showing the assumed future year roadway network (number and type of lanes at each intersection) also shall be provided. For subdivision and other developments, the future analysis shall be for the year of proposed site build-out. For proposed comprehensive plan and/or zoning map amendments, the future analysis year shall be 20 years from the date of the City's adopted TSP, or 15 years, whichever is greater.
- **4.** Mitigation. This section shall include proposed site and area-wide specific mitigation measures. Mitigation measures shall be roughly proportional to potential impacts. See Subsection K below for rough proportionality determination.
- **5.** Appendix. This section shall include traffic counts, capacity calculations, warrant analysis, and any other information necessary to convey a complete understanding of the technical adequacy of the TIS.
- **G.** <u>TIS Methodology.</u> The City will include the required TIS methodology with the TIS scope.
- Meighborhood Through-Trip Study. Any development projected to add more than 30 through-vehicles in a peak hour or 300 through-vehicle per day to an adjacent residential local street or neighborhood route will be require assessment and mitigation of residential street impacts. Through-trips are defined as those to and from a proposed development that have neither an origin nor a destination in the neighborhood. The through-trip study may be required as a component of the TIS or may be a stand-alone study, depending on the level of study required in the scoping checklist. The through-trip study shall include all of the following:
 - 1. Existing number of through-trips per day on adjacent residential local streets or neighborhood routes.
 - 2. Projected number of through-trips per day on adjacent residential local streets or

neighborhood routes that will be added by the proposed development.

3. Traffic management strategies to mitigate for the impacts of projected throughtrip consistent.

If a residential street is significantly impacted, mitigation shall be required. Thresholds used to determine if residential streets are significantly impacted are:

- 1. Local residential street volumes should not increase above 1,200 average daily trips
- **2.** Local residential street speeds should not exceed 28 miles per hour (85th percentile speed).
- **I.** <u>Mitigation.</u> Transportation impacts shall be mitigated at the time of development when the TIS identifies an increase in demand for vehicular, pedestrian, bicycle, or transit transportation facilities within the study area. Mitigation measures may be suggested by the applicant or recommended by ODOT or Clackamas County in circumstances where a state or county facility will be impacted by a proposed development. The city shall determine if the proposed mitigation measures are adequate and feasible. ODOT must be consulted to determine if improvements proposed for OR 99E comply with ODOT standards and are supported by ODOT. The following measures may be used to meet mitigation requirements:
 - 1. On-and off-site improvements beyond required standard frontage improvements.
 - **2.** Development of a transportation demand management program.
 - **3.** Payment of a fee in lieu of construction, if construction is not feasible.
 - **4.** Correction of off-site transportation deficiencies within the study area that are substantially exacerbated by development impacts.
 - **5.** Construction of on-site facilities or facilities located within the right-of-way adjoining the development site that exceed minimum required standards and that have a transportation benefit to the public.
- **J.** <u>Conditions of Approval.</u> The city may deny, approve, or approve with appropriate conditions a development proposal in order to minimize impacts and protect transportation facilities.
 - 1. Where the existing transportation system will be impacted by the proposed

development, dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways may be required to ensure that the transportation system is adequate to handle the additional burden caused by the proposed use.

- **2.** Where the existing transportation system is shown to be burdened by the proposed use, improvements such as paving, curbing, installation or contribution to traffic signals, traffic channelization, construction of sidewalks, bikeways, accessways, paths, or street that serve the proposed use may be required.
- **3.** The city may require the development to grant a cross-over access easement(s) to adjacent parcel(s) to address access spacing standards on arterials and collector roadways or site-specific safety concerns. Construction of shared access may be required at the time of development if feasible, given existing adjacent land use. The access easement must be established by deed.
- **K.** Rough Proportionality Determination. Improvements to mitigate impacts identified in the TIS shall be provided in rough proportion to the transportation impacts of the proposed development.
 - 1. The TIS shall include information regarding how the proportional share of improvements was calculated, using the ratio of development trips to growth trips and the anticipated cost of the full Canby Transportation System Plan. The calculation is provided below:

Proportionate Share Contribution=[Net New Trips/(Planning Period Trips-Existing Trips)] X

Estimated Construction Cost

- **a.** Net new trips means the estimated number of new trips that will be created by the proposed development within the study area.
- **b.** Planning period trips means the estimated number of total trips within the study area within the planning period identified in the TSP.
- **c.** Existing trips means the estimated number of existing trips within the study area at the time of TIS preparation.
- **d.** Estimated construction cost means the estimated total cost of construction of identified improvements in the TSP. (Ord 1340, 2011)

Response:
A traffic study is being finalized for the proposed development in compliance with this criteria.

Chapter 16.10

OFF-STREET PARKING AND LOADING

SECTIONS

- 16.10.010 Off-street parking required exceptions.
- 16.10.020 Definitions.
- 16.10.030 General requirements.
- 16.10.040 Prohibited near intersections.
- 16.10.050 Parking standards designated.
- 16.10.060 Off-street loading facilities.
- 16.10.070 Parking lots and access.
- 16.10.080 Streets.
- 16.10.090 Drive-up uses.
- 16.10.100 Bicycle parking.

16.10.10 Off-street parking required - exceptions.

- At the time of establishment of a new structure or use, change in use, or change in use of an existing structure, within any planning district of the city, off-street parking spaces and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the site and design review process, based upon clear and objective findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare. A lesser number of spaces may be permitted by the Planning Commission based on clear and objective findings that a lesser number of parking spaces will be sufficient to carry out the objective of this section.
- **B.** No off-street parking shall be required for any use permitted outright within the C-1 zone in the rectangular area bounded by N. Ivy Street on the east, NW First Avenue on the south, N. Elm Street on the west, and NW Third Avenue on the north.
- **C** At the time of enlargement of an existing structure or use, the provisions of this section shall apply to the enlarged structure or use only. (Ord. 1304, 2009; Ord. 1237, 2007; Ord. 890 section 9, 1993; Ord. 872, 1992; Ord. 854 section 2, 1991; Ord. 848, Part V, section 1, 16.10.010(A)(B), 1990)

16.10.20 **DEFINITIONS.**

- **A.** <u>Floor Area</u>. Except where otherwise specified, the floor area measured shall be the gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading.
- **B.** Employees. Where employees are specified, the term shall apply to all persons, including proprietors, working on the premises during the peak shift. (Ord. 854 section 2, 1991; Ord. 848, Part V, section 1, 16.10.020(A)(B), 1990)

16.10.30 GENERAL REQUIREMENTS.

- A Should the owner or occupant of a structure change the use to which the building is put, thereby increasing parking or loading requirements, the increased parking/loading area shall be provided prior to commencement of the new use.
- **B.** Parking and loading requirements for structures not specifically listed herein shall be determined by the City Planner, based upon requirements of comparable uses listed.
- **C** In the event several uses occupy a single structure, the total requirements for offstreet parking shall be the sum of the requirements of the several uses computed separately. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.
- **D.** Off-street parking spaces for dwellings shall be located on the same lot, or adjacent lot, with the dwelling. Parking spaces located within an on-site garage shall count toward the minimum parking requirement for residential uses. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to and from the site.
- **E** Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business.
- **F.** Institution of on-street parking shall not be allowed for off-street parking, where none is previously provided, and shall not be done solely for the purpose of relieving crowded parking lots in commercial or industrial planning districts.

- **G.** Parking facilities may be shared by users on adjacent parcels if all of the following standards are met, or the Planning Commission determines a lesser combination meets the intent of the ordinance:
 - **1.** One of the parcels has excess parking spaces, considering the present use of the property; and the other parcel lacks sufficient area for required parking spaces. Excess parking spaces can be determined by considering when the uses need the parking spaces, such as time of day or day of week.
 - **2.** The total number of parking spaces meets the standards for the sum of the number of spaces that would be separately required for each use. If the applicant can demonstrate that the uses do not have overlapping parking needs (based on days and hours of operation) and can share parking, the total requirement for combined uses may be reduced by up to 60 percent.
 - **3.** Legal documentation, to the satisfaction of the City Attorney, shall be submitted verifying present use of the excess parking area on one lot by patrons of the uses deficient in required parking areas.
 - **4.** Physical access between adjoining lots shall be such that functional and reasonable access is provided to uses on the parcel deficient in parking spaces.
 - **5.** Adequate directional signs shall be installed specifying the joint parking arrangement.
- **H.** The number of vehicular spaces required in Table 16.10.050 may be reduced by up to 10% if one of the following is demonstrated to the satisfaction of the Planning Director or Planning Commission:
 - 1. Residential densities greater than nine units per gross acre (limit parking to no less than one space per unit for multi-family structures); or
 - **2** The proposed development is pedestrian-oriented by virtue of a location which is within convenient walking distance of existing or planned neighborhood activities (such as schools, parks, shopping, etc.) and the development provides additional pedestrian amenities not required by the code which, when taken together, significantly contribute to making walking convenient (e.g., wider sidewalks, pedestrian plazas, pedestrian scale lighting, benches, etc.). (Ord. 890 section 10, 1993; Ord. 854 section 2 [part], 1991; Ord. 848, Part V, section 16.10.030, 1990; Ord. 1043 section 3, 2000; Ord. 1338, 2010)

16.10.040 PROHIBITED NEAR INTERSECTIONS.

In no case will off-street parking be allowed within a vision clearance area of an intersection. (Ord. 740 section 10.3.10(D), 1984)

16.10.050 PARKING STANDARDS DESIGNATED.

The parking standards set out in Table 16.10.050 shall be observed. (Ord. 854 section 2, [part], 1991; Ord. 848 section 1, 16.10.050, 1990; Ord. 740 section 10.3.10(E), 1984; Ord. 981 section 20, 1997)

TABLE 16.10.050

Off-street Parking Provisions - The following are the minimum standards for off-street vehicle parking:

n. Club or lodge	1.00 space per 200 square feet of floor area
o. Day care, adult or child care; does not include Family Daycare (12 or fewer children) under ORS 657A.250	1.00 space per 500 square feet of floor area
p. All others	1.00 space per 550 square feet
q. Wireless telecommunication systems	1.00 space per site
Industrial:	
a. Manufacturing	2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office manufacturing space. Minimum of 5 parking spaces overall.
b. Warehousing	2.00 spaces per 1,000 gross square feet of office space, plus 1.00 space per 1,000 gross square feet of non-office warehousing space. Minimum of 5 parking spaces overall.
c. Wholesale establishments	2.00 spaces per 1,000 gross square feet of office space, plus 1.50 spaces per 1,000 gross square feet of non-office wholesale space. Minimum of 5 parking spaces overall.

(Ord 1296, 2008, Ord. 1338, 2010)

Response:

This project is for a warehouse and distribution facility. Parking is required based on the above highlighted standards and calculated per 16,648 sq. ft. of support offices (2/1000) and 514,500 sq. ft. of warehouse (1/1000) requiring 547 parking spaces. A total of 389 auto parking spaces is proposed for this project and will more than accommodate the expected employee count of 242 people. The hours of operation will be 24hrs a

day 6-7days a week with various groups of employees arriving throughout all hours of the day. The warehouse operations will include both day and night shifts with delivery drivers arriving between 3am-6am and the administrative office and warehouse management operations employee hours being 8am-6pm. The merchandising, route reconnaissance and executive management employees do a fair amount of traveling and will be arriving/departing the facility on an as-need basis throughout the work day / week.

The warehouse will have limited occupants as it contains a substantial amount of racking and other fixed equipment for the storage and conditioning of the various beverage products.

The applicant is requesting a reduction of the required parking count as the proposed number of parking spaces will more than accommodate the entire employee group to include the largest shift change overlap, various vendor and will-call clients, special events and future warehouse growth.

16.10.60 OFF-STREET LOADING FACILITIES

A The minimum number of off-street loading berths for commercial and industrial uses is as follows:

SQUARE FEET OF FLOOR AREA	NUMBER OF
Less than 5,000	0
5000 – 25,000	1
25,000 – 60,000	2
60,000 and over	3

B. Loading berths shall conform to the following minimum size specifications:

- **1.** Commercial uses 13' x 35'
- 2. Industrial uses 12' x 60'
- **3.** Berths shall have an unobstructed minimum height of 14'.
- **C** Required loading areas shall be screened from public view, from public streets, and adjacent properties by means of sight-site obscuring landscaping, walls or other means, as approved through the site and design review process.

- **D.** Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.
- **E** A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of a school or day care center having a capacity greater than twenty-five (25) students.
- **F.** The off-street loading facilities shall, in all cases, be on the same lot or parcel as the structure they are intended to serve. In no case shall the required off-street loading spaces be part of the area used to satisfy the off-street parking requirement.
- **G.** The Planning Commission may exempt a building from the loading berth requirement, or delay the requirement, based on findings that loading berths are not needed for a particular building or business. (Ord. 854 section 2[part], 1991; Ord. 848, Part V, section 1, 16.10.060, 1990; Ord. 1237, 2007)

Response:

A total of three (3) loading berths are required for this project and at least 62 berths will be provided with the initial phase of development with accommodations to double that count with the addition of dock doors in the future loading area along the west side of the building.

16.10.70 PARKING LOTS AND ACCESS.

- **A.** Parking Lots. A parking lot, whether as accessory or principal use, intended for the parking of automobiles or trucks, shall comply with the following:
 - **1.** Parking lot design shall comply with the dimensional standards set forth in Figure 1 of this section.
 - **2** Parking stalls of eight (8) feet in width and sixteen (16) feet in length for compact vehicles may comprise up to a maximum of thirty (30) percent of the total number of parking stalls. Such parking stalls shall be marked "Compact Parking only" either on the parking surface or on a sign in front of the parking stalls.
 - **3.** Areas used for standing or maneuvering of vehicles shall have paved asphalt, concrete, solid concrete paver surfaces, or paved "tire track" strips maintained adequately for all weather use and so drained as to avoid the flow of water across sidewalks or into public streets, with the following exception:
 - **a.** The Planning Director or Planning Commission may approve the use of an engineered aggregate system for outdoor storage and/or non-required

parking areas provided that the applicant can demonstrate that City Standards related to:

- i. minimizing dust generation,
- ii. minimizing transportation of aggregate to city streets, and
- **iii.** minimizing infiltration of environmental contaminants including, but not limited to, motor oils, fuels, volatile organic compounds (e.g. benzene, toluene, ethylbenzene, xylene), and ethylene glycol are met.

The decision maker may impose conditions as necessary to meet City Standards.

- **b.** Use of permeable surfacing materials for parking lots and driveways is encouraged whenever site and soil conditions make permeable surfacing feasible. Permeable surfacing includes, but is not limited to: paving blocks, turf block, pervious concrete, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards and the manufacturer's recommendations. Maintenance of permeable surfacing materials located on private property are the responsibility of the property owner.
- **4.** The full width of driveways must be paved in accordance with (3) above:
- **a.** For a minimum of 20 feet from the right-of-way line back into the private property to prevent debris from entering public streets, and
- **b.** To within 150 feet of all portions of the exterior wall of the first story of any structure(s) served by the driveway to ensure fire and emergency service provision.
 - **5.** Except for parking to serve residential uses, parking areas adjacent to or within residential planning districts or adjacent to residential uses shall be designed to minimize disturbance of residents. Artificial lighting, which may be provided, shall be so deflected as not to shine or create glare in any residential planning district or on any adjacent dwelling, or any street right-ofway in such a manner as to impair the use of such way.
 - **6.** Groups of more than four (4) parking spaces shall be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.
 - **7.** Off-street parking areas, and the accesses to them, shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic

access and egress and the maximum safety of pedestrian and vehicular traffic on the site and in adjacent roadways. The Planning Director or Planning Commission may require engineering analysis and/or truck turning diagrams to ensure safe and efficient traffic flow based on the number and type of vehicles using the site, the classification of the public roadway, and the design of the parking lot and access drives.

- **8.** Parking bumpers or wheel stops shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.
- **9.** Accessible parking shall be provided, constructed, striped, signed and maintained as required by ORS 447.233 and all Oregon Structural Specialty Code requirements.

Response:

All parking areas and driveways will be paved. The new parking spaces are designed to meet the city standards for size and maximum allowed spaces between landscape islands. The new parking lot landscaping will reduce dust and provide a neat clean appearance.

B. ACCESS.

- 1. The provision and maintenance of vehicular and pedestrian ingress and egress from private property to the public streets as stipulated in this ordinance are continuing requirements for the use of any structure or parcel of real property in the City of Canby. No building permit or other permits shall be issued until scale plans are presented that show how the ingress and egress requirement is to be fulfilled. Should the owner or occupant of a lot or building change the use to which the lot or building is put, thereby increasing ingress and egress requirements, it shall be unlawful and a violation of this ordinance to begin or maintain such altered use until the required increase in ingress and egress is provided.
- **2** The City of Canby encourages joint/shared access. Owners of two (2) or more uses, structures, or parcels of land may agree to, or may be required by the City to, utilized jointly the same ingress and egress when the combined ingress and egress of both uses, structures, or parcels of land satisfies their combined requirements as designed in this ordinance, provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts shall be placed on permanent files with the city recorder.
- **3.** All ingress and egress shall connect directly with public streets.

- **4.** Vehicular access for residential uses shall be brought to within fifty (50) feet of the ground floor entrances or the ground floor landing of a stairway, ramp or elevator leading to dwelling units.
- **5.** Required sidewalks shall extend from the ground floor entrances or the ground floor landing of a stairs, ramps or elevators to the sidewalk or curb of the public street or streets that provide the required access and egress.
- **6.** To afford safe pedestrian access and egress for properties within the city, a sidewalk shall be constructed along all street frontages, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section shall be constructed to city standards except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in which case the sidewalks shall be constructed to a design, and in a manner approved by the Site and Design Review Board. Sidewalks approved by Board may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks shall provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction shall include construction of the curb and gutter section to grade and alignment established by the Site and Design Review Board.
- **7.** The standards set forth in this ordinance are minimum standards for access and egress, and may be increased through the site and design review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety and general welfare. (Ord. 890 section 12, 1993; Ord. 1237, 2007; Ord. 1338, 2010)

Minimum Access Requirements

16.10.070(B)(8): Minimum access requirements for residential uses - ingress and egress for residential uses shall not be less than the following (except that in the case of flag lots, section 16.64.0400) shall apply):

Dwelling units	Minimum number of accesses required	Minimum access width	Sidewalks & Curbs (in addition to driveways)
1 or 2	1	12 feet	none required
3-19	1	20 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.
20-49	Option A: 1 access OR Option B: 2 accesses	20 feet 12 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.
50-499	Option A: 1 access OR Option B: 2 accesses	30 feet 20 feet	Curbs required; Minimum of one sidewalk connection to residences and parking areas
Over 500	As required by Site and Design Review Board		As required by Public Works Director

16.10.070(B)(9): Minimum access requirements for commercial or institutional uses ingress and egress for commercial uses shall not be less than the following:

Parking spaces required	Minimum number of accesses required	Minimum access width	Sidewalks & curbs (in addition to driveways)	
1-4	1	12 feet	None required	
5-99	1	20 feet	Curbs required; sidewalk on one side minimum	
100-249	2	20 feet	Curbs required; sidewalk on one side minimum	
Over 250	As required by Site and Design Review Board	As required by Public Works Director		

16.10.070(B)(10): Minimum access requirements for industrial uses - ingress and egress for industrial uses shall not be less than the following:

Parking spaces required	Minimum number of accesses required	Minimum access width	Sidewalks & curbs (in addition to driveways)	
1-250	1	24 feet	Curbs required; sidewalks on one side minimum	
Over 250	As required by Public Works Director			

- **8.** One-Way Ingress or Egress Way Ingress or Egress When approved through the site and design review process, one-way ingress or egress may be used to satisfy the requirements of subsection (H), (I) and (J). However, the hard surfaced pavement of one-way drives shall not be less than twelve (12) feet for multi-family residential, commercial or industrial uses.
- **9.** Maximum driveway widths and other requirements except for single-family dwellings [see subsection (d) below]:
 - **a.** Unless otherwise herein provided, maximum driveway widths shall not exceed forty (40) feet.
 - **b.** No driveways shall be constructed within five (5) feet of an adjacent property line, except when two (2) adjacent property owners elect to provide joint access to their respective properties as provided by subsection 2.
 - **c.** There shall be a minimum distance of forty (40) feet between any two (2) adjacent driveways on a single property.
 - **d.** The minimum distance between two driveways on one single-family residential lot shall be thirty (30) feet. There is no minimum setback distance between a driveway and the property line for driveways on single-family residential lots.
- **10.** Distance Between Driveways and Intersections- Except for single-family dwellings [see subsection (f) below] the minimum distance between driveways and intersections shall be as provided below. Distances listed shall be measured from the stop bar at the intersection:
 - **a.** At the intersection of any collector or arterial streets, driveways shall be located a minimum of fifty (50) feet from the intersection.
 - **b.** At the intersection of two (2) local streets, driveways shall be located a minimum of thirty (30) feet from the intersection as provided, the driveway shall be constructed as far from the intersection as possible, while still maintaining the five (5) foot setback between the driveway and property line.
 - c. If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway shall be constructed as far from the intersection as possible, while still maintaining the five (5) foot setback between the driveway and property line.

- **d.** In the case of existing flag lots, it shall be at the discretion of the Site and Design Review Board to determine the best location for driveways.
- **e.** When considering a public facilities plan that has been submitted as part of site and design review plan in accordance with this ordinance, the city Public Works Supervisor may approve the location of a driveway closer than fifty (50) feet from the intersection of collector or arterial streets, based on written findings of fact in support of the decision. Said written approval shall be incorporated into the recommended decision of the City Planner for the site and design review plan under the process set forth.
- **f.** The minimum distance between driveways for single-family residential houses and an intersection shall be thirty (30) feet. The distance shall be measured from the curb intersection point [as measured for vision clearance area (16.04.670)]. (Ord. 890 section 12, 1993; Ord. 872, 1991; Ord. 854 section 2 [part], 1991; Ord 848, Part V, section 16.10.070 (A)(B) 1990; Ord. 955 section 3 & 4 1996; Ord. 981 section 44, 1997; Ord. 1019 section 5, 1999; Ord 1237, 2007)

Response:

This project proposes three driveways into and out of the site along S.E. 1st Ave. with accommodations for emergency and future access provided by two additional access points at S. Mulino Rd. and S. Walnut St. The two automobile parking lot driveways are proposed to be 30t in width with the truck driveway proposed at 50t in width. The centerline of the truck driveway will be located approximately 157 feet east of S. Walnut Street. All three driveway are separated by approximately 255 feet to comply with the subject criteria. Two sidewalks provide pedestrian access from the building to the public way.

16.10.100 BICYCLE PARKING.

Bicycle parking shall be provided for all multi-family residential, institutional, commercial, and industrial uses.

- **A.** Dimensions and characteristics: Bicycle parking spaces shall be a minimum of six (6) feet long and two (2) feet wide, and overhead clearance in covered spaces shall be a minimum of seven (7) feet. A minimum five (5) foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking. Bicycle racks located on a sidewalk shall provide a minimum of two (2) feet between the rack and a wall or other obstacle, and between the rack and curb face. Bicycle racks or lockers shall be securely anchored to the surface or a structure. Bicycle racks located in the Downtown Commercial Zone shall be of the inverted U style (a.k.a. staple racks). See Figure 20 of the Canby Downtown Plan for correct rack placement.
- **B.** Location: Bicycle parking shall be located in well-lit, secure locations within fifty (50) feet of the main entrance to a building, but not further from the entrance than the closest automobiles

parking space, and in no case further than 50 feet from an entrance when several entrances are involved.

C. Number of spaces: The bicycle parking standards set out in Table 16.10.100 shall be observed. (Ord. 1019 section 1, 1999; Ord. 1076, 2001)

TABLE 16.10.100 BICYCLE PA	arking standard
LAND USE CATEGORY	MINIMUM REQUIRED BICYCLE PARKING SPACES
Residential Multi-family residential, general Multi-family residential, seniors or with physical disabilities	l space per unit 4, or l space per 5 units, whichever is greater
Institutional Schools - Elementary Schools - Jr. High/Middle School	To be determined through design review To be determined through design review
Schools - St. High	To be determined through design review
College	To be determined through design review
Transit Centers/Park & Ride Lots	5% of auto spaces (or 100% of demand, depending on
Religious Institutions	accessibility to bicyclists) 1 space per 40 seat capacity
Hospitals	1 space per 5 beds
Doctor, Dentist Offices Libraries, Museums, etc.	2, or 1 space per 1000 ft ² , whichever is greater 2, or 1 space per 1000 ft ² , whichever is greater
Commercial Retail Sales Auto-oriented Services Groceries/Supermarkets Offices Restaurants Drive-in Restaurants Shopping Centers Financial Institutions Theaters, Auditoriums, etc.	0.33 space per 1000 ft ² , whichever is greater 2, or 0.33 space per 1000 ft ² , whichever is greater 0.33 space per 1000 ft ² 2, or I space per 1000 ft ² , whichever is greater 1 space per 1000 ft ² 1 space per 1000 ft ² 0.33 space per 1000 ft ² 2, or 0.33 space per 1000 ² , whichever is greater 1 space per 30 seats
Downtown Commercial Zone	4 spaces per block
Industrial Industrial Park Warehouse Manufacturing, etc.	2, or .1 space per 1000 ft ² , whichever is greater 2, or .1 space per 1000 ft ² , whichever is greater 2, or .15 space per 1000 ft ² , whichever is greater

NOTES:

Each individual use needs to be evaluated for bicycle parking – e.g., a commercial accessory use in an industrial district may have different requirements than the industrial uses around it. Similarly, in mixed-use developments, the amount of each use and required bicycle parking needs" evaluation. Finally, within each use category one needs to consider the different user categories - residents, employees, customers, etc. - and parking requirements for each. (Ord. 1019 section I, 1999; Ord. 1043 section 3, 2000; Ord. 1076, 2001)

Response:

Per the above table, a total of (54) fifty-four bike parking spaces are required for the warehouse use. The applicant is proposing to provide a total of (10) ten bicycle spaces, 6 of which will be located at the building exterior with 4 spaces at the interior of the warehouse.

With a majority of the employees arriving / departing in the early morning hours and the merchandising, route reconnaissance and executive management employees traveling throughout the workday, the applicant is requesting a reduction of the required bicycle parking count as the proposed number of bicycle parking spaces will more than accommodate the limited number of employees that could be commuting by bike.

Chapter 16.12

CLASSIFICATION OF ZONES

SECTIONS:

16.12.010 Zones designated.

16.12.020 Uses permitted.

16.12.010 Zones designated.

In order to carry out the purposes and provisions of this title, the city is divided into zones designated as follows:

Base Zones	Abbreviation
Agricultural	AG
Low Density Residential	R-1
Medium Density Residentia	al R-1.5
High Density Residential	R-2
Downtown Commercial	C-1
Residential/Commercial	C-R
Convenience Commercial	C-C
Highway Commercial	C-2
Commercial/Manufacturing	C-M
Light Industrial	M-1
Heavy Industrial	M - 2
Overlay Zones Planned Unit Development Historical Protection Hazard Canby Industrial Area Wetland Riparian	PUD A H I-O WO RO

(Ord .890 section 14, 1003; Ord. 740 section 10.3.15 [part], 1984; Ord. 1008 section 1, 1998; Ord 1237, 2007)

16.12.020 USES PERMITTED

In each zone, the uses permitted outright or permitted subject to the issuance of a conditional use permit are outlined in the following chapters. (Ord. 740 section 10.3.15 [part], 1984)

Response:

Per the table above, the proposed use is allowed outright.

Chapter 16.32

M-1 LIGHT INDUSTRIAL ZONE

SECTIONS:

16.32.010 Uses permitted outright.

16.32.020 Conditional uses.

16.32.030 Development standards.

16.32.10 Uses permitted outright.

Uses permitted outright in the M-1 zone shall be as follows:

- A Manufacturing, fabricating, processing, compounding, assembling or packaging of products made from previously prepared materials such as cloth, plastic, paper, metal, wood (but not including sawmills or lumber mills), the operation of which will not result in
 - 1. The dissemination of dusts, gas, smoke, fumes, odors, atmospheric pollutants or noise which exceed Oregon Department of Environmental Quality standards
 - 2. Danger by reason of fire, explosion or other physical hazard;
 - 3. Unusual traffic hazards:
- **B.** Automobile body shop, or heavy repair shop;
- C Contractor's equipment or storage yard;
- **D.** Dwelling for watchman or caretaker working on the property;
- **E.** Food processing plant;
- **F.** Fuel distribution, wholesale or retail;
- **G.** Ice or cold storage plant;
- H. Laundry or dry-cleaning plant;
- Lumber yard;

- **J.** Machinery, farm equipment or implement sales, service or rent;
- K. Motor or rail freight terminal; Railroad trackage and related facilities;
- L Restaurant, when related and incidental to primary industrial uses of the area;
- M. Service station, when related and incidental to primary industrial uses of the area;
- **N.** Stone, marble, or granite cutting;
- **Q.** Tire retreading or recapping;
- P. Transfer and storage company;
- Q. Utility storage or service yard;
- **R.** Veterinarian's office or animal hospital;
- S. Warehouse Complies Proposed project is for a Distribution Warehouse
- **T.** Wholesale distribution, including warehousing and storage;
- V. Wireless or cellular communications facility/tower;
- W.Other light industrial uses as determined by the Planning Commission;
- X. Business or professional office, when related and incidental to primary industrial uses of the area;
- Y. Public building or uses such as fire station, or park or playground.
- **Z.** Attached WTS facilities (see 16.08.120).
- **AA.** Detached WTS facilities (monopole or lattice tower), under 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- **BB.** Detached WTS facilities (monopole), under 100 feet in height and less than 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- CC. Detached WTS facilities (monopole), equal to or over 150 feet in height and at least 660

feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).

DD. Minor public facility. (Ord. 890 section 31, 1993; Ord. 749 section 1(A),1984, Ord. 740 section 10.3.31(A), 1984; Ord. 995 section 10 & 11, 1996; Ord. 981 section 30 & 31, 1997; Ord. 1019 section 10, 1999; Ord 1237, 2007)

16.32.20 CONDITIONAL USES.

Conditional uses in the M-1 zone shall be as follows:

- A. Commercial recreation uses;
- **B.** Motels, hotels and similar accommodations;
- C. Other heavy commercial or light industrial uses as determined by the Planning Commission;
- **D.** Waste and/or recycling transfer operations.
- **E.** Detached WTS facilities (monopole), equal to or over 100 feet in height and less than 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- **F.** Detached WTS facilities (lattice tower), equal to or over 150 feet in height and at least 660 feet from the nearest land zoned or planned for residential use or Highway 99E (see 16.08.120).
- **G.** Major public facility, except as modified by Section 16.32.010. (Ord. 960, section 2, 12/18/96; Ord. 890, section 32, 1993; Ord. 740 section 10.3.31(B), 1984; Ord. 981 section 32, 1997; Ord 1237, 2007)

16.32.31 DEVELOPMENT STANDARDS.

The following subsections indicate the required development standards of the M-1 zone:

- **A.** Minimum lot area: five thousand square feet;
- **B.** Minimum width and frontage: fifty feet;
- **C.** Minimum yard requirements:
 - 1. Street yard: twenty feet where abutting Highway 99-E and S. Ivy Street. Gas station CITY OF CANBY

 December 2010

 Chapter 16.34 Page 2

canopies shall be exempted from the twenty foot setback requirements. Remaining property none, except ten feet where abutting a residential zone. Sign setbacks along Highway 99-E and S. Ivy Street are to be measured from the face of the curb rather than the lot line. Where no curb exists, the setback shall be measured from the property line. Other than signs which are nonconforming structures and street banners which have been approved per the requirements of the Uniform Sign Code, no signs will be allowed to be located within, or to project over, a street right-of-way.

- 2 Interior yard: none, except ten feet where abutting a residential zone.
- **D.** Maximum building height:
 - 1. Freestanding signs: thirty feet;
 - **2.** All other structures: forty-five feet.
- **E.** Maximum lot coverage: no limit.
- **F.** Other regulations:
 - 1. Vision clearance distances shall be fifteen feet from any alley or driveway and thirty feet from any other street or railroad.
 - **2.** Outside storage abutting or facing a lot in a residential zone shall be enclosed by a site-blocking fence or berm. The fence or berm shall be so designed as to screen the storage from view from the residential zone and shall be of such material and design as will not detract from adjacent residences.

Response:

- A. Lot area: Complies with 42 acres
- B. Lot width: Complies, all frontages are greater than 50 feet
- C.1 Minimum yards: Complies, all street yards are greater than 60 feet
- C.2 Minimum interior yards: N/A, property does not abut residential zoned properties
- D.1 Max Building Height: Complies with 41.5 foot wall height and average roof height of 43 feet
- D.2 Signs: Monument and traffic signage will be provided under a separate submittal.
- E. Max Coverage: Complies, no limit
- F.1 Other Regulations Vision Clearance: Complies, see vision triangles on sheet C1.0
- F.2 Other Regulations Exterior Storage: Complies, all storage areas are screened by fencing and landscaping

Chapter 16.35

CANBY INDUSTRIAL AREA OVERLAY (I-O) ZONE

SECTIONS:

Purpose.
Applicability.
Pre-application review and conditions of approval
Uses permitted outright.
Conditional uses.
Prohibited uses.
Development standards.
Design guidelines.
I-O design review matrix.

16.35.10 Purpose.

The purpose of the Canby Industrial Area Overlay (I-O) zone is to implement the design guidelines and standards of the Canby Industrial Area Master Plan (Master Plan):

- A. Provide efficient circulation and access;
- **B.** Allow flexibility in siting development, including a range of industrial and commercial/industrial land uses;
- C. Provide visual continuity for streetscapes and developments;
- **D.** Encourage durable, high quality building materials.

The zone is intended to ensure high-quality industrial development with a mix of employment types and uses. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.20 APPLICABILITY.

It is the policy of the City of Canby to apply the I-O zone to all lands within the Master Plan area and other areas determined by the City, upon annexation or prior to application for development permit. The Master Plan area generally includes the area bound by Highway 99E and 1st Avenue to the north, Mulino Road to the east, SE 13th Avenue to the south, and Molalla Western Railroad to the west. The I-O zone has the following affect with regard to other chapters of this ordinance:

- **A** Incorporates the Canby Industrial Area Master Plan into Title 16. The Master Plans design guidelines, standards, and plan maps are hereby incorporated by reference.
- **B.** Permits land uses which are permitted by the underlying zone districts (C-M, M-1, M-2), with some exceptions.
- **C** Replaces selected development standards contained in the C-M, M-1, and M-2 zones, for continuity and quality of site design within the Master Plan area.
- **D.** Utilizes the City's processes for development review, including land divisions, conditional uses, and design reviews. Provides a design review matrix (i.e., replacing the table in Chapter 16.49) which is tailored to the Master Plan area.
- **E** Provides additional conditional use standards to ensure development compatibility.
- **F.** Lists uses that are prohibited outright due to incompatibility with the goals for the area. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.25 PRE-APPLICATION REVIEW AND CONDITIONS OF APPROVAL

- **A.** A pre-application meeting with utility and service providers is required prior to any land use application, building permit application, or business license application in the I-O zone, unless this requirement is waived by the City Planner. The City Planner shall provide application forms for this purpose indicating all required information. The pre-application meeting shall allow utility and service providers to make a detailed assessment of the proposed use prior to forming a recommendation on approval. In addition, this meeting will allow the City to evaluate whether a Conditional Use Permit will be required.
- **B.** At the pre-application meeting, the City shall determine the need for a Hazardous Materials Management Plan. If required by the City, the applicant shall prepare a plan meeting the relevant sections of the Oregon Fire Code as determined by the City. The Plan shall allow utility and service providers to review the health and safety impacts of any proposed use and ensure an adequate plan will be in place to address those impacts prior to forming a recommendation on approval.
- **C.** The Planning Commission or City Council may impose conditions to protect public health and safety on any discretionary land use application. (Ord. 1057 section 2 [part], 2000; Ord. 1237, 2007)

Response:

Pre-Application Meeting was completed on 09-18-18 and the meeting minutes are included with this submittal.

