



CITY COUNCIL Agenda

222 NE 2nd Avenue, Canby, OR, 97013 | Ph: (503) 266-4021 | www.canbyoregon.gov

February 11, 2026

The City Council meeting may be attended in person in the Council Chambers at
222 NE 2nd Avenue, Canby, OR 97013

The meetings can be viewed on YouTube at:

<https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>

The public can register to speak at the meeting virtually by contacting the Deputy City Recorder;
ridgleyt@canbyoregon.gov or call 503-266-0637. No pre-registration is required to speak in person.

For questions regarding programming, please contact: Willamette Falls Studio (503) 650-0275;
media@wfmstudios.org

WORK SESSION – 6:00 PM

1. CALL TO ORDER
 2. SYSTEM DEVELOPMENT CHARGE (SDC) UPDATE PROCESS WORK SESSION PART 5
 3. ADJOURN
-

Pg. 1

SPECIAL CALLED MEETING – 7:00 PM

1. CALL TO ORDER
 - a. Invocation
 - b. Pledge of Allegiance
2. ROLL CALL
3. STAFF INTRODUCTIONS
4. CITIZEN INPUT, PUBLIC COMMENT ON NON-AGENDA ITEMS, & COMMUNITY ANNOUNCEMENTS:
This is an opportunity for audience members to address the City Council on items not on the agenda. If you are attending in person, please complete a testimony/comment card prior to speaking and hand it to the City Recorder. If you would like to speak virtually, please contact the Deputy City Recorder by 4:30 pm on February 11, 2026, with your name, the topic you'd like to speak on and contact information: ridgleyt@canbyoregon.gov or call 503-266-0637.
5. ORDINANCES & RESOLUTIONS
 - a. Consider **Ordinance No. 1662**: An Ordinance Authorizing the Interim City Administrator to Execute a Contract with Canby Excavating, Inc. in the amount of \$3,479,492.00 for the South

Pg. 2

6. PUBLIC HEARINGS

You are welcome to speak in person. *If you would like to speak virtually please email or call the Deputy City Recorder by 4:30 pm on February 11, 2026, with your name and contact information: ridgleyt@canbyoregon.gov or call 503-266-0637. Once your information is received, you will be sent instructions to speak.**

- a. Consider Adopting **Order No. 26-03**: An Order Granting a Modification/Extension Noise Variance Pg. 9 Application to Trammell Crow Company to allow completion of concrete pours and site work between the hours of 5:30 am – 10:00 pm on February 2 through April 1, 2026, at 2121 SE Township Road.

7. OTHER BUSINESS

8. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORT

- a. Process for Review of Legal Services
- b. Consideration of Support for Senate Bill 1585 (at the Request of League of Oregon Cities)

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 persons with disabilities should be made at least 48 hours before the meeting to Teresa Ridgley at 503-266-0637. A copy of this Agenda can be found on the City's web page at www.canbyoregon.gov.



CITY COUNCIL Staff Report Work Session

Meeting Date: 2/11/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Don Hardy, Planning Director
Agenda: System Development Charge (SDC) Update Process Work Session Part 5

Summary

The city is in the process of updating its system development charges (sewer, storm, parks and traffic) and city council input is essential to develop the SDC methodology. A work session on the system development updates occurred February 19, March 19, June 4, and July 23, 2025 and this work session is a continuation of these work sessions to review and agree upon the draft SDC methodology for city council hearing approval on May 6, 2026. FCS Group has been hired by Canby to complete the update process, and they are familiar with our SDC process as they were involved with the prior methodology for parks and transportation.

Background

The Parks and Recreation Advisory Committee met three times to develop a 20-year project list and discussed the parks level of service based on this list. Land appraisal work is being completed to address cost per acre for park development. The 20-year transportation project list is also being developed as part of the Transportation System Plan update which will be shared during the work session. SDC updates must provide 90-day initial notice to interested parties and that notice was issued on January 30 and a draft of the SDC methodology report must be provided 60-days in advance of the first hearing which will be on March 6.

Attachments

- None, a PowerPoint presentation will be provided to the city council on February 10.

Options

No formal action is needed but the city council's direction is needed to provide FCS Group and staff concurrence to proceed with the final SDC methodology report with an anticipated hearing on May 6, 2026.

Fiscal Impact

No fiscal impact will occur.

Recommended Action

No formal action is requested but the city council's concurrence to proceed with the final SDC methodology report with an anticipated hearing on May 6, 2026 is being sought.