16.35.030 USES PERMITTED OUTRIGHT.

Unless limited by sections 16.35.040 or 16.35.045, uses permitted outright in the C-M zone, M-1 zone, and M-2 zone are permitted outright in the I-O zone, subject to the respective zone district boundaries. (Ord. 1008 section 1 [part], 1998; Ord. 1057 section 2 [part], 2000)

16.35.40 CONDITIONAL USES.

Unless limited by subsection A below or section 16.35.045, conditional uses permitted in the C-M zone, M-1 zone, and M-2 zone are permitted as conditional uses in the I-O zone, subject to the respective zone district boundaries.

- **A.** Any proposed site development, change in use, land division, or other action that results in any of the following requires conditional use approval in the I-O zone:
 - **1.** Less than 12 employees per developed acre. For the purposes of this section only, "developed" means all areas used for buildings, landscaping, vehicle maneuvering and parking areas, outdoor storage, and other areas occupied by the use. For the purposes of this section only, employees means full-time equivalents unless the City specifically allows other interpretations;

Response:

A Conditional Use is attached with this Narrative for consideration of an adjustment to this criteria. At 42 developed acres, 504 employees would be required and the anticipated employee count for the initial occupancy is estimated at 242. Thi

- **2.** More than 60 acres total in I-O zoning that is occupied by a single use or business. For the purposes of this section, businesses classified in the same NAICS industry group (four-digit code) are considered to be in the same use. This section is intended to apply cumulatively to all properties in the zone; **N/A**
- **3.** Utilization of any public service or utility to such an extent that the utility would not be able to supply all other uses projected in its current long-range plans; N/A
- 4. Uses requiring an H occupancy under the Oregon Structural Specialty Code; N/A
- **5.** In any C-M zoning overlain by I-O zoning, any retail or commercial use with a building footprint exceeding 50,000 square feet; **N/A**

- **6.** In any M-1 or M-2 zoning overlain by I-O zoning, any retail or commercial use not related to or supportive of the primary industrial use of the park; or N/A
- **7.** In any M-1 or M-2 zoning overlain by I-O zoning, retail areas occupying more than 15% of the building footprint or more than 3,000 square feet. **N/A**
- **B.** To approve a conditional use in the I-O zone, the Planning Commission shall find that each of the following additional criteria are either met, or can be met by observance of conditions, unless it is not applicable:
 - 1. The proposed use is compatible with the industrial nature of the park and will have minimal negative impact on the development and use of surrounding properties;

 Response:

Project Complies - The proposed development is similar in use and nature to other developments within the Pioneer Industrial Park and not substantially limit or preclude the current use of the surrounding properties. The use of this proposal is allowed outright in the M-1 zone and the required frontage and off-site improvements will actually enhance development opportunities for their intended use.

2. The proposed use does not pose a threat to public health or safety; and **Response:**

Project Complies – The development will not pose a threat to public health or safety and the required improvements will be designed to comply with current standards.

3. The proposed use is beneficial to the overall economic diversity and vitality of the City.

Response:

Complies – This project brings commerce into the city by way of the business itself, its vendors, customers and that of its employees purchasing goods and services of the local businesses. Employees that wish to be near their place of employment will require housing.

These criteria are in addition to those provided in Section 16.50.010. In all other aspects, the conditional use process shall be as specified in Chapter 16.50. (Ord 1008 section 1 [part], 1998, Ord. 1057 section 2 [part], 2000; Ord. 1237, 2007).

16.35.45 PROHIBITED USES.

The following uses are prohibited in the I-O zone:

- A. Slaughter house;
- **B.** Rendering, reduction, or distillation of, or manufacturing from, animals, fish and their by-products;
- **C.** Auto, truck or motorcycle race track;
- **D.** Auto, truck, or motorcycle wrecking or salvage yard;
- **E.** Scrap metal storage and sales;
- **F.** Reclamation or manufacturing of steel barrels or drums;
- **G.** Dump or landfill, including rubbish, slag, organic materials, offal, or garbage in general;
- H. Livestock feeding pen, other than those associated with existing agricultural uses;
- 1. Fireworks manufacturing or the manufacturing of ammunition or explosives;
- **J.** Nuclear power plant or similar use;
- **K.** Curing and storage of hides;
- **L.** Incinerator, smelter, blast furnace, or coke oven;
- **M.** Manufacture of oils, gasoline, or products made directly from petroleum, other oils, or tar products;
- **N.** Fertilizer production;
- **O.** Creosote production;
- P. Insecticide production;
- Q. Tire manufacturing;
- R. Saw, shingle, or lumber mill; and

5. In any M-1 or M-2 zoning overlain by I-O zoning, commercial or retail uses over 50,000 square feet are prohibited.

This list should not be used to imply that any other use is permitted. (Ord. 1057 section 2 [part], 2000)

Response:

None of the above will occur with this development.

16.35.50 DEVELOPMENT STANDARDS.

The following subsections indicate the required development standards of the I-O zone. These standards replace the standards of the C-M zone, M-1 zone, and M-2 zone, as follows:

- **A.** Minimum lot area: none.
- **B.** Minimum lot width and frontage: none.
- **C.** Minimum yard requirements (measured from building foundation to right-of-way line)
 - **1.** Street yards(s): 20 feet for buildings up to 25 feet in height; 35 feet for buildings between 25 feet and 45 feet in height. Parking and internal drives (except curb cuts and entrance drives) are prohibited within the required 20 foot streetyard.
 - **2.** Interior yard: 10 feet, except 20 feet where abutting a residential zone. Commonwall lot lines (attached buildings), and development which provide shared parking and circulation with abutting developments, are exempt from interior yard standards.
- **D.** Maximum building height: 45 feet.
- **E.** Maximum lot coverage: 60 percent in the C-M zone; none in the M-1 and M-2 zones.
- **F.** Street access (curb cuts) spacing shall be a minimum of 200 feet on designated parkway and collector streets.
- **G.** Street right-of-way improvements shall be made in accordance with the circulation plan, and streetscape/street section standards of the Industrial Area Master Plan.
- **H.** Building orientation standards. The following standards are intended to ensure direct, clear, and convenient pedestrian access:

- **1.** Development in the M-1 zone and M-2 zone shall provide at least one public entrance facing the street. A direct pedestrian connection shall be provided between the primary building entrance and public sidewalk.
- **2.** Developments within the C-M zone shall provide continuous, straight-line pedestrian connections between the street(s), buildings, and parking areas.
- Right-of-way plantings: Street trees and ground cover plantings shall be installed with development, as approved by the City. Shrubs are prohibited within the public right-of-way.
- **J.** Metal building exteriors are prohibited, except that the Planning Commission may approve architectural metal elements that accent and enhance the aesthetics of building entrances and office areas.
- **K.** Lighting shall be required for all streets, sidewalks, and pedestrian ways. Applications for land division approval and site plan review shall include photometric plans.
- L. Shared access: The City may require the provision of shared access drives through the land division review process. Shared access drives are intended to maintain adequate driveway spacing and circulation along the designated Parkway and Collector streets.
- M. All landscaped areas shall be irrigated.
- N. Other regulations: The C-M zone, M-1 zone, and M-2 zone provide other applicable regulations related to vision clearance, Highway 99E sidewalk width, setback measurement, outside storage, and wireless/cellular tower certification. (Ord. 1008 section 1 [part], 1998; Ord. 1237, 2007; Ord. 1299, 2008)

Response:

- A. Lot area: Complies 42 acres, None required
- B. Lot width: Complies, None required
- C. Minimum yards: Complies and exceeds 35' front yard and 10' sideyard
- D. Max Building Height: Complies with 41'-6" maximum wall height and average roof height of 43'
- E. Max Coverage: Complies, None in M-1 Zone
- F. Street Access: Complies, All driveway approx. 255' apart
- G. Street Improvements: All abutting streets are being improved

- H. Building Orientation: Complies, main entry facing street.
- I. ROW Planting: Complies, See Landscape Plan
- J. Metal Buildings: Not Applicable
- K. Lighting: Complies, Lighting plan provided
- L. Shared Access: Not Applicable
- M. Irrigation: Complies, All Landscaping to be irrigated
- N. Other Regulations: Vision Clearance met, trailer parking / loading and exterior dunnage areas will be enclosed within the fenced yard and buffered by extensive landscape screening.

16.35.60 DESIGN GUIDELINES.

The Industrial Area Master Plan provides design guidelines for reviewing development applications. The guidelines, which are incorporated into Table 16.35.000, encourage:

- **A.** Flexibility to align local streets based on parcelization and development requirements;
- **B.** Tree retention, planting of large (3-inch) caliper trees, and use of lawn/ground cover planting in front yard setbacks;
- **C.** Placement of buildings at or near the setback line;
- **D.** Placement of parking areas to the side or rear of buildings;
- **E.** Placement of smaller commercial buildings at or near the street;
- F. Building entries visible from the street with direct pedestrian connections;
- **G.** Use of quality building materials;
- **H.** Architectural detail to break up and articulate large surfaces and volumes, and to accentuate building entries; and
- Open space retention and trail connections, as designated by the Master Plan. (Ord. 1008, section 1[part], 1998)

16.35.70I-O DESIGN REVIEW MATRIX.

The City uses the following matrix to evaluate compliance with the I-O design guidelines. The matrix substitutes for the general design review matrix provided in Chapter 16.49. Design review applications must comply with all other applicable provisions of Chapter 16.49, and achieve scores equal to or greater than the minimum acceptable scores in the matrix. (See Master Plan for illustrations.)

A. Exception: The City may reduce the minimum acceptable score(s) upon finding that certain provisions do not apply to a proposed development.

TABLE 16.35.040

CRITERIA Po			ossible Scores		
<u>Parking</u>					
Parking areas located to the side or rear of buildings as viewed from public right-of-way: <50% of parking spaces=0; 50%-75%=1; 100%=2.	0	1	2		
Increase minimum interior parking lot landscape over the base 15%: 15%-18%=0; 18%-22%=1; >22%=2.	0	1	2		
Increase the number of trees planted within buffers and/or within the parking area: 100%-105% of base requirement*=0; 105%-110% of base requirement=1;>110%=2. *The base requirement is determined based on total parking area/number of spaces, and parking setback perimeter, see Chapter 16.49.120.			2		
Number of parking spaces (% of required minimum): >110%=0; 110%-105%=1; 105%-100%=2.	0	1	2		
Minimum Acceptable Score 4 point	' <mark>S</mark>				
<u>Iransportation/Circulation</u>					
Proposed local street alignments: Street not proposed = 0; Street(s) proposed with some modification to master plane = 1; proposed street(s) approximate recommended alignments = 2. Note: the Planned Parkway and collector streets are required elements, except as indicated by the Industrial Area Master Plan - Constructing sidewalk, curb and gutter	0	1	2		
Design of all pedestrian ways (private, on-site pathways): six feet wide, raise concrete with painted crosswalks (standard) = 0; standard with brick or similar pavers for pathways and crosswalks = 1; greater than 6 feet wide (inclusive curb) and use of brick or similar pavers for pathways and crosswalks = 2	ar	1	2		
Number of pedestrian connections between the street sidewalk and internal circulation system: One connection = 0 Two connections = 1	0	1	2		
Minimum Acceptable Score (some provisions may not 3 points (4 apply)	· <mark>)</mark>				
Tree Retention, Open Space conservation and Trail Connections					
Preserves trees as recommended by arborist or City Planning Department: <50% of recommended trees preserved=0; 50%-75%=1;75%-100%=2 N / A - No trees exist on this site	0	1	2		
Replaces trees that were recommended for retention: No=0; Yes=1. Mitigation based on reasonable tree replacement ratio. N / A - No trees exist on this site		0	1		

When site includes designated open space, park or trail connection: proposal does not dedicate or establish easement for designated open space/park or trail connection=0; dedicated or establishes easement=1; dedicated land/right-of-way and constructs improvements=2. N/A	0 1 2
Minimum Acceptable Score (some provisions may not apply) 3 points	
Landscaping	
Trees installed at 3 inch caliper: <25% of trees=0; 25%-50%=1; 50%-100%=2.	0 1 2
Usable outdoor amenity provided with development (e.g., water features, plazas, seating areas, and similar features): no=0; yes=1; yes, and public access provided (i.e., through an easement) =2.	0 1 2
Amount of grass or other plantings used for ground covertreatment: <75%=0; 75%-90%=1; 90%-100%=2.	0 1 <mark>2</mark>
Minimum Acceptable Score points (4)	
Building Appearance and Orientation	
Building orientation at or near the street: parking or drive separates building from street=0; at least 20% of elevation within 5 feet of minimum setback=1; at least 20% of elevation is at minimum setback=2.	0 1 2
Building entrances visible from the street: no=0; yes=1.	o <mark>1</mark>
Buildings use quality materials: concrete, wood, or wood siding=0; concrete masonry, stucco, or similar material=1; brick or similar appearance=2.	0 1 2
Articulation and/or detailing to break up large building surfaces and accentuate the building entrance(s): no=0; yes=2.	o <mark>2</mark>
Minimum Acceptable Score 4 points	

Chapter 16.42

SIGNS

NO SIGNS ARE PROPOSED WITH THIS APPLICATION – SIGNAGE TO BE SUBMITTED FOR APPROVAL UNDER SEPARATE SUBMITTAL:

Chapter 16.43

OUTDOOR LIGHTING STANDARDS

SECTIONS:

16.43.010 Purpose.

16.43.020 Definitions.

16.43.030 Applicability.

16.43.040 Lighting Zones.

16.43.050 Exempt Lighting.

16.43.060 Prohibited Light and Lighting.

16.43.070 Luminaire Lamp Lumens, Shielding, and Installation Requirements.

16.43.080 Height Limits.

16.43.090 Lighting Controls.

16.43.100 Exceptions to Standards.

16.43.110 Lighting Plan Required.

16.43.10 Purpose.

The purpose of this section is to provide regulations for outdoor lighting that will:

- **A.** Regulate uses of outdoor lighting for nighttime safety, utility, security, productivity, enjoyment and commerce.
- **B.** Minimize glare, particularly in and around public rights-of-way.
- **C.** Minimize light trespass, so that each owner of property does not cause unreasonable light spillover to other property.
- **D.** Preserve the night sky for astronomy and enjoyment.
- **E.** Conserve energy and resources to the greatest extent possible.

16.43.30 Applicability.

The outdoor lighting standards in this section apply to the following:

- A. New uses, buildings, and major additions or modifications:
 - 1. For all proposed new land uses, developments, buildings, and structures that

require a building permit, all outdoor lighting fixtures shall meet the requirements of this Code.

- **2.** All building additions or modifications of fifty (50) percent or greater in terms of additional dwelling units, gross floor area, or parking spaces, either with a single addition or cumulative additions, shall meet the requirements of this Code for the entire property, including previously installed and any new outdoor lighting.
- **B.** Minor additions. Additions or modifications of less than fifty (50) percent to existing uses, in terms of additional dwelling units, gross floor area, or parking spaces, shall meet the requirements of this Code with regard to shielding and lamp type for all new lighting.

Response:

Building and site lighting has been designed to comply with the above standards. See Sheet E1.0 for the site lighting plan and details.

16.43.40LIGHTING ZONES.

- A Zoning districts designated for residential uses (R-1, R-1.5 and R-2) are designated Lighting Zone One (LZ 1). All other zoning districts are designated Lighting Zone Two (LZ 2).
- **B.** The designated Lighting Zone of a parcel or project shall determine the limitations for lighting as specified in this ordinance.

TABLE 16.43.040 LIGHTING ZONE DESCRIPTIONS

Zone	Ambient Illuminatio	Representative Locations
LZ 1	Low	Rural areas, low-density urban neighbor- hoods and districts, residential historic districts. This zone is intended to be the default for residential areas.
LZ 2	Medium	High-density urban neighborhoods, shopping and commercial districts, industrial parks and districts. This zone is intended to be the default condition for commercial and industrial districts in urban areas.

16.43.60PROHIBITED LIGHT AND LIGHTING.

- A All outdoor light sources, except street lights, shall be shielded or installed so that there is no direct line of sight between the light source or its reflection at a point 3 feet or higher above the ground at the property line of the source. Light that does not meet this requirement constitutes light trespass. Streetlights shall be fully shielded. However, the applicant is permitted to have some unshielded lighting if lumens are within the limits of Table 16.43.070 below.
- **B.** The following lighting systems are prohibited from being installed or used except by special use permit:
 - 1. Aerial Lasers.
 - 2. "Searchlight" style lights.
 - **3.** Other very intense lighting, defined as having a light source exceeding 5200 lumens.

16.43.70LUMINAIRE LAMP LUMENS, SHIELDING, AND INSTALLATION REQUIREMENTS.

- **A.** All outdoor lighting shall comply with the limits to lamp wattage and the shielding requirements in Table 16.43.070 per the applicable Lighting Zone. These limits are the upper limits. Good lighting design will usually result in lower limits.
- **B.** The city may accept a photometric test report, lighting plan, demonstration or sample, or other satisfactory confirmation that the luminaire meets the requirements of the shielding classification.
- **C.** Such shielded fixtures must be constructed and installed in such a manner that all light emitted by the fixture complies with the specification given. This includes all the light emitted by the fixture, either directly from the lamp or by a diffusing element, or indirectly by reflection or refraction from any part of the fixture. Any structural part of the fixture providing this shielding must be permanently affixed.
- **D.** All canopy lighting must be fully shielded. However, indirect upward light is permitted under an opaque canopy provided that no lamp or vertical element of a lens or diffuser is visible from beyond the canopy and such that no direct upward light is emitted beyond the opaque canopy.

- **E.** Landscape features shall be used to block vehicle headlight trespass while vehicles are at an external point of service (i.e. drive-thru aisle).
- **F.** All facade lighting must be restricted to the facade surface. The margins of the facade shall not be illuminated. Light trespass is prohibited.

TABLE 16.43.070 - LUMINAIRE MAXIMUM LUMENS AND REQUIRED SHIELDING

Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded (Shielding is highly encouraged. Light trespass is prohibited.)
LZ 1	2600 lumens or less	800 lumens or less	None Permitted	Low voltage landscape lighting and temporary holiday lighting.
LZ 2	7800 lumens or less	1600 lumens or less	800 lumens or less	Landscape and facade lighting 1600 lumens or less; ornamental lights of 800 lumens or less.

16.43.80Height Limits.

Pole and surface-mounted luminaires under this section must conform with Section 16.43.070.

- **A** Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of 40% of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 16.43.080, whichever is lower. The following exceptions apply:
- **1.** Lighting for residential sports courts and pools shall not exceed 15 feet above court or pool deck surface.
- **2.** Lights specifically for driveways, and then only at the intersection of the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 16.43.080.
- **3.** Mounting heights greater than 40% of the horizontal distance to the property line but no greater than permitted by Table 16.43.080 may be used provided that the luminaire is side-shielded toward the property line.
- **4.** Landscape lighting installed in a tree. See the Definitions section. CITY OF CANBY

February 2013 Chapter 16.43 – Page

- 5. Street and bicycle path lights.
- **B.** Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than 4 feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than 40% of the horizontal distance of the light from the property line, whichever is less. The following exceptions apply:
 - **1.** Lighting attached to single family residences shall not exceed the height of the eave. Lighting for driveways shall conform to Table 16.43.080.
 - **2.** Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to property line.
 - **3.** For buildings less than 40 feet to the property line, including canopies or overhangs onto the sidewalk or public right of way, luminaires may be mounted to the vertical facade or the underside of canopies at 16 feet or less.
 - **4.** The top exterior deck of parking garages should be treated as normal pole mounted lighting rather than as lights mounted to buildings. The lights on the outside edges of such a deck must be side shielded to the property line.

TABLE 16.43.080 - MAXIMUM LIGHTING MOUNTING HEIGHT IN FEET

Lighting Zone	Lighting for Driveways, Parking and Transit	Lighting for Walkways, Plazas and other Pedestrian Areas	All Other Lighting
LZ 1	35.0	18.0	8.0
LZ 2	37.5	18.0	15.0

MOUNTING HEIGHT $H \leq (0.4 \times D)$ OR PER TABLE 16.43.080, WHICHEVER IS LESS PROPERTY LINE

Figure 16.43.2: Mounting Height

16.43.090 Lighting Controls

The city strongly recommends the use of timers and/or motion detectors on outdoor lighting, and that motion detectors be set to minimize unnecessary activation. For example, motion detectors for entryway or driveway lights should not activate for off-site pedestrians or cars.

16.43.100 EXCEPTIONS TO STANDARDS.

- **A.** Exceptions to the lighting standards in this section may be approved by the Planning Director. Lighting systems not complying with the technical requirements of this ordinance but consistent with the intent of the ordinance may be approved for the following:
 - 1. Sport fields.
 - 2. Construction lighting.
 - 3. Industrial lighting for hazardous areas where the heat of the lighting fixture may cause a dangerous situation.
 - 4. National and State Flag lighting with spotlights greater than 450 lumens.
- B. To obtain such approval of an exception, applicants shall demonstrate that the

CITY OF CANBY February 2013 Chapter 16.43 - Page

proposed lighting installation:

- **1.** Has received every reasonable effort to mitigate obtrusive light and artificial sky glow, supported by a signed statement from a registered engineer or by a lighting certified professional describing the mitigation measures.
- **2.** The Planning Director shall review each such application. Approval may be granted if, upon review, the Planning Director believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

16.43.110 LIGHTING PLAN REQUIRED

A lighting plan shall be submitted with the development or building permit application and shall include:

- **A.** A site plan showing the location of all buildings and building heights, parking, and pedestrian areas.
- **B.** The location and height (above grade) of all proposed and existing luminaires on the subject property.
- **C.** Luminaire details including type and lumens of each lamp, shielding and cutoff information, and a copy of the manufacturer's specification sheet for each luminaire.
- **D.** Control descriptions including type of control (time, motion sensor, etc.), the luminaire to be controlled by each control type, and the control schedule when applicable.
- **E.** Any additional information necessary to demonstrate compliance with the standards in this section. (Ord.1338, 2010)

Response:

Building and site lighting has been designed to comply with the above standards. See Sheet E1.0 and EL1.2 for the site lighting plan and cut sheets of fixtures used. Lighting within the secured truck area and employee parking area will be provided with a combination of wall lighting and site poles. Exterior lighting will be controlled with photo cells with shielding provided in accordance with requirements to effectively illuminate the truck, auto and pedestrian circulation areas.

CITY OF CANBY February 2013 Chapter 16.43 – Page

Chapter 16.46

ACCESS LIMITATIONS ON PROJECT DENSITY

SECTIONS:

16.46.010	Number of units in residential development.
16.46.020	Ingress and egress.
16.46.030	Joint and cross access.
16.46.040	Access connection.
16.46.050	Nonconforming access features.
16.46.060	Amount of access points.
16.46.070	Exception standard.
16.46.080	State highway standards.
16.46.090	Shared access onto state highway.

16.46.10 Number of units in residential development.

Response:

Chapter 16.35 Canby Industrial Area Overlay (I/O) Zone governs over the requirements of this chapter.

Chapter 16.49

SITE AND DESIGN REVIEW

16.49.30 SITE AND DESIGN REVIEW PLAN APPROVAL REQUIRED.

- **A.** The following projects require site and design review approval, except as exempted in B below:
 - 1. All new buildings.
 - 2. All new mobile home parks.
 - **3.** Major building remodeling above 60% of value.
 - **4.** Addition of more than 5,000 square feet of additional gross floor area in a one year period.
 - **5.** Construction activity which causes a decrease in pervious area in excess of 2,500 square feet in a one year period.

None of the above shall occur, and no building permit for such activity shall be issued, and no sign permit shall be issued until the site and design review plan, as required by this ordinance, has been reviewed and approved by the Board and their designees for conformity with applicable criteria.

Response:

This application is for a new building which requires Site and Design Review approval.

- **B.** The following are exempt from site and design review (but still may require a site plan review and/or building permit):
 - 1. Signs that are not a part of a reviewable development project. Signs that are a part of a reviewable development project, and that are proposed more than two (2) years beyond the final occupancy of the reviewed development.
 - 2. Alterations or remodeling that do not change the exterior of the building.

CITY OF CANBY February 2013 Chapter 16.49 – Page 2

- **3.** Temporary public structures which will be removed within two (2) years of placement.
- **4.** Commercial and industrial accessory structures under 500 square feet.
- **5.** Temporary commercial tent/canopy structures, which meet the Uniform building or Fire Code, and which will be removed within thirty (30) days of placement.
- **6.** Temporary Vendor activity permitted pursuant to Section 16.08.140.
- **7.** Parking lot or paving projects. If no buildings or structures are involved, paving or parking lot development in excess of 2,500 square feet of impervious surface is exempted from a Type III site and design review. However, parking lot and paving projects in excess of 2,500 square feet of impervious surface require Type I site plan review. All new paved areas and parking lots in excess of 2,500 square feet must meet the requirements of Section 16.49.150.
- **8.** Single family or two-family dwellings and their accessory structures, and any alterations or remodeling thereof.
- **9.** Minor public facilities.
- 10. Approved Public Art Murals as defined in CMC Chapter 2.80.020.

Response: Section - N/A

- **C.** Construction, site development and landscaping shall be carried out in substantial accord with the approved site and design review plan. Review of the proposed site and design review plan and any changes thereto shall be conducted in accordance with site and design review procedures.
- **D.** No fence/wall shall be constructed throughout a project that is/was subject to site and design review approval where the effect or purpose is to wall said project off from the rest of the community unless reviewed and approved by the Planning Commission. (Ord. 1315, 2009; Ord. 1237, 2007; Ord. 1080, 2001; Ord. 1019 section 2, 1999; Ord. 981 sections 52&53, 1997; Ord. 955 section 23, 1996; Ord. 890 section 43, 1993; Ord. 848, Part III, section 1, 1991; Ord. 1341, 2011)

16.49.35 APPLICATION FOR SITE AND DESIGN REVIEW

A. For site and design review projects in the Downtown Canby Overlay Zone, applicants may choose one of the following two processes:

- **1.** Type II If the applicant meets all applicable site and design review standards set forth in Chapters 16.41 and 16.49; the applicant shall submit a Type II application for approval pursuant to the approval criteria set forth in 16.49.040; or
- **2.** Type III If the applicant proposes the use of alternative methods or materials to meet the intent of the site and design review standards set forth in Chapter 16.41, the applicant shall submit a Type III application for approval pursuant to the approval criteria set forth in 16.49.040. The applicant must still meet all applicable requirements of Chapter 16.49.

Response:

Application is for a Type III Design Review.

B. All other projects subject to site and design review approval pursuant to Section 16.49.030 are subject to the Type III procedural requirements set forth in Chapter 16.89. The applicant shall submit a Type III application for approval pursuant to the approval criteria set forth in 16.49.040. (Ord 1296, 2008)

16.49.40 CRITERIA AND STANDARDS.

- **A.** In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:
 - 1. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and **Proposed project can conform.**
 - **2.** The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - **3.** The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.
 - **4.** The proposed development incorporates the use of LID best management practices whenever feasible based on site and soil conditions. LID best management practices include, but are not limited to, minimizing impervious surfaces, designing on-site LID stormwater management facilities, and retaining native vegetation. **Project Complies**

CITY OF CANBY February 2013 Chapter 16.49 – Page 4

- **5.** The Board shall, in making its determination of compliance with this Ordinance, shall use the matrix in Table 16.49.040 to determine compatibility unless this matrix is superseded by another matrix applicable to a specific zone or zones under this title. An application is considered to be compatible with the standards of Table 16.49.40 if the following conditions are met:
 - **a.** The development accumulates a minimum of 60 percent of the total possible number of points from the list of design criteria in Table 16.49.040; and
 - **b.** At least 10 percent of the points used to comply with (a) above must be from the list of LID Elements in Table 16.49.040. (Ord. 1338, 2010).

Response:

- 1. Project Complies with city design standards and ordinances regarding location, height and appearance.
- 2. Design is similar to surrounding developments with similar uses.
- 3. Project as designed conforms to the applicable standards of the city ordinances and is similar to other industrial developments in the area
- 4. Project complies
- 5. Item 5 a and b are not applicable as the I-O Overlay Zone Matrix supersedes Table 16.49.040
 - **B.** In review of a Type II Site and Design Review Application described in Section 16.49.035.A.1, the Planning Director shall, in exercising his powers, duties or functions, determine whether there is compliance with the DCO site and design review standards.
 - **C.** In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the INTENT of the design review standards set forth in this Ordinance.
 - **D.** The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this Ordinance. 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 development. If the site and design review plan include utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.
 - **E.** The Board shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing

conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.

F. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Chapter 12.32, the city Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.32. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review. (Ord. 848, Part III, section 2, 1991; Ord. 955 section 24 & 25, 1996; Ord 1237, 2007, Ord 1296, 2008)

Response:

This building has been designed to comply with the general intent of the city code with site and building features provided in similar likeness to the industrial developments within the Pioneer Industrial Park.

Table 16.49.040 Site Design Review Menu

Not applicable - Please see I-O Design Matrix 16.35.70 above

16.49.65 BICYCLE AND PEDESTRIAN FACILITIES.

Developments coming under design review shall meet the following standards:

- **A.** The internal walkway system shall be extended to the boundaries of the property to adjoining properties developed or zoned for commercial, public, or multi-family uses. The walkway shall connect to an existing walkway system on adjoining property or be located so as to provide for development of a logical connection in the future when the adjoining property is developed or redeveloped.
- **B.** On-site facilities shall be provided to accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers, and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers. Residential developments shall include streets with sidewalks and accessways.
- **C.** For new office parks and commercial development:
 - **1.** At least one sidewalk connection between the proposed development and each abutting commercial or office property shall be provided. One connection shall also be provided to each neighborhood.
 - 2. Walkways shall be provided to the street for every 300 feet of developed frontage.

CITY OF CANBY February 2013 Chapter 16.49 – Page 6

- **3.** Walkways shall be direct with minimal driveway crossings.
- **4.** Walkways shall be linked to the internal circulation of the building.
- **5.** Walkways shall be at least five feet wide and shall be raised or have different paving materials when crossing driveways or other vehicle maneuvering areas. (Ord. 1043 section 3, 2000)
- **D.** Use of permeable surfacing materials for walkways is encouraged whenever site and soil conditions make it feasible. Permeable surfacing includes, but is not limited to, paving blocks, turf blocks, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards. (Ord. 1339, 2010)
- **E.** Developments that abut the Molalla Forest Road multi-use path shall provide a pedestrian/bicycle access to the path. The city may determine the development to be exempt from this standard if there is an existing or planned access to the path within 300 feet of the development. (Ord. 1340, 2011)

Response:

Pedestrian ways connecting the building to the public way and bicycle facilities have been provided as required. See sheet C1.0 Site Plan for locations and width.

16.49.80 GENERAL PROVISIONS FOR LANDSCAPING.

- **A.** The standards set forth in this section are minimum standards for landscaping.
- B. The purpose of these landscaping standards is to provide uniform standards for the development and maintenance of the landscaping of private property and public rights-of-way. The purpose of landscaping is to improve the livability of residential neighborhoods, enhance the customer attraction of commercial areas, increase property values, improve the compatibility of adjacent uses, provide visual separation and physical buffers between incompatible adjacent land uses, provide visual relief from the expanse of parking lots, screen undesirable views, contribute to the image and appeal of the overall community, and mitigate air and noise pollution.

These standards are also intended to facilitate Low Impact Development (LID) techniques through the retention of existing native vegetation and mature, healthy trees, to the extent feasible. Additional LID related goals of this chapter are to: reduce erosion and storm water runoff; preserve and promote urban wildlife habitats; reduce the amount of carbon dioxide in the air; shade and reduce the temperature of adjacent waterways; and

enhance the streetscapes along the city's public rights-of- way with an emphasis on trees and LID stormwater facilities.

- C. The minimum area requirement for landscaping for developments coming under design review shall be the percentage of the total land area to be developed as follows. Parking lot landscaping area is included in calculating the following landscape areas:
 - **1.** Fifteen (15) percent for all industrial and commercial zones (except the Downtown-Commercial zone, but including the Commercial-Residential zone)

Response:

Complies - See sheet L1.0 (landscape Plan) that is designed to meet the city requirements for quantity (15% min.), design (plant types, location, etc.) and screening (parking & loading areas).

16.49.120 PARKING LOT LANDSCAPING STANDARDS.

- **A.** <u>General Provisions</u>. In addition to the objectives stated in section 2 of this ordinance, goals of parking lot standards are to create shaded areas in parking lots to reduce glare, enhance the visual environment, and encourage the use of LID practices. The design of the parking area shall be the responsibility of the developer and should consider visibility of signage, traffic circulation, comfortable pedestrian access, and aesthetics. Trees shall not be cited as a reason for applying for or granting a variance on placement of signs.
- **B.** Application. Parking lot landscaping standards shall apply to any surface passenger vehicle parking area of ten (10) spaces or more, or to any paved vehicular use area 3,500 square feet or larger on the same tax lot or on contiguous tax lots under common ownership. Any paved vehicular area which is used specifically as a utility storage lot or a truck loading area shall be exempt from landscaping requirements within a parking lot.
- **C.** <u>Landscaping Within a Parking Lot</u>.
 - 1. Area within a parking lot shall include the paved parking and maneuvering area, as well as any area within ten (10) feet of any exterior face of curb surrounding the paved parking and maneuvering area.
 - **2.** Each interior landscaped area shall be a minimum of six (6) feet wide, unless the area is added to the required perimeter landscaping.
 - **3.** The use of LID best management practices in parking lots is encouraged whenever site and soil conditions make it feasible. Such practices include, but are not limited to, permeable surfacing materials, and integrating LID stormwater management facilities into the required landscaping areas.

CITY OF CANBY February 2013 Chapter 16.49 – Page 8

- **D.** Computing Minimum Area Required to be Landscaped Within a Parking Lot. Minimum area required to be landscaped within a parking lot shall be as follows:
 - 1. Fifteen (15) percent for all residential, industrial, and commercial zones
 - **2.** Five (5) percent for the Downtown-Commercial Zone for any off-street parking spaces provided.
 - **3.** Ten (10) percent for the Core Commercial (CC) sub-area of the Downtown Canby Overlay Zone for any off-street parking spaces provided.

Response:

Complies - Parking area is approx. 121,802 Sq. Ft. in area and is provided with 55,664 Sq. Ft. of Landscaping or 46%. See Sheet C1.0. For Compliance with criteria for trees see Sheet L1.0.

Chapter 16.50

CONDITIONAL USES

SECTIONS:

16.50.010	Authorization to grant or deny conditional uses.
16.50.020	Application for conditional uses.
16.50.030	Public hearing required.
16.50.040	Placing conditions on a permit.
16.50.050	Notification of action.
16.50.060	Standards governing conditional uses.
16.50.070	Revocation of conditional use permits.

16.50.10 Authorization to grant or deny conditional uses.

A conditional use listed in this title shall be permitted, altered, or denied in accordance with the standards and procedures of this chapter. In the case of a use existing prior to the effective date of the ordinance codified in this title as a conditional use, a change in the use, or reduction in lot area, or an alteration of the structure, shall require the prior issuance of a conditional use permit. In judging whether or not a conditional use permit shall be approved or denied, the Planning Commission shall weigh the proposal's positive and negative features that would result from authorizing the particular development at the location proposed and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable.

A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of this title and other applicable policies of the city;

This Conditional Use is being requested per Chapter 16.35.40.A.1 of the Industrial Overlay Zone to allow less than 12 employees per developed acre. Although the building is large in area, the warehouse will contain a significant amount of fixed racking and the distribution operations will not require the amount of personnel outlined by this criterion (12 employees per developed acre, 42acres x 12 = 504). Operations with the initial occupancy will require approx. 242 employees.

Page 10

This proposal will provide for more local employment opportunities which in turn creates a positive impact on the community. As a distribution facility, this development takes advantage of Canby's access to the I-5 freeway system and the communities along its corridor. Distribution warehouse facilities typically have a lower employee density than the 12/acre criterion.

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

The site is currently in an agricultural state and does not impact any natural resource areas. The size of this site is the minimum needed to provide for the safe and efficient maneuvering, storage and loading of large trucks used in the distribution process while allowing all activities to occur on site. All abutting streets are to be improved to accommodate the auto / truck traffic into and out of the site.

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

Water, sewer, electrical, phone, cable and natural gas currently exist in S. Walnut Street and will be extended within the required ROW improvements and stubbed into the 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. (Ord. 740 section 10.3.75 (A), 1984)

The development is similar in use and nature to the industrial properties within the Pioneer Industrial Park and with the required frontage and off-site improvements, will not substantially limit or preclude use of the surrounding properties. The use of this proposal is allowed outright in the M-1 zone.

January 3, 2019

BRYAN BROWN

City of Canby 222 NE 2nd Ave. — PO Box 930 Canby, OR 97013

Re: Supplement to DR Narrative
Project: Project Shakespeare — DR 18-10

Dear Bryan:

In follow up your recent email and our subsequent correspondence, the intent of this letter and the attached exhibits is to present supplemental information regarding concerns raised about the proposed orientation and spacing of the primary access drives for the Shakespeare project.

For clarification purposes, please find attached the following;

- EX1.0 Updated Site Plan illustrating;
 - o Proposed Drive locations along SE 1st Ave. with off-set dimensions and stationing
 - Existing Drive locations (primary & secondary) along SE 1st Ave. with off-set dimensions and stationing
 - Street cross-sections illustrating proposed improvements at S Walnut, SE 1st Ave & S Mulino (NOTE: Cross-sections at SE 1st Ave. & Mulino have not been updated to reflect the increased ROW per 12/20/2018 meeting)
- <u>EX1.1 Enlarged Partial Site Plan</u> illustrating;
 - Drive locations
 - Aerial Photo with drive overlay
 - Photos of existing primary & secondary driveways along SE 1st Ave.

OVERVIEW

The subject property is located at the NE corner of the Canby Pioneer Industrial Park with frontage along S Walnut St. (west boundary), SE 1st Ave. (north boundary) and S Mulino Rd. (east boundary). SE 1st Ave. and S Mulino Rd. are currently under the jurisdiction of Clackamas County whereas S Walnut St. is within the City of Canby's jurisdiction. According to the current Canby Transportation System Plan (TSP) Figure 7-1, S Mulino is classified as a 'collector' whereas SE 1st Ave. and S Walnut are classified as 'local' streets.

The single family residential properties to the north of SE 1st Ave. are within Clackamas County and Clackamas County TSP designates SE 1st Ave. as a 'collector' street. Recent planning efforts by the City of Canby have indicated that a future functional class modification to collector may be appropriate for SE 1st Ave. to accommodate the future transportation system.



via email: brownb@canbyoregon.gov

Site topography on the proposed development property slopes from east to west with approximately 30ft of grade change from S Mulino St. to S Walnut St. A cell tower fronting S Walnut St. is also located at the central west side of the property. The orientation of the proposed building has been designed to allow for a secured truck court with loading on both the east and west sides of the building with employee parking occurring along the SE 1st Ave. frontage. The siting of the building has been designed to accommodate phased expansions to the South and the potential for redevelopment to accommodate bulk distribution use. Site access includes 3 entrances off SE 1st Ave. with the primary truck entrance located approximately 158ft east of Walnut and the two auto drives spaced 203ft and 286ft east of the respective drives.

A detailed traffic impact analysis for the proposed development was completed by DKS Associates and is provided with the Design Review submittal package. The study included an extensive review of the existing conditions surrounding the property, an impact analysis for the proposed development with detailed site plan evaluation and associated mitigation recommendations. The fully developed site (740,000sf with maximized potential of expansion) is anticipated to generate 81 vehicle trips during the AM peak hour and approximately 89 vehicle trips during the PM peak hour.

DEVELOPMENT STANDARDS & GUIDELINES

The site design and development standards for the subject property are outlined in the City of Canby Municipal code. Applicable Roadway and Street design standards are outlined in the City's TSP (Transportation System Plan), Canby Public Works Standards and the Clackamas County Roadway Standards.

Applicable sections to the access management for the proposed development include;

- Ch. 16.35 Canby Industrial Area Overlay (I-O) zone
- Ch. 16.46 Access Limitations on Project Density
- Ch. 7 City of Canby TSP
- Ch. 2 City of Canby Public Works Standards
- Section 220 Clackamas County Roadway Design Standards

ACCESS CONFIGURATION

The aforementioned standards recommend locating site access points via lower classified roadways if feasible. Unfortunately, given the site design criterion and the topographic constraints of the property, coordinating the primary access points to serve the property form S. Walnut street will not be practical due to the following;

- Safe & Secured Truck Access & Yard
 - o Truck Access needs to be located at the front (office) side of the building
 - o Sufficient queuing needs to be provided to allow multiple trucks to stage at the secured access
 - Truck yard needs to be secured for public safety and product security
- Site Topography
 - Retaining walls along the east and west sides of the secured yard would require steeply sloped access drives which will not allow for practical access for large distribution traffic



- Storm drainage & retention systems occur along the west side of the secured yard to provide water quality treatment and retention
- Property dimension/configuration limitations
 - Building width, truck maneuvering / trailer staging and secured yard project criterion dictates the required property width
- Future expansion
 - Warehouse expansion would be encumbered if the truck access were located at Walnut
- Limited redevelopment potential
 - Access drives for emergency egress and future redevelopment of the site are proposed at the SE
 & SW corners of the property at S Mulino and S Walnut St.
 - The potential demising of the building to accommodate multiple tenants would be limited for distribution uses
- Cell tower encroachment limits access potential
- Cemetery encroachment into ROW limits safe truck access/maneuvering along S Walnut

ACCESS SPACING

The referenced design standards outline access and roadway spacing guidelines with subtle ambiguities. The City of Canby Public Works standards (2.211.g), the City of Canby TSP (Table 7-2) and Section 16.46.030 (Table 16.46.30) of the City's Municipal code all specify 100ft as the requirement for spacing between driveways and roadways/driveways classified as 'collectors' whereas Section 16.35.050.F (Industrial-Overlay design standards) notes a minimum of 200ft spacing between 'designated parkways and collectors'. The Clackamas County Roadway Standards (Table 2-2) recommends a minimum 150ft spacing between intersecting roadways and 100ft between driveways along 'collector' classified roadways. The City's TSP currently classifies SE 1st Ave. as a 'local' street which allows for a 10ft driveway to driveway spacing.

The spacing of ALL proposed driveways along SE 1st Ave. meets the more restrictive County standards for both drive and roadway/intersection spacing (100ft between driveways and 150ft between intersecting roadways). However, the spacing of the primary truck drive to the Walnut street intersection does not meet the 200ft spacing outlined in the Industrial-Overlay design standard. The access management guidelines outlined in table 16.46.30 also note that the spacing standards should be measured from 'both sides of the street' which appears to be contrary to the respective County and City standards. The County Roadway Standards (220.3.b.1) states that "the proximity of minor driveways (ADT < 400) are not a consideration of new public and private roadway intersection spacing unless a safety issue would result".

Several of the residents on the north side of SE 1st Ave. have more than one access drive. We have illustrated these primary and secondary drives on the attached site plans. The potential turning conflicts between existing and proposed driveways would be low with the limited residential ADT (average daily trips) and should not affect traffic safety along the corridor.

NUMBER OF ACCESS DRIVES

To minimize potential conflicts between the trucks and autos entering the site, three separate driveways are proposed. The truck entrance is being designed with a 50ft wide drive and two entrance drive lanes



with approximately 340ft of queuing depth. This will allow trucks to safely enter and exit the site and minimize the potential for traffic conflicts. The two auto driveways will allow for improved dispersion of the employees during shift changeovers.

SUMMARY

The proposed access management for the development meets the intent of the City and County standards by providing reasonable access and balancing the needs of ALL roadway users. The development will include significant improvements to the existing roadways which exceed the current jurisdictional standards. All frontage streets are being designed with bike lanes, sidewalks and street lights that will enhance the surrounding areas and provide for safe and efficient traffic circulation for the existing and future developments.

The development will incorporate the transportation mitigation measures recommended by the traffic impact analysis and complete the ROW improvements as required by the associated jurisdictions. Although both SE 1st Ave. and S Mulino are under the County's jurisdiction, the City of Canby is requesting an increase to the County's roadway cross-section standards. As such, the development will be burdened with an additional 7ft of ROW and half street improvements which will also improve safety along these traffic corridors.

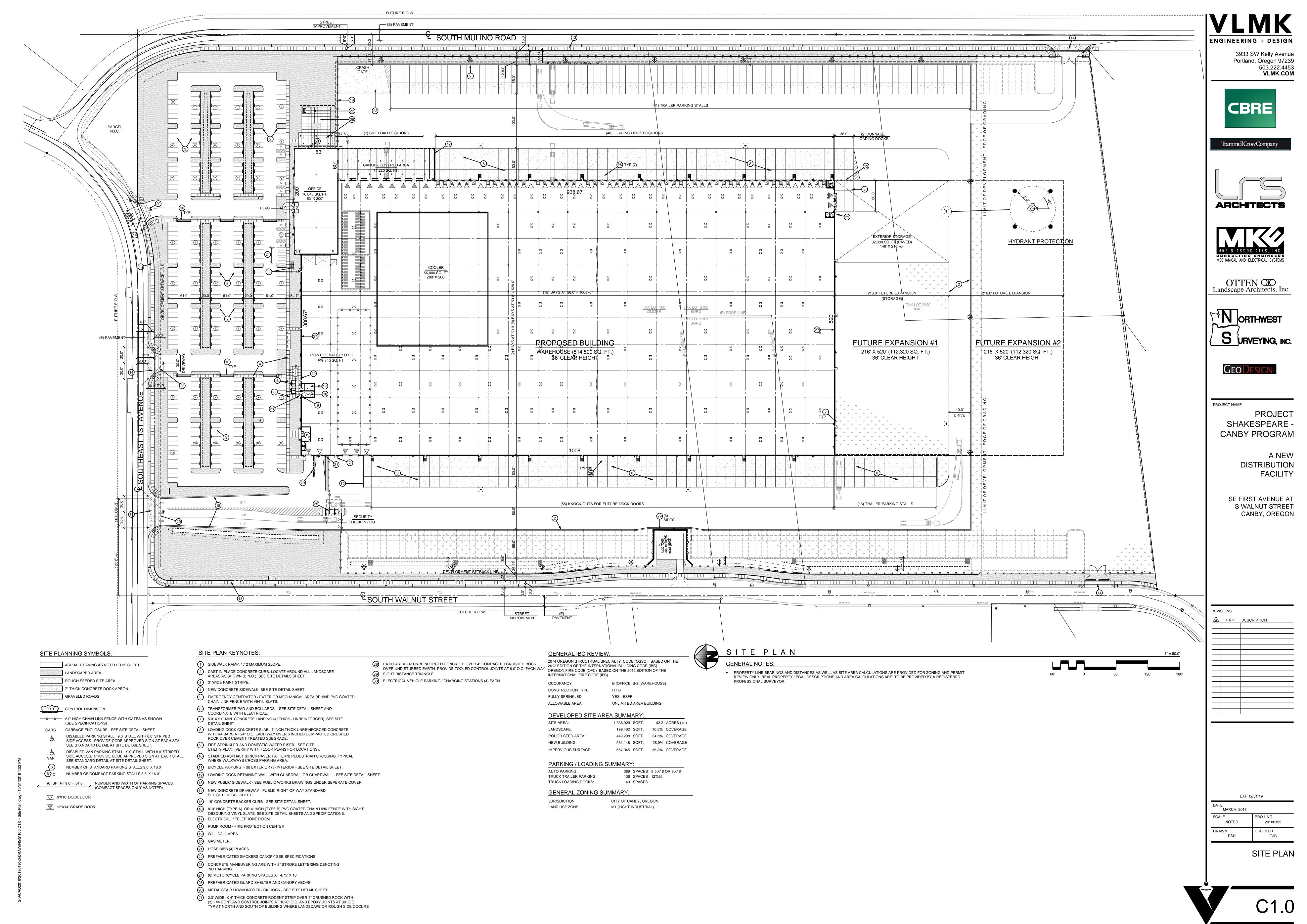
Please review the attached drawings and call me should you have questions.



cc: Steve Sieber, Trammell Crow Development Garth Appanaitis, DKS

Attachments: EX1.0 & EX1.1 – Site Plan and Enlarged SE 1st Ave Street & Driveway Plan





DESIGN REVIEW AND 85% PROGRESS SET 11/02/18 90



3933 SW Kelly Avenue Portland, Oregon 97239 503.222.4453 VLMK.COM



TrammellCrowCompany





OTTEN OIO Landscape Architects, Inc.



GEO DESIGNE

PROJECT NAME

PROJECT SHAKESPEARE -CANBY PROGRAM

A NEW DISTRIBUTION FACILITY

2525 SE FIRST AVENUE CANBY, OREGON 97013

REVISIONS					
#	DATE	DESCRIPTION			
\Box					
\rightarrow					
\rightarrow					
\Box					
\rightarrow					
\rightarrow					
\rightarrow					
\rightarrow		-			
\rightarrow					
\rightarrow					
J		I			

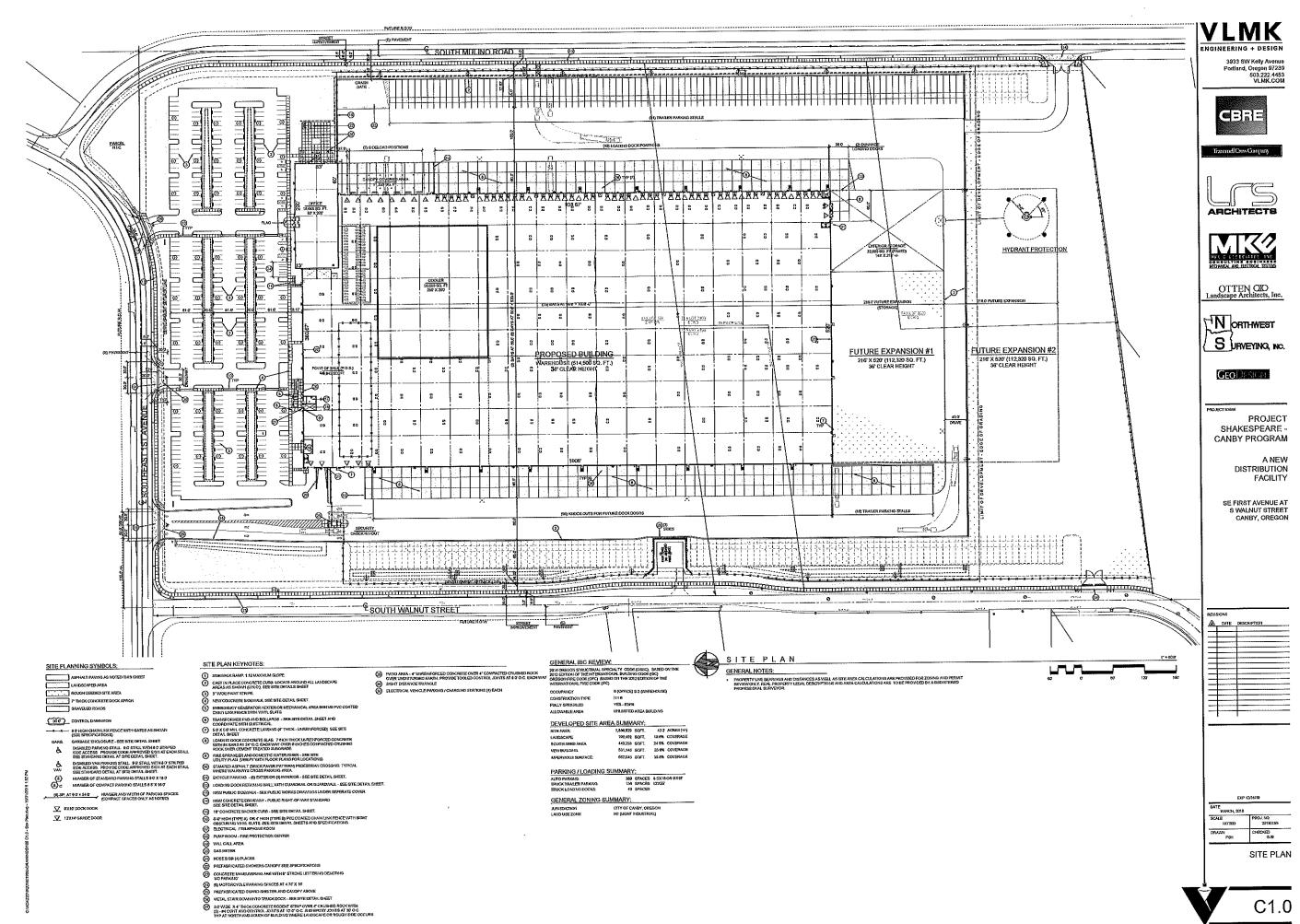
DATE MARCH, 2018

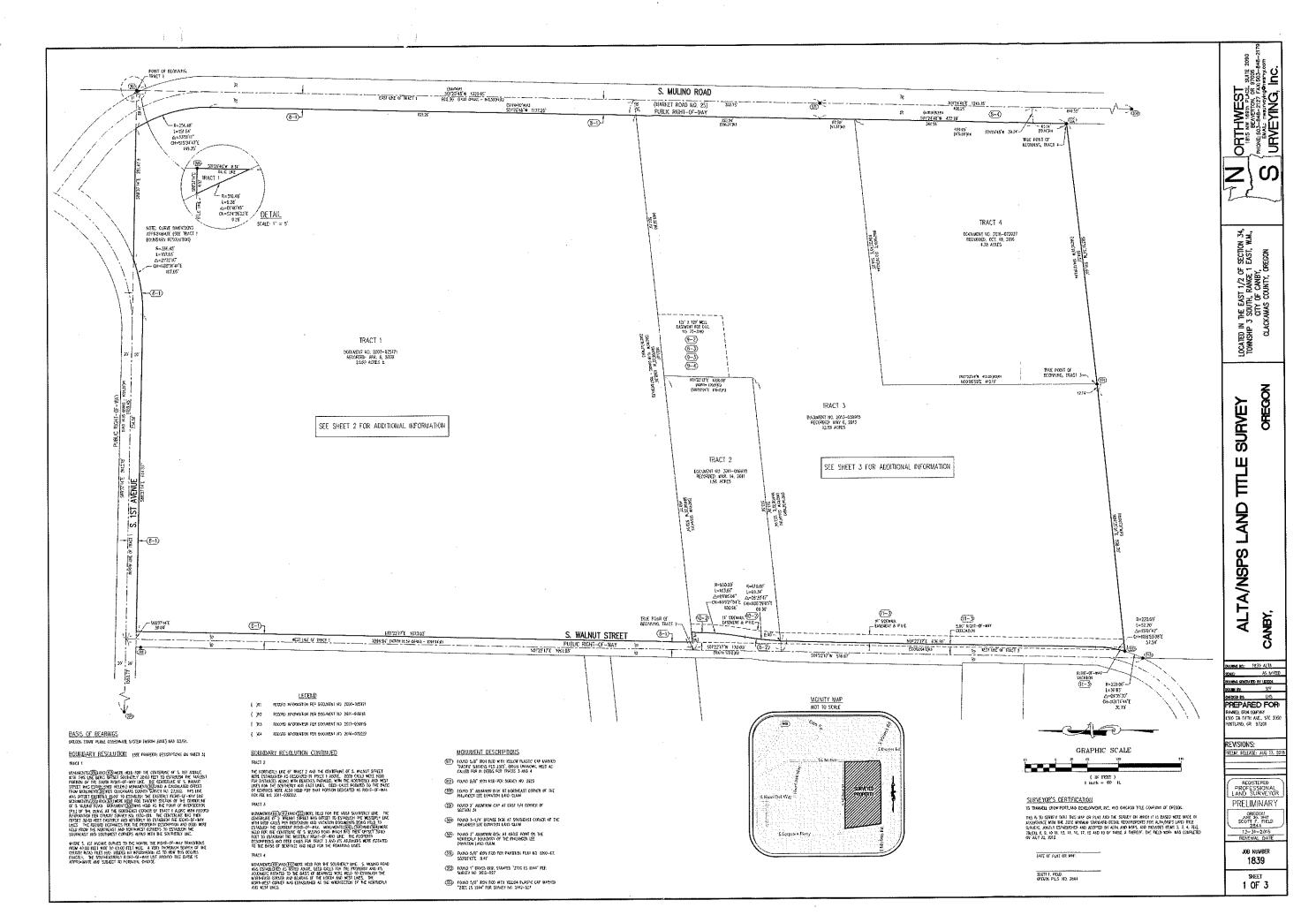
SCALE PROJ. NO. 20180195

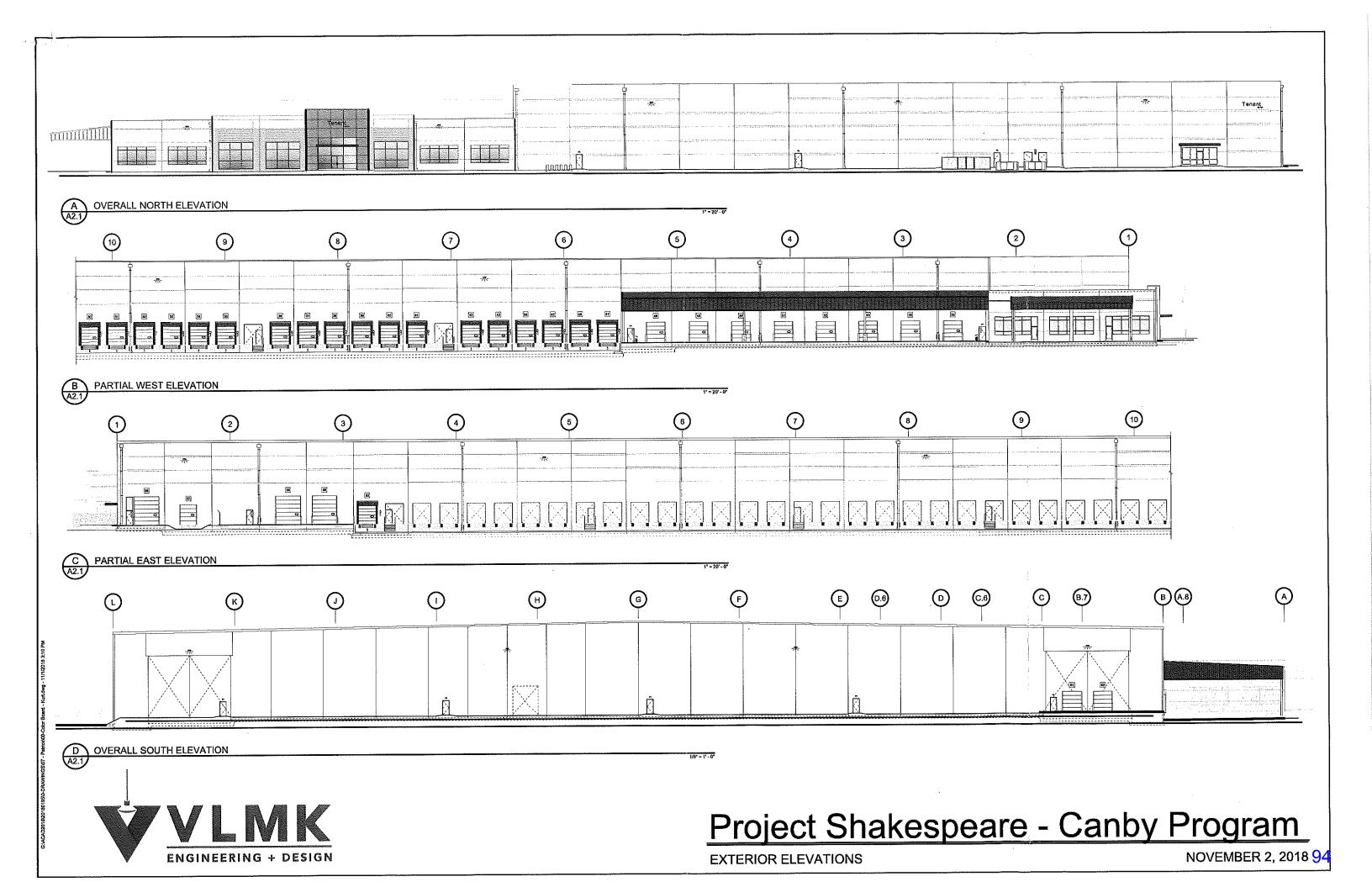
DRAWN CHECKED

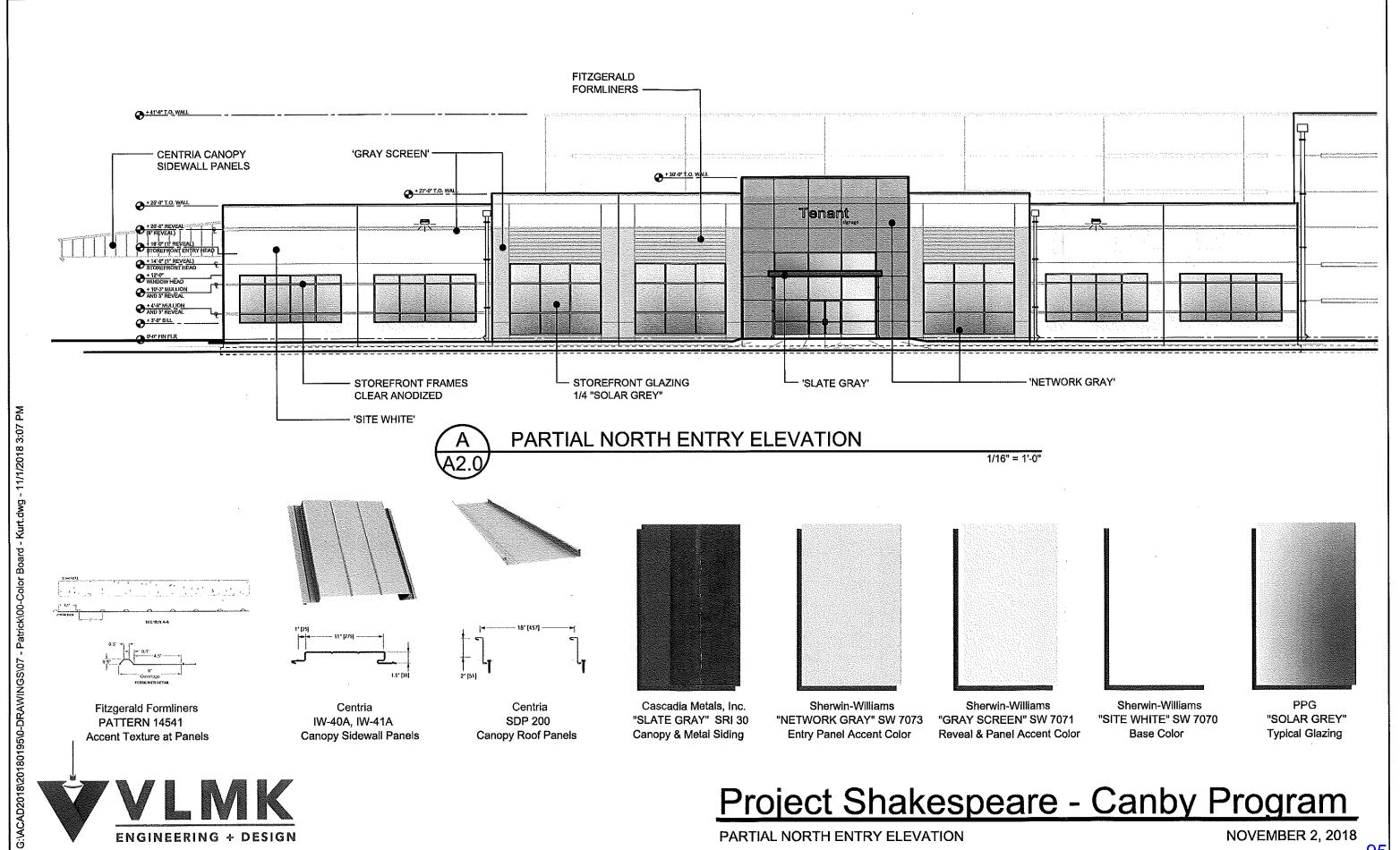
ROAD IMPROVEMENT EXHIBIT











NOVEMBER 2, 2018

Technical Memorandum

321 SW 4th Ave., Suite 400 Portland, OR 97204 phone: 503.248.0313 fax: 503.248.9251

lancasterengineering.com

To: Bryan Brown, City of Canby

> Todd E. Mobley, PE Daniel Stumpf, EI

Date: January 3, 2019

From:

Subject: Project Shakespeare – Traffic Impact Analysis Review

We have completed our review of the Traffic Impact Analysis (TIA) for the subject project. The TIA was prepared by DKS Associates and is dated November 2018.

In general, the TIA is adequate to assess the impacts of the proposed development and identify necessary mitigation. However, there some items in the TIA that raise concern, which are addressed below. The following items were noted during the review but are not expected to be significant in that they are unlikely to change the report conclusions and recommendations:

- Traffic count data was collected in August of 2018 at 4 of the 8 study intersections and in October of 2018 at 3 of the 8 intersections. No counts were provided in the appendix for Highway 99E at Redwood Street. School as not in session for the August counts, but were in session for the October counts. Page four of the TIA indicates that the volumes were balanced to account for the discrepancy, but it is not clear how that adjustment was made.
- Details regarding the trip assignment at the study area intersections for other approved but not-yetconstructed projects are not provided in the appendix, so we are unable to confirm that trips from these other projects were accounted for correctly.
- Delay and level of service (LOS) results are reported inconsistently for stop-controlled intersections. Sometimes the average results for the approach are reported (this appears to be done for City and County intersections) while the worst lane delay is reported at the intersection of Highway 99E and Haines Road (ODOT jurisdiction).
- Crash data is not included in the appendix, so we were not able to confirm the accuracy of the reported crash rates. Also, the 90th percentile crash rates were not analyzed or determined, which is a requirement in the current version of ODOT's Analysis Procedures Manual (APM).

The following items are of more significant concern.

Page nine of the TIA indicates that "DKS collected trip generation data from a similar facility in the region to confirm the trip generation." The trip generation data that was collected was also used to determine the percentage of the trips that are trucks and passenger vehicles. However, no details on the data from the similar facility or even the location of the similar location are provided. We are



- unable to verify that the trip generation used in the TIA is appropriate, both in terms of the number of trips or the percentage of truck trips.
- 6. Page 11 of the TIA shows the trip distribution pattern used for both passenger vehicles and trucks. It is noted that 15 percent of the truck trips are assigned to Territorial Road west of Highway 99E. The assignment of these truck trips to Territorial Road is problematic for two reasons:
 - a. The route travels north on Highway 99E from Sequoia Parkway to Territorial Road, then back to the west. These trips are presumably destined for Knights Bridge Road and I-5 since there are no truck destinations for this use within Canby along Territorial Road. With the significant out-of-direction travel and the indirect connection from Territorial Road to Knights Bridge Road, this route is impractical and unlikely.
 - b. The route would bring truck trips through residential neighborhoods in NW Canby between Territorial Road and Knights Bridge Road, which is undesirable.

As a practical matter, these truck trips assigned to Territorial Road would almost certainly use Highway 99E to Barlow Road, which is also shown as a route for trucks trips to and from the site. This would change the way the trips are assigned through the study area intersections. However, based on the trip generation table on page 10 in the TIA, 15 percent of the truck trips (the number assigned to Territorial Road) would be seven trips during the morning peak hour and four trips during the evening peak hour. These truck trips are further divided between entering trips and exiting trips, so the net change in volume at any individual intersection would be quite low.

Given the minor change in truck volume routing during the morning and evening peak hours, it is not expected that this issue would significantly alter the quantitative findings in the TIA relative to intersection performance such as delay, level or service, or queuing.

The TIA does make recommendations that include the following:

- A proportional share payment of five percent of the cost of installation of a traffic signal at the intersection of Sequoia Parkway and Hazeldell Way.
- Prohibition of site-generated trucks on select street segments in the project study area.
- Documenting and maintaining adequate sight distance at the site driveways.

I understand that these recommendations will be incorporated as conditions of approval, which I agree is appropriate. If the City desires, Territorial Road could be added to the list of streets that should not carry sitegenerated trucks.

If you have any questions regarding this review and our comments, please don't hesitate to contact me directly.



Department of Transportation

Region 1 Headquarters 123 NW Flanders Street Portland, Oregon 97209 (503) 731.8200 FAX (503) 731.8259

December 19th, 2018 ODOT #8723

ODOT Response

Project Name: Project Shakespeare	Applicant: VLMK Engineering and Design		
Jurisdiction: City of Canby	Jurisdiction Case #:DR18-10/CUP18-07		
Site Address: No Situs - SE 1st Avenue, S.	State Highway: OR 99E		
Mulino Rd., Canby, OR			

The site of this proposed land use action is in the vicinity of OR 99E. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

ODOT has determined there will be no significant impacts to state highway facilities and no additional state review is required.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning Development Review 123 NW Flanders St Portland, OR 97209

Region1_DEVREV_Applications@odot.state.or.us

Development Review Planner: Marah Danielson	503.731.8258, marah.b.danielson@odot.state.or.us		
Traffic Contact: Avi Tayar, P.E.	503.731.8221		



DATE: October 16, 2018

TO: Matilda Deas | City of Canby

FROM: Chris Maciejewski, P.E., PTOE | DKS Associates

Kevin Chewuk, PTP | DKS Associates

Jenna Hills | DKS Associates

SUBJECT: Canby Otto Road Alignment Alternative



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

This memorandum documents recommendations for a refined version of the Otto Road alignment, which is shown in the current Canby Transportation System Plan (TSP) as projects L1 and L2. These projects propose to extend Otto Road east to the intersection of SE 1st Avenue/S Mulino Road (see Figure 1). An alternative alignment has been proposed that would extend Hazel Dell Way north to Pacific Highway (OR 99E), as shown in Figure 1. A previous memo¹ was completed that contained preliminary analysis of the Otto Road alignment alternative and its feasibility. The purpose of this memorandum is to focus on specific elements of the alignment alternatives, including access management on Pacific Highway (OR 99E), intersection operations for the Otto Road area, and multi-modal transportation improvements.

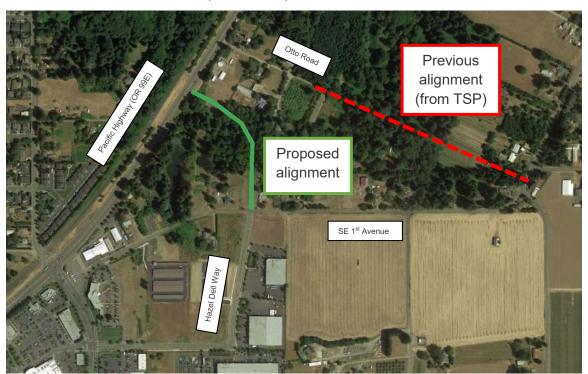


Figure 1: Otto Road Alignment as Identified in the TSP

¹ Canby Otto Road Alternative Preliminary Transportation Analysis Memorandum, DKS Associates, April 27, 2018.



PACIFIC HIGHWAY (OR 99E) ACCESS RIGHTS RESEARCH

Access rights and access control along Pacific Highway (OR 99E) near Otto Road was provided by the Oregon Department of Transportation (ODOT). ODOT has previously acquired access control along portions of OR 99E. Where access control exists, no right of access between the property and the highway remains, as it may have been acquired or eliminated by law. Where no right of access is present, an application for an approach permit cannot be accepted.

Reservations of access represent specific locations where access rights remain. A reservation of access affords the property owner the right to apply for an approach permit but does not guarantee ODOT approval for a driveway at that location for the proposed use of the property. Applications for approach permits are reviewed under current ODOT access management regulations (OAR 734-051). Existing reservations of access can be relocated or slightly modified upon approval from ODOT through a process called an "indenture of access." Figure 2 shows the locations along the highway where reservations of access remain. Blue lines with a circle indicate existing driveways, while blue lines without a circle shows the locations of unbuilt driveways where reservations of access to the highway exist.