CITY COUNCIL Staff Report

Meeting Date: 2/11/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Curt McLeod, CURRAN-MCLEOD, Inc
Agenda Item: Consider **Ordinance No. 1662**: An Ordinance Authorizing the Interim City Administrator to Execute a Contract with Canby Excavating, Inc. in the Amount of \$3,479,492.00 for the South Walnut Street Extension project and Declaring an Emergency.
Goal: Plan a Transportation System that eases the impacts of growth
Objective: N/A

Summary

On January 22, 2026, the City of Canby received seventeen (17) bids for the South Walnut Street Extension Project. This staff report is to recommend the City Council approve the award of the construction contract to Canby Excavating, Inc. in the amount of \$3,479,492.00.

Background

The scope of work consists of construction of approximately 2,600 feet of new industrial roadway connecting SE 1st Avenue to a proposed new signalized intersection on Highway 99E. This industrial road connection project was first identified in the Transportation System Plan nearly 30 years ago and has been listed as a high priority in the Transportation SDC Capital Improvement Plan for many years.

This project is the second of three phases of work to complete the roadway connection. Phase 1, sanitary sewer service, is currently under construction, and Phase 3, the highway signalization, is anticipated to be advertised for bids after securing ODOT approvals in the next few weeks.

There are still several permitting issues for this roadway extension and the traffic signal that will be resolved in the next few weeks. Several conditions require award of the contract so the contractor's bonding and insurance information can be provided to the permitting agencies.

A bid tabulation is attached, and a summary of all bids received for the South Walnut Street Extension is listed below:

1	Canby Excavating, Inc.	\$3,479,492.00
2	KNL Industries, Inc.	\$3,794,302.50
3	Interlaken, Inc.	\$3,975,465.50
4	Landis & Landis Construction, LLC	\$4,267,422.00
5	Tapani, Inc.	\$4,406,751.00
6	Willamette Valley Excavating, LLC	\$4,489,499.00
7	North Santiam Paving Co.	\$4,495,138.00
8	Ken Leahy Construction, Inc.	\$4,592,333.00
9	Northcore USA, LLC	\$4,750,337.00
10	Konell Construction & Demolition Corp.	\$4,799,077.00
11	Icon Construction & Development, LLC	\$4,897,318.00
12	Kerr Contractors Oregon, LLC	\$5,135,765.50
13	Elting Northwest, Inc.	\$5,205,220.00
14	Dirt & Aggregate Interchange, Inc.	\$5,692,146.59
15	SLE, Inc.	\$5,799,995.00
16	Pacific Excavation, Inc.	\$6,111,000.00
17	Lee Contractors, LLC	\$7,145,525.00

Discussion

This solicitation was advertised and completed in compliance with the public bid statutes in ORS 279C, as a formal bid process. All bids were reviewed for compliance with the bidding requirements, and all bids were deemed to be responsive, excepting bids number 10, 11, and 13, who failed to submit the required first tier disclosure statement. The low bidder, Canby Excavating, Inc. was deemed to be responsive and responsible. A Notice of Intent to Award to Canby Excavating, Inc. was issued on January 23, 2026, in accordance with ORS 279C.

The engineer's estimate was \$6.8 million for this phase of work, based on previous construction projects in the City and Clackamas County. By comparison to the costs of NE 10th Avenue received early last year, many items were bid at greatly reduced pricing. As an example, the bid cost for storm drain drywells on the Walnut Street Extension project is \$12,500 each, which is only 34% of the bid cost received on the NE 10th Avenue project.

Base rock for the Walnut Street roadway was bid at \$28.50 per square yard, which is only 73% of the bid cost received on the NE 10th Avenue project. Generally, all bid values were very competitive and lower than the cost received on projects over the past few years.

Canby Excavating has been active in the City of Canby for 34 years, with a well proved history of successful projects. Canby Excavating has no complaints, disciplinary actions, or debt noted on their CCB file. We have no reservations in recommending the construction contract be awarded to Canby Excavating.

Attachments

1. Ordinance No. 1662
2. Bid Tabulation

Fiscal Impact

The work on this project has been budgeted in the City's Five-Year Capital Improvement Plan at a total of \$9,534,000 over FY 25 and 26. The total project costs for all three phases will fit well below this overall budget.

Options

1. Approve Ordinance No. 1662 as presented.
2. Deny the ordinance and postpone or abandon construction of this project.

Recommendation

Staff recommend Council approval of Ordinance No. 1662.

Proposed Motion

"I move to approve **Ordinance No. 1662**, An Ordinance Authorizing the Interim City Administrator to Execute a Contract with Canby Excavating, Inc. in the Amount of \$3,479,492.00 for the South Walnut Street Extension Project, Declaring and Emergency, to a second reading on February 18, 2026".