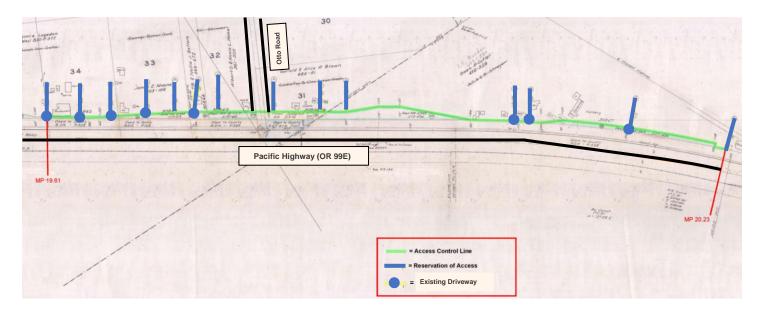


Figure 2: ODOT Access Rights on Pacific Highway (OR 99E) near Otto Road

The reservation of access research helped determine where the alternative roadway alignments could potentially connect to OR 99E. Since a new access would connect to OR 99E under each of the Otto Road alternatives, an existing driveway location would close under the alternatives. After discussions with the City of Canby² and ODOT staff³, three alternatives were agreed upon and are described in the following section.

² Email from Matilda Deas on August 28th, 2018.

³ Phone call with Seth Brumley.



ALTERNATIVES DESCRIPTION

The following three alternative alignment scenarios were considered for Otto Road, as shown in Figure 3, 4, and 5. Each alternative includes the following assumptions:

- Build the Hazel Dell Way extension from SE 1st Avenue to Pacific Highway (OR 99E)
- Assume a traffic signal at the intersection of Hazel Dell Way and Pacific Highway (OR 99E)
- Convert the two-way stop to an all-way stop control at SE 1st Avenue/Hazel Dell Way
- Install a roundabout per the City Transportation System Plan (TSP) at the intersection of Bremer Road/S Haines Avenue/S Mulino Road

The three alternatives vary pertaining to the assumptions for the highway accesses.

Alternative 1: Build a new road that extends from SE 1st Ave to Pacific Highway (OR 99E); the existing Otto Road access remains open to Pacific Highway (OR 99E); existing highway access to the businesses located southeast of the Pacific Highway (OR 99E)/Sequoia Parkway remains open.

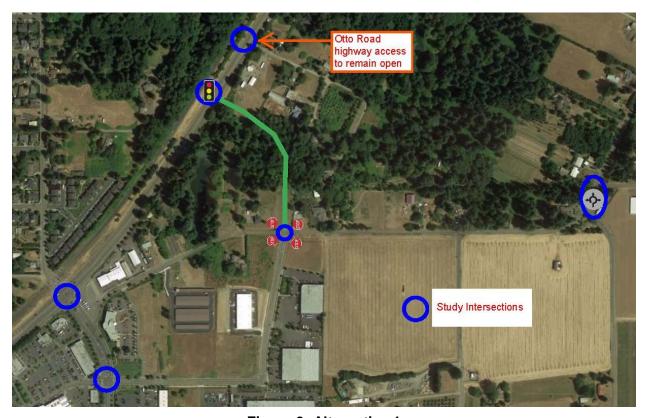


Figure 3: Alternative 1



Alternative 2: Build a new road that extends from SE 1st Ave to Pacific Highway (OR 99E); the existing Otto Road access to Pacific Highway (OR 99E) is closed; existing highway access to the businesses located southeast of the Pacific Highway (OR 99E)/Sequoia Parkway remains open.



Figure 4: Alternative 2



Alternative 3: Build a new road that extends from SE 1st Ave to Pacific Highway (OR 99E); the existing Otto Road access remains open to Pacific Highway (OR 99E); existing highway access to the businesses located southeast of the Pacific Highway (OR 99E)/Sequoia Parkway is closed; extend the two-way operations on SE 1st Avenue to the west just past where it currently ends, but not all the way to Sequoia Parkway.

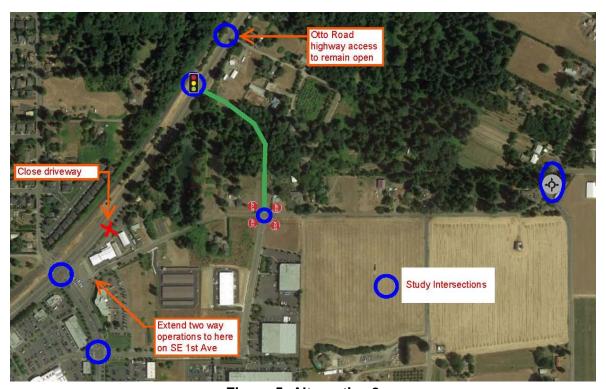


Figure 5: Alternative 3

FUTURE TRAFFIC CONDITIONS (2035)

The following section includes discussion on the future 2035 traffic volumes and intersection operations for the three alternatives analyzed.

FUTURE TRAFFIC VOLUMES

To determine future intersection traffic operations, 2035 traffic volumes were estimated for the study intersections, which are listed below. The volumes for all three alternatives can be found in the appendix.

- Pacific Highway (OR 99E)/Sequoia Parkway
- Pacific Highway (OR 99E)/Otto Road
- Pacific Highway (OR 99E)/Hazel Dell Way
- SE 1st Avenue/ S Mulino Road
- Hazel Dell Way/Sequoia Parkway
- Hazel Dell Way/SE 1st Avenue



Future traffic volumes were forecasted using the Canby Small Community Model developed for the Canby TSP. The base year for this model is 2009 and the future year is 2035. The link growth within this interval was refined using NCHRP 765 methodology. This procedure balances the influence of the volume difference versus the volume ratio, between the base and future year, based on the scale of growth. This growth was then linearly increased to the future forecast year 2035. Forecasting was done for all the future model scenarios relative to 2009 base year model.

INTERSECTION OPERATIONS

Motor vehicle conditions evaluated during the 2035 weekday p.m. peak hour at the six study intersections utilized 2000 Highway Capacity Manual methodology for signalized and 2010 Highway Capacity Manual methodology unsignalized intersections.

Table 1 shows the operations for the original Otto Road Extension scenario from the TSP and all three alternatives for comparison. As shown, three study intersections in Alternative 3 fail to meet standards, compared to one in Alternatives 1 and 2.

Table 1: Future Intersection Operations

Intersection	Operating Standard (jurisdiction)	Traffic Control	TSP Otto Rd Ext. ⁴		Traffic Control	Alt 1		Alt 2		Alt 3	
			v/c	LOS	Control	v/c	LOS	v/c	LOS	v/c	LOS
Pacific Hwy (OR 99E)/ Sequoia Pkwy	v/c ≤ 0.85 (ODOT)	Signal	0.81	D	Signal	0.81	D	0.81	D	0.80	D
Pacific Hwy (OR 99E)/Otto Rd	v/c ≤ 0.85 (ODOT)	Signal	0.75	D	TWSC	0.16	B/F	1	-	0.16	B/F
Pacific Hwy (OR	v/c ≤ 0.85 (ODOT)	-			Signal	0.91	С	0.91	С	0.94	С
99E)/Hazel Dell Way			-		Signal (with NBR)	0.83	С	0.84	С	0.84	С
SE 1st Ave/	*LOS E, v/c ≤ 0.90 **LOS D, v/c ≤ 0.85	TWSC	0.36	A/B	AWSC	0.78	D	0.78	D	0.87	D
Hazel Dell Way	(Canby)	1000	0.30	A/B	Round- about	0.50	В	0.50	Α	0.58	В
SE 1st Ave/ S Mulino Rd	v/c ≤ 0.95 (Clackamas Co.)	Round- about	0.55	В	Round- about	0.64	В	0.69	С	0.70	В
Hazel Dell Way/ Sequoia Pkwy	LOS E, v/c ≤ 0.90 (Canby)	TWSC	0.94	A/F	TWSC	0.45	A/E	0.45	A/E	0.54	A/F

LOS = Level of Service of Intersection

Bold and Highlighted: Intersection fails to meet operating standard

v/c = Volume-to-Capacity Ratio of Intersection

TWSC = two-way stop controlled; AWSC = all-way stop controlled

^{*}Operating standard for TWSC, **Operating standard for AWSC or Roundabout

⁴ Intersection operations from Table 7-7 in the Canby Transportation System Plan, City of Canby, 2010.



It should be noted that the Pacific Highway (OR 99E)/Otto Road signalized intersection from the TSP is shown to operate at v/c ratio of 0.75, which is slightly better than the signalized (with NBR) intersection of Pacific Highway (OR 99E)/Hazel Dell Way under the alternative alignments. The total entering volumes for the intersection for the Hazel Dell Way alternatives are 125 vehicles more than the Otto Road volumes. This may indicate that the Hazel Dell Way alignment provides better access to future developments in the industrial park area.

At the intersection of Pacific Highway (OR 99E)/Hazel Dell Way, a traffic signal was assumed. The traffic signal was firstly evaluated without a northbound right turn lane on Pacific Highway. All three alternatives failed to meet the operating standard under this lane configuration. If the intersection is analyzed with a northbound right turn lane on Pacific Highway, the intersection meets operating standards for all three alternatives. However, there is a challenge due to the culvert/bridge just south of that intersection. A northbound right turn lane would require widening and could be very expensive.

The traffic control at the intersection of SE 1st Avenue/Hazel Dell Way was analyzed as an all-way stop and as a single-lane roundabout for the three alternatives. Under the all-way stop control, this intersection meets the City's operating standard for Alternative 1 and Alternative 2, but not for Alternative 3 in 2035. Under the roundabout assumption, all three alternatives meet the operating standards. A single-lane roundabout could be considered at this location as a long-term solution as this would increase safety and reduce delay. However, the roundabout design would need to consider the significant amount of heavy truck traffic that would likely be access the industrial park to the south.

The intersection of Hazel Dell Way/Sequoia Parkway fails to meet standards under Alternative 3 only. This is caused by excessive delay experienced by vehicles on the minor street approaches. Adding additional turn lanes on the minor street approaches was evaluated but did not improve the intersection enough to meet standards. A traffic signal could be considered here to help the intersection to meet standards.

SIGNAL WARRANT ANALYSIS

Signal warrant analysis was performed for all three alternatives at the intersection of Pacific Highway (OR 99E) and the new Hazel Dell Way extension. The analysis was performed to determine if minor-street hourly volumes are high enough to justify (i.e., warrant) the construction of a traffic signal at the proposed intersection. Hourly volumes were estimated using the automatic traffic recorder (ATR) data for station #36-004 in Newberg, Oregon. The station's hourly ratios were assumed to be similar to the hourly ratios on Pacific Highway (OR 99E) in Canby, Oregon using the ODOT ATR Characteristic Table. This table finds ATR data for locations with similar characteristics relevant to the project study area. Pacific Highway (OR 99E) and ATR #36-004 shared the following characteristics: commuter trend, rural area, 4 lanes, and weekday traffic trend.

Using the hourly volume data from station #36-004 and future 2035 peak hour volumes, the MUTCD Signal Warrant #1 (8-Hour Volume), Warrant #2 (4-Hour Volume) and Warrant #3 (Peak Hour) were assessed. Table 2 provides a summary of the signal warrant analysis results.



Table 2: Traffic Signal Warrants

MUTCD Warrant	Numbe	Warrant Met?		
WOTCD Warrant	Alternative 1	Alternative 2	Alternative 3	vvarrant Met:
8 Hour	19	19	19	Yes
4 Hour	17	17	17	Yes
Peak Hour	17	17	17	Yes

As shown in the table above, all three alternatives meet and exceed the MUTCD traffic signal warrant criteria. The full signal warrant analysis can be found in the appendix.

PEDESTRIAN AND BICYCLE IMPROVEMENTS

The City's TSP currently identifies a multimodal project along the Otto Road Extension to connect pedestrians and bicyclists between Pacific Highway (OR 99E) and southeast Canby. Since this alignment is no longer proposed under any of the Otto Road alternatives, it is recommended that the City evaluate the multimodal impacts of the Otto Road alternative and identify the preferred multimodal connection in this area during their next TSP process. In the meantime, it is recommended that sidewalks and bike lanes be constructed as part of all the Otto Road alternatives on the Hazel Dell Way extension as well as on SE 1st Avenue between Hazel Dell Way and S Mulino Road.

COST ESTIMATES

A planning-level cost estimate was performed for the Otto Road alternatives. All three alternatives consisted of upgrading SE 1st Avenue between Hazel Dell Way and S Mulino Road to collector standards, constructing a roundabout at the S Mulino Road/SE 1st Avenue/S Bremer Road/S Haines Road intersection, constructing the new collector roadway extension of Hazel Dell Way between SE 1st Avenue and Pacific Highway (OR 99E) (including a 20-foot bridge over the small creek), converting the two-way stop control to an all-way stop control at Hazel Dell Way/SE 1st Avenue, and constructing a traffic signal at the future Hazel Dell Way/Pacific Highway (OR 99E) intersection.

Alternative 2 and Alternative 3 required additional design elements and the cost estimates for those are included below as well. Table 3: shows the breakdown of the planning-level construction cost estimates for the three Otto Road alternatives.



Table 3: Planning-Level Construction Cost Estimate for the Otto Road Alternatives

Project Location	Project Summary	Planning-Level Construction Cost Estimate (2018 dollars) ^a	Alternatives Requiring Project			
Hazel Dell Way between SE 1st Avenue and Pacific Highway (OR 99E)	Construct Collector road extension (includes 20-foot bridge)	\$4,100,000	Alternative 1, Alternative 2, Alternative 3			
SE 1st Avenue between Hazel Dell Way and S Mulino Road	Upgrade to collector standards with bicycle and pedestrian facilities.	\$3,000,000	Alternative 1, Alternative 2, Alternative 3			
S Mulino Road/SE 1st Avenue/S Bremer Road/S Haines Road	Construct a larger roundabout at the offset intersection.	\$3,000,000	Alternative 1, Alternative 2, Alternative 3			
Hazel Dell Way/SE 1st Avenue	Install all-way stop traffic control	\$1,000	Alternative 1, Alternative 2, Alternative 3			
Hazel Dell Way/Highway 99E intersection	Construct a traffic signal.	\$750,000	Alternative 1, Alternative 2, Alternative 3			
New connector road between Otto Road and Hazel Dell Way	Construct Collector road	\$800,000	Alternative 2			
SE 1st Avenue from Sequoia Parkway to Providence Hospital driveway	Widen road to allow two-way operations	\$75,000	Alternative 3			
Total Cost Estimate for Each Alternative						
	Alternative 1	\$10,851,000				
	Alternative 2	\$11,651,000				
	Alternative 3	\$10,926,000				

^a Note that this cost estimate only includes the planning-level cost to construct the Otto Road Alternatives, so any right of way or environmental costs would be in addition to what is shown.



KEY FINDINGS

This section summarizes the key findings of the alternatives analysis. Table 4 shows a comparison of the alternatives for the categories of highway access, motor vehicle operations, pedestrian/bicycle improvements, and cost estimates.

After reviewing the comparison of Otto Road alternative alignments, Alternative 1 and Alternative 2 appeared to be very similar, varying only in project cost estimate and Otto Road access. Alternative 3 has the poorest intersection operation results as well as the greatest impact to existing businesses. It is recommended that Alternative 1 be built, but that the City move towards building Alternative 2 in the future as redevelopment occurs in the area. This is recommended so that current highway access issues are initially addressed for the existing land uses, but as future development and land use changes occurs, highway access points are reduced.

Table 4: Alternatives Comparison

Category	Alternative 1	Alternative 2	Alternative 3
Impacts to Pacific Highway (OR 99E) Access	Adds a signalized highway access at Hazel Dell Way; Removes up to three access reservations	Adds a signalized highway access at Hazel Dell Way; Closes existing Otto Road access; Removes up to three access reservations	Adds a signalized highway access at Hazel Dell Way; Removes businesses' access near Sequoia Parkway intersection; Removes up to three access reservations
Motor Vehicle Operations	All of the study intersections meet standards assuming a NBR turn lane on Pacific Highway at Hazel Dell Way traffic signal	All of the study intersections meet standards assuming a NBR turn lane on Pacific Highway at Hazel Dell Way traffic signal	All but one of the study intersections meet standards assuming a NBR turn lane on Pacific Highway at Hazel Dell Way traffic signal, and a roundabout at SE 1st Avenue and Hazel Dell Way
Pedestrian/Bicycle Improvements	Add sidewalks and bike lanes to the Hazel Dell Way extension	Add sidewalks and bike lanes to the Hazel Dell Way extension and to the connecting road to Otto Road	Add sidewalks and bike lanes to the Hazel Dell Way extension
Cost Estimates	\$10,851,000	\$11,651,000	\$10,926,000



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 Beavercreek Road | Oregon City, OR 97045

MEMORANDUM

TO: David Epling, City of Canby

FROM: Kenneth Kent, Development Engineering

DATE: January 3, 2019

RE: DR-18-10/CUP 18-07

31E34 00100, 02100, 02200, 02101

This office has the following comments pertaining to this proposal:

FACTS AND FINDINGS

- 1. The proposed land use application is for a 514,500 square foot warehouse facility located within the City of Canby. The site includes frontage on the north side of SE 1st Avenue and the west side of S Mulino Road, which are both roadways under the jurisdiction of Clackamas County. The proposed development is subject to City of Canby standards and requirements for the on-site development, and Clackamas County standards and permitting for access and frontage improvements on SE 1st Avenue and S Mulino Road. The project site also has frontage on the east side of SE Walnut Street which is a City of Canby Street. The county's jurisdiction of SE 1st Avenue extends up to the east right-of-way line of SE Walnut Street.
- 2. SE 1st Avenue is classified as a collector roadway by Clackamas County. Clackamas County has adopted roadway standards that pertain to the structural section, construction characteristics, minimum required right-of-way widths and access standards for collector roads. The right-of-way width of SE 1st Avenue appears to 40 feet along the project site frontage, according to the Clackamas County Assessor's Map. The minimum right-of-way width for a collector roadway is 60 feet. Development applications are required to dedicate up to one half of the standard right-of-way width. The applicant will be required to dedicate a minimum of approximately 10 of additional right-of-way along the entire site frontage so there is a minimum 30-foot one half right-of-way width.
- 3. S Mulino Road is classified as a collector roadway by Clackamas County. Clackamas County has adopted roadway standards that pertain to the structural section, construction characteristics, minimum required right-of-way widths and access standards for collector roads. The right-of-way width of S Mulino Road appears to be 60 feet along the project site frontage, according to the Clackamas County Assessor's Map, which meets the minimum standards.

- 4. The minimum improvements on the SE 1st Avenue and S Mulino Road frontages consistent with the Clackamas County Roadway Standards include, but are not necessarily limited to, up to a one half-street improvement, with a pavement width of 18 feet from the centerline of the right-of-way, standard 6-inch wide curb, 5-foot wide landscape strip with street trees, and a 5-foot wide sidewalk.
- 5. Under *Clackamas County Roadway Standards*, Section 220.5, driveway access is generally limited on collector roadways, with preferred access from a lower functional classification roadway. However, industrial uses may have exclusive driveway access to a collector roadway, as noted in Section 220.5. When driveways are permitted on collector roadways, the number of access points is limited to reduce conflicts and minimize the number of driveways on the roadway. Although, SE Walnut Street is a local roadway and would be the preferred roadway for access, the county has determined that access to SE 1st Avenue is acceptable for the proposed development. The applicant is proposing three driveways on to SE 1st Avenue. Two driveways to serve passenger vehicles, and one driveway to serve trucks. The Engineering Division is approving primary access to the site from a collector roadway through a Design Modification, as provided under Section 220.9 of the Roadway Standards. To minimize the number of access points, a maximum of two driveway approaches will be allowed on the SE 1st Avenue frontage.
- 6. Public comments have been receive concerning driveway access spacing as it related to driveways on the opposite side of the street. There are several residential driveways on the north side of S 1st Avenue that do not align with, or are off-set by 150 feet from the driveways proposed to serve the site. As provided in Section 220.3.b.1, the proximity of minor driveways with average daily trip volume of less than 400 are not considered as an issue for new public or private intersections. Based on the low traffic volume associated with a single family driveway, the proposed site access driveways would not result in a safety issue.
- 7. Adequate intersection sight distance is required for all new access onto a county roadway, per Section 240 of the Clackamas County Roadway Standards. SE 1st does not have a posted speed and would typically be subject to a basic rule speed of 55 MPH. The project traffic study assumed a speed of 25 MPH. For eastbound vehicles a speed of 25 MPH is acceptable. However, the speed of westbound vehicles will be based on the posted advisory curve speed of 25 MPH plus 10 MPH. Based on design speed of 35 mph, minimum sight distance of 390 feet is required. As noted in the traffic study, the easterly driveway on SE 1st Avenue has approximately 260-280 feet of sight distance available. The applicant will be required to verify minimum sight distance at the proposed driveway, which may require a combination of vegetation clearing and shifting the access location.
- 8. Clackamas County's Roadway Standards require that collector roadways include an 8-foot wide public easement for sign, slope, sidewalk and public utilities on each side of the roadway.
- 9. The stormwater management plan for the project street frontage proposes to address all storm drainage through infiltration, with no off-site conveyance. The design includes water quality swales within the landscape strip, between the curb and sidewalk within the public right-of-way. Although water quality facilities may be located within the public right-of-way, detention facilities must be located outside the right-of-way. Where there is no outfall

for the storm system, detention and infiltration will need to accommodate a 25-year storm, with a safe overflow path for the 100-year storm.

Although, the Clackamas County Roadway Standards allow for "green street" stormwater approaches, it is considered on a case by case basis. The county does not currently maintain green-street facilities. The applicant and the city will be required to provide a maintenance agreement for water quality facilities located within the public right-of-way. The proposed development will be required to comply with the rules and regulations of the City and Chapter 4 of the Clackamas County Roadway Standards.

10. Developments are required to be served by a roadway system that has adequate capacity to handle the additional traffic generated by the development. The county has reviewed the traffic study by DKS Associates, dated November 2018 and find that the county intersections within the influence are of the project will operate within capacity standards. The traffic study did not analyze the need for left turn lanes on SE 1st Avenue. The county will require the left turn analysis prior to approval of the Development Permit.

CONCLUSION

Although the County does not have land use jurisdiction over the on-site land use, the County does have jurisdiction over access and improvements along the SE 1st Avenue and S Mulino Road frontages. However, the following recommended conditions reflect the County's minimum standards. Where the City's street cross-sections differ and are more stringent, and do not otherwise conflict with maintenance standards, the County will accept the City's standards.

If the City of Canby approves the request, the following conditions of approval are recommended. If the applicant is advised to or chooses to modify the proposal in terms of access location and/or design following the preparation of these comments, this office requests an opportunity to review and comment on such changes prior to a decision being made.

- 1. All required street, street frontage and related improvements shall comply with the standards and requirements of the Clackamas County Roadway Standards unless otherwise noted herein.
- 2. The applicant shall dedicate approximately 10 feet of right-of-way along the entire site frontage on SE 1st Avenue and verify by a professional survey that a 30-foot wide, one-half right-of-way width exists.
- 3. The applicant shall grant an 8-foot wide public easement for sign, slope and public utilities along the entire frontage of SE 1st Avenue and S Mulino Road.
- 4. The applicant shall design and construct improvements along the entire site frontage of SE 1st Avenue to the industrial collector standard, per Clackamas County Roadway Standards, Standard Drawing C130. These improvements shall consist of:
 - a. A one half-street improvement with a minimum paved with of 18 feet from the centerline of the right-of-way. The structural section shall be designed and constructed per Standard Drawing C100 for an industrial collector roadway.

- b. Inbound and outbound tapers shall be provided per Section 250.6.4 of the Clackamas County Roadway Standards.
- c. Standard curb, or curb and gutter if curbline slope is less than one percent, with the curb face located 18 feet from the centerline of the right-of-way. Curb and gutter is required through all curb returns.
- d. A 5-foot wide sidewalk behind a 5-foot wide landscape strip/vegetated swale, with street trees to be provided behind sidewalk. Where the sidewalk does not connect to sidewalk on adjacent property, the end of the sidewalk requires a concrete ADA compliant curb ramp, providing a transition from the new sidewalk to the edge of pavement.
- e. Dual curb ramps shall be provided at the intersection of SE 1st Avenue and SE Walnut Street, constructed per Standard Drawing S910. The designer shall complete the county ADA Assessment Checklist and provide a copy with the improvement plans. The county has adopted the following curb ramp design and construction standards:

Feature	Design Standard	Construction Standard
Ramp Slope	7.5%	8.33%
Ramp Cross Slope	1.5%	2.0%
Landing (turning space) Cross Slope	1.5%	2.0%

- f. Storm drainage facilities in conformance with City of Canby Standards and *Clackamas County Roadway Standards* Chapter 4. Any surface water runoff from the site to the SE 1st Avenue right-of-way shall be detained outside of the right-of-way in conformance with *Clackamas Roadway Standards*. Where there is no outfall for the storm system, detention and infiltration will need to accommodate a 25-year storm, with a safe overflow path for the 100-year storm. The applicant and the city shall enter into a maintenance agreement for water quality facilities located within the public right-of-way. The agreement shall include a maintenance and operation plan, as approved by DTD Engineering and the City of Canby.
- g. Adequate intersection sight distance, per Section 240 of the Clackamas County Roadway Standards shall be provided at the intersections with SE 1st Avenue. Intersection sight distance to the east shall 390 feet based on a design speed of 35 MPH. Intersection sight distance to the west shall 280 feet based on a design speed of 25 MPH.
- h. A maximum of two driveways are permitted on the SE 1st Avenue frontage. The driveways shall provide a minimum of 150 feet of spacing on the south side of SE 1st Avenue, measured centerline to centerline. The driveways shall be constructed consistent with Standards Drawing D675.
- i. The westerly driveway serving as the truck entrance shall be designed so that turning maneuvers do not cross the roadway centerline. AutoTurn exhibits shall be provided demonstrating adequate truck maneuvering.
- 5. The applicant shall design and construct improvements along the entire site frontage of S Mulino Road to the industrial collector, per Clackamas County Roadway Standards, Standard Drawing C130. These improvements shall consist of:

- a. A one half-street improvement with a minimum paved with of 18 feet from the centerline of the right-of-way. The structural section shall be designed and constructed per Standard Drawing C100 for an industrial collector roadway.
- b. Inbound and outbound tapers shall be provided per Section 250.6.4 of the Clackamas County Roadway Standards.
- c. Standard curb, or curb and gutter if curbline slope is less than one percent, with the curb face located 18 feet from the centerline of the right-of-way.
- d. A 5-foot wide sidewalk behind a 5-foot wide landscape strip/vegetated swale the curb and sidewalk, with street trees to be provided behind sidewalk.
- e. Where the sidewalk does not connect to sidewalk on adjacent property, the end of the sidewalk requires a concrete ADA compliant curb ramp, providing a transition from the new sidewalk to the edge of pavement. The designer shall complete the county ADA Assessment Checklist and provide a copy with the improvement plans. The county has adopted the following curb ramp design and construction standards:

Feature	Design Standard	Construction Standard
Ramp Slope	7.5%	8.33%
Ramp Cross Slope	1.5%	2.0%
Landing (turning space) Cross Slope	1.5%	2.0%

- 6. Storm drainage facilities in conformance with City of Canby Standards and *Clackamas County Roadway Standards* Chapter 4. Any surface water runoff from the site to the SE 1st Avenue right-of-way shall be detained outside of the right-of-way in conformance with *Clackamas Roadway Standards*. Where there is no outfall for the storm system, detention and infiltration shall accommodate a 25-year storm, with a safe overflow path for the 100-year storm. The applicant and the city will be required to enter into a maintenance agreement for water quality facilities located within the public right-of-way. The agreement shall include a maintenance of operation plan, as approved by DTD Engineering and the City of Canby.
- 7. Prior to issuance of a Development Permit, the project traffic engineering shall evaluate the need for westbound left turn lanes at the proposed driveway intersections with SE 1st Avenue. If turn lanes are warranted, the applicant shall design and construct the street improvements to provide the turn lanes.
- 8. Utility Placement Permit shall be required for any utility work required within the right-of-way of SE 1st Avenue and S Mulino Road.
- 9. The applicant shall submit an Engineer's cost estimate to be approved by Clackamas County Engineering for the asphalt concrete, aggregates, and any other required public improvement in the SE 1st Avenue and S Mulino Road right-of-way.
- 10. Prior to commencement of site work the applicant shall obtain a Development Permit from this office for design and construction of required improvements to SE 1st Avenue and S Mulino Road. To obtain the Permit, the applicant shall submit plans prepared and stamped by an Engineer registered in the State of Oregon, provide a Performance Guarantee, and pay an Inspection Fee. The Performance Guarantee is 125% of the approved Engineer's cost estimate for the required improvements.

December 20, 2018



MEMORANDUM

TO:

Public Comments

City of Canby

FROM:

Hassan Ibrahim, PE

Curran-Mcleod, Inc.

RE:

CITY OF CANBY

SHAKESPEARE DEVELOPMENT

APPLICATION REVIEW (DR 18-10/CUP 18-07)

We have reviewed the submitted application and plans for the above noted project and have the following comments which should be addressed in the final design:

SE 1st Avenue:

- 1. This roadway section is under the jurisdiction of Clackamas County, so unless the City transfers jurisdiction, all our construction section review comments are deferred to the requirements of the County. But as the City will ultimately take over jurisdiction of this roadway, the City requires this roadway to be designed and constructed to City Collector Street Section. The developer is dedicating an additional 12 feet of right of way in addition to the existing 40 feet, the sidewalk can be in a combined PUE. The TSP requires the ultimate right of way width to range between 50 to 80 feet. Half street improvements shall be required along the entire site frontage where the curb line is placed at 25 feet from the right of way centerline, with 5-foot planter strip and 6-foot wide concrete sidewalk. Streets lights and street trees will also be required. We recommend the City require a minimum of 12-foot wide PUE and sidewalk easement or additional right of way dedication.
- 2. This roadway segment between S. Walnut Street and S. Mulino Road is under the jurisdiction of Clackamas County, so unless the City transfers jurisdiction, all of our construction section review comments are deferred to the requirements of Clackamas County.
- 3. The industrial park concept is to internalize all industrial traffic and avoid conflict with the adjoining residential areas. We think this can be achieved by completing the half street improvements along S. Walnut Street from the current terminus to SE 1st Avenue and ultimately to Highway 99E. Accordingly, although it is the County's jurisdiction, we also recommend all driveway accesses be allowed to SE 1st Avenue for this industrial development so that the traffic pattern can be internalized.

C:\H A I\Projects\Canby\1009 Gen Eng\Shakespeare Application Preliminary Review Revised .doc

 Public Comments December 20, 2018 Page 2

- 4. The minimum centerline horizontal radius for a collector street should be 270 feet.
- 5. The curb return radii at intersections and driveways should be large enough to allow for AASHTO WB-67 vehicle turning movements. The property line should be concentric with this return. The applicant engineer shall submit to the City truck turning movements templates demonstrating that the turning movement requirements are met.
- 6. All driveways shall have an industrial driveway approach consisting of 8" minimum concrete thickness with reinforcements or mesh welded wire fabric.

S. Walnut Street:

- 1. This roadway segment is under the jurisdiction of City of Canby. The City of Canby, Industrial Area Master Plan prepared by OTAK Engineering, dated October 1998 and the City Transportation System Plan refer to this roadway as a local street section. We recommend this roadway be constructed to local street standards as per the Public Works design Standards, chapter 2, section 2.207. The Industrial Area Master Plan calls for a 28-foot paved surface, 52-foot right-of-way width and 12-foot utility easements. The developer is dedicating 13 feet of right of way in addition to the existing 30 feet of right of way for an ultimate right of way width of 56 feet. We recommend half street improvements be constructed along the entire site frontage between the south property line of this development (current terminus) to SE 1st Avenue to match the ultimate existing paved street width of 32 feet to include-foot planter strip and 6-foot wide concrete sidewalk. An infiltration storm drainage trench located in the planter strip is considered an acceptable disposal system. Streets lights will also be required. We recommend the City require a 12-foot wide PUE.
- 2. The applicant needs to account for the horizontal conflicts along the frontage of the Cemetery Property (TL 200) in the proposed street alignment. The alignment should address the existing trees and the proximity of the existing graves to the proposed improvements. The alignment was anticipated to shift easterly to account for this conflict.
- 3. With the narrow roadway width, access driveways along Walnut Street should be industrial type with large radius curb returns to account for truck traffic. Public sidewalks should extend across the driveways.
- 4. The City Transportation System Plan does not impose any access spacing limitations on local streets nor have we seen any requirement to align driveways or meet spacing requirements across the streets. Driveway locations appears to be acceptable and the

- driveway width shall be a maximum of 40 feet wide as per City of Canby Municipal Code.
- 5. All driveways shall have an industrial driveway approach consisting of 8" minimum concrete thickness with reinforcements or mesh welded wire fabric.
- 6. The curb return radii at intersections and driveways should be large enough to allow for AASHTO WB-67 vehicle turning movements. The property line should be concentric with this return. The applicant engineer shall submit to the City truck turning movements templates demonstrating that the turning movement requirements are met.

Mulino Road:

- 1. The City of Canby, Industrial Area Master Plan prepared by OTAK Engineering, dated October 1998 refers to Mulino Road as a 3-lane collector with continuous turn lane having a street width of 50 feet and required right-of-way width of 72 feet as opposed to 60 feet as proposed. The TSP requires the ultimate right of way width to range between 50 to 80 feet. Half street improvements shall be required along the entire site frontage where the curb line is placed at 25 feet from the right of way centerline, with 5-foot planter strip and 6-foot wide concrete sidewalk. Streets lights and street trees will also be required. We recommend the City require a minimum of 12-foot wide PUE and sidewalk easement or additional right of way dedication. All utilities will need to be extended to Mulino Rd.
- 2. SE 1st Avenue and Mulino Road intersection should be modified to accommodate additional width from both streets including signing and striping.
- 3. This road is under the jurisdiction of Clackamas County and all the design and construction are deferred to the comments and requirements of Clackamas County Department of Transportation and Development.
- 4. Street lighting shall be required along the entire site frontage with S Mulino Rd.

Miscellaneous:

- 1. All private storm drainage discharge shall be disposed on-site, the design methodology shall be in conformance with the City of Canby, June 2012 Public Works Standards.
- 2. No storm drainage analysis or plans are submitted with this development. The developer's engineer will be required to demonstrate how the storm runoff generated from the new impervious surfaces will be disposed. If drywells (UIC) are used as a means

Public Comments December 20, 2018 Page 4

to discharge storm runoff from the private streets, they must meet the following criteria: The 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, Appendix "C", Groundwater Protectiveness Demonstration and Risk Prioritization for Underground Injection Control (UIC) Devices. The storm drainage report shall be in conformance with the requirements as stated in Chapter 4 of the City of Canby Public Works Design Standards dated June 2012.

- 3. Any existing domestic or irrigation wells shall be abandoned in conformance with OAR 690-220-0030. A copy of Oregon water Rights Department (OWRD) abandonment certificate shall be submitted to the City.
- 4. Any existing on-site sewage disposal system shall be abandoned in conformance with DEQ and Clackamas County Water Environmental Services (WES) regulations. A copy of the septic tank removal certificate shall be submitted to the City.
- 5. Water Services/ Fire Protection shall also be constructed in conformance with Canby Utility and Canby Fire Department requirements.

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

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, January 2, 2019.

Written comments can be submitted up to the time of the Public Hearing and or be delivered in person during the Public Hearing on Monday, January 14, 2019.

Application: DR 18-10/CUP 18-07 PROJECT SHAKESPEARE	
COMMENTS:	
NAME:	
EMAIL:	PLEASE EMAIL COMMENTS TO
ORGANIZATION/BUSINESS/AGENCY:	PublicComments@canbyoregon.gov
ADDRESS:	Thank You!
PHONE # (optional):	Thank You:
DATE:	
AGENCIES: Please check one box and fill in your Name/Agency/Date below:	
☐ Adequate Public Services (of your agency) are available	
$\ \square$ 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:	

DATE: _____

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, January 2, 2019. Written comments can be submitted up to the time of the Public Hearing and or be delivered in person during the Public Hearing on Monday, January 14, 2019.

Application: DR 18-10/CUP 18-07 PROJECT SHAKESPEARE COMMENTS: MAKE IT HAPPEN. FOR TOO LONG WEYLIVED IN A NON CONFORMING STATUS ON PROPERTY ZONED LIGHT INDUSTRIAL. EMAIL: MELVINBORG 42@GMAIL. COM PLEASE EMAIL COMMENTS TO ORGANIZATION/BUSINESS/AGENCY:

ADDRESS: 23397 S. MULINO RD, CANBY 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 $\hfill\square$ No Comments NAME:

AGENCY: ______
DATE:

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, January 2, 2019. Written comments can be submitted up to the time of the Public Hearing and or be delivered in person during the Public Hearing on Monday, January 14, 2019.

Application: DR 18-10/CUP 18-07 PROJECT SHAKESPEARE

Application. DK 18-10/COT 18-07 FROSECT STIAKESTEAKE	
COMMENTS:	" () () () () () ()
Our property has been 2 un	ad INDUSTRIAL
tor several years,	
We cannot use our property	for any other purpose.
Therefore, we are very much i	favor of this
project moving forward at this ti	me to the designal.
use of this property,	
NAME: Philie Borg	
EMAIL: borg@canby com	PLEASE EMAIL COMMENTS TO
ORGANIZATION/BUSINESS/AGENCY: Philip & Millie Bong Trust	PublicComments@canbyoregon.gov
ADDRESS: 23399 5. Mulino Rd. Carby, OR	Thank You!
PHONE # (optional): DATE: /-2-20/9	Thank Tou:
DAIL.	
AGENCIES: Please check one box and fill in your Name/Agency/Date below:	
\square Adequate Public Services (of your agency) are available	
\square Adequate Public Services will become available through the development	
□ Conditions are needed, as indicated	
\square Adequate public services are not available and will not become available	
□ No Comments	
NAME:	
AGENCY:	

January 2, 2019

City of Canby Planning Department Planning Commission

Subject: DR 18-10/CUP 18-07 Project Shakespeare

Site & Design Review Application

My name is Roger Skoe. I live at 1853 N. Teakwood Circle, Canby, OR.

Thank you for the opportunity to comment on the proposed facility site design review.

I realize that I am attempting to provide comments with incomplete information. However I wanted to submit my comments in time to be included in the packet, even though there is a disadvantage of not having access to City staff (and City Engineer) comments, as well as any of their recommended conditions. The same also applies to comments or conditions that Clackamas County might recommend. Likewise I have not seen Lancaster Engineering's review of the DKS Traffic Impact Study. So my comments are based on what I understand the applicable criteria to be, and the applicant's submittal to the City as of December 11th (So if those documents have been subsequently revised, I may not have the latest information.)

Two of my primary areas of interest and concern are basically the same issues on which I had commented in 2010 when Canby's Transportation System Plan (TSP) was being updated. Since that letter was written in 2010, clearly the concerns did not arise simply due to the large scale of the specific proposed facility in the current application being considered. (See Attachment 1 - Letter to Planning Commission dated August 6, 2010.) Those two areas of concern are

- (1) Minimizing industrial area traffic on SE $1^{\rm st}$ Avenue and South Haines Road; and
- (2) The funding and timing of the construction of the vehicle improvement projects for alternate industrial area vehicle connections to Hwy 99E from S. Walnut and Mulino Road that are included in the TSP.

When ODOT approved funding assistance for the improvement of S. Walnut Street in 2009, ODOT staff included comments that addressed both these issues. Following is an excerpt from minutes of a June 2009 Oregon Transportation Commission meeting (See Attachment 2, page 3):

"Jerri Bohard said the ODOT staff report shows the request in the amount of \$290,000. However, she noted that the report also recognized four issues that should be addressed when Canby updates its transportation plan.

- Truck movement to and from the industrial park should be facilitated via Walnut Street to Sequoia Parkway rather than South(east) 1st Avenue and Sequoia Parkway.
- 2. Assessment of alternative truck routes and an enhanced street network to make certain that projected future overcapacity at Highway 99E and Sequoia Parkway does not significantly compromise the operation of the state highway facility.
- 3. The financially constrained project list in the TSP must address any needed transportation improvements to serve the industrial park within the time horizon of the TSP.
- 4. The TSP should consider methods to fund future improvements that address access and circulation to, from and within the industrial area, such as System Development Charges."

Canby's updated 2010 TSP did at least partially address these issues. It included transportation improvement projects to provide alternate vehicle connections to Hwy 99E from both S. Walnut Street and Mulino Road.

I am requesting that if the conditional use is approved, it be conditioned with provisions along the lines of the following:

- 1. Add conditions to prohibit vehicle access to (and from) SE 1st Avenue. Instead include conditions that vehicle access be required to be taken from S. Walnut, and until such time as the TSP improvement project providing the alternate connection from S. Walnut Street to Hwy 99E has been completed and opened, that truck movement to and from the distribution facility should be facilitated via S. Walnut Street to Sequoia Parkway to Hwy 99E (rather than via SE 1st Avenue to Sequoia to Hwy 99E).
- 2. Include a condition that any access to or from the Mulino Road is limited to emergency situations until either (1) the alternate access to 99E from Mulino Road (included in the financially constrained project list in the TSP) is completed and open; or (2) S. Haines Road has been brought up to current collector standards **and** the intersection at S. Haines Road has been improved to point where it would meet mobility standards with the increased traffic.
- 3. Add a condition that requires the calculation of the facility's "proportionate cost share of the improvements identified in the Transportation System Plan" to include the costs of the alternate connections to Hwy 99E from both S. Walnut and from Mulino Road.

Note: The project Traffic Impact Analysis (or 'Study" (TIS)) appears to offer to participate to the extent of five percent of the cost of a traffic signal at the intersection of Sequoia Parkway and Hazel Dell Way, (including a statement that their contribution could be applied towards a new connection to 99E).

Minimizing industrial area traffic on SE 1st Avenue and S. Haines Road:

It is my hope that my comments regarding minimizing industrial area traffic on SE 1st Avenue and S. Haines are unnecessary due to the fact that City Staff, City Engineer, and County staff have previously concluded that access should be required to be from S. Walnut Street and that access to SE 1st Avenue should be prohibited. However I do not know that at the time of submitting these comments.

Again I do not know what review comments/recommendations Clackamas County will be providing. However regardless whether Clackamas County would allow driveway access as requested, reduce the number of driveways allowed, or "defer to the City," I hope the Canby Planning Commission will assure that the project "will have **minimal negative impact** on the ... surrounding properties."

This objective was very well expressed in December 2008, when in the process of reviewing a proposed minor land partition for the exact same parcel of land from which the applicant is seeking driveway access on SE 1st Avenue, the City Engineer wrote (refer: Attachment 3): "Our vision for the industrial park is to internalize all industrial traffic and avoid conflict with the adjoining residential areas. We think this can be achieved by creating an efficient route from Walnut Street to Sequoia Parkway and ultimately to Highway 99E. Accordingly, although it is in the County's jurisdiction, we also recommend no driveway access be allowed to SE 1st Avenue for this industrial development. …"

I believe there are a number of common sense reasons, as well as, Canby's written criteria, that call for vehicle access to be provided from S. Walnut rather than SE $1^{\rm st}$ Avenue.

Livability issues

Prohibiting industrial (driveway) access on SE 1st Avenue would meaningfully reduce what would otherwise be significant negative impacts on surrounding properties. I believe that it would:

- Help maintain neighborhood livability;
- Maintain a higher level of safety (for both vehicle passengers and cyclists);
- Maintain the vision for the industrial park to internalize industrial traffic to the extent possible;
 as well as.
- Honor the stated goal to avoid conflict with adjoining residential areas.

CMC 16.35.040 Conditional uses.

Unless limited by subsection A below or section 16.35.045, conditional uses permitted in the C-M zone, M-1 zone, and M-2 zone are permitted as conditional uses in the I-O zone, subject to the respective zone district boundaries.

- B. To approve a conditional use in the I-O zone, the Planning Commission shall find that each of the following additional criteria are either met, or can be met by observance of conditions, unless it is not applicable:
- 1. The proposed use is compatible with the industrial nature of the park and will have minimal negative impact on the development and use of surrounding properties;

In other words (providing that I am not taking anything out of context) it appears – CMC 16.35.040 requires that in order to approve a conditional use in the I-O zone, the Planning Commission shall find that the proposed use ... will have *minimal negative impact* on the ... use of surrounding properties.

So if there are alternative access points for the proposed site plan operation that could reduce a negative impact on surrounding properties, I would think that utilizing the alternative would be a required condition for approval.

A distribution facility, with vehicle access directly across the road from a residential area, operating 24 hours a day 6-7 days a week with more that 80 trips (including up to 46 trucks) either going in or out an hour during peak hours of 3 am – 6 am would be difficult to describe as "minimal negative impact" when there could be an option of taking vehicle access from S. Walnut near the southern end of the property, where access would be further away from the residential area.

So I would think that CMC 16.35.040 would suggest access be taken from S. Walnut Street somewhere near the southern end of the facility property.

Canby's past consideration of proposals to access SE 1st Avenue

The northern-most parcel of the "Shakespeare" proposed development was the subject of an application for a minor land partition (MLP 08-05) in January 2009. That application for the MLP requested access to SE 1st Avenue for two proposed parcels (~2.22 acres and ~4.49 acres). However since the proposal would not have met the access spacing standards (of CMC 16.46 and/or CMC 16.35), the applicant requested an exception to the access spacing requirements under the provisions of CMC 16.46.070. Although the proposed land partition was much smaller than the current proposed development (of 42 or 43 acres) and likely would have generated considerably less daily traffic than the current proposal, both the City Engineer (Hassan Ibrahim, PE of Curran-McLeod, Inc. Consulting Engineers) and City Planning staff recommended no driveway access be allowed to SE 1st Avenue. (A copy of excerpts from the staff report is attached. See Attachment 3)

Similarly, and about the same time, Canby planning staff received an application for a proposed subdivision (SUB 08-03) of a 20.21-acre parcel southwest of the intersection of SE 1st Avenue and S. Walnut Street (i.e., just west, across S. Walnut from the parcel mentioned above in MLP 08-05). Again the application requested an exception to the access spacing standards. For that application also, the City Engineer and the City Planning staff recommended denying the exception for access spacing standard (recommending that vehicular access to all lots shall be provided from S. Walnut Street and vehicular accessways on SE 1st Avenue shall be prohibited.) (A copy of excerpts from the staff report is attached. See Attachment 4)

Chapter CMC 16.46

Table 16.46.30 in CMC 16.46 indicates that access spacing is to be measured between access points on both sides of the street.

TABLE 16.46.30
Access Management Guidelines for City Streets*

Street Facility	Maximum spacing** of roadways	Minimum spacing** of roadways	Minimum spacing** of roadway to driveway***	Minimum Spacing** driveway to driveway***
Arterial	1,000 feet	660 feet	330 feet	330 feet or combine
Collector	600 feet	250 feet	100 feet	100 feet or combine
Neighborhood/Local	600 feet	150 feet	50 feet****	10 feet

- * Exceptions may be made in the downtown commercial district, if approved by the City Engineering or Public Works Department, where alleys and historic street grids do not conform to access spacing standards.
- ** Measured centerline on both sides of the street
- *** Private access to arterial roadways shall only be granted through a requested variance of access spacing policies when access to a lower classification facility is not feasible (which shall include an access management plan evaluation).
- Not applicable for single-family residential driveways; refer to section 16.10.070(B)(10) for single-family residential access standards

Note: Spacing shall be measured between access points on both sides of the street. (Ord. 1340, 2011)

From what I have been able to learn from Canby Planning staff, similar procedures for measuring access spacing (i.e., Access spacing is to be measured between access points on both sides of the street.) is still applicable in residential settings (Refer. attached Dec. 26, 2018 Bryan Brown e-mail. See Attachment 5), and the area on the north side of SE 1st Avenue is residential.

In a December 26th correspondence I was advised by Planning staff that the applicant did not address the spacing distance from the existing residential driveways on the north side of SE 1st Avenue (or at least had not addressed it at that time) and therefore should provide additional explanation as to why it is impractical to do so in order to obtain "an access spacing exception" (if deemed necessary) as provided for in CMC 16.46.070.

At the time that I am writing these comments, I do not know if the applicant has, or will, request an access spacing exception under CMC 16.46.070. It is my understanding that for an exception to be allowed, CMC 16.46.070 A.3 requires that the applicant prove no alternative access is available from a street with a lower functional classification than the primary roadway. It is my understanding that SE 1st Avenue (at least from S. Walnut to Mulino Road) is to be a collector (See Attachment 6), while S. Walnut would be a street with a lower functional classification; again suggesting that access should be from S. Walnut Street, rather than SE 1st Avenue.

16.46.070 Exception standards.

A. An exception may be allowed from the access spacing standards if the applicant can provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:

- 1. Indirect or restricted access cannot be obtained;
- 2. No engineering or construction solutions can be reasonably applied to mitigate the condition; and
- **3.** No alternative access is available from a street with a lower functional classification than the primary roadway.

Chapter CMC 16.35

As discussed in MLP 08-05 and SUB 08-03 the City staff considered not only the City standard found in CMC 16.46, but also the 200 feet minimum vehicular access spacing found in CMC 16.35 and Clackamas County's 150 foot access spacing standard for collectors in finding that the proposal the proposal did not meet the minimum vehicle access spacing requirement.

Although Bryan Brown indicates the City has apparently not applied the requirement that spacing be measured between access points on both sides of the street to Sequoia Parkway within the industrial park, it is my understanding that it has been applied in residential settings (Attachment 5), (which the north side of SE 1st Avenue is).

As mentioned above, in discussing industrial driveway access from the same parcel of ground the City Engineer wrote in his December 1, 2008 memorandum (refer: Attachment 3): "Our vision for the industrial park is to internalize all industrial traffic and avoid conflict with the adjoining residential areas. We think this can be achieved by creating an efficient route from Walnut Street to Sequoia Parkway and ultimately to Highway 99E. Accordingly, although it is in the County's jurisdiction, we also recommend no driveway access be allowed to SE 1st Avenue for this industrial development. ..."

Canby Public Works Design Standards

In the December 26th correspondence (Attachment 5) I was also advised by Planning staff that the City adopted Public Works Design Standards which were intended to supersede the driveway spacing standards in Table 16.46.30 where they differed (from other guidance). I had not previously seen those standards cited as applicable criteria for the review of this application. Those standards appear to directly prohibit access to a collector if an alternative exists. (Design Manual and Standard Specifications 2.211.g) Since SE 1st Avenue (at least from S. Walnut to Mulino Road) is to remain a collector, this would again suggest that access should be from S. Walnut Street, rather than SE 1st Avenue.

Driveway spacing shall be as shown in the following table.

Minimum Driveway Spacing

Street Classification	Intersection	Driveway	
Arterial (2)	330' (1)	330' (1)	
Industrial Streets (2)	100' (1)	100' (1)	
Collector (2)	100' (1)	100' (1)	
Neighborhood Route	50' (1)	10'	
Local (all)	50' (1)	10'	
Cul-de-sac	50' (1)	10'	
Public Alley	50' (1)		

- Notes: (1) Minimum distance or no closer than 60% of parcel frontage unless this prohibits access to the site, in which case City Administrator or designee may approve a deviation.
 - (2) Direct access to this street will not be allowed if an alternative exists or is planned.

Clackamas County Roadway Standards

Similarly it is my understanding that Clackamas County guidance (Clackamas County Roadway Standards Section 220.5) for driveway access to collector roadways provides that if available, access should be provided from streets with a lower functional classification.

220.5 Driveway Access to Collector Roadways

Access to collector roadways is less restricted than to arterial roadways. If available, access should be provided from streets with a lower functional classification except where Engineering determines that safety dictates an alternative access scenario.

Canby's Transportation System Plan

Canby's TSP (page 7-21) points out that numerous driveways on collector roadways introduce a series of conflict points that present the potential for crashes, as well as interfere with traffic flow. In recognition of that fact the TSP recommends taking

^{*} Driveways shall not be constructed within the curb return of a street intersection.

access from lower functional classification roads. That once again would suggest that access should be from S. Walnut Street rather than SE 1st Avenue.

S. Haines Road

Along with minimizing industrial traffic on SE 1st Avenue, I would also hope decisions are made to minimize industrial traffic on S. Haines Road. The Traffic Impact Analysis done for the Shakespeare project shows that 100% of the truck traffic will utilize Sequoia Parkway for access to and from the distribution facility. When I asked City Planning staff what assurance there would be that 100% of the truck traffic would in fact use Sequoia to access Hwy 99E (rather than those trucks which will be heading toward the NE Portland Metro area using S. Haines Road to access Hwy 99E (and the intersection of S. Haines Road and Hwy 99E which currently does not meet mobility standards), reference was made to the Traffic Impact Statement that included their recommended mitigation that they would instruct their drivers to utilize Sequoia Parkway. In my mind that statement does not appear to provide adequate assurance. That is the reason for my suggested conditions regarding S. Haines Road.

Excerpt for Traffic Impact Analysis

- Communicate truck route information to drivers, including awareness that they should avoid the following roadways in the vicinity of the project site:
 - o S Haines Road between the project site and OR 99E to the north
 - S Bremer Road east of S Haines Road
 - o S Mulino Road south of SE 1st Avenue/ S Haines Road
 - o N Redwood Street north of OR 99E

CMC 16.08.160

16.08.160 Safety and Functionality Standards.

The City will not issue any development permits unless the proposed development complies with the city's basic transportation safety and functionality standards, the purpose of which is to ensure that development does not occur in areas where the surrounding public facilities are inadequate. Upon submission of a development permit application, an applicant shall demonstrate that the development property has or will have the following:

F. Compliance with mobility standards identified in the TSP. If a mobility deficiency already exists, the development shall not create further deficiencies. (Ord 1340, 2011)

ODOT has already indicated that they determined there will be no significant impacts to state highway facilities and no additional state review is necessary. If that ODOT conclusion is based on the Traffic Impact Statement stating that the applicant will advise drivers that they should avoid S. Haines Rd., a person might question how much assurance it might actually provide.

The intersection at S. Haines Road and Hwy 99E is currently does not meet *Oregon Highway Plan* mobility standards. And CMC 16.08.160 F states that if a mobility deficiency already exists, the development shall not create further deficiencies.

The funding and timing of the construction of the TSP vehicle improvement projects (Rough Proportionality Determination)

As mentioned earlier, two of the issues noted when Oregon Transportation Commission approved funding assistance for improvements to S. Walnut in 2009 were:

...

The financially constrained project list in the TSP must address any needed transportation improvements to serve the industrial park within the time horizon of the TSP.

And

The TSP should consider methods to fund future improvements that address access and circulation to, from and within the industrial area, such as System Development Charges."

The Transportation System Plan includes two new connections from the industrial area to Hwy 99E (one from S. Walnut and one from Mulino Road). As I indicated in August 6, 2010 memo the need for these connections to 99E is driven by the development in the industrial area, not by some possible future residential development in the area. This fact is verified by the City's recent urgency to explore alternate connections since the recent flurry of proposed development in the Pioneer Industrial Area.

CMC 16.08.150 K requires that that in calculating the "Proportionate Share Contribution" the estimated construction cost means the estimated total cost of construction of identified improvements in the TSP.

16.08.150 Traffic Impact Study (TIS)

- **K.** Rough Proportionality Determination. Improvements to mitigate impacts identified in the TIS shall be provided in rough proportion to the transportation impacts of the proposed development.
 - The TIS shall include information regarding how the proportional share of improvements was calculated, using the ratio of development trips to growth trips and the anticipated cost of the full Canby Transportation System Plan. The calculation is provided below:

Proportionate Share Contribution = [Net New Trips/(Planning Period Trips-Existing Trips)] X
Estimated Construction Cost

- **a.** Net new trips means the estimated number of new trips that will be created by the proposed development within the study area.
- **b.** Planning period trips means the estimated number of total trips within the study area within the planning period identified in the TSP.
- **c.** Existing trips means the estimated number of existing trips within the study area at the time of TIS preparation.
- **d.** Estimated construction cost means the estimated total cost of construction of identified improvements in the TSP. (Ord 1340, 2011)

Within the project narrative the applicant's response to the proportionate share contribution requirement of 16.08.150 was: "A traffic study is being finalized for the proposed development in compliance with this criteria."

The Traffic Impact Analysis did refer to contributing a proportionate share of (approximately 5 percent) of the cost of a traffic signal at the Sequoia Parkway Hazel Dell Way intersection (which is indeed currently needed because the intersection apparently currently fails (or soon will fail) to meet mobility standards). As the Traffic Impact Statement points out that improvement is not in the TSP. I did not see any calculation by the applicant of a proportionate share of the estimated cost of the construction of the improvements that were identified in the TSP (the connections to Hwy 99E from S. Walnut Street and from Mulino Road).

Following are excerpts from the applicant's Traffic Impact Analysis:

Potential Mitigation

There are two study intersections that fail to meet their mobility targets under existing conditions, which will continue to get worse with both the background approved development and the proposed project development. These intersections are:

- Sequoia Parkway / Hazeldell Way
- OR 99E / Haines Road

The Hazeldell Way extension would partially address the intersection delay issues at the Sequoia Parkway/Hazeldell Way intersection. As demonstrated in the sensitivity analysis, this improvement would not address the high eastbound left turn traffic volume from the shopping center driveway turning left onto Sequoia Parkway. However, the improvement would provide direct benefit to the project site and would likely remove all project trips from the Sequoia Parkway/Hazeldell Way intersection.

November 2018 | Page 20 Project Shakespeare Transportation Impact Analysis

A second mitigation option would be to provide a traffic signal at the Sequoia parkway/Hazeldell Way intersection. While this improvement is not identified in the Canby TSP, it would directly address the high delay movements at the intersection. Due to the proximity to the existing traffic signal at OR 99E/Sequoia Parkway, the new signal would need to be designed to accommodate vehicle storage and flow between the two intersections on Sequoia Parkway. Since the intersection is an existing issue, the site's proportionate share of the improvement cost would consider the share of site volume relative to all volume served at the intersection. This would yield a proportionate share of approximately five percent of the improvement cost.

There is no clear mitigation measure to address the traffic conditions at OR 99E/Haines Road. The intersection does not meet traffic signal warrants due to the low side street volume. Turn channelization has already been provided. The City of Canby TSP identifies this intersection as being substandard after all planned city improvements. Due to the low volume of traffic added to this location (approximately 20 vehicles per hour and one percent of total traffic) no improvement is recommended.

RECOMMENDATIONS

The following transportation mitigation measures are recommended to preserve study area transportation system performance with the proposed development.

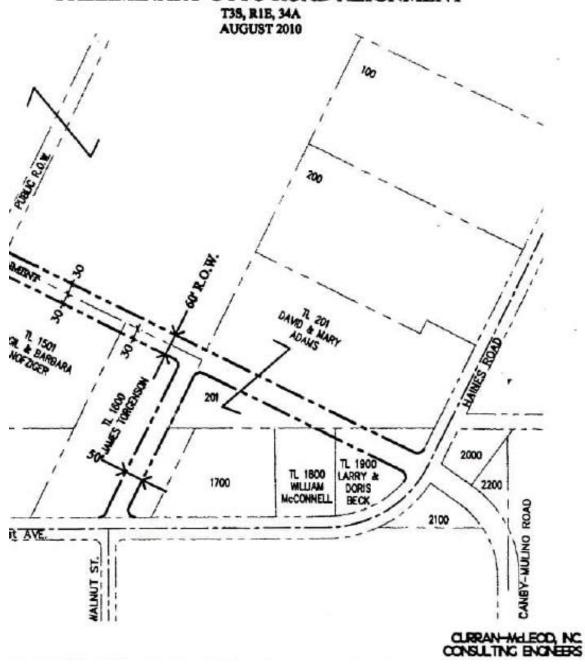
- Provide a proportionate share (five percent) of the costs for the following off-site transportation improvement:
 - New traffic signal at the intersection of Sequoia Parkway/Hazeldell Way. Note that this
 funding may instead be applied towards the Hazeldell Way extension between OR 99E
 and SE 1st Avenue
- Communicate truck route information to drivers, including awareness that they should avoid the following roadways in the vicinity of the project site:
 - o S Haines Road between the project site and OR 99E to the north
 - o S Bremer Road east of S Haines Road
 - o S Mulino Road south of SE 1st Avenue/ S Haines Road
 - o N Redwood Street north of OR 99E
- Ensure adequate site-access and circulation:
 - Site driveways shall be kept clear of visual obstructions (e.g., landscaping, signing, etc.)
 that could potentially limit sight distance for exiting drivers. This may require removal of existing vegetation to achieve adequate sight distance for the eastern driveway.
 - Prior to occupancy, sight distance at any existing access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.

I doubt that five percent of the cost to install a traffic signal would represent their proportionate share of the cost of improvement projects in the TSP. The alternate connections to 99E from S. Walnut and Mulino Road were included in the TSP because of the industrial area.

Although it now appears there may be a different preferred location to connect at Hwy 99E (than Otto Road), both the connections (i.e., from S. Walnut and from Mulino Road) are needed due to the development in the industrial area.



CITY OF CANBY PRELIMINARY OTTO ROAD ALIGNMENT



Canby Transportation System Plan

Table 7-6: Motor Vehicle Projects with Planning Level Costs (Financially-Constrained)

Location	Motor Vehicle Project		Planning Level Cost
Non-Capacity Improvements			
OR 99E (Elm Street to Locust Street) ^a	N1	Construct multi-modal improvements (associated with STA designation) and repave highway (includes Pedestrian Projects S1 and C4)	\$3,770,000
All traffic signals on OR 99E within Canby city limits ^a	N2	Convert to adaptive signal system	\$400,000
SE/SW 13 th Avenue (Berg Parkway to Sequoia Parkway Extension)	N3	Perform safety study and construct traffic calming and other safety improvements prior to constructing Sequoia Parkway Extension to SE 13th Avenue	\$750,000
Large-Scale Capacity Improvements			
Otto Road Extension (OR 99E to Mulino Road)	L1	Construct new road (includes two roundabouts and Pedestrian Project S10 and Bicycle Project B7)	\$8,915,000
OR 99E/Otto Road ^a	L2	Install traffic signal (associated with Otto Road Extension)	\$300,000

. . .

Canby Transportation System Plan

(Continued) Table 7-6: Motor Vehicle Projects with Planning Level Costs (Financially-

Constrained)			
Location	Motor Vehicle Project		Planning Level Cost
Roundabout Improvements			
SE 1 st Avenue/Haines Road/Mulino Road/Bremer Road	01	Install roundabout	\$2,000,000

Following is an excerpt from Technical Memorandum #6 (included in TSP - Appendix 2) that suggested including an industrial area connection to/from Hwy 99e (which at that time was an "extension of Otto Road) "to Mulino Road (with a connection to Walnut Street) as a primary access point into the industrial area."

TECHNICAL MEMORANDUM #6

TO: Matilda Deas, City of Canby

Sonya Kazen, ODOT Region 1

FROM: Chris Maciejewski, P.E., DKS Associates

Brad Coy, E.I.T., DKS Associates

DATE: June 19, 2010

SUBJECT: Canby Pioneer Industrial Area Connectivity Analysis P09042-002-003

This memorandum summarizes an analysis of connectivity options for the Canby Pioneer Industrial Park. Connectivity was reviewed to determine if on-site circulation and connections to the surrounding network can provide reasonable access for development while protecting surrounding neighborhoods from freight and cut-through traffic impacts. The following sections describe the background conditions assumed for the analysis, evaluation of the connectivity options, and recommendations for integrating the Canby Pioneer Industrial Park into the TSP Update.

...

Canby Transportation System Plan Update

Recommendations

The connectivity analysis conducted for the Canby Pioneer Industrial Park reviewed site circulation, access to OR 99E, and impacts to surrounding neighborhoods. Based on the findings of the analysis, the following considerations should be integrated into the Canby TSP update process:

...

Include the extension of Otto Road to Mulino Road (with a connection to Walnut Street)
as a primary access point into the industrial area. Consider updating the NE Canby
Master Plan street layout and land-use plans to reflect the industrial traffic that would
utilize the roadway. As example of how this might be achieved is shown below.

With the Shakespeare project showing an additional driveway being constructed on Mulino Road for "possible future access," it seems likely that it would be used when the Mulino Road to Hwy 99E connection (included in the TSP financially constrained project list) is constructed and opened. Therefore the cost of that connection should be also included in the calculation of their "Proportionate Share Contribution" as well as the connection from S. Walnut to Hwy 99E.

Roger Skoe 1853 N. Teakwood Circle Canby, OR 97013

Attachments:

Attachment 1 – August 6, 2010 Letter to Planning Commission

Attachment 2 – June 2009 Minutes from Oregon Transportation Commission

Attachment 3 – Excerpts from Staff Report on MLP 08-05

Attachment 4 – Excerpts from Staff Report on SUB 08-03

Attachment 5 – 12-26-2018 email

Attachment 6 – 12-27-2018 email

To: Planning Commission & Mayor and City Council

Thru: Matilda Deas

Date: August 6, 2010

Subject: Comments on Canby's Recommended Draft TSP document

For the record my name is Roger Skoe. I live at 1853 N. Teakwood Circle, Canby, OR 97013.

First I would like to express my appreciation for the opportunity that has been made available throughout the development of this draft TSP update to ask questions and provide input. These opportunities have included being able to provide input at public workshops and at both the CAC and TAC meetings (even though I was not a member of these committees), as well as, submitting written comments through Matilda Deas to the consultant. It also has included Ms Deas' willingness to take time to meet with me one-on-one.

I am also attaching a copy of correspondence I submitted earlier in the TSP update process to be included in the public record.

My primary area of interest and concern relates to the transportation impacts of the Canby Pioneer Industrial Area on the area referred to as the NE Canby Master Plan area, especially as it pertains to traffic impacts on SE 1st Avenue and South Haines Rd. I am hoping the TSP would help provide a means to minimize industrial area truck traffic on SE 1st Avenue and South Haines Road.

I appreciate the fact that earlier drafts were revised to include a direct connection from Otto Rd at OR 99E to the intersection Mulino Rd/SE 1st Ave/S Haines Rd/Bremer Rd (the intersection historically known as Twilight Corner or O'Neil Corners). This hopefully will help reduce the industrial area truck traffic on SE 1st Ave and S Haines Rd.

This Otto Rd Extension project is included in the financially constrained project list in Table 7-6 and is described in the recommendation in the last paragraph of Appendix J - Industrial Area Connectivity Memorandum, dated June 19, 2010 - SUBJECT: Canby Pioneer Industrial Area Connectivity Analysis P09042-002-003:

Include the extension of Otto Road to Mulino Road (with a connection to Walnut Street) as a primary access point into the industrial area.

Just to make sure the "connection to Walnut Street" does not get lost somewhere, I would request the description of the Otto Road Extension project in Table 7-6 include the phrase "(with a connection to Walnut Street)" as it is described in the Connectivity Memorandum and as shown in Figure 7-10.

In considering the timing and how to fund this project, it should be emphasized that this is a connection to 99E whose need is driven by the current development in the industrial area (rather than being dependent upon "some possible future residential development" within the NE Canby Master Plan area).

The timing for the completion of the project is important because until the connection is complete, S. Haines Rd is likely to be the default route selected for industrial area traffic from the north headed to either Mulino Rd or Walnut Street unless drivers are otherwise directed by signs.

If a direct connection from the Mulino Rd/S. Haines intersection to Otto Rd and 99E were not provided, it seems that it would be necessary to add projects to the preferred solutions package to improve S. Haines Rd and the Haines Rd/99E intersection to address the increased truck traffic to and from the industrial area.

However mixing industrial area truck traffic with cars and motorcycles traveling as fast as they do on S. Haines Road, with other cars slowing to exit for residences would seem to create an increased safety hazard. For example below is a photo was taken just last summer following an accident in which a car traveling too fast on S. Haines Rd lost control and crashed when the car in front of it slowed to turn left into Carriage Lane. Adding industrial area truck traffic to such a mix would only seem to increase the problem on a road that has not been designed and built to accommodate the increased truck traffic.



Getting into more detailed aspects of the proposed Otto Rd extension project, I would prefer to see the connection to Walnut being shown as planned to accommodate industrial area truck traffic entering or leaving Walnut Street with a roundabout at the intersection of SE 1st & Walnut.

I realize the recently completed Walnut Street was not built to the currently proposed standards for truck route designation (and I do not see a need to change the cross-section for Walnut Street). However it seems obvious that the connection from Walnut to Otto will be used by industrial truck traffic from Walnut and therefore should have a cross-section and pavement design to accommodate a larger share of trucks.

With the connection from Otto to Walnut shown in Figure 7-1 (Functional Classification) as a local road, it would apparently not include bicycle lanes and would apparently make the SE 1st/Walnut Street intersection ineligible for construction of a roundabout (since roundabouts are not typically supported on local streets).



The earlier drafts of the TSP update (including the May 2010 draft) showed the intersection of Walnut Street and SE 1st Ave being constructed as a roundabout when the connection to Otto Rd and OR 99E is established. The latest draft shows the intersection's traffic control as a 4-way stop rather than a roundabout (Figure 7-9 (page 7-32)).

It seems a roundabout would allow the industrial truck traffic entering or leaving Walnut Street to proceed without forcing a stop; thus improving traffic flow. However it has been apparently been changed in the current draft to a 4-way stop. If there is still the possibility that a roundabout is the recommended design for this intersection, it seems important to at least reserve the necessary right of way at the intersection location (even if a roundabout it not built at this time) since work will likely be done on SE 1st Ave in the relatively near future.

(Probably a typo or editing issue) Intersection #28 of Figure 7-11b is labeled as S Walnut & SE 1st Ave (**Roundabout**) even though it is shown as an "**all stop**."

Another instance that is also likely a typo or editing issue: Figure 7-2b (page 7-12) does not show Sequoia south of 4th (along side of Zion Cemetery) as a truck route. However Figures 7-2a & 2c (on pages 7-11 & 7-13) do show it as part of the designated truck route. I would hope it remains designated truck route. We are already seeing American Steel trucks using S. Haines Rd when they could stay on Sequoia (a designated truck route) all the way to 99E.

Thank you for this additional opportunity to comment. If you have any questions, please let me know.

Thank you for your consideration.

Roger

Roger Skoe 1853 N. Teakwood Circle Canby, OR 97013

e-mail: skoe@canby.com

Attachments: 3-18-10 Ltr MDeas.doc 05-28-2010 Ltr MDeas.doc

OREGON TRANSPORTATION COMMISSION

Minutes of the Regular Monthly Meeting June 23, 2009 Salem, Oregon

On Tuesday, June 23, 2009, at 9:00 a.m., the Oregon Transportation Commission and Oregon Department of Transportation staff held the regular monthly meeting in Conference Room 122 of the Transportation Building, 355 Capitol Street NE, Salem. Commission members participated by telephone.

Notice of this meeting was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meeting included:

Chair Gail Achterman
Commissioner Wilson
Commissioner David Lohman
Director Matt Garrett
Chief of Staff Joan Plank
Deputy Director for Highway Doug Tindall
Deputy Director Central Services Lorna Youngs
Trans. Development Administrator Jerri Bohard
Communications Div. Admin. Patrick Cooney

Public Transit Administrator Michael Ward Governor's Sr. Trans. Advisor Chris Warner Region 1 Manager Jason Tell Region 2 Manager Jane Lee Region 3 Manager Paul Mather Region 4 Manager Bob Bryant Technical Services Admin. Cathy Nelson Rail Division Administrator Kelly Taylor Commission Assistant Amy Merckling

Chair Achterman called the meeting to order at 9:00 a.m.

• • •

Public comments were received from:

--Terry Goforth requested the Commission's help to reopen access to the Fort Hill Restaurant Highway 18/22. Fort Hill Restaurant has been in business at this location for 28 years. Closing the access to this location has resulted in the lay-off of eight employees, and is a major traffic safety issue on many levels. People try to cross the highway on foot, bicyclists are trying to cross the median and falling, and people who have been coming to this location for years do not understand that there is no longer an access. They are crossing the two west bound lanes to come into the property, and once realizing there is no entrance, continue heading eastbound in the westbound lanes.