ORDINANCE NO. 1662

AN ORDINANCE AUTHORIZING THE INTERIM CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CANBY EXCAVATING, INC. IN THE AMOUNT OF \$3,479,492 FOR CONSTRUCTION OF THE SOUTH WALNUT STREET EXTENSION PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with the Public Contract requirements in ORS 279C, the City of Canby has heretofore formally advertised and received bids for the South Walnut Street Extension Project;

WHEREAS the notice of call for bids was duly and regularly published in the Oregon Daily Journal of Commerce on December 15, 2025;

WHEREAS, seventeen (17) bids were received and opened on January 22, 2026, at 2:00 pm in the City Hall Mt Hood Conference Room;

WHEREAS, the Canby City Council, acting as the City's Contract Review Board, met on Wednesday, February 4, 2026, and considered the bids and reports and recommendations of the City staff, including the staff recommendation that the low responsive bid be selected; and

WHEREAS the Canby City Council determined that the low-responsive bid was that of Canby Excavating, Inc.

NOW, THEREFORE, THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:

Section 1. The Interim City Administrator is hereby authorized and directed to make, execute, and declare in the name of the City of Canby and on its behalf, an appropriate contract with Canby Excavating, Inc. for construction of the South Walnut Street Extension Project in the amount of \$3,479,492.00.

Section 2. The City Council finds it in the best interest of public health and safety that work under this contract begin as expeditiously as possible; therefore, the City Council declares an emergency and this ordinance to be effective immediately upon adoption.

Section 2. The effective date of this Ordinance shall be February 18, 2026.

SUBMITTED to the Canby City Council and read the first time at a special called meeting therefore on Wednesday, February 11, 2026; ordered posted as required by the Canby City Charter, and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, February 18, 2026, commencing at the hour of 7:00 PM at the Council Meeting Chambers located at 222 NE 2nd Avenue, Canby, Oregon.

Maya Benham, CMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 18th day of February 2026, by the following vote:

YEAS _____

NAYS _____

ATTEST:

Brian Hodson, Mayor

Maya Benham, CMC
City Recorder

CITY OF CANBY																			
S. WALNUT STREET EXTENSION																			
Bid Date: Thursday, January 22, 2026																			
Bids Ranked, Low Bid to High Bid:																			
1234567891011121314151617																			
BID TABULATION		Canby Excavating	KNL Industries	Interlaken	Landis & Landis	Tapani	Willamette Valley Excavating	N. Santiam Paving Co.	Ken Leahy Construction	Northcore USA	Konell Construction & Demo	Icon Construction & Development	Kerr Contractors	Elting Northwest	Dirt & Aggregate Interchange	SLE, Inc.	Pacific Excavation	Lee Contractors	
Basic Bid Items:		Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	
A. Site Preparation		Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	
A.1	Mobilization	1 LS	\$ 200,000.00	\$ 100,000.00	\$ 190,000.00	\$ 435,000.00	\$ 425,000.00	\$ 149,980.00	\$ 383,200.00	\$ 186,249.00	\$ 161,264.00	\$ 155,007.75	\$ 200,000.00	\$ 450,000.00	\$ 375,000.00	\$ 581,441.33	\$ 240,000.00	\$ 421,210.00	\$ 700,000.00
			\$ 200,000.00	\$ 100,000.00	\$ 190,000.00	\$ 435,000.00	\$ 425,000.00	\$ 149,980.00	\$ 383,200.00	\$ 186,249.00	\$ 161,264.00	\$ 155,007.75	\$ 200,000.00	\$ 450,000.00	\$ 375,000.00	\$ 581,441.33	\$ 240,000.00	\$ 421,210.00	\$ 700,000.00
A.2	Temporary Protection & Direction of Traffic	1 LS	\$ 10,000.00	\$ 10,000.00	\$ 12,750.00	\$ 30,000.00	\$ 14,000.00	\$ 23,000.00	\$ 16,000.00	\$ 15,000.00	\$ 55,243.00	\$ 22,349.16	\$ 17,500.00	\$ 115,000.00	\$ 10,000.00	\$ 116,521.16	\$ 40,000.00	\$ 50,000.00	\$ 220,000.00
			\$ 10,000.00	\$ 10,000.00	\$ 12,750.00	\$ 30,000.00	\$ 14,000.00	\$ 23,000.00	\$ 16,000.00	\$ 15,000.00	\$ 55,243.00	\$ 22,349.16	\$ 17,500.00	\$ 115,000.00	\$ 10,000.00	\$ 116,521.16	\$ 40,000.00	\$ 50,000.00	\$ 220,000.00
A.3	Erosion & Sediment Control	1 LS	\$ 35,000.00	\$ 80,000.00	\$ 35,000.00	\$ 45,000.00	\$ 30,000.00	\$ 18,500.00	\$ 33,800.00	\$ 110,000.00	\$ 51,313.00	\$ 87,621.88	\$ 30,000.00	\$ 38,000.00	\$ 55,000.00	\$ 78,000.37	\$ 35,000.00	\$ 35,000.00	\$ 60,000.00
			\$ 35,000.00	\$ 80,000.00	\$ 35,000.00	\$ 45,000.00	\$ 30,000.00	\$ 18,500.00	\$ 33,800.00	\$ 110,000.00	\$ 51,313.00	\$ 87,621.88	\$ 30,000.00	\$ 38,000.00	\$ 55,000.00	\$ 78,000.37	\$ 35,000.00	\$ 35,000.00	\$ 60,000.00
A.4	Tree Removal, 12" & Larger	90 Ea.	\$ 950.00	\$ 500.00	\$ 900.00	\$ 750.00	\$ 1,100.00	\$ 613.30	\$ 520.00	\$ 1,545.00	\$ 1,007.00	\$ 562.76	\$ 800.00	\$ 750.00	\$ 900.00	\$ 1,104.31	\$ 742.00	\$ 1,200.00	\$ 1,000.00
			\$ 85,500.00	\$ 45,000.00	\$ 81,000.00	\$ 67,500.00	\$ 99,000.00	\$ 55,197.00	\$ 46,800.00	\$ 139,050.00	\$ 90,630.00	\$ 50,648.40	\$ 72,000.00	\$ 67,500.00	\$ 81,000.00	\$ 99,387.90	\$ 66,780.00	\$ 108,000.00	\$ 90,000.00
A.5	Clearing and Grubbing	1 LS	\$ 28,000.00	\$ 66,000.00	\$ 25,000.00	\$ 37,500.00	\$ 25,000.00	\$ 45,300.00	\$ 30,000.00	\$ 40,000.00	\$ 13,333.00	\$ 93,253.71	\$ 75,000.00	\$ 28,000.00	\$ 90,000.00	\$ 125,376.84	\$ 10,000.00	\$ 180,000.00	\$ 180,000.00
			\$ 28,000.00	\$ 66,000.00	\$ 25,000.00	\$ 37,500.00	\$ 25,000.00	\$ 45,300.00	\$ 30,000.00	\$ 40,000.00	\$ 13,333.00	\$ 93,253.71	\$ 75,000.00	\$ 28,000.00	\$ 90,000.00	\$ 125,376.84	\$ 10,000.00	\$ 180,000.00	\$ 180,000.00
A.6	Stripping, 12"	9,200 CY	\$ 13.00	\$ 18.00	\$ 32.00	\$ 15.00	\$ 24.00	\$ 18.34	\$ 30.50	\$ 31.50	\$ 20.00	\$ 32.22	\$ 28.00	\$ 37.00	\$ 50.00	\$ 54.40	\$ 50.00	\$ 65.00	\$ 50.00
			\$ 119,600.00	\$ 165,600.00	\$ 294,400.00	\$ 138,000.00	\$ 220,800.00	\$ 168,728.00	\$ 280,600.00	\$ 289,800.00	\$ 184,000.00	\$ 296,424.00	\$ 257,600.00	\$ 340,400.00	\$ 460,000.00	\$ 500,480.00	\$ 460,000.00	\$ 598,000.00	\$ 460,000.00