Ms. Goforth said ODOT District 3 Area Manager Tim Potter informed her that the access could be bought back. She questioned why the access was ever closed if it was of a nature that it could be bought back. She asked the Commission to remove the barrier without additional cost to the restaurant which has already suffered from the lack of access.

Ms. Goforth provided the Commission a list of 1400 signatures from people petitioning for re-opening the access for economic and safety reasons.

Chair Achterman said the commission is always concerned when issues arise on projects that are aimed at improving one situation, but sometimes have consequences on others. The Commission will ask Region 2 Manager Jane Lee to provide background information on the access issues associated with the business, and ODOT staff will work to address both the impacts to the business and the safety concerns raised.

--Kathy Thole voiced opposition to the Fort Hill expressway median, citing the loss to established and successful local businesses and the people who work there. She also noted the numerous safety issues involved. People attempt turns they have made for years, only to find no access and nowhere to go. She noted that the 2008-2011 STIP indicated a right-in, right-out access requirement.

Kathy Thole added her support to Terry Goforth and Fort Hill Restaurant's request, and asked the Commission to consider removing the access barrier.

• • •

The Commission considered approval of a request for three Small Urban Area Job Access and Reverse Commute (JARC) projects in the aggregate amount of \$716,572 for the 2009-2011 Discretionary Grant Program. (Background material in General Files, Salem)

Public Transit Senior Policy Analyst Dinah VanDerHyde stood in for Public Transit Administrator Michael Ward. She asked the Commission to consider approval of the 2009-2011 Small Urban Job Access and Reverse Commute (JARC) discretionary program recommendations. The program is federally funded to provide access to jobs for low income individuals, older adults, and people with disabilities. Requests were received from three small urban areas; the City of Bend, the City of Corvallis, and the Rogue Valley Transportation District.

Commissioner Lohman declared a possible conflict of interest as his firm does legal work for the Rogue Valley Transportation District.

Commissioner Wilson moved to approve the request for discretionary funds. The Commission unanimously approved the motion.

• • •

The Commission considered approval of a Type C Immediate Opportunity Fund (IOF) request in the amount of \$290,000 to assist the City of Canby with its transportation improvements. (Background material in General Files, Salem)

Region 1 Manager Jason Tell, Transportation Development Administrator Jerri Bohard, and Chad Freeman from the Oregon Economic and Community Development Department (OECDD) were present. Also in attendance to show their support for this effort were Clackamas County Business and Economic Development Manager Cindy Hagen, Canby Economic Development Manager Catherine Comer, Canby Public Works Director Dwayne Barnes, and Canby City Engineer Curt McLeod.

Catherine Comer said the addition of Walnut Street to the industrial park is critical for the economic development of Canby. Over the past four years, the city has demonstrated the success of investing in infrastructure for the industrial park by the creation of over 390 jobs; the latest being American Steel, which opened last October and currently has 74 employees. The addition of Walnut Street will open 63 additional acres for the industrial park development.

As this is the first application for a Type C IOF, the Commission asked for comments on how the process could be improved. Director Garrett responded that he was extremely comfortable with the level of partnership between ODOT and OECDD. He also thanked the City of Canby for its hard work, and for setting a high standard for future Type C applicants.

Jerri Bohard said the ODOT staff report shows the request in the amount of \$290,000. However, she noted that the report also recognized four issues that should be addressed when Canby updates its transportation plan.

- 1. Truck movement to and from the industrial park should be facilitated via Walnut Street to Sequoia Parkway rather than at South 1st Avenue and Sequoia Parkway.
- 2. Assessment of alternative truck routes and an enhanced street network to make certain that projected future overcapacity at Highway 99E and Sequoia Parkway does not significantly compromise the operation of the state highway facility.
- 3. The financially constrained project list in the TSP must address any needed transportation improvements to serve the industrial park within the time horizon of the TSP.
- 4. The TSP should consider methods to fund future improvements that address access and circulation to, from and within the industrial area, such as System Development Charges.

Chair Achterman noted that the staff report shows a current balance on Type C IOFs of \$2 million for the 2007-2009 biennium. She asked what is being done with OECDD to assure the funds are invested and the money put to work. Jerri Bohard responded that the funds allotted for Type C IOFs are nearly expended, but she will prepare a report for the next meeting on the remaining balance, if unused funds roll over to the next biennium, and what opportunities exist to obligate any remaining funds before the end of the month.

The Commission said that, from a policy standpoint, ODOT and OECDD staff should look at allocations between the various types of IOF funds to see where we are getting the biggest return in terms of jobs and economic development. If we are getting better returns and better

performance by partnering with local governments and communities like Canby, we might rethink the fund balances for IOF loan types.

Commissioner Lohman moved to approve the IOF loan with the provision that Canby address the four issues listed above when updating its transportation plan. The Commission unanimously approved the motion.

• • •

The Commission considered approval of a request for American Recovery and Reinvestment Act (ARRA) funds for a portion of the Pioneer Mountain – Eddyville project to be done by independent contract, rather than change order. The Commission also participated in a discussion to provided direction and guidance on expenditure of ARRA funds for staff to bring back a formal proposal in July for reallocating these funds. (*Background material in General Files, Salem*)

Deputy Director for Highways Doug Tindall said early estimates of bids coming in show ODOT will be under-spending what the Commission allocated by approximately \$15 million. ODOT requests OTC approval to contract for the remaining component of work on the Pioneer Mountain – Eddyville project because it feels the work can be done for less money than the existing (Contract Change Order) contractor has been willing to agree to. Deputy Director Tindall talked about different options for reallocation of the funds, and after discussion, the Commission said it preferred to use unspent funds to make overages on approved projects whole, and then to add scope to existing projects before considering new projects for funding.

Commissioner Wilson moved to approve the portion of the Pioneer Mountain – Eddyville project to be done by an independent contractor rather than a change order. The Commission unanimously approved the motion.

Commissioner Lohman moved that:

- 1) The director be authorized to use savings from existing approved ARRA projects to cover overages on other approved ARRA projects, within their existing scope.
- 2) Up to \$5 million of saved ARRA funds could be added to the scope of existing projects following the process described in Option 1 of the staff report:

Option 1 - Because the primary purpose of these funds is to create jobs this summer and because many of these already approved projects have the opportunity to create even more jobs this summer, work could be added to existing projects using the following process:

- 1. Any jurisdiction with savings from the original OTC allocation would prepare a request to add work to its approved project by July 15th.
- 2. The ODOT director would approve the added work based on the following criteria:
 - a. Completed this construction season.

- b. Located in economically distressed county.
- c. Consistent with the type of work already approved.
- 3) The director will report back to the Commission at the July meeting the balance of ARRA savings, and options for investment of those funds.

The Commission unanimously approved the motion.

• • •

The Commission considered approval of an extension to the target date for bid opening to the Oregon Parks and Recreation Department's American Recovery and Reinvestment Act projects. (*Background material in General Files, Salem*)

Doug Tindall and Oregon Parks and Recreation Department Assistant Director John Potter presented a request to extend the target date for bid opening from June 18, 2009, to July 15, 2009, to allow the Oregon Parks and Recreation Department (OPRD) adequate time to review these projects. John Potter explained that the projects to improve rest area restroom facilities at multiple locations in Eastern and Western Oregon were broken into separate projects rather than being consolidated into two large projects. As a result, more detail was required than originally anticipated and OPRD is requesting an extension of the bid opening date to July 15, 2009.

Commissioner Wilson moved to extend the target date from June 18, 2009, to July 15, 2009, for OPRD projects. The Commission unanimously approved the motion.

• • •

The Commission considered making a determination that, under the authority of Oregon Administrative Rule 731-070-0240, ODOT Solar Highway Projects – Innovative Partnerships have the potential to accelerate cost-effective delivery to promote innovative approaches to carrying out the projects. (Background material and PowerPoint presentation in General Files, Salem)

Doug Tindall asked approval to enroll solar highway projects in the Oregon Innovative Partnerships Program. This is important to open up opportunities for procurement in negotiation with the private sector and allows exploration of different methods of contracting for future solar highway projects. The Commission will approve each project before entering into a contract. ODOT believes solar highway projects are a benefit both to the department, and to reducing greenhouse gases and promoting green energy. Enrollment will mean that future solar highway projects qualify for special procurement and contracting provisions.

Oregon Solar Highway Project Manager Allison Hamilton talked about the *World's Largest Solar Highway Project*, 45 acres of ODOT land that might be used to place three megawatts of solar panels. At three megawatts, this would be the world's largest solar highway project, and would put about 150 people to work. ODOT is in the early stages of engaging the community and Portland General Electric in discussions.

Commissioner Wilson moved to approve enrolling the solar highway program into the Oregon Innovative Partnerships Program. The Commission unanimously approved the motion.

• • •

The Commission received a presentation about the rejection/award process for projects that are bid at 10% over the engineer's estimate. A discussion followed on bid awards that exceed the engineer's estimate. The Commission considered adoption of staff recommendations to award bids for two projects: the Region 2 signal replacement; and the Oregon 6: Wilson River – U.S. 26 – Highway 47 project.

Doug Tindall explained that currently the department can approve the award of construction projects that are less than 10% over the engineer's estimate. Projects that come in 10% over the engineer's estimate go to the Commission for approval, along with staff recommendations. Two projects have come in 10% over the engineer's estimate in the last month that must be acted upon within 30 days.

The Region 2 Signal Replacement project was bid at .36% over the 10% threshold. Staff recommends approving this project primarily because it is unlikely that a better price would be obtained by re-bidding.

In the case of the Oregon 6/Wilson River – US 26/Highway 47 project, the bid was 15.9% over the 10% threshold. The department believes there may be better prices available by rebidding and is recommending rejecting the bid.

Commissioner Lohman moved to approve staff recommendations to approve the Region 2 Signal Replacement contract and reject the Oregon 6/Wilson River project. The Commission unanimously approved the motion.

Commissioner Wilson indicated she does not support delegation in these instances. Overbids are a sensitive issue, and Commission approval shows the public there are double-checks in place. For future discussion on this issue, Commissioner Wilson suggested ODOT staff first talk to each commissioner separately to see what questions and issues they have individually. Then, staff should present a number of different options and a rational for their recommendations, including the pros and cons of each option. Within this should be a report on what else has been delegated to other authorities in financial realms within ODOT.

Deputy Director Tindall said Joan Plank is currently preparing a complete list of delegations, and a discussion on the Commission's oversight responsibility is planned for the upcoming workshop.

• • •

The Commission considered approval of the Consent Calendar.

- 1. Approve the minutes of the May 20, 2009, meeting in Salem.
- 2. Confirm the next two commission meeting dates.
 - Thursday, July 23, 2009, in Forest Grove
 - Tuesday and Wednesday, August 18-19, 2009, in Klamath Falls
- 3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
- 4. Approve the following Oregon Administrative Rules (OAR) action:
 - i) Amendment of 734-062-0005 through 0040 and repeal of 734-062-00025, 0045 and 0050 relating to signs identifying cultural and historical features.
 - ii) Amendment of 735-060-0040 through 0130 and 735-062-0080 relating to CDL third party testing.
 - iii) Amendment of 735-064-0020 and 0040 relating to availability and requirements for hardship or probationary permit.
- 5. Approve a request to increase the American and Recovery Reinvestment Act (ARRA) funds for the U.S. 20: Bulger Creek Riley Junction in Region 5. Funding will come from savings on three other Region 5 ARRA projects.
- 6. Approve an increase in construction authorization in the amount of \$778,621 for the Interstate 84: Cascade Locks 2nd Street in Hood River. This will change the construction authorization from \$11,829,612 to \$12,608,234.
- 7. Approve a request to modify the *Connect*Oregon II Lakeview Branch Improvement project by removing Modoc Northern Railroad and replacing with Lake County as the primary applicant, and Lake County's new rail operator as the co-applicant.
- 8. Approve a request to amend the 2008-2011 Statewide Transportation Improvement Program to add the U.S. 101Business: Lewis and Clark River Bridge in Astoria. The project will be funded with savings from the Interstate 205: Glenn Jackson and George Abernethy Bridge project in Region 1. The total estimated project cost for the new project is \$3,000,000.
- 9. Approve a request to amend the 2008-2011 Statewide Transportation Improvement Program to add the U.S. 30: Milepost 46.5 slide repair project in Region 1. The total estimated project cost for the new project is \$200,000.
- 10. Approve a request to amend the 2008-2011 Statewide Transportation Improvement Program to add two Region 2 Electrical Improvement projects. Funding for these projects will be savings from a recently cancelled project in Region 2.
- 11. Approve a request to delegate authority to the Office of Innovative Partnerships to approve agreements as specified by Oregon Administrative Rule for entities requesting access to state price agreements for the Electric Vehicle Charging Network project.
- 12. Consider the adoption of the proposed amendments to the Public Involvement Policy.

Commissioner Wilson moved to approve the Consent Calendar. The Commission unanimously approved the motion.

• • •

Public comments continued. None

Chair Achterman adjourned the meeting at 11:05 AM.

Gail Achterman, Chair

Not in attendance

Michael Nelson, Vice Chair

Unavailable for signature

Janice Wilson, Member

Not in attendance

Alan Brown, Member

David Lohman, Member

Roxanne Van Hess, Commission Support



APPLICANT:

AAI Engineering, Inc. 4875 SW Griffith Drive, Ste. 300 Beaverton, OR 97005

OWNER:

Zimmer Family Ltd Partnership 489 N. Holly Street Canby, OR 97013

LEGAL DESCRIPTION:

Clackamas County Assessor Map and Tax Lot Number 31E34-00100

LOCATION:

Southeast of the intersection of S.E. 1st Avenue and S.E. Walnut Street

COMP. PLAN DESIGNATION:

Light Industrial (LI)

FILE NO:

MLP 08-05

STAFF:

Melissa Hardy Associate Planner

DATE OF REPORT:

January 05, 2008

DATE OF HEARING:

January 12, 2009

ZONING DESIGNATION:

Light Industrial (M-1), and Canby Industrial Area Overlay (I-O)

I. APPLICANT'S REQUEST:

The applicant is proposing to partition approximately 23.4 acres of land into 3 parcels ranging in size from 96,893 to 714,194 square feet. The applicant is also requesting that Planning Commission grant the following concurrent variances and access spacing exception:

- The applicant is requesting approval of a concurrent variance from CMC 16.35.050.G in
 order that S.E. Walnut Street be dedicated and built as a 32 foot wide local in a 40 foot rightof-way as proposed, instead of to the code requirement of a 28 foot wide Local street in a 52
 foot right-of-way.
- The applicant is requesting approval of a concurrent variance from CMC 16.64.020.B in order that the maximum 600 foot block length regulation be waived so that the applicant does not have to build any new street extensions from S.E. 1st or S.E. Walnut.
- The applicant is requesting approval of a concurrent variance from CMC 16.64.030.C in order that the requirement for a pedestrian way through the middle of any block over 600 feet be waived.

 The applicant is requesting approval of a concurrent Access Spacing Exception to waive the CMC 16.35.050.F minimum 200-foot access spacing standard for a Collector street, in order to allow two vehicular accesses onto S.E. 1st Avenue that do not meet the minimum spacing standard.

II. APPLICABLE REGULATIONS:

Canby Municipal Code (CMC) Title 16:

- 16.08 General Provisions
- 16.32 Light Industrial Zone
- 16.35 Canby Industrial Area Overlay Zone
- 16.46 Access Limitations
- 16.56 General Provisions
- 16.60 Major or Minor Partitions
- 16.64 Subdivisions Design Standards
- 16.89 Application and Review Procedures
- 16.120 General Provision

III. SUMMARY OF PROPOSAL:

<u>Development</u> – The applicant is proposing to partition approximately 23.4 acres of land into 3 parcels ranging in size from 96,893 to 714,194 square feet.

Location and Existing Conditions – The subject property is located southeast of the intersection of S.E. 1st Avenue and S.E. Walnut Street (*see Exhibit A – Vicinity Map*). The property is zoned Light Industrial (M-1) and is located in the Canby Industrial Area Overlay (I-O) zone (*see Exhibit B – Zoning*). There are three public streets which front the subject property. S. Walnut Street abutting the property is a city street under the jurisdiction of the City of Canby. S.E. 1st Avenue abutting the property is a county road under the jurisdiction of Clackamas County. S. Mulino Road abutting the property is a county road under the jurisdiction of Clackamas County.

There do not appear to be any mapped flood hazard areas on the subject property according to Federal Emergency Management Agency (FEMA) flood insurance rate maps. The property is currently used for agricultural purposes. There is one existing structure, a barn, located on the property. Vegetation on the edges of the property consists of grasses. There are no steep slopes on the property. ($see\ Exhibit\ D-Site\ Photos$)

<u>Land Use Permit Requirement</u> – Before a partition plat may be recorded in County records, a tentative partition plan must be approved by the Planning Commission. The applicant's tentative partition plan is attached (*see Exhibit E – Applicant's Tentative Plan*).

IV. TENTATIVE PARTITION ANALYSIS:

CMC Section 16.60.040 sets forth the approval criteria which the Planning Commission must use to judge whether or not a Tentative Minor Partition application shall be approved or denied. The

In the Canby Industrial Area Overlay zone there is no minimum lot size requirement. There is no minimum lot width or lot frontage requirement. There is one existing structure on the subject property which is required to meet the minimum required setback of 10 feet from any interior property line (property line not abutting a street). Therefore, approval of the proposed partition must be conditioned upon the subdivider either removing the barn prior to final plat approval -or- providing proof that the barn meets the 10 foot setback requirement by submitting an as-built survey to the City prior to final plat approval.

Street right-of-way improvements must be made in accordance with the circulation plan and streetscape/street section standards of the Industrial Area Master Plan. There is one street abutting the property which is under the City's jurisdiction, and is thus subject to this requirement: S. Walnut Street. The applicant is requesting a variance from the required street standards as follows: The applicant has proposed that S. Walnut Street be dedicated and built as a 32 foot wide local in a 40 foot right-of-way, instead of as a 28 foot wide Local street in a 52 foot right-of-way. This variance request, and staff's recommendation that Planning Commission deny the request, is discussed in greater detail on page 10 in the Section titled "Major Variance Analysis".

Minimum vehicular access spacing onto streets designated as parkways or collectors is 200 feet. S.E. 1st Avenue is designated as a Collector Street by Clackamas County. The partition proposal includes two vehicular accesses onto S.E. 1st Avenue, neither of which meet the minimum 200 foot access spacing standard. It should be noted here as well that the two proposed vehicular accesses also fail to meet the County's 150 foot access spacing standard. The proposed westerly vehicle access onto S.E. 1st is approximately 30 feet from the nearest existing vehicle access, a residential driveway on the north side of the road. The proposed easterly vehicle access onto S.E. 1st is approximately 45 feet from the nearest existing vehicle access, a residential driveway on the north side of the road. The applicant is requesting an exception to the City's minimum access spacing requirements for both of the proposed driveways per CMC 16.46.070. Staff is recommending that Planning Commission deny the exception request, as discussed in greater detail below in the discussion on vehicle "Access Limitations".

Analysis - MEETS all requirements of CMC Chapter 16.35 with conditions of approval.

Access Limitations (CMC Chapter 16.46) – As proposed, and with conditions of approval, the subdivision meets CMC Chapter 16.46 standards as follows.

The minimum 150-foot vehicular access spacing standard for a Collector street in Chapter 16.46 is superseded by the 200-foot minimum vehicular access spacing standard set forth in the I-O overlay zone for a Collector street in Chapter 16.35. S.E. 1st Avenue abutting the subject property is designated as a Collector street in the Canby Transportation System Plan. S.E. 1st Avenue is also designated as a Collector Street by Clackamas County. The applicant is requesting an exception to the City's minimum 200-foot access spacing requirement applicable to S.E. 1st Avenue, and has proposed two vehicle accessways onto S.E. 1st Avenue. The westerly proposed access onto S.E. 1st is approximately 30 feet from the nearest existing vehicle access, a residential driveway on the nearest existing vehicle access, a residential driveway on the nearest existing vehicle access, a residential driveway on the north side of the road. The Planning

Commission may grant an Access Spacing Exception only if the applicant provides proof that the following approval criteria set forth in CMC 16.46.070 are met:

- A. An exception may be allowed from the access spacing standards on City facilities if the applicant can provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:
- 1. Indirect or restricted access cannot be obtained;
- 2. No engineering or construction solutions can be reasonably applied to mitigate the condition; and
- 3. No alternative access is available from a street with a lower functional classification than the primary roadway.

Staff Comments - The exception request fails to meet this first approval criteria because alternative access can be provided to all of the proposed parcels from S. Walnut Street through the provision of access easements. Therefore, even for Parcel 2, which does not have direct frontage on S.E. Walnut Street, indirect access to Walnut can be provided through an access easement. This is a reasonable engineering solution that can be reasonably applied to mitigate the condition. Staff recommends that Planning Commission deny the exception request and require that all vehicle access for the proposed parcels be taken from S. Walnut Street.

B. The granting of the exception shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored.

Staff Comments – The exception request fails to meet this 2nd approval criteria because restricting vehicle access to S. Walnut Street is a feasible option for meeting the access standards. Prohibiting vehicle access onto S.E. 1st Avenue is in harmony with the purpose and intent of these regulations, which is to preserve mobility on Collector streets, particularly in an industrial park area.

C. No exception shall be granted where such hardship is self-created.

Staff Comments – There is no evidence that requiring all vehicle access be provided from S. Walnut Street creates any hardship for the applicant.

D. Reasons for denying access spacing exception applications include, but are not limited to, traffic safety concerns, expected or planned traffic increases due to development or road construction, and emergency service provision issues.

Staff Comments – The City Engineer has commented that "we also recommend no driveway access be allowed to SE 1st Avenue for this industrial development." The County Engineer has commented that "Clackamas County will not be able to approve an access to First Avenue for a newly created parcel that could have, and is already proposed to have, alternative access to a local street. The proposed access to First Avenue, a County collector, for parcels one and two, will not be permitted since Walnut Street, a local, is available to provide multiple access points."

Therefore, based on the above recommended findings, staff recommends that Planning Commission deny the Access Spacing Exception request, and condition approval of the partition upon prohibiting vehicle access onto S.E. 1st Avenue, and requiring that all parcels take vehicle access from S. Walnut Street.

Analysis - MEETS all requirements of CMC Chapter 16.46 with conditions of approval.

General Provisions (Land Division Regulation) (CMC Chapter 16.56) – The proposed partition must be approved by the Planning Commission before a partition plat may be recorded in County

The Planning Commission is the decision making body for both tentative partition approval and for major variance approval. The Planning Commission reviews both of these applications through a Type III process, which requires that a public hearing be held before the Planning Commission makes its decision to approve, approve with conditions, or deny the applications. The public hearing for each of these applications may be held concurrently. CMC 16.89.050 provides that a pre-application meeting and a neighborhood meeting may be required by the Planning Director prior to submittal of a Type III land use application. A pre-application meeting was held with the applicant. Due to the nature of the application and the location of the subject property in a predominantly industrial area, it was determined that a neighborhood meeting was not required of the applicant. Public notice in conformance with CMC 16.89.050 was provided for the public hearing.

Analysis – MEETS all requirements of CMC Chapter 16.89.

General Provision (CMC Chapter 16.120) – While CMC 16.120.020.A.1.a requires that parkland dedication or payment of the in-lieu system development charge be required as a condition of approval of a tentative partition plat, this section of the code text has been interpreted as a scrivener's error, and parkland dedication or payment of the in-lieu system development charge is actually not required at the time that a lot or parcel is created, but rather when the lot or parcel is developed. Therefore, this code provision is not applicable to the proposed partition of the property.

Analysis - Requirements of CMC Chapter 16.120 are NOT APPLICABLE.

Conditions of Approval required to meet approval criteriaB:

- Subdivider shall complete all public street improvements on S. Walnut Street abutting the subject property; all right-of-way dedication and street improvements, including street sections, sidewalks, curbs, and planter strip landscaping, shall comply at a minimum with the streetscape/street section standards of the Industrial Area Master Plan as set forth in CMC 16.35.050.G. In the event that the applicable minimum streetscape/street section standards of the Industrial Area Master Plan fail to meet the minimum engineering requirements of the City Engineer, the street shall be improved to meet the engineering requirements of the City Engineer. The subdivider shall provide written documentation that all right-of-way dedications and street improvements within the City road right-of-way have been completed or bonded for to the satisfaction of the City Engineer. (condition #1)
- Subdivider shall complete all public street improvements on S.E. 1st Avenue and S. Mulino Road abutting the subject property; all right-of-way dedication and street improvements, including street sections, sidewalks, curbs, and planter strip landscaping, shall comply at a minimum with the requirements of Clackamas County, and shall meet the minimum engineering requirements of the County Engineer. The subdivider shall provide written documentation that all right-of-way dedications and street improvements within the County road right-of-ways have been completed or bonded for, to the satisfaction of the County Engineer. (condition #2)
- Vehicular access to all lots shall be provided from S. Walnut Street. Vehicular accessways onto S.E. 1st Avenue shall be prohibited. The Partition plat shall be amended to provide a minimum 20-foot-wide vehicular access and maintenance easement from S. Walnut Street to the parcel identified as Parcel 2 on the applicant's tentative subdivision plan (Exhibit E of the Planning Commission staff report). (condition #3)

- Subdivider shall either remove the existing barn from the property prior to final plat approval
 -OR- shall submit an as-built survey, prepared and stamped by a licensed surveyor,
 demonstrating that the existing barn meets the minimum 10-foot setback requirement.
 (condition #4)
- Subdivider shall extend all utilities to Mulino Road. The subdivider shall provide written
 documentation that this condition has been met to the satisfaction of the City Engineer.
 (condition #5)
- Subdivider shall provide a 10 foot horizontal separation between the water and sanitary sewer lines. The subdivider shall provide written documentation that this condition has been met to the satisfaction of the City Engineer. (condition #6)
- All utility improvements shall be constructed in accordance with the requirements of the Public Works Department and Clackamas County as applicable. The subdivider shall provide written documentation that this condition has been met to the satisfaction of the City Engineer and the County Engineer. (condition #7)
- C. The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties. Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria C based on the following:

As detailed in the discussion of Criteria B, the partition as proposed and with conditions of approval, appears to provide an overall design and arrangement of lots that is functional and that adequately provides for building sites and access facilities. Utility easements are reviewed by the various applicable utility providers prior to final plat approval to ensure that they meet the needs of the utility providers. Notice of the tentative partition was sent to all utility providers, and Canby Telcom responded with no concerns (see Exhibit G – Service Provider Comments). There is no evidence the proposed partition of this property will unduly hinder the use or development of adjacent properties.

D. No minor partitioning shall be allowed where the sole means of access is by private road, unless it is found that adequate assurance has been provided for year-round maintenance sufficient to allow for unhindered use by emergency vehicles, and unless it is found that the construction of a street to city standards is not necessary to insure safe and efficient access to the parcels. Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria D based on the following:

All parcels created by the proposed partition have access, either direct or indirect, to a public street.

E. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division. Staff recommends Planning Commission find that the application, as proposed and with conditions of approval, is in compliance with Criteria E based on the following:

December 1, 2008

CURRAN-MCLEOD, INC. CONSULTING ENGINEERS 6655 S W HAMPTON STREET, SUITE 210 PORTLAND, OREGON 97223

MEMORANDUM

TO:

Ms. Melissa Hardy

FROM:

Hassan Ibrahim, PE

RE:

CITY OF CANBY

ZIMMER PROPERTY (TL 100)

APPLICATION REVIEW (MLP 08-05) REVISED

We have reviewed the November 2008 'Traffic Impact Study' submitted by Lancaster Engineering and modified our review comments to reflect the contents stated in the report. The following comments should be addressed in the final design:

SE 1st Avenue:

- This roadway section is under the jurisdiction of Clackamas County, so unless the City transfers jurisdiction, all of our construction section review comments are deferred to the requirements of the County.
- 2. Regarding the traffic study, we have several concerns with assumptions made during the analysis. First, the design speed in the study was 55 mph through this reach of residential development on the north side and industrial development in the south side. This in-turn requires extensive stopping site distance. We do not anticipate retaining the 55 mph design speed after development, and recommend the City pursue the tasks required to reduce the design speed to 25 or 35 mph.
- Our vision for the industrial park is to internalize all industrial traffic and avoid conflict with the adjoining residential areas. We think this can be achieved by creating an efficient route from Walnut Street to Sequoia Parkway and ultimately to Highway 99E. Accordingly, although it is the County's jurisdiction, we also recommend no driveway access be allowed to SE 1st Avenue for this industrial development. With an internalized traffic pattern, we also would anticipate the distribution of traffic to be substantially different than quantified in the Traffic Study.

Walnut Street:

The Master Plan calls for a 28-foot paved surface, 52-foot right-of-way width and 12 foot
utility easements on Walnut Street. The developer's proposed street improvements of 40foot right-of-way width and a paved street surface of 32 feet is acceptable as earlier

C. HAT Projects Camby, 1009 Gen Eng. Zimmer Property TI, 100 Application Revised Review, upd

PHONE: (503) 684-3478

E-MAIL: cmi@curran-mcleod.com

FAX: (503) 624-8247

Ms. Melissa Hardy December 1, 2008 Page 2

negotiated. For the purpose of street, sidewalk and storm drainage construction the proposed 12 foot utility easement may be adequate, however, this will only leave only 4 feet behind the sidewalk construction for franchise utilities. As discussed earlier with the developer, we recommend the City require a 16 foot PUE easement.

- CMC 16.64.020.B block length pertains to subdivision development. Industrial zone lot areas
 vary in size for different use. This requirement is not discussed in CMC Chapter16.35
 "Canby Industrial Area Overlay (I-O) Zone". We have no concerns with approving this
 variance request.
- CMC 16.64.030.C relates to subdivision development block length for pedestrian way. This
 requirement is not discussed in CMC Chapter 16.35 "Canby Industrial Area Overlay (I-O)
 Zone". We have no concerns with approving the applicants variance request.
- 4. The applicant needs to account for the horizontal conflicts along the frontage of the Cemetery Property (TL 200) in the proposed street alignment. The alignment should address the existing trees and the proximity of the existing graves to the proposed improvements. The alignment was anticipated to shift easterly to account for this conflict.
- With the narrow roadway width, access driveways along Walnut Street should be commercial
 type with large radius curb returns to account for truck traffic. Public sidewalks should
 extend across the driveways.
- 6. The 'Traffic Impact Study' submitted by Lancaster Engineering recommends the driveway access on Walnut Street (Local Street) should be aligned with the access to Lewelling property TL 300 to meet the City access spacing requirements. The City Transportation System Plan does not impose any access spacing limitations on local streets nor have we seen any requirement to align driveways or meet spacing requirements across the streets. We do not find any justification for this recommendation and think it will be very difficult to accommodate.
- 7. The curb return radii at SE 1ST Ave (collector street) intersection with Walnut Street (local street) should be 40-foot to allow for AASHTO WB-67 vehicle turning movements. The property line should be concentric with this return. To accommodate large truck traffic, we recommend that each leg of the intersection at SE 1st Avenue and Walnut Street be widened to 50 feet for a minimum distance of 100 feet on each leg, and that each leg have a turn lane primarily to accommodate the large truck movements as opposed to the volume of turning movements.

C:-HAI-Projects/Camby/1009 Gen Eng Zimmer Property TL 100 Application Revised Review wind

Ms. Melissa Hardy December 1, 2008 Page 3

Mulino Road:

All utilities will need to be extended to Mulino Rd.

General Review:

- A 10 foot horizontal separation should be provided between the water and sanitary sewer lines.
- We would recommend the City incorporate a requirement for the developer to construct all utility improvements in accordance with the requirements of the Public Works Department and Clackamas County as applicable. This will allow the City to review the final design and require modifications if needed after a more detailed design is available.

cc: Mr. Dwayne Barnes, City of Canby
Mr. Robert Hixson, Clackamas County DTD

C. HAll-Projects Cariby 1009 Gen Eng Zimmer Property TL 100 Application Revised Review wpd



APPLICANT:

AAI Engineering, Inc. 4875 SW Griffith Drive, Ste. 300 Beaverton, OR 97005

OWNER:

Kathryn Lewelling P.O. Box 156 Canby, OR 97013

LEGAL DESCRIPTION:

Parcel II of Partition Plat No. 1990-67; Also identified by Clackamas County Assessor Map and Tax Lot Number 31E34-00300

LOCATION:

Southwest of the intersection of S.E. 1st Avenue and S.E. Walnut Street

COMP. PLAN DESIGNATION:

Light Industrial (LI)

FILE NO.:

SUB 08-03

STAFF:

Melissa Hardy Associate Planner

DATE OF REPORT:

December 31, 2008

DATE OF HEARING:

January 12, 2009

ZONING DESIGNATION:

Light Industrial (M-1), and Canby Industrial Area Overlay (I-O)

I. APPLICANT'S REQUEST:

The applicant is proposing to subdivide approximately 20.21 acres of land into 7 lots ranging in size from 79,553 to 175,278 square feet. The applicant is also requesting that Planning Commission grant the following concurrent variances and access spacing exception:

- The applicant is requesting approval of a concurrent variance from CMC 16.35.050.G in order that S.E. 1st Avenue be dedicated and built as a 44 foot wide collector in a 60 foot right-of-way as proposed, instead of to the code requirement of a 50 foot wide 3-Lane Collector with a continuous turn lane in a 72 foot right-of-way; and that S.E. Walnut Street be dedicated and built as a 32 foot wide local in a 40 foot right-of-way as proposed, instead of to the code requirement of a 28 foot wide Local street in a 52 foot right-of-way.
- The applicant is requesting approval of a concurrent variance from CMC 16.64.020.B in order that the maximum 600 foot block length regulation be waived so that the applicant does not have to build any new street extensions from S.E. 1st or S.E. Walnut.

- The applicant is requesting approval of a concurrent variance from CMC 16.64.030.C in order that the requirement for a pedestrian way through the middle of any block over 600 feet be waived.
- The applicant is requesting approval of a concurrent Access Spacing Exception to waive the CMC 16.35.050.F minimum 200-foot access spacing standard for a Collector street, in order to allow two vehicular accesses onto S.E. 1st Avenue that do not meet the minimum spacing standard.

II. APPLICABLE REGULATIONS:

Canby Municipal Code (CMC) Title 16:

- 16.08 General Provisions
- 16.32 Light Industrial Zone
- 16.35 Canby Industrial Area Overlay Zone
- 16.46 Access Limitations
- 16.56 General Provisions
- 16.62 Subdivisions Applications
- 16.64 Subdivisions Design Standards
- 16.89 Application and Review Procedures
- 16.120 General Provision

III. SUMMARY OF PROPOSAL:

<u>Development</u> – The applicant is proposing to subdivide approximately 20.21 acres of land into 7 lots ranging in size from 79,553 to 175,278 square feet.

<u>Location and Existing Conditions</u> – The subject property is located southwest of the intersection of S.E. 1st Avenue and S.E. Walnut Street (*see Exhibit A – Vicinity Map*). The property is zoned Light Industrial (M-1) and is located in the Canby Industrial Area Overlay (I-O) zone (*see Exhibit B – Zoning*).

There do not appear to be any mapped flood hazard areas on the subject property according to Federal Emergency Management Agency (FEMA) flood insurance rate maps. The property is currently used for agricultural purposes. Vegetation on the edges of the property consists of grasses. There are no steep slopes on the property. (see Exhibit D – Site Photos)

<u>Land Use Permit Requirement</u> – Before a subdivision plat may be recorded in County records, a tentative subdivision plan must be approved by the Planning Commission. The applicant's tentative subdivision plan is attached (see Exhibit E – Applicant's Tentative Plan).

IV. TENTATIVE SUBDIVISION ANALYSIS:

CMC Section 16.62.020 sets forth the approval criteria which the Planning Commission must use to judge whether or not a Tentative Subdivision application shall be approved or denied. The Planning Commission shall evaluate an application for a subdivision based on the following criteria:

subject property; therefore the creation of new lot lines does not create any conflict with minimum setback requirements.

Street right-of-way improvements must be made in accordance with the circulation plan and streetscape/street section standards of the Industrial Area Master Plan. The applicant is requesting a variance from the required street standards as follows: The applicant has proposed that S.E. 1st Avenue be dedicated and built as a 44 foot wide collector in a 60 foot right-of-way, instead of as a 50 foot wide 3-Lane Collector with a continuous turn lane in a 72 foot right-of-way. The applicant has also proposed that S.E. Walnut Street be dedicated and built as a 32 foot wide local in a 40 foot right-of-way, instead of as a 28 foot wide Local street in a 52 foot right-of-way. These variance requests, and staff's recommendation that Planning Commission deny these requests, are discussed in greater detail on page 9 in the Section titled "Major Variance Analysis".

Minimum vehicular access spacing onto streets designated as parkways or collectors is 200 feet. S.E. 1st Avenue is a designated collector street in the Canby Transportation System Plan (TSP). The subdivision proposal includes two vehicular accesses onto S.E. 1st Avenue, neither of which meet the minimum 200 foot access spacing standard. The proposed westerly vehicle access onto S.E. 1st is approximately 190 feet from the nearest existing vehicle access, a residential driveway on the north side of the road. The proposed easterly vehicle access onto S.E. 1st is approximately 35 feet from the nearest existing vehicle access, a residential driveway on the north side of the road. The applicant is requesting an exception to the City's minimum access spacing requirements for both of the proposed driveways per CMC 16.46.070. Staff is recommending that Planning Commission deny the exception request, as discussed in greater detail below in the discussion on vehicle "Access Limitations".

Analysis - MEETS all requirements of CMC Chapter 16.35 with conditions of approval.

Access Limitations (CMC Chapter 16.46) – As proposed, and with conditions of approval, the subdivision meets CMC Chapter 16.46 standards as follows.

The minimum 150-foot vehicular access spacing standard for a Collector street in Chapter 16.46 is superseded by the 200-foot minimum vehicular access spacing standard set forth in the I-O overlay zone for a Collector street in Chapter 16.35. S.E. 1st Avenue abutting the subject property is designated as a Collector street in the Canby Transportation System Plan. The applicant is requesting an exception to the City's minimum 200-foot access spacing requirement applicable to S.E. 1st Avenue, and has proposed two vehicle accessways onto S.E. 1st Avenue. The westerly proposed access onto S.E. 1st is approximately 190 feet from the nearest existing vehicle access, a residential driveway on the north side of the road. The easterly proposed access onto S.E. 1st is approximately 35 feet from the nearest existing vehicle access, a residential driveway on the north side of the road. The Planning Commission may grant an Access Spacing Exception only if the applicant provides proof that the following approval criteria set forth in CMC 16.46.070 are met:

- A. An exception may be allowed from the access spacing standards on City facilities if the applicant can provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:
- Indirect or restricted access cannot be obtained;
- No engineering or construction solutions can be reasonably applied to mitigate the condition;

3. No alternative access is available from a street with a lower functional classification than the primary roadway.

Staff Comments - The exception request fails to meet this first approval criteria because alternative access can be provided to all of the proposed lots from S.E. Walnut Street through the provision of access easements. Therefore, even for the lots which do not have direct frontage on S.E. Walnut Street, indirect access to Walnut can be provided through access easements. This is a reasonable engineering solution that can be reasonably applied to mitigate the condition. Staff recommends that Planning Commission deny the exception request and require that all vehicle access for the proposed lots be taken from S.E. Walnut Street.

B. The granting of the exception shall be in harmony with the purpose and intent of these, regulations and shall not be considered until every feasible option for meeting access standards is

explored.

Staff Comments – The exception request fails to meet this 2nd approval criteria because restricting vehicle access to S.E. Walnut Street is a feasible option for meeting the access standards. Prohibiting vehicle access onto S.E. 1st Avenue is in harmony with the purpose and intent of these regulations, which is to preserve mobility on Collector streets, particularly in an industrial park area.

C. No exception shall be granted where such hardship is self-created.

Staff Comments – There is no evidence that requiring all vehicle access be provided from S.E. Walnut Street creates any hardship for the applicant.

D. Reasons for denying access spacing exception applications include, but are not limited to, traffic safety concerns, expected or planned traffic increases due to development or road construction, and emergency service provision issues.

Staff Comments – The City Engineer has commented that "It is our recommendation to deny any driveway access on SE 1st Ave as stated above in item 1."

Therefore, based on the above recommended findings, staff recommends that Planning Commission deny the Access Spacing Exception request, and condition approval of the subdivision upon prohibiting vehicle access onto S.E. 1st Avenue, and requiring that all lots take vehicle access from S.E. Walnut Street.

Analysis - MEETS all requirements of CMC Chapter 16.46 with conditions of approval.

General Provisions (Land Division Regulation) (CMC Chapter 16.56) – The proposed subdivision must be approved by the Planning Commission before a subdivision plat may be recorded in County records. The applicant has applied for tentative subdivision plan approval in conformance with Chapter 16.56 application requirements.

Analysis - MEETS all requirements of CMC Chapter 16.56.

<u>Subdivisions – Applications</u> (CMC Chapter 16.62) – Chapter 16.62 sets forth the criteria that a tentative subdivision plan must meet in order to be approved. The subdivision application, as proposed and with conditions of approval, meets all of the approval criteria as detailed in this staff report.

Analysis - MEETS all requirements of CMC Chapter 16.62.

<u>Subdivisions – Design Standards</u> (CMC Chapter 16.64) – As proposed, and with conditions of approval, the subdivision meets CMC Chapter 16.64 standards as follows.

The Planning Commission is the decision making body for both tentative subdivision approval and for major variance approval. The Planning Commission reviews both of these applications through a Type III process, which requires that a public hearing be held before the Planning Commission makes its decision to approve, approve with conditions, or deny the applications. The public hearing for each of these applications may be held concurrently. CMC 16.89.050 provides that a pre-application meeting and a neighborhood meeting may be required by the Planning Director prior to submittal of a Type III land use application. A pre-application meeting was held with the applicant. Due to the nature of the application and the location of the subject property in a predominantly industrial area, it was determined that a neighborhood meeting was not required of the applicant. Public notice in conformance with CMC 16.89.050 was provided for the public hearing.

Analysis – MEETS all requirements of CMC Chapter 16.89.

General Provision (CMC Chapter 16.120) — While CMC 16.120.020.A.1.a requires that parkland dedication or payment of the in-lieu system development charge be required as a condition of approval of a tentative subdivision plat, this section of the code text has been interpreted as a scrivener's error, and parkland dedication or payment of the in-lieu system development charge is actually not required at the time that a lot or parcel is created, but rather when the lot or parcel is developed. Therefore, this code provision is not applicable to the proposed subdivision of the property.

Analysis – Requirements of CMC Chapter 16.120 are NOT APPLICABLE.

Conditions of Approval required to meet approval criteriaB:

- Subdivider shall complete all public street improvements on S.E. 1st Avenue and S.E. Walnut Street abutting the subject property; all right-of-way dedication and street improvements, including street sections, sidewalks, curbs, and planter strip landscaping, shall comply at a minimum with the streetscape/street section standards of the Industrial Area Master Plan as set forth in CMC 16.35.050.G. In the event that the applicable minimum streetscape/street section standards of the Industrial Area Master Plan fail to meet the minimum engineering requirements of the applicable County Engineer or City Engineer, the streets shall be improved to meet the engineering requirements of the County Engineer and/or City Engineer. The subdivider shall provide written documentation that all right-of-way dedications and street improvements within the County Engineer. The subdivider shall provide written documentation that all right-of-way have been completed or bonded for, to the satisfaction of the County Engineer. The subdivider shall provide written documentation that all right-of-way dedications and street improvements within the City road right-of-way have been completed or bonded for to the satisfaction of the City Engineer. (condition #1)
- Vehicular access to all lots shall be provided from S.E. Walnut Street. Vehicular accessways onto S.E. 1st Avenue shall be prohibited. Subdivision plat shall be amended to provide additional minimum 20-foot-wide vehicular access and maintenance easements from S.E. Walnut Street to the lots identified as lot 1 and lot 7 on the applicant's tentative subdivision plan (Exhibit E of the Planning Commission staff report). (condition #2)
- For the 15 foot on-site sanitary sewer easement, all weather access must be provided unless
 the collection line is private. The subdivider shall provide written documentation that this
 condition has been met to the satisfaction of the City Engineer. (condition #3)

Canby Utility Electric:

No comments provided.

Conditions of Approval required to meet approval criteria D:

- Subdivider shall complete all public street improvements on S.E. 1st Avenue and S.E. Walnut Street abutting the subject property; all right-of-way dedication and street improvements, including street sections, sidewalks, curbs, and planter strip landscaping, shall comply at a minimum with the streetscape/street section standards of the Industrial Area Master Plan as set forth in CMC 16.35.050.G. In the event that the applicable minimum streetscape/street section standards of the Industrial Area Master Plan fail to meet the minimum engineering requirements of the applicable County Engineer or City Engineer, the streets shall be improved to meet the engineering requirements of the County Engineer and/or City Engineer. The subdivider shall provide written documentation that all right-of-way dedications and street improvements within the County Engineer. The subdivider shall provide written documentation that all right-of-way have been completed or bonded for, to the satisfaction of the County Engineer. The subdivider shall provide written documentation that all right-of-way dedications and street improvements within the City road right-of-way have been completed or bonded for to the satisfaction of the City Engineer. (condition #1)
- Vehicular access to all lots shall be provided from S.E. Walnut Street. Vehicular accessways onto S.E. 1st Avenue shall be prohibited. Subdivision plat shall be amended to provide additional minimum 20-foot-wide vehicular access and maintenance easements from S.E. Walnut Street to the lots identified as lot 1 and lot 7 on the applicant's tentative subdivision plan (Exhibit E of the Planning Commission staff report). (condition #2)
- For the 15 foot on-site sanitary sewer easement, all weather access must be provided unless
 the collection line is private. The subdivider shall provide written documentation that this
 condition has been met to the satisfaction of the City Engineer. (condition #3)
- All utilities shall be extended along S.E. 1st Avenue as well as S.E. Walnut Street. All utility improvements shall be constructed in accordance with the requirements of the Public Works Department. The subdivider shall provide written documentation that this condition has been met to the satisfaction of the City Engineer. (condition #4)
- The design, location, and planned installation of all street improvements and utility lines, including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provision is subject to approval by the appropriate utility or service provider. The subdivider shall schedule and take part in a Canby pre-construction meeting, and the subdivider's construction plans shall be approved and signed by the City and all other utility/service providers prior to the subdivider installing utilities or commencing any site work other than rough site grading. (condition #5)

V. MAJOR VARIANCE ANALYSIS:

CMC Section 16.53.020.B sets forth the approval criteria which the Planning Commission must use to judge whether a variance may be granted. The applicant is requesting that Planning Commission consider the following four variance requests (A, B, C, and D):

A. A variance of CMC 16.35.050.G in order that S.E. 1st Avenue be dedicated and built as a 44 foot wide collector in a 60 foot right-of-way as proposed, instead of as a 50 foot wide 3-Lane

December 1, 2008

CURRAN-MCLEOD, INC 6655 S W HAMPTON STREET, SUITE 210

PORTLAND, OREGON 97223

MEMORANDUM

TO:

Ms. Melissa Hardy

FROM:

Hassan Ibrahim, PE

RE:

CITY OF CANBY

LEWELLING PROPERTY (TL 300)

APPLICATION REVIEW (MLP 08-03) REVISED

We have reviewed the November 2008 'Traffic Impact Study' submitted by Lancaster Engineering and modified our review comments to reflect the contents stated in the report. The following comments should be addressed in the final design:

SE 1st Avenue:

The City of Canby, Industrial Area Master Plan prepared by OTAK Engineering, dated 1. October 1998 refers to SE 1st Avenue as a 3-lane collector from essentially Hazel Dell east, with a street width of 50 feet and required right-of-way width of 72 feet.

Alternatively, we have no concerns with granting a variance from CMC 16.35.050.G as our recommendation is to encourage internalizing all industrial traffic and prohibit any driveway access to SE 1st Avenue. We would fully expect the Planning Commission will similarly prohibit residential driveway access to SE 1st Avenue when the north side residential area develops. As a result, we do not see a need for a three lane collector on SE 1st Avenue and recommend the roadway section be 36 foot wide and two lane.

- The applicant is requesting approval for a variance from CMC 16.35.050.F for access 2. spacing standard of a minimum 200 feet on a collector street. It is our recommendation to deny any driveway access on SE 1st Ave as stated above in item 1.
- To accommodate large truck traffic, we also recommend that the intersection at SE 1st 2. Avenue and Walnut Street be widened to 50 feet for a minimum distance of 100 feet on each leg, and that each leg have a turn lane primarily to accommodate the large truck movements as opposed to the volume of turning movements. This needs to be coordinated with Clackamas County who has roadway jurisdiction east of Walnut Street.
- The curb return radii at collector street intersections should be a minimum of 40-foot to 3. allow for AASHTO WB-67 vehicle turning movements. The property line should be concentric with this return.

C. HAI Projects Camby 1009 Gen Eng Lewelling Property T1, 300 Application Revised Review, wind

PHONE: (503) 684-3478

E-MAIL: cmi@curran-mcleod.com

FAX: (503) 624-6247

Ms. Melissa Hardy December 1, 2008 Page 2

- 4. Regarding the traffic study, similar to the Zimmer review, we have several concerns with assumptions made during the analysis. First, the design speed in the study was 55 mph through this reach of residential development on the north side and industrial development in the south side. This in-turn requires extensive stopping site distance. We do not anticipate retaining the 55 mph design speed after development, and recommend the City pursue the tasks required to reduce the design speed to 25 or 35 mph.
- We have concerns with the projected trip distribution analysis on Walnut Street and 1st Ave. Walnut Street is anticipated to connect to Sequoia Pkwy and ultimately to Hwy 99. This connection was not shown in Lancaster Engineering report. We recommend improvements be incorporated that encourage internalizing the traffic flow as opposed to using SE 1st Ave and Haines Rd to access Hwy 99, and possibly prohibit truck traffic on SE 1st Avenue.

Walnut Street:

- The Master Plan calls for a 28-foot paved surface, 52-foot right-of-way width and 12 foot
 utility easements on Walnut Street. The developer's proposed street improvements of 40foot right-of-way width with a paved street surface of 32 feet and 167 foot easements is
 acceptable as earlier negotiated. We have no objection to granting a variance from CMC
 16.35.050.G as stated herein.
- CMC 16.64.020.B block length pertains to subdivision development. Industrial zone lot areas
 vary in size for different use. This requirement is not discussed in CMC Chapter16.35
 "Canby Industrial Area Overlay (I-O) Zone". We have no concerns with approving this
 variance request.
- CMC 16.64.030.C relates to subdivision development block length for pedestrian way. This
 requirement is not discussed in CMC Chapter16.35 "Canby Industrial Area Overlay (I-O)
 Zone". We have no concerns with approving the applicants variance request.
- 4. The applicant needs to account for the horizontal conflicts along the frontage of the Cemetery Property (TL 200) in the proposed street alignment. The alignment should address the existing trees and the proximity of the existing graves to the proposed improvements. The alignment was anticipated to shift easterly to account for this conflict.
- With the narrow roadway width, access driveways along Walnut Street should be commercial
 type with large radius curb returns to account for truck traffic. Public sidewalks should
 extend across the driveways.

Ms. Melissa Hardy December 1, 2008 Page 3

- 6. The 'Traffic Impact Study' submitted by Lancaster Engineering recommends the driveway access on Walnut Street (Local Street) should be aligned with the access to the Zimmer property TL 100 to meet the City access spacing requirements. The City Transportation System Plan does not impose any access spacing limitations on local streets nor have we seen any requirement to align driveways or meet spacing requirements across the streets. We do not find any justification for this recommendation and think it will be very difficult to accommodate.
- 7. The curb return radii at SE 1ST Ave (collector street) intersection with Walnut Street (local street) should be 40-foot to allow for AASHTO WB-67 vehicle turning movements. The property line should be concentric with this return. To accommodate large truck traffic, we recommend that each leg of the intersection at SE 1st Avenue and Walnut Street be widened to 50 feet for a minimum distance of 100 feet.

General Review:

- A 15 foot on-site sanitary sewer easement as shown is acceptable. All weather access must be provided unless the collection line is private.
- All utilities will need to be extended along SE 1st Avenue as well as Walnut Street.
- 3. We recommend the City incorporate a requirement for the developer to construct all utility improvements in accordance with the requirements of the Public Works Department. This will allow the City to review the final design and require modifications if needed after a more detailed design is available.
- cc: Mr. Dwayne Barnes, City of Canby Mr. Robert Hixson, Clackamas County DTD

From: Bryan Brown BrownB@canbyoregon.gov Subject: RE: DR 18-10/CUP 18-07 Project Shakespeare

Date: December 26, 2018 at 5:18 PM To: Roger Skoe skoe@canby.com

Cc: David Epling EplingD@canbyoregon.gov

Hello Roger,

The Conditional Use required is particularly narrow in scope in that the project does not conform with the (Goal of achieving a minimum of 12 employees per developed acre – which by the City Council direction has become an aspiration goal rather than a set requirement). The applicable review criteria is first and foremost those within the Industrial Overlay chapter (CMC 16.35.040.B.1, 2, & 3. The standard Conditional Use Criteria in CMC 16.50.010.A, B, C, & D. are also applicable. The applicant did address both sets of criteria in their narrative.

Driveway spacing standards. Table 16.46.30 does indeed indicate that spacing be measured between access points on both sides of the street! Staff has found that to be prohibitive on most industrial development – especially which located on Sequoia Parkway which has a minimum 200' spacing between driveways. In June of 2012, the City adopted new Public Works Design Standards which were intended to supersede the driveway spacing standards in the above Table where they differed. The new Design Standards does not specify that spacing apply to both sides of the street. We have in practiced applied the spacing standards in residential settings while noting to the Planning Commission that they are generally not appropriate on higher classification streets in the industrial park as few properties can meet the standard. There is a degree of flexibility provided in the Public Works Design Standards, while those that do not comply with Table 16.46.30 are required to obtain "an access spacing exception" as provided by addressing CMC 16.46.070 criteria. The applicant did not address the spacing distance from the existing residential driveways on the north side of SE 1st Avenue and therefore should provide additional explanation as to why it is impractical to do so to obtain "an access spacing exception" if deemed necessary.

Since the City very recently commissioned an "Alternative Industrial Road Extension Traffic Analysis by DKS Associates" that indicated that SE 1st Avenue from Hazel Dell Way to Mulino should be reclassified from a local industrial street to a collector industrial street we have requested that project Shakespeare construct their half of SE 1st Avenue frontage and that along Mulino Road to our TSP defined Industrial Collector future cross section which consists of: two 19' lanes, 6' bike lane on each side, a 5' wide street tree planter next to curb and 6' wide sidewalk on each side. With curbs, this would be a 74' future total ROW. Walnut Street will be a 40' paved surface with likely 50' ROW and 6' sidewalk within easement on private property. SE 1st Avenue to Urgent Care is a local industrial street with narrowing at the ponds.

We have not yet received the independent review by Lancaster Engineering. I can forward when it is available.

The review comments from our City Engineer and other outside agencies that we receive will be available on Jan. 4. We did just receive a letter form ODOT indicating that the project has been found to have no significant impacts to highway 99E and therefore they have no recommendations or concerns.

You may need to wait to after the new year to view the previous TSP. Matilda has referenced it but is out until the new year. I am not sure I can place my hands on it tomorrow while I am still here until after the new year but will look.

All good questions and somewhat 'messy" ones with <u>County versus City standards</u>, <u>dual City</u> standards that do not totally <u>match</u>, recent changes to classification of a portion of SE 1st Avenue, uncertainty to driveway spacing exception rational since the developer has not yet addressed spacing from residential drives.

Regards, 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: <u>brownb@canbyoregon.gov</u>; website: <u>www.canbyoregon.gov</u>

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: Roger Skoe [mailto:skoe@canby.com]
Sent: Wednesday, December 26, 2018 1:12 PM
To: David Epling < EplingD@canbyoregon.gov>
Cc: Bryan Brown < BrownB@canbyoregon.gov>
Subject: DR 18-10/CUP 18-07 Project Shakespeare

December 26, 2018

From: Bryan Brown BrownB@canbyoregon.gov Subject: RE: DR 18-10/CUP 18-07 Project Shakespeare

Date: December 27, 2018 at 9:05 AM To: Roger Skoe skoe@canby.com



Roger -

Please see the attached Canby Otto Road Alternative Preliminary Traffic Analysis. As we discussed, the City is now moving on with a potentially more promising alternative route at this time. Actual construction would likely be at least 3 years down the road in the best of scenarios. We believe the collector designation would still be applicable to SE 1st Avenue at least between Walnut to Mulino. If a new alternative is chosen, another traffic analysis and eventual update to the City's TSP will occur.

The Industrial Overlay (I-O) indicates the driveway spacing of 200' is applicable on designated parkways and collector streets. To date, we have not applied that to SE 1st Avenue since our most recent TSP (and previous TSP) has it designated as a local street. It is not clear what spacing standard should apply at this time to SE 1st Avenue between Walnut and Mulino since the Canby Otto Road Alternative Preliminary Traffic Analysis is only a study which has not been adopted, so isn't really "designated" as a collector and driveway spacing standards are technically governed by Clackamas County since they currently have ownership and authority over this portion of that street. Their Transportation Plan designates SE 1st Avenue as a collector street. The County, City and applicant have agreed to have it constructed to a collector standard at this time to best serve the proposed project and future buildout of the industrial park.

Regards, 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: <u>brownb@canbyoregon.gov</u>; website: <u>www.canbyoregon.gov</u>

Send applications to: <u>PlanningApps@canbyoregon.gov</u>

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.

SHAKESPEARE PROGRAM - NEIGHBORHOOD MEETING SIGN IN SHEET

Name	Company	E-mail	Phone Number
Green Prigary	VIME	greeselvecon	1503.222.4453
Roger Skoe		skoe a canby com	
ROW POTTRATZ	Zear L. Church.	7	
Von Zimmer	Zimmer 1P	Fozzy 283 @ con	Le I
Dicole Plop	2344 SE14 Ave	nicolemarie 135 &	mad.com
Terry H. Tolls	TN TOlls Co.	Terry @ Tolls. rand	0188
Noch Hygelinel	ZOUL Churd	by gelour by guaid	con (503)423-
allen Manuel		amanuel@canby, col	m 503-784-4950 737
DAVIE ADAMS	DANSVOCA 2000 & C	Alfon	5032664376
Glenday matt Hamstr	١	ghamstreet@iclou	
Dave Wichman	Zoar Luthora	Wachman @ Web-S	
SIM BERUKLAU	ZOARLATHERAN	D.BERNKLANEGMALLCOM	1
Grene Dewar	220 S WALNUT	jdewar @ can by c	om 2124
Mike Harmon	12004 52315	((0.10.
OPILS PATTY ORECTA		handymam3062@YA	100 con 416-217-133
Phillhille Borg	23399 5 Mulmet		02-3/1 07-1
Jamie Sticket	City of Cantry	Stickel j Ocanbyoregon	
Jason Monteums	Monteiners Fainstel	Ja SON Montecucco @ Cambyio	503 313-7552
harles Burden	Mortager Dell ZZ	C ecucumber (a) jun	Synad.com
Marilyn Montocicco	TO DECICE TO THE LE	- Ellewinder (a gui	0 x CVM 3 V 7 200 (x
COLEY ANDERSON, VLMK	VLMK	colbya@vlmk.com	503-222-4453
Least Massan, VIII-	VOTIL	Cologne VII (F.Cov)	25 000 1133
	r		





MEMORANDIIM

To: City of Canby *Date*: 11/1/2018

From: Jennifer Kimura Project: Shakespeare

Subject: Neighborhood meeting notes Project Number: 20180195

Meeting started at approximately 6:30PM. Steve Sieber and Greg Blefgen started the meeting by explaining to those gathered what the project was and the basics of the development plans to date. The development profile included a description of a large 36' clear concrete tilt building with associated truck courts, auto parking site improvements and lighting. Three driveways onto NE 1st would be used for trucks in/out (western most driveway) and two auto driveways. Other driveways illustrated would only be used for emergency ingress and egress. The building users operations were described as seven days a week and 24 hours a the day. The occupancy was described as approximately 120 onsite employees each day, which could be slightly larger during some peak season times. Truck traffic was described as active throughout the day w/ both inbound and outbound trips. The project client was not mentioned by name, but it was established that the building is intended to be used for a beverage storage and distribution center. The room was then opened up for question and answer with those gathered, which are summarized below:

Question [Dave Adams]: What road will be the primary exit? What will the traffic patterns be

like?

Answer [Garth, DKS]: Trucks and employee vehicles will be entering and exiting at various

times of day and have different patterns. Primary access is provided on SE 1st. Ave. Distribution will flow to all areas throughout the state, so traffic will be heading many directions after leaving the site.

Answer [Steve Sieber,

T.C.]:

Some of the building users distribution traffic patterns are offset from typical commuter patterns, such as early morning deliveries before

most traffic occurs.

Question [Nichole Plop]: Is the design team aware of the current traffic flow on SE

1st? Historically, traffic flows very aggressive and fast in the area. What are the plans to keep accidents from happening when

cars take the corner (at 1st & Mulino) too fast?

Answer [Steve/Garth]: Good input. The traffic study is currently underway and will

incorporate accident statistics at major intersections and roads in the vicinity. The City's Transportation System Plan identifies several future projects in the area including a roundabout at that location that could

address speed issues.

Question/Comment [Patty

Green]:

Concern that traffic flow will not be improved but will be worsened by

increased truck and car traffic.

Answer [Steve/Garth]: The traffic study is currently underway. The results will impact what

areas may need to be addressed or improved in conjunction with the

proposed development.

Question [Allen Manuel]: Family owns properties nearby. Does this project have to go through

design review? What measures can be taken to ensure this building is

visually appealing and doesn't end up just a 'big concrete

box'? What is the vertical site drop between Mulino Road and the

building?

Answer [Greg Blefgen,

VLMK]:

This project will go through design review. The client is aiming to go above and beyond city and county standards regarding building/site aesthetics. From Mulino road to the building, there is approximately

12' vertical drop and 250' horizontal setback.

Question [name not

given]:

Who is providing power to the building? Will it affect the area's

shared power demand/capacity?

Answer [Greg Blefgen,

VLMK]:

Canby Utility will provide service to the building and at this point we are anticipating a 3000A service. Power demands will be relatively

light for this size of building, as most of the square footage is used for warehouse storage. The cooler within the building will be the main

power demand.

Comment [Terry Tolls]: Relative to the size of the building, the expected power demand is

low. Demand would be higher if multiple smaller buildings were built

in the same footprint.

Question [Matt]: Answer [Greg Blefgen,

VLMK]:

Which side of SE 1st. Ave is to be widened?

The project will require approximately 12ft of additional ROW along the south side of the property. Although SE 1st is currently under

Clackamas Counties jurisdiction, improvements will follow the City of Canby design standards. ROW dedications and improvements will also be required along S Walnut and S Mulino Rd. to meet the City and County standards. The street improvements along S Walnut will require more than half street improvements to correct the centerline of the road and allow appropriate setback on the development's side. Will there be traffic control installed at the intersection of SE 1st and

Mulino?

Question [name not given]:

Answer [Steve Sieber,

T.C.]:

Not known at this time as the traffic study has not been completed. However, the City's Transportation Master Plan does illustrate a future

connection to Otto Rd.

Question [name not

given]:

From which direction will the trucks be arriving to the site? Is the current road infrastructure adequate to handle the additional weight

of trucks?

Answer [Steve Sieber,

T.C.]:

Trucks will be coming from multiple directions. The building user has an outbound distribution model that is roughly half to metro and half

to other portions of the state. The inbound will be arriving from

locations around the region. A traffic study is underway.

Question {Patty Green]: Will there be any noise limits on the traffic/operations?

Answer [Steve Sieber,

T.C.]:

Question {Nichole Plop}:

Answer [Steve Sieber, T.C.]:

Question [Allen Manuel]:

Answer [Steve Sieber, T.C.]:

Comment [name not given]:

Question (Nichole Plop):

Answer [Garth, DKS]:

Question [name not given]:

Answer [Greg Blefgen, VLMK]:

The noise limits are governed by jurisdictional requirements and the development will be required to comply with those limits.

Has a traffic study already been done? If not, just be aware that there is currently significant dump truck traffic on the involved roads...specifically on SE 1st Ave., which often involves loud engine braking. Maybe this will be less of a problem with the trucks at this site given that they will not be at full speed for entering/exiting? Traffic study is currently underway. Any potential problem areas will be investigated further and potentially addressed. To the extent possible, the site work will be balanced and the strippings stockpiled on the site to limit sitework related construction traffic. Pavements, concrete, and other building materials will be trucked to the site. It seems many of the issues being mentioned stem out of the fact that the traffic for the site is being directed onto the road at the boundary of the industrial park (shared with some residences). Is it possible to help mitigate these concerns by directing traffic flow into the industrial

The project is located at the corner of the industrial park, and SE 1st will likely be the more direct route to the connecting arterials. As the overall pioneer industrial park is developed these roads will be improved in accordance with the requirements of the associated jurisdictions to include the City, County, and State.

Commenter has owned and operated a trucking company for many years. Concerned that the existing local roads won't be able to handle the increased truck traffic loads. Concern that the city of Canby and the County are thoroughly investigating the implications and upgrading infrastructure as needed.

Responding to potential future development of a round-about at the intersection of SE 1st and Mulino: Can trucks go through round-about intersections? Would this limit truck flow in that direction and direct all traffic in the opposing direction? If traffic problems are worsened or created by this development, what is the city/county process for addressing these problems, and when would it happen?

Round-about intersections can be designed to accommodate truck traffic with mountable aprons. The traffic study is intended to identify areas that may be worsened by the development and highlight any potential areas with safety concerns. This process allows the City, County, and ODOT the opportunity to provide input on what infrastructure may need to be improved.

Please describe again the planned improvements to S. Walnut Street? Would like clarification about what extensions/improvements

are planned, and how they would overlap with the existing

Cemetery's property?

park, rather than out to 1st Ave?

Describes the anticipated ROW improvements. Improvements to Walnut have been completed along the cemetery and cell tower

frontage. Sidewalk and street trees will be required along the east side of Walnut, but the street width at the cemetery frontage will

remain as currently constructed.

What would be the problem with relocating the truck access onto Question [name not given]:

Walnut Street? Wouldn't that eliminate many of the concerns local

neighbors have about the development?

Answer [Steve Sieber,

Question [Patty Green]:

T.C.]:

Thank you for the input, we will take this into consideration.

What wattage of lights are being installed on SE 1st. Ave? Is there any way to lessen the impact on the existing residences across the

street from the development?

Answer [Steve Sieber,

T.C.]:

Question [name not

given]:

Answer [Greg Blefgen,

VLMK]:

Lighting will comply with City, County, and PUD standards.

being provided in the parking areas to manage water runoff.

What is going to happen with the site's water run-off?

Site water is being treated onsite and routed to drywells. Swales are

Meeting ended at approx. 8:00PM



Pre-Application Meeting

Project Shakespeare September 19, 2018

Attended by:

Deniz Arac, Trammell Crow Company, 503-381-3891 Terry N Tolls, TN Tolls Co, 503-295-0188 Allan Patterson, Capacity Commercial, 503-781-4015 Jennifer Cline, Public Works, 503-266-0780 Daryll Hughes, Waste Water Treatment, 503-266-0647 Jamie Stickel, City of Canby, 503-266-0701 Greg Blefgen, VLMK, 503-222-4453 Neil Olsen, Public Works, 503-849-2064 Jim Stuart, Canby Utility, 503-266-1156 Jake Bubacz, VLMK, 503-222-4453 Steve Sieber, Trammell Crow Company, 503-381-3891 Garth Appanaitis, DKS Associates, 503-243-3500 Sam Holmboe, Clackamas Co Plumbing, 503-519-0968 Jerry Nelzen, Public Works, 503-266-0759 Kenneth Kent, Clackamas Co Engineering, 503-742-4673 Gary Stockwell, Canby Utility Electric, 503-263-4307 Bryan Brown, Planning Department, 503-266-0702 Hassan Ibrahim, Curran-McLeod, 503-684-3478 Jennifer Kimura, VLMK, 503-222-4453 Cindy Moore, Clackamas Co Economic Dev, 503-742-4328

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

TRAMMELL CROW COMPANY, Steve Sieber

- We will be keeping the client's name confidential at this point and we will provide you with a good amount of information about what they do and how they function. What this project will consist of is a 525,000 ft warehouse/distribution building and approximately 16,000 or 17,000 ft of an accessory office. The program from the tenant is such that the building can be expanded at least another 100,000 to 200,000 additional warehouse square footage and you have seen it on the plans, which were disturbed. It will be a class A, concrete tilt, 36 ft clear building with a lot of parking. The employee counts are approximately 150 and these will be employees of the company, for the office, warehouse, company drivers and also serving this site will be the commercial drivers bringing products to the building.
- The facility will operate seven days a week, 24 hours a day running multiple shifts and working a lot at night inside the building and there will be a lot of traffic associated with this building. This will be consistent with a high cube warehouse, but as you can see from the parking there will be a fair number of trucks and autos associated at this facility. Our traffic consultant is Garth, DKS Associates, who can answer any questions about traffic studies.
- We are hoping to have a fully designed, titled and permit site by the first of the year, January, 2019 in such that we could finish the transaction with the tenant in February, 2019 and begin construction in either March, April or May. The grading and excavation would happen sometime in May, but if there is any off-site work that could start like trenching in the public right-of-way (ROW) with the idea having the facility going operational sometime between March and June 2020.

CANBY UTILITY, ELECTRIC DEPARTMENT, Gary Stockwell

- At this initial step, there are a lot of unknowns as far as the City of Canby and it is our understanding the city's responsibility for the street improvements on S Walnut Street are under their jurisdiction. I will be involved with the street lighting for this part of the improvement. If the county is going to retain SE 1st Avenue and S Mulino Road it would be between you and the county and we would not be involved in the lighting other than a point of contact for a meter base. Steve said he had the understanding SE 1st Avenue was a city street and Gary said that is what we need to clarify and whatever street improvements under the control of the City of Canby is where I will be involved with the street lighting. Whereas, if it is a county roadway that is where you will need to work with the county and what their requirements will be for their improvements. Jerry said he thought the jurisdiction changed at the intersection of SE 1st Avenue and S Walnut Street and Kenneth stated the city's responsibility is up to and just west of the intersection of SE 1st Avenue and S Walnut and from that point, it turns to the county's jurisdiction.
- Gary said as far as electrical improvements we have power adjacent to the cellular tower and it is limited in nature and depending on what your needs for this project will be, we may need to extend from the substation to and through on SE 1st Avenue. We would require trenching from the cellular tower area to at least up here near the intersection of SE 1st Avenue of S Mulino Road and we would have a series of vaults and conduit in the ground able to accommodate any of the future growth for the city this way. We do not see the real need as of yet and of course, it can change and we will leave it open, but at least initially we do not see the need for electrical conduits for the S Mulino Road stretch. We could probably do in the future something in more of a bisecting manner through the new easements. Steve said everything here will be served from S Walnut Street and Gary said yes. Steve said on the opposite side of S Mulino Road is farmland and Gary concurred. Greg asked if there was not enough adequate power, I think there is a transformer and Gary said we have a conduit system and transformer to this point right now and that is what we will extend through here. Like I said this is a 525,000 sq ft building and I do not know what your power needs will be, it is possible the little bit of conduit we have there may not be adequate to serve the needs and we would have to extend up SE 1st Avenue with a new circuit from the substation to make sure. Steve said what is the capacity of this conduit line and transformer? Gary said he would have to do some studies on it, but at this point probably a megawatt. Steve said with buildings like this it would probably work even with a cooler and it could be (2) 1,600 amp services, one at the north and one at the south end and that would be probably more than enough. Gary said that is what we will have to look at for the needs of the project and make more concise decisions from there. One way or the other there is power available to the property, it is just how we do it. Steve asked is there an application and Gary said the first thing you could do for me, is send your real demand histories of your power bills from the three locations and I can get an idea of what we are looking at. Of course, I will need to know if you will be making any changes to your processes if and when you decide to expand and Greg said there would be a cooler expansion component and warehouse expansion. The office needs would be all accommodated with the build. Steve said the expansion needs would be relatively small and it will be mostly LED lighting.