A.7	Common Excavation	8,230 CY	\$ 6.00	\$ 17.50	\$ 7.50	\$ 7.50	\$ 12.00	\$ 4.60	\$ 7.25	\$ 7.50	\$ 5.00	\$ 7.35	\$ 9.60	\$ 10.75	\$ 6.00	\$ 13.89	\$ 43.00	\$ 11.00	\$ 50.00
			\$ 49,380.00	\$ 144,025.00	\$ 61,725.00	\$ 61,725.00	\$ 98,760.00	\$ 37,858.00	\$ 59,667.50	\$ 61,725.00	\$ 41,150.00	\$ 60,490.50	\$ 79,008.00	\$ 88,472.50	\$ 49,380.00	\$ 114,314.70	\$ 353,890.00	\$ 90,530.00	\$ 411,500.00
A.8	Native Embankment	6,350 CY	\$ 3.00	\$ 18.25	\$ 5.00	\$ 7.50	\$ 4.50	\$ 4.00	\$ 5.45	\$ 4.10	\$ 5.00	\$ 14.83	\$ 5.50	\$ 4.50	\$ 17.00	\$ 8.74	\$ 43.00	\$ 35.00	\$ 33.00
			\$ 19,050.00	\$ 115,887.50	\$ 31,750.00	\$ 47,625.00	\$ 28,575.00	\$ 25,400.00	\$ 34,607.50	\$ 26,035.00	\$ 31,750.00	\$ 94,170.50	\$ 34,925.00	\$ 28,575.00	\$ 107,950.00	\$ 55,499.00	\$ 273,050.00	\$ 222,250.00	\$ 209,550.00
A.9	Common Excavation Disposal	1,900 CY	\$ 9.00	\$ 19.56	\$ 20.00	\$ 21.50	\$ 15.00	\$ 24.30	\$ 20.00	\$ 30.00	\$ 27.00	\$ 16.87	\$ 27.50	\$ 21.00	\$ 27.00	\$ 28.52	\$ 32.00	\$ 30.00	\$ 30.00
			\$ 17,100.00	\$ 37,164.00	\$ 38,000.00	\$ 40,850.00	\$ 28,500.00	\$ 46,170.00	\$ 38,000.00	\$ 57,000.00	\$ 51,300.00	\$ 32,053.00	\$ 52,250.00	\$ 39,900.00	\$ 51,300.00	\$ 54,188.00	\$ 60,800.00	\$ 57,000.00	\$ 57,000.00
A.10	Sawcut AC & Concrete Surfaces	300 LF	\$ 5.00	\$ 4.00	\$ 3.00	\$ 2.00	\$ 3.25	\$ 6.11	\$ 3.00	\$ 5.00	\$ 5.00	\$ 8.01	\$ 6.50	\$ 3.50	\$ 10.00	\$ 2.44	\$ 2.00	\$ 3.00	\$ 10.00
			\$ 1,500.00	\$ 1,200.00	\$ 900.00	\$ 600.00	\$ 975.00	\$ 1,833.00	\$ 900.00	\$ 1,500.00	\$ 1,500.00	\$ 2,403.00	\$ 1,950.00	\$ 1,050.00	\$ 3,000.00	\$ 732.00	\$ 600.00	\$ 900.00	\$ 3,000.00
A.11	Sht 51 Driveway to Tx Lot 500 (Both) Including All ACP Surfacing	1 LS	\$ 31,000.00	\$ 25,000.00	\$ 40,000.00	\$ 51,500.00	\$ 28,000.00	\$ 25,500.00	\$ 38,500.00	\$ 19,000.00	\$ 16,440.00	\$ 51,305.77	\$ 35,000.00	\$ 47,000.00	\$ 65,000.00	\$ 23,592.29	\$ 40,000.00	\$ 33,000.00	\$ 10,000.00
			\$ 31,000.00	\$ 25,000.00	\$ 40,000.00	\$ 51,500.00	\$ 28,000.00	\$ 25,500.00	\$ 38,500.00	\$ 19,000.00	\$ 16,440.00	\$ 51,305.77	\$ 35,000.00	\$ 47,000.00	\$ 65,000.00	\$ 23,592.29	\$ 40,000.00	\$ 33,000.00	\$ 10,000.00
A.12	Sht C51 Driveway to Tx Lot 600 Including All ACP and Rock Surfacing	1 LS	\$ 12,000.00	\$ 15,000.00	\$ 15,000.00	\$ 17,500.00	\$ 11,000.00	\$ 9,200.00	\$ 13,500.00	\$ 16,000.00	\$ 11,717.00	\$ 20,002.85	\$ 8,500.00	\$ 21,000.00	\$ 15,000.00	\$ 9,945.46	\$ 22,500.00	\$ 15,000.00	\$ 10,000.00
			\$ 12,000.00	\$ 15,000.00	\$ 15,000.00	\$ 17,500.00	\$ 11,000.00	\$ 9,200.00	\$ 13,500.00	\$ 16,000.00	\$ 11,717.00	\$ 20,002.85	\$ 8,500.00	\$ 21,000.00	\$ 15,000.00	\$ 9,945.46	\$ 22,500.00	\$ 15,000.00	\$ 10,000.00
A.13	Sht C51 Driveway to Tx Lot 700 Including ACP and Rock Surfacing	1 LS	\$ 2,500.00	\$ 5,000.00	\$ 7,000.00	\$ 9,500.00	\$ 1,500.00	\$ 2,900.00	\$ 3,500.00	\$ 9,000.00	\$ 2,697.00	\$ 5,185.12	\$ 4,500.00	\$ 5,500.00	\$ 7,500.00	\$ 3,298.17	\$ 5,250.00	\$ 6,500.00	\$ 10,000.00
			\$ 2,500.00	\$ 5,000.00	\$ 7,000.00	\$ 9,500.00	\$ 1,500.00	\$ 2,900.00	\$ 3,500.00	\$ 9,000.00	\$ 2,697.00	\$ 5,185.12	\$ 4,500.00	\$ 5,500.00	\$ 7,500.00	\$ 3,298.17	\$ 5,250.00	\$ 6,500.00	\$ 10,000.00
A.14	Sht C32 Driveway to Storm Manhole Sta 1+00A	1 LS	\$ 3,000.00	\$ 5,000.00	\$ 2,300.00	\$ 4,500.00	\$ 3,500.00	\$ 3,150.00	\$ 3,200.00	\$ 8,000.00	\$ 3,683.00	\$ 4,492.04	\$ 2,100.00	\$ 4,200.00	\$ 4,500.00	\$ 8,171.11	\$ 4,500.00	\$ 5,500.00	\$ 10,000.00
			\$ 3,000.00	\$ 5,000.00	\$ 2,300.00	\$ 4,500.00	\$ 3,500.00	\$ 3,150.00	\$ 3,200.00	\$ 8,000.00	\$ 3,								

CITY OF CANBY																			
S. WALNUT STREET EXTENSION																			
Bid Date: Thursday, January 22, 2026																			
Bids Ranked, Low Bid to High Bid:																			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
BID TABULATION		Canby Excavating	KNL Industries	Interlaken	Landis & Landis	Tapani	Willamette Valley Excavating	N. Santiam Paving Co.	Ken Leahy Construction	Northcore USA	Konell Construction & Demo	Icon Construction & Development	Kerr Contractors	Elting Northwest	Dirt & Aggregate Interchange	SLE, Inc.	Pacific Excavation	Lee Contractors	
Basic Bid Items		Units	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
D. Sanitary Sewer																			
D.1	8" PVC 3034 w/Select Bfl	2,450 LF	\$ 82.00 \$ 200,900.00	\$ 97.00 \$ 237,650.00	\$ 79.00 \$ 193,550.00	\$ 88.00 \$ 215,600.00	\$ 116.00 \$ 284,200.00	\$ 110.00 \$ 269,500.00	\$ 118.00 \$ 289,100.00	\$ 107.00 \$ 262,150.00	\$ 234.00 \$ 573,300.00	\$ 148.02 \$ 362,649.00	\$ 176.00 \$ 431,200.00	\$ 125.00 \$ 306,250.00	\$ 150.00 \$ 367,500.00	\$ 166.40 \$ 407,680.00	\$ 205.00 \$ 502,250.00	\$ 190.00 \$ 465,500.00	\$ 125.00 \$ 306,250.00
D.2	48" Manhole, All Depths	14 EA	\$ 5,200.00 \$ 72,800.00	\$ 10,500.00 \$ 147,000.00	\$ 3,500.00 \$ 49,000.00	\$ 6,900.00 \$ 96,600.00	\$ 7,700.00 \$ 107,800.00	\$ 10,600.00 \$ 148,400.00	\$ 7,135.00 \$ 99,890.00	\$ 5,940.00 \$ 83,160.00	\$ 8,099.00 \$ 113,386.00	\$ 8,877.28 \$ 124,281.92	\$ 8,100.00 \$ 113,400.00	\$ 9,000.00 \$ 126,000.00	\$ 10,000.00 \$ 140,000.00	\$ 8,116.53 \$ 113,631.42	\$ 8,000.00 \$ 112,000.00	\$ 7,500.00 \$ 105,000.00	\$ 10,000.00 \$ 140,000.00
D.3	6" Service Lateral Including Tee, 6" PVC Service and cleanout per Detail 301, average 45 feet each	3 EA	\$ 4,050.00 \$ 12,150.00	\$ 3,600.00 \$ 10,800.00	\$ 3,000.00 \$ 9,000.00	\$ 4,950.00 \$ 14,850.00	\$ 6,100.00 \$ 18,300.00	\$ 5,150.00 \$ 15,450.00	\$ 6,735.00 \$ 20,205.00	\$ 7,015.00 \$ 21,045.00	\$ 5,085.00 \$ 15,255.00	\$ 8,929.42 \$ 26,788.26	\$ 4,000.00 \$ 12,000.00	\$ 6,600.00 \$ 19,800.00	\$ 10,500.00 \$ 31,500.00	\$ 7,240.10 \$ 21,720.30	\$ 9,900.00 \$ 29,700.00	\$ 1,800.00 \$ 5,400.00	\$ 7,500.00 \$ 22,500.00
		Subtotal	\$ 285,850.00	\$ 395,450.00	\$ 251,550.00	\$ 327,050.00	\$ 410,300.00	\$ 433,350.00	\$ 409,195.00	\$ 366,355.00	\$ 701,941.00	\$ 513,719.18	\$ 556,600.00	\$ 452,050.00	\$ 539,000.00	\$ 543,031.72	\$ 643,950.00	\$ 575,900.00	\$ 468,750.00
Basic Bid Items		Units	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total	Unit / Total
E. Waterlines																			
E.1	18" DI pipe With Poly Bag, Toning Wire and Select Backfill	1,150 LF	\$ 208.00 \$ 239,200.00	\$ 242.00 \$ 278,300.00	\$ 250.00 \$ 287,500.00	\$ 250.00 \$ 287,500.00	\$ 248.00 \$ 285,200.00	\$ 276.00 \$ 317,400.00	\$ 249.00 \$ 286,350.00	\$ 265.00 \$ 304,750.00	\$ 193.00 \$ 221,950.00	\$ 223.45 \$ 256,967.50	\$ 260.00 \$ 299,000.00	\$ 260.00 \$ 299,000.00	\$ 250.00 \$ 287,500.00	\$ 288.85 \$ 332,177.50	\$ 245.00 \$ 281,750.00	\$ 250.00 \$ 287,500.00	\$ 400.00 \$ 460,000.00
E.2	12" DI Pipe with Poly Bag, Toning Wire and Select Backfill	1,600 LF	\$ 123.00 \$ 196,800.00	\$ 146.00 \$ 233,600.00	\$ 150.00 \$ 240,000.00	\$ 140.00 \$ 224,000.00	\$ 157.00 \$ 251,200.00	\$ 184.65 \$ 295,440.00	\$ 153.00 \$ 244,800.00	\$ 160.00 \$ 256,000.00	\$ 155.00 \$ 248,000.00	\$ 142.19 \$ 227,504.00	\$ 158.00 \$ 252,800.00	\$ 155.00 \$ 248,000.00	\$ 165.00 \$ 264,000.00	\$ 195.82 \$ 313,312.00	\$ 175.00 \$ 280,000.00	\$ 200.00 \$ 320,000.00	\$ 300.00 \$ 480,000.00
E.3	8" DI Pipe with Poly Bag, Toning wire and Select Backfill	240 LF	\$ 120.00 \$ 28,800.00	\$ 116.00 \$ 27,840.00	\$ 108.00 \$ 25,920.00	\$ 115.00 \$ 27,600.00	\$ 129.00 \$ 30,960.00	\$ 122.00 \$ 29,280.00	\$ 137.50 \$ 33,000.00	\$ 97.00 \$ 23,280.00	\$ 105.00 \$ 25,200.00	\$ 138.75 \$ 33,300.00	\$ 120.00 \$ 28,800.00	\$ 114.00 \$ 27,360.00	\$ 190.00 \$ 45,600.00	\$ 150.79 \$ 36,189.60	\$ 135.00 \$ 32,400.00	\$ 137.00 \$ 32,880.00	\$ 200.00 \$ 48,000.00
E.4	6" DI Water w/ Poly Bag and Select Backfill	280 LF	\$ 72.00 \$ 20,160.00	\$ 94.00 \$ 26,320.00	\$ 89.00 \$ 24,920.00	\$ 95.00 \$ 26,600.00	\$ 114.00 \$ 31,920.00	\$ 110.00 \$ 30,800.00	\$ 119.00 \$ 33,320.00	\$ 110.00 \$ 30,800.00	\$ 82.00 \$ 22,960.00	\$ 125.04 \$ 35,011.20	\$ 128.00 \$ 35,840.00	\$ 92.00 \$ 25,760.00	\$ 135.00 \$ 37,800.00	\$ 127.66 \$ 35,744.80	\$ 120.00 \$ 33,600.00	\$ 121.00 \$ 33,880.00	\$ 200.00 \$ 56,000.00
E.5	18" MJ Tee	1 EA	\$ 7,200.00 \$ 7,200.00	\$ 6,350.00 \$ 6,350.00	\$ 7,200.00 \$ 7,200.00	\$ 6,500.00 \$ 6,500.00	\$ 7,500.00 \$ 7,500.00	\$ 7,400.00 \$ 7,400.00	\$ 7,400.00 \$ 7,400.00	\$ 6,710.00 \$ 6,710.00	\$ 6,399.00 \$ 6,399.00	\$ 7,184.23 \$ 7,184.23	\$ 8,000.00 \$ 8,000.00	\$ 7,700.00 \$ 7,700.00	\$ 8,000.00 \$ 8,000.00	\$ 7,238.91 \$ 7,238.91	\$ 7,200.00 \$ 7,200.00	\$ 7,000.00 \$ 7,000.00	\$ 9,000.00 \$ 9,000.00
E.6	18" x 8" MJ x Flg Tee	2 EA	\$ 3,800.00 \$ 7,600.00	\$ 3,450.00 \$ 6,900.00	\$ 3,500.00 \$ 7,000.00	\$ 4,500.00 \$ 9,000.00	\$ 4,200.00 \$ 8,400.00	\$ 3,700.00 \$ 7,400.00	\$ 4,650.00 \$ 9,300.00	\$ 4,435.00 \$ 8,870.00	\$ 3,570.00 \$ 7,140.00	\$ 3,847.26 \$ 7,694.52	\$ 4,025.00 \$ 8,050.00	\$ 4,300.00 \$ 8,600.00	\$ 4,000.00 \$ 8,000.00	\$ 4,058.78 \$ 8,117.56	\$ 3,800.00 \$ 7,600.00	\$ 3,500.00 \$ 7,000.00	\$ 6,000.00 \$ 12,000.00
E.7	18" x 6" MJ x Flg Tee	3 EA	\$ 3,145.00 \$ 9,435.00	\$ 2,780.00 \$ 8,340.00	\$ 2,870.00 \$ 8,610.00	\$ 2,700.00 \$ 8,100.00	\$ 3,400.00 \$ 10,200.00	\$ 3,000.00 \$ 9,000.00	\$ 4,000.00 \$ 12,000.00	\$ 2,965.00 \$ 8,895.00	\$ 2,913.00 \$ 8,739.00	\$ 3,212.39 \$ 9,637.17	\$ 3,275.00 \$ 9,825.00	\$ 3,700.00 \$ 11,100.00	\$ 3,500.00 \$ 10,500.00	\$ 3,319.76 \$ 9,959.28	\$ 3,100.00 \$ 9,300.00	\$ 3,000.00 \$ 9,000.00	\$ 5,500.00 \$ 16,500.00
E.8	12" MJ Tee	1 EA	\$ 1,700.00 \$ 1,700.00	\$ 1,480.00 \$ 1,480.00	\$ 1,530.00 \$ 1,530.00	\$ 1,350.00 \$ 1,350.00	\$ 2,000.00 \$ 2,000.00	\$ 1,650.00 \$ 1,650.00	\$ 2,325.00 \$ 2,325.00	\$ 1,515.00 \$ 1,515.00	\$ 1,630.00 \$ 1,630.00	\$ 1,957.01 \$ 1,957.01	\$ 1,840.00 \$ 1,840.00	\$ 2,200.00 \$ 2,200.00	\$ 2,300.00 \$ 2,300.00	\$ 1,876.87 \$ 1,876.87	\$ 1,900.00 \$ 1,900.00	\$ 1,500.00 \$ 1,500.00	\$ 2,000.00 \$ 2,000.00
E.9	12" x 8" MJ x Flg Tee	5 EA	\$ 1,400.00 \$ 7,000.00	\$ 1,200.00 \$ 6,000.00	\$ 1,230.00 \$ 6,150.00	\$ 1,150.00 \$ 5,750.00	\$ 1,700.00 \$ 8,500.00	\$ 1,350.00 \$ 6,750.00	\$ 2,040.00 \$ 10,200.00	\$ 1,250.00 \$ 6,250.00	\$ 1,349.00 \$ 6,745.00	\$ 1,727.21 \$ 8,636.05	\$ 1,500.00 \$ 7,500.00	\$ 1,950.00 \$ 9,750.00	\$ 2,000.00 \$ 10,000.00	\$ 1,561.01 \$ 7,805.05	\$ 1,600.00 \$ 8,000.00	\$ 1,400.00 \$ 7,000.00	\$ 1,800.00 \$ 9,000.00
E.10	12" x 6" MJ x Flg Tee	5 EA	\$ 1,300.00 \$ 6,500.00	\$ 1,150.00 \$ 5,750.00	\$ 1,150.00 \$ 5,750.00	\$ 1,050.00 \$ 5,250.00	\$ 1,600.00 \$ 8,000.00	\$ 1,250.00 \$ 6,250.00	\$ 1,965.00 \$ 9,825.00	\$ 1,175.00 \$ 5,875.00	\$ 1,269.00 \$ 6,345.00	\$ 1,649.25 \$ 8,246.25	\$ 1,415.00 \$ 7,075.00	\$ 1,900.00 \$ 9,500.00	\$ 2,000.00 \$ 10,000.00	\$ 1,471.55 \$ 7,357.75	\$ 1,500.00 \$ 7,500.00	\$ 1,300.00 \$ 6,500.00	\$ 1,700.00 \$ 8,500.00
E.11	18" MJ Bfl Valve	3 EA	\$ 6,200.00 \$ 18,600.00	\$ 8,200.00 \$ 24,600.00	\$ 6,100.00 \$ 18,300.00	\$ 6,000.00 \$ 18,000.00	\$ 6,400.00 \$ 19,200.00	\$ 6,300.00 \$ 18,900.00	\$ 9,240.00 \$ 27,720.00	\$ 6,400.00 \$ 19,200.00	\$ 