- Just so you are aware there is a pole line on S Walnut Street and it belongs to Portland General Electric (PGE), owned and operated. You will need to contact them and there may be some decisions to be made because that line serves a single customer at 267 S Walnut Street and it is an unannexed property and Steve said the pole line runs on the east side and then goes over to the west to serve this property. Gary said it goes undergrounds for a ways and then serves this property and it will become Jim's arena whether PGE would like us to assume that customer, otherwise, they would have to have their utilities underground the entire length of your improvement. Steve asked if there were any other properties served by PGE and Gary said to his knowledge this was the only customer left and we made accommodations during the construction on S Walnut Street where we could economically assume the customer. Steve asked is there a reason why the customer would not want to convert over and Gary said at the time the decision was made PGE would keep it because it was not annexed and if it is not annexed it does not get any city services. Greg said since they are not annexed we would have to run addition conduit to serve the property and Gary said I do not want to speak for PGE, but I believe they require vaults every 500 ft. Greg asked what Canby Utility's requirements for vaults and Gary said we do the same 500 ft spacing in a situation like this and I drew what we would expect. The street lighting spacing is between 100 to 200 ft spacing. Greg asked if they would be similar street lights to what is out on S Walnut Street and Gary said yes, the mast arm style street lighting. There are two existing vaults for a feeder system we will be adding for larger amounts of power through this section. Greg said this is coming from SE 1st Avenue and the answer was yes. Greg said we will work with our client to get the demand history and have our electrical contractor reach out to you to confirm with the demand and whether or not we have to go back into SE 1st Avenue.
- Gary said we do things a little differently than PGE, this is our scope of work and basically what it tells you is we will come up with a good faith estimate and you will pay half and we will supply all the vaults, conduits, pads, etc. and you will install the trench, grades, staking and backfill. Upon completion of the project whatever amount that remains unpaid, you will pay the actual amount. Greg asked do we need to retain an electrical designer to help with distribution or is that something and Gary said the actual supply and utility out in the streets will be all Canby Utility. Your electrical engineer or contractor of choice will need to supply me with the gear cuts and we can approve the gear going in. I will serve to your service entrance where ever that may be, whether that will be (2) 1,600 amp service or whatever case it may be. Steve asked if they could better explain the costs and Jim stated it will be half of the estimated cost prior to construction and once construction is completed you will pay the remainder of the actual cost.
- Greg asked if we coordinate streetlight spacing and Gary said he would know more once we discuss with Jerry what the street improvements will be.

CANBY UTILITY, WATER DEPARTMENT, Jim Stuart

• We do have water available off of S Walnut Street, south of this property. It will be a requirement to continue the 12 inch water main to the end of S Walnut Street and SE 1st Avenue because we do not serve outside the city limits. Greg asked if they wanted to loop around the site and Jim said it will be up to you, we do not require it, but it will require an

automatic blow off at the end of the line. Once the other properties develop we will extend our water main to S Hazeldell Way and Steve said you are talking about going from the intersection west to S Hazeldell and Jim said we do not have a requirement for it and Steve said when these other parcels develop you will tie your water main into this one and the answer was yes. Greg asked about any public hydrants on SE 1st Avenue and Jim stated the hydrants will be installed in accordance to regulations on S Walnut Street, but we do not have an avenue for hydrants on SE 1st Avenue because it is outside our jurisdiction. Hassan said any fire protection will have to be private on site and Jim said yes and it will require the standard backflow protection.

• All of your domestic water on site will have to meet all the state requirements and Greg asked if the fire department allows a double check for the fire system to be internal inside the building. Jim stated we do not, the double checks must be installed at the point of delivery, where we connect to the property that is not a fire department requirement, but a Canby Utility requirement. Greg said a private loop around the building and what I see is hydrants serving our building and public hydrants in S Walnut and at this point, nothing in S Mulino or SE 1st Avenue and the answer was yes.

WASTE WATER TREATMENT PLAN, Daryll Hughes

- My main concern is the discharge of waste water and will there be any manufacturing process being done in the building and the answer was no. Will there be any generation of waste water of other means and the answer was just regular waste water.
- Are there any floor drains in the facility and the answer was no.
- The other consideration will be a sampling manhole because we never know what will become of the property in the future and it has a dual-purpose for Public Works by helping them if there will be any blockages in the building's line. Steve asked where it was to be placed and Greg stated it goes at the stub of the property line and Daryll said he is flexible with the placement since you do not know what future processes will be in the building. I will defer that question to Jerry and he will let you know where logistically the best placement is.
- Jerry asked if the loading docks are covered and Steve said both, there will be 4 ft truck wells along the east side and future docks on the west side, not active with this user. This will be a 15 year lease with this client. Daryll asked what type of drainage for the well type loading docks. Greg said all of these are to grade and unless we are required to put any drainage to collect the runoff and Daryll said you are not putting in any drains and Greg said no. Greg said this will slope towards the dock and we will have catch basins approximately every 75 to 100 ft marching down the dock apron, at least on the east side, which will all be caught and treated. Steve said all the stormwater will be in water quality and perked and Jerry said nothing hooked to the sewer and the answer was no. Greg said under the canopy loading dock we are planning to slope our concrete paving out to the site to drain into the storm, do you allow that, would it be a concern. The only thing going out would be the water drippings off the trucks during a water event. Daryll said as long as you have spill protection, I think that would be the better way to go.
- If you can fill out this environmental survey and send it back to me. Steve asked if it was for the tenant and Daryll said yes.

CLACKAMAS COUNTY, DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, Kenneth Kent

We discussed S Mulino Road and SE 1st Avenue from the east side of the intersection of S Walnut are Clackamas County's jurisdiction and both of these roads are collectors. We discussed the access points for the proposed site and one driveway will be permitted on S Mulino Road and one driveway access will be permitted on SE 1st Avenue. You can propose an additional access modification under Sections 170 and 220.8 of the Roadways Standards, with evaluation provided in the project Traffic Impact Study. Steve said they have proposed on other sites where you separate the auto and trucks for accesses and why it works for efficient operations and safety reasons. Steve said Garth can talk more about the distribution center and this facility serves about half of the outbound trips for the metro area and the other half service the State of Oregon. Kenneth asked if they were consolidating all their Portland facilities and Steve said yes. Garth said we collected the traffic data at one of the sites and we accounted for the operations and it aligns well with ITE national trip rates. It was asked what was the building used for and Garth said high cube and cold storage, I believe one of the new categories is 154 ID 10th Addition. Kenneth stated our interest is in having very limited accesses and our normal spaces are 150 ft and S Walnut Street being a local street you can have more accesses on it, but that is a city's decision. Jennifer asked what the county's cross section was on SE 1st Avenue to have S Walnut Street match it. Kenneth said our minimum standard, which is 18 ft from centerline and will have two travel lanes and a bike lane. I do not know yet until I see the traffic study if there will be any turn lanes, whether it will be a left turn lane or right or whether it will be a third pocket on both S Mulino Road and SE 1st Avenue. The City of Canby's section is wider than ours, but with the 18 ft half street, a 5 ft landscape strip and a 5 ft sidewalk will be on both frontages at this point. You do not own the parcel on the corner of SE 1st Avenue and S Mulino Road and the answer was no. Hassan said for the City of Canby's standards are 40 ft wide curb to curb on local streets and on SE 1st Avenue we would like to be consistent and Kenneth said we will be fine with going with your standards on something wider. Once it is annexed you will be taking over the jurisdiction and the urban growth boundary (UGB) ends at S Mulino Road. We first initially looked at other sites along S Mulino Road and looking at the rural frontages and I think with the volume and the size of this makes more sense to have at least a pedestrian facility on that side. Steve asked if it was for SE 1st Avenue and Kenneth stated SE 1st Avenue and S Mulino Road and it looks like the preliminary plan you have sidewalks and Steve said it makes for sense on SE 1st Avenue than on S Mulino Road because it will be a sidewalk going nowhere on both ends. It feels that the traffic will go north and west and to me, the improvements along S Mulino Road feel it should be just the minimum street improvements is how I look at it. Hassan said the property to the south is within the industrial park and there are some lots being spoken for and they are on the agenda to being developed. I am speaking of the extension of SE 4th Avenue and Steve said we are not opposed to it, but to ask the client to pay for it, we want to be able to demonstrate there would be a good reason for them to do it and a neighborly reason. Kenneth said we can have this discussion later and I do not know if the city has any plans for the UGB to expand. Jerry said how would we get the sidewalks in later and Hassan said this is part of the development and you have to provide those facilities. Steve said are you talking about the sidewalk and

> Hassan said yes, the street improvements are a different arrangement, but the sidewalk is different. Steve asked if the sidewalk would be a lighted facility and Hassan said no, just a sidewalk on a rural road. Greg said the two accesses point we illustrated on S Mulino Road those are future and these do not currently tie into this current users plans. The reason we illustrated them was to lock them in so in the future subsequent development can utilize them and also as a secondary fire access point. It would allow them to drive in with some crash gates to allow emergency access and the same thing for the driveway on S Walnut Street at the very south end of the property. Steve said from the county perspective with the sidewalk improvements and whatever else we did along there you would build the aprons and the future/emergency access driveway with crash gates and leave it at that. Kenneth said we will need to work through the number of access points for this site, it will be driven by the project itself. On collector streets there is a lower number of access points than on local streets. Steve said is there any objections to the two driveways on S Mulino Road we have now and Kenneth said from my initial comments we would start with one driveway, but if you want to try for two the entire site might generate two. Steve said this is what we have planned and the client has asked us to consider expansion and they cannot tell you whether it will be one, three or ten years and we are tasked for setting it up for one year, worst case. This is why we have directed Greg to show the driveways in this configuration. Hassan said do you have a minimum access spacing and Kenneth said we have 150 ft on collectors from the intersections and with the traffic study you can propose the driveways and we have a modification for the number of access points, like the truck and employee entrances off of SE 1st Avenue. Greg said a road modification might be warranted for the employee parking and Steve said it would be something we would ask for because of the shift changes with the number of employees, we had some problems with Amazon in Troutdale, where an employee is stuck in their employer's parking for 20 minutes waiting to get out and they are off the clock and it turns into an operational challenge and that is why we try to provide a couple of extra access points. Greg asked what was the county's process review and Kenneth said we do not necessarily have a formal process, but if you have the traffic study at that point and you could include it in the overall project with a written narrative. Look over our standards and if you get this early in the project so when you are in the land use process and Hassan said the access here, in the proximity of the first access east of S Walnut Street is that your concern or is it the one from the bend here coming around the corner. Kenneth said the site distances look to be fine, but I am sure it will be addressed in the traffic study with the 150 ft spacing and the truck entrance is close to that. Greg said is that center to center and Kenneth said yes. Greg said we are at 157 ft right now.

• We have slow drainage and with the road frontage improvements you will have detention out in the ROW and I am not sure if you are going to go through the same process trying to infiltrate or if there is any conveyance anywhere. Greg said there is no conveyance, we would like to infiltrate or we will be infiltrating and as far as how we will infiltrate is a discussion we will need to have. The stormwater out here will infiltrate into the ground and the dense gravel layer, the depth varies from 10 ft, which is ideally where we will do the majority of it just south of the tower and up to 30 ft at the north end of the site. We are trying to limit any drywells, although the burrito wraps we have experienced and from what we understand are not ideal and the maintenance is not appreciated and it sounds like we may be proposing more of a deep infiltration system with some interconnections. Jerry said the

> swales along S Walnut Street are big enough and they hold the water and drain slowly, they are just a maintenance issue for us. Greg said we would rather do with what exits out there in S Walnut currently and we would like to extend it, instead of digging 30 ft down and putting in a single drywell every 200 ft. Hassan asked if they needed to do it every 200 ft and Greg said the infiltration rates are pretty terrible there, 18 inches per hour even at 20 ft and if we go another 10 ft it is 200 inches plus and the costs are much more advantageous for us to go shallower and our concern is will this be acceptable to both county and city. Kenneth said for the county as far as the infiltration swales or water quality swales in the ROW, the county crews are not set up to maintain them yet and we are working on it, but it might be a private maintenance by the owner and I do not know if the city would entertain it. Other than that it would be kept on site in some sort of water quality infiltration facility. Hassan asked if you are okay with public water going into a private facility and Kenneth said yes we can, otherwise if it is in the ROW it is going to have water quality that needs to be maintained overtime. It can be accomplished by a maintenance agreement either with the city or the property owner. Steve said the preference would be an agreement, so if you bring public water into your property and if a farm truck pulls over and breaks down and dumps all of its hydraulic fluid and it goes onto your property, it is those issues we would have to deal with versus a maintenance agreement and we keep it in the ROW. Hassan said it is usually not the normal and Jerry said you are proposing swales on S Walnut Street. Greg said exactly and if it is acceptable. Hassan said we would like the consistency out there. Jerry said once the swales start looking bad you will be doing the maintenance outside your building and Greg said absolutely. Steve asked if it would be the same condition on S Mulino Road if we follow what we will be doing for the city for stormwater. Greg said for SE 1st Avenue also. Kenneth said it will be more than just a ditch it will have water quality and the answer was yes, water quality retention.

Steve asked what the cross section on S Mulino Road would look like for instance a sidewalk, will the stormwater or ditch and Jennifer said you would have the sidewalk behind the ditch and how deep would the ditch be. Greg said it will not be that deep, there would be curb inlets and there would be dams spaced 50 to 100 ft on center. Hassan said no more than 2 ft deep and Greg said it would be flushed and it would come down and shallow out and Hassan said it would be a trapezoidal shape and not the "V". Greg said it would look like what is existing out there. Steve asked on the existing S Mulino Road, it crowns and from the back of the existing pavement you create a swale, which handles the water that goes somewhere right now, but it will be confined to an engineered ditch and then you will a have sidewalk, the ROW and then to the property. Hassan explained how the street cross section would look like. Greg said the question is how far beyond centerline do we go with our street section and Kenneth said it would be determined on the condition of the road. Greg said 40 ft and Hassan said this is on S Walnut Street and S Mulino Street it is different, we are talking SE 1st Avenue and we are debating here whether we need to go to 40 ft curb to curb or follow the county at 18 ft or 36 ft curb to curb. Steve said on S Mulino Street we follow the county and Hassan said yes, we will need to coordinate with the county on the width. Steve asked if it was the county's standard to have a curb line on a rural street and Kenneth said it would be in a rural, but it is also developing on a city property and you have an urban development, which happens to front on a county road. Greg asked if they need to do potholing along S Mulino Road and do we need to have our GEO tech to evaluate.

Kenneth said your engineer will do that and he will know to what extent you will have to do it, but it is also the design proposed. Steve said do you match the pavement section or do you have a collector pavement section or how does it work. Kenneth said this is industrial and it would be 7-1/2 inches of asphalt, it would be a commercial/industrial section. Greg said we will make an evaluation of the existing condition and if we determine there are only 4 inches of asphalt right now via potholing, will we be required to remove the entire section. Kenneth said we do not require the full section be brought up to standards and Steve said the new section has to meet the standards and if we have 4 inches we will need to bring it up to the 7-1/2 inches. Kenneth said you will also have to evaluate the type of vehicles and how many trucks will be using it. Steve said we do not think that many trucks will be utilizing that section of the roadway.

Greg asked about street lights on S Mulino Road and SE 1st Avenue and Kenneth said we do not have our lighting district here and Gary said wherever the city requires for street lights, Canby Utility will power and install them and then the city takes ownership. Steve said there is a fair amount of light coming off the truck courts for safety and security reasons. Jennifer asked if they would be lighting their approaches and Greg said likely it will be bleed over from our parking lot lighting. I envision our parking lot lighting will be marching down the aisles and there will be bleed over, we can certainly coordinate it. Steve said my senses are whatever lighting we are doing on S Walnut Street we should do on SE 1st Avenue and this is the front door to the property and they are going to want a little higher end look. Jennifer said she did not have a lot of interest in lighting S Mulino Road at this time until it eventually develops out to full improvements, but I do have interest in having you guys lighting the driveways. Steve said usually it is a tenant's standard, this is not a corporate standard per say, but we often see the lighting levels in the parking lots for their own driver safety they want the same thing you are asking for. Gary asked if the city wanted street lighting on SE 1st Avenue and Jennifer said it would be a good idea because eventually when the other side of SE 1st Avenue develops we want it to be consistent and we want to also make sure the roadway section is consistent. Steve said this building will be the top end of the architectural finishes you would see in Portland and we will do parapets and there will not be a lot of customers coming here because of what this facility is, it should have a nice front door. Jerry asked Gary if we put in conduit for future for lighting in the swale on S Mulino Road and Gary said I do not think there will be even trench line along here and Hassan said they will have their own private lighting system. Gary asked if he would have ROW to be able to put lights to the corner, but obviously, there will be improvements there and Kenneth said not necessarily other than if your traffic study shows you need to do something. Jennifer asked if they would do an auto turn for their trucks to navigate that corner and Greg said we could. Steve said we do not foresee that many trucks taking this section of S Mulino Road.

CLACKAMAS COUNTY, PLUMBING DEPARTMENT, Sam Holmboe

• At this time I do not have anything, but I will become more involved after the contractors and the permits are issued. I will be doing the onsite plumbing and it sounds like the water is going to work along with the sewer coming straight in and all the storm is going to be done on site.

- I would highly suggest to you the sooner we can get plans, it will make things work faster. Steve asked even if they are preliminary and Sam said yes. I think at this point it is a little premature right now for the onsite matters unless you have some questions.
- Greg asked if there was a possibility of us pulling a grading permit and maybe even a site plumbing permit prior to complete sign-off on the public works. Hassan said the grading will be through the city and Bryan said we do not have a problem with site grading, but that does not include any utility installation. You will need the civil construction plans approved by the city first before and Greg said on-site civil plans approved what about the public if there is a problem do they need to be signed and approved before any on-site grading. Hassan said no, not for rough grading and Jerry asked where would all this dirt be going? Greg said right now it would be located at the future expansion area and will be stock piled. Jerry said everything will stay on site and Greg said yes.

CURRAN-MCLEOD ENGINEERS, Hassan Ibrahim

- We reconstructed S Walnut Street and the landowners Zimmer and Lewelling opted out of being on the LID, they went on their own. We built 32 ft wide on S Walnut Street curb to curb and placed the burritos in the ground for drainage along with curbs and sidewalks. What we have concluded is we will stick with existing cross section for S Walnut Street and once we turn the corner we need to go back to our local street standards, which is 40 ft curb to curb. Ultimately all the traffic will be coming in from Sequoia Parkway through S Walnut Street down to SE 1st Avenue and we are working on a connection to the highway from SE 1st to 99E. Greg said the 40 ft tie in with the 18 ft with the county and Hassan said keep it at 40 ft. Hassan said along the frontage minimum you have to provide half-street improvements at 20 ft wide and Jennifer said it is a half street or 20 ft whatever is greater. Hassan said the existing pavement right now is part on private property and is outside the public ROW and it will be to your benefit in terms of width for the roadway. Steve asked how it works with the existing pavement Hassan said the roadway is really bad there, it only has a chip seal on it now and you will be responsible for minimum 20 ft wide on S Walnut Street. The roadway has some waves on it and you may have to go 4 to 5 ft to blend it back in. Steve said on SE 1st Avenue it will be 40 ft and we are responsible for half street or 20 ft and the answer was yes. Hassan said on your plans it would be helpful to put the cross section showing where the crown is in relation to where it needs to be.
- We covered S Mulino Road and I do not think there is anything ambiguous about it at this point. Greg said we will be transitioning at this corner parcel we do not own and the question is transitioning back out to meet the edge of pavement, radius any thoughts. Hassan said there are standards like the 10 to 1 transition basically tapers and the radius you are restricted with what is there and Greg said to do a modification for this area.
- I think someone mentioned a turning truck template for the driveways and Greg said we certainly can show it. Right now we are showing an apron, dust band and a radius drive at our main truck drive. Knowing this will be a high traffic intersection with trucks and ideally, I think we do a radius section for drives and auto parking as well. Hassan said all the driveway approaches off of the public streets have to be an industrial section with 8 inches thick concrete reinforced minimum and it extends from the face of the curb to the public ROW line. Bryan said what do you think of their 50 ft proposed driveway widths since the

> maximum is 40 ft wide. Greg said we have a 50 ft driveway at the main truck driveway and 30 ft at the other employee parking entrances. Kenneth said our standards are typically 40 ft, but it depends on what the road conditions with the lanes and Greg said we can submit a truck turning template with a road monitored design or variance request. Jerry said we agreed they will be following our existing streets and does that mean also with street trees and storm systems and on S Walnut Street will be swales, street lights, sidewalks and street trees. What will SE 1st Avenue look like and Hassan said it will have street lights, planter strip, sidewalks, curbs and street trees. It was asked what the typical plant width on a county road and Kenneth said 5 ft. Bryan said we are now asking for 5 ft. Steve said we will be following what is on SE 1st Avenue and Jerry said with a storm system and the answer was correct. Greg said to clarify the street trees in S Walnut will be behind the sidewalk and on SE 1st Avenue they will be in the planter strip. Gary said the utilities will be in a 12 ft PUE and Hassan said we have a 16 ft PUE on S Walnut Street to cover drainage, sidewalk and utilities and Gary said that will help me on SE 1st Avenue because I will have at least two of the larger 8 x 10 vaults. Hassan said he will give Greg the S Walnut Street as-builts when we are done with this meeting. In the frontage PUE we consolidated the sidewalk, 12 ft PUE and the drainage totaling the 16 ft PUE. Hassan said S Walnut Street is a 40 ft ROW and Gary said the ROW could be the middle of the sidewalk and then the 16 ft PUE extends from there. Hassan said we are not asking for any dedication just the easement to encompass the sidewalk, drainage and the PUE. Gary said in the county ROW our utilities go into an easement. Hassan said on the other roadways it will be a 12 ft frontage easement.

- Stormwater will remain on site whether you retain it or inject it into the ground. If you inject into the ground it has to be rule authorized by DEQ. The public stormwater we agreed to follow the pattern on S Walnut Street, on SE 1st Avenue we have not agreed on what we are going to do. Kenneth said we can do swales with water quality and Jerry said it will not work on SE 1st Avenue because of the street trees. We would like to see a storm system head down SE 1st Avenue to where we get better percolation rates with drywells. Greg said this is the county and Hassan said you will have to work it out. Kenneth said the landscape strip can become a swale and the city will need to review it and make sure it will not be too deep. Hassan said he would like to see a storm system going to the pond. Jennifer said you will have to prove what your infiltration rate will be in the swales and if the infiltration does not work we will have to consider some other design.
- When we build the sanitary sewer in S Walnut Street we ran out of gravity half way up the road. We have built a dry line from about 600 to 700 ft from your southerly property line. This sewer line will have to continue down S Walnut Street to SE 1st Avenue and down to the manhole at S Hazeldell Way. You can form an advanced finance district (AFD) to recover the costs in 10 years with two five year extensions when the other properties develop. Steve said we have to improve the sewer line on S Walnut and SE 1st Avenue and the question is, is there enough here for us to gravity flow into the dry line in S Walnut Street. Jerry suggested if you put your sampling manhole with your sewer it will save you installing another manhole. I want to work with your contractor on the second manhole when it goes in. Steve asked if there is room for this manhole and the answer was yes. Jerry said the existing sewer line is 12 inch pipe and Hassan said yes, they will continue the 12 inch line. Greg said it could be very deep and Hassan said at the cleanout we are at 155 (7 ft deep). Greg said we

are at 172 and that would make us very deep at the intersection approximately 22 ft. Jerry said with their property ending here they could possibly reverse the sewer pipe and connect to it and gravity feed to Sequoia Parkway since they own the entire site. My question is do they need to put the sewer main down S Walnut Street and it is worth looking into. These other properties can be picked up from this line and the Lewelling property can be served from SE 1st Avenue. Steve asked if there was enough fall and Hassan said your engineer would have to look into it and if these other properties can be served by reversing the line then you would only need to run sewer line east from Hazeldell Way and SE 1st Avenue.

CITY OF CANBY, PLANNING DEPARTMENT, Bryan Brown

- You had a couple of questions on your narrative and the first question is you have (4) tax lots and your drawing states the possibility of consolidating into the (3) tax lots. You have 42 acres and you are only developing 36 acres and Greg said we laid it out on an initial plan we submitted showing (2) tax lots in the back and (1) large tax lot in the front and Steve said generally we try not to consolidate anything on a large parcel because it gives you flexibility in the future and let us continue with the (3) lots. Bryan said the county will tell you what to do because it becomes a nightmare trying to go through a series of lot lines adjustments, but the county requires a replat normally. One of their past criteria was if it was previously platted you absolutely have to replat and you will need to check with the county on how they will require you to do a consolidation or change the boundaries. We can probably accommodate it here and our suggestion would for you to replat it. Steve asked how long would it take to do a replat and Bryan stated it would be the same timeline as a subdivision. Hassan said the county has a lot in their queue and could take a while and Steve said we need to consult with our surveyor. Bryan said we would need to know when you are certain what your true configuration is as the final. It is possible we could approve it at the city through some sort of lot line adjustment and you cannot do any more than (3) resulting lots because that would be a planning commission decision that would be like a replat, which is similar to a subdivision. If you do a replat you would not have to go through any review here except our final review of the replat. Kenneth said usually the county surveyor if you move a line then they will do a property line adjustment, but once you start erasing or changing the configuration they generally want it replatted. The only thing the city will need to do is review the final replat before you send it to the county.
- This will be a Site and Design Review application Type III and we still have the 12 employees per acre in the industrial overlay district. I am quite certain it will not be an issue, traffic will be the issue. You will need to address the conditional use permit application and use the criteria with a couple of sentence explanations for why you think it is a suitable use for our industrial park. The conditional use is simultaneous with the Site and Design Review and it only takes a paragraph in your narrative to us. Steve said since it is a type III it has to go in front of city council and Bryan said only the planning commission unless appealed.
- We give you one-half off the least expensive application.
- Steve said for our timeline we were hoping to submit in two weeks for our Site and Design Review (October 5, 2018). Bryan said that will depend on DKS because you can submit your application, but we are not going to do much with it and we are certainly not going to schedule a planning commission meeting until the traffic study is completely done and we

have had time to look at it. Steve asked if there was any use for us to submit before the traffic study is done and Bryan stated he would rather you did not. In some cases, it does give us a chance to review any other items not completed and have you complete them. In some circumstances, I am willing to accept knowing it is incomplete and at the same time you should be doing a neighborhood meeting. Bryan explained they need to provide a two week notice of the private meeting you will be arranging and we have found out you can have the meeting in the library and I do not think they are charging. There are lots of places you can book a room at like churches and such. Steve asked how they were to notify the neighbors and Bryan stated you will be required to submit with your Site and Design Review a 500 ft radius addresses and occupant list, in case anyone is leasing around there. You will use the same list you are going to submit with your application to use for yourself and send a letter saying you want to hold a neighborhood meeting and introduce them to your project and get your feedback. Greg said we will do a site plan, do a notice, narrative and submit it to you.

- You will need to get a scoping letter for the traffic study. We talked about the driveway issues and we can talk about this with DKS and one task of the study is working with the county too on driveways, should they be limited or not from what you are currently proposing. The county is questioning if you need two employee driveways and maybe you will especially ask because of what you described earlier and also the two on S Mulino Road are so far apart. It looks like all of the accesses meet city standards. We mainly looked at the main truck entrance and the closeness to the intersection of S Walnut Street, but it meets our standards on a local street separation from another local street.
- I made a sheet with all the review criteria for the industrial park and those are the sections of the code we will need a narrative. Steve said if we do the neighborhood meeting on October 5th and depending on Garth, we could be submitting our application on October 12th and roughly 60 days from there to get to the planning commission meeting with a 10 day appeal period. We are looking at January 2019 for completion. Garth said we should be okay, but worst case it could be two weeks beyond that, but hopefully within a week. Bryan said it may put you in January for the planning commission meeting rather than December. The meetings are held on the second and fourth Monday's of each month.
- Just a quick design considerations, there is some leeway on one of them where normally the parking is to the side or rear and I think it will be okay where it is at by the way you are utilizing the site. In the overlay zone, there is a prevision that encourages parking not to be in front of the buildings and the buildings closer to the ROW. It is not an absolute requirement, but what we are more concerned with is long term and when we expand the UGB and have future projects to the east for the industrial park on the other side of S Mulino Road and it would be your storage trailers on each side near the street frontages. What my current thought is behind the sidewalk and mostly on your private property before you get to your protective fencing, you have an entire row of evergreens along with landscape materials. I would suggest you do a mound of some sort and put an irrigation system on the top to keep them alive and it would go a long way to facilitate the view on our industrial streets. Greg said the berm would be a challenge due to our grades because we will be sloping down and we would be doing a screening fence with slats and Bryan said we were hoping you could do both with some landscaping and it would be preferable than starring at

- all that. Greg said we can do a good amount of screening, but we wanted to make sure the fence was out of the zone of our truck and trailers that might impact that area. We are cutting on the east and filling a little bit on the west and we transitioning as quickly as we can down to the street. We actually will have a 6 ft retaining wall around the tower right now and we are sloping the area on the west side down to the street. We are envisioning the same treatment on the eastside, which is the evergreens and slatted fence to break up the line.
- You described the building would be a higher end concrete tilt up building and you will be putting some sort of a visual interest on the building. Steve said we use an indentation inside the concrete and paint it and with those two it is pretty effective, along with lighting and landscaping.
- Greg asked about the building wall height between the I/O with the 45 ft maximum building height versus a 40 ft maximum in the M-1. We will have a 36 ft clear height and our intent is to have our walls right around 40 to 42 ft with parapets along these walls to dress it up and to make it more of a class a type of a building. Bryan said it sounds like you are below the 45 ft building height. Steve said the ridge line will be at 46 ft and Bryan said if you have a sloped roof of any kind it is the mid-point for the maximum height, the peak can be higher than the 45 ft.
- I did a quick calculation of the system development charges (SDC) worksheet and all the other city fees and they should be accurate. There are two SDC's you will want to help us with, one I did not calculate at all and it is the waste water discharge. You will need to provide us with some sort of documentation since you already have existing facilities with a water consumption rate or the like and if this will be a larger facility or if it is equal too. We need you to estimate your average daily waste charge in gallons and it is charged by a house equivalent of 155 gallons, which is \$2,781.00. We will look at this formula by how many equivalent houses your facility will be doing. Or you can do an architectural way to figure out how many fixtures you have and calculate your charge from that and Greg said he thought that would be what we will be doing because right now their facilities are combined with their headquarters and trying to break it out it may be more of a challenge. We will discuss this with our plumbing group to get the numbers. Bryan said the other SDC charge is our parks, which we have a methodology and use categories published in our master fee schedule and I picked distribution facility. The calculation comes out to be 110 employees at this facility for this square footage of this building and I am willing to work with you if you can give us some evidence of documentation you will not have 210 employees. We can work it out into a more applicable number of employees between what our methodology states and what we would like you to do is tell us the current employee count at the facilities are and what the square footage is. This will help us in getting a more accurate ratio compared to ours. Steve said at the three separate facilities, which includes the headquarters, it seems it would be easy to collect the data, but it is very convoluted because they have some redundancies at the different facilities of having the same people doing the same thing. Instead of having three separate people it would be one and Bryan said what we are trying to avoid is you saying there will be 150 employees and six months later you have 210 employees. You will pay all these fees prior to us giving you a release letter for your building permit.

- Canby Utility has their own SDC's that are not included on our sheet and is notated on the bottom of the sheet.
- Garth asked what the transportation ITE classification is and it shows warehouse. Bryan said it is using a warehouse because they talk about high-cube storage and we do not have it as a choice in the methodology in the use categories, which went into creating our SDC's. It looks like the high-cube warehouse is slightly lower than the standard warehouse and at this time it looks like the warehouse is the correct category to use and we do not divide categories, we pick the predominate category. Steve said some jurisdictions will let you pay the transportation SDC at occupancy rather than building permit, do you do that and Bryan said state law reads you can do a payment plan for all of them, we do them prior to the building permit issuance.
- Greg said the vehicle/bike parking count with the number of employees is 1 per 1,000 is for warehouse parking and we will be well below it for the parking we are providing. We will be addressing it in our narrative and if there will be a variance and how shall we address it. Bryan said he will be okay with you addressing why you want to do something less than using a variance. I did not do any calculating with your parking, what do you have and Greg said we are at 300 spaces, which is more than we would normally have. The admin will be approximately 26 and the other groups coming in throughout the day on various schedules could be approximately 200 and Steve said he thought the total at the peak would be 150, between warehouse and drivers and we can clarify it.
- Greg said we will have pallet storage in the back and we will be illustrating a fence line on
 the other side of our loop road. On the south side, we do plan to expand and it is our hope we
 do not have to do a lot of heavy screening and Bryan stated do your slated fencing along that
 property boundary.
- Steve asked in the land use application should we discuss our expansion and how does that work. Bryan said the drawing I was looking at showed the extra expansion parking up here and this area for future expansion and we could facilitate in the future when you do that expansion, we can do it as a moderate amendment and you would not have to go to the planning commission. I do not know if it answered your question, but by showing these things this way you will get your future phase 2 approved at the same time. Steve asked how the traffic study would contemplate the expansion and Bryan said technically you should consider it in the traffic study because it is a big enough expansion and if it is not accounted for in this traffic analysis you would have to have a future traffic study.
- Greg asked about the Otto Road extension and Bryan said Jennifer can address it and she has the time schedule for it. We did just find out we did not get the grant we asked for, but I am still hopeful our traffic study will demonstrate how important that other road is and also analyze if the road is not there what impact it will have on our existing roads. We know Haines Road is not the best solution and other would be going to Hazeldell Way to Sequoia Parkway and then to 99E. This could trigger putting in a signal at Hazeldell Way and Sequoia Parkway and we have already collected from a few developers for the signal. The impact analysis could look at the fully developed industrial park and what percentage of the traffic is going to Sequoia or to this new road we are trying to create and find a proportionate share of the new road by this development. This would be an analysis of how much of the entire industrial park traffic is going to funnel through that road and what portion you would

be doing. Jamie said we are still actively working on what we are calling the Otto Road extension and we did learn we did not get the Regional Infrastructure Fund grant, but we have other options we are working on with the county as well and it is not stopping the process.

CITY OF CANBY, PUBLIC WORKS, Jennifer Cline

- Is there existing wells on the site and Greg said he thought there were (3) wells on site. Jennifer stated they need to be decommissioned and you will need to provide documentation showing it was completed. The decommissioning of water wells can be found through the State of Oregon, Water Resources Department.
- If there are any septic tanks they will need to be decommissioned and we will need to have the paperwork sent to us. Steve asked if we needed the documentation before issuance of a building permit and Jennifer said yes before we sign the construction plans. Bryan said we have allowed them to do the grading because anyone can go out and grade their property as long as they do the property soil erosion control permit. That is the one thing we have accommodated them as long as they completed and submitted an erosion control application. How that effects the water wells, but it will allow you to find them. Jennifer Kimura stated that is the problem with the 1200c because it cannot be issued until Bryan issues his land use decision because it needs to go with the 1200c application. Jennifer said you can do the water well(s) decommissioning and give us the proper paperwork.
- There is a radius requirement with any of our drywells of 267 ft and keep in mind if you have any neighbors with water wells.

CLACKAMAS COUNTY, ECONOMIC DEVELOPEMTN, Cindy Moore

• Do you know when the ability of the name can go public, possibly at the neighborhood meeting? Bryan said we are trying to keep their name private, but we are letting them know it is a distribution center. Steve said we will go through the entire project being called Shakespeare. Cindy said we are respecting it also for you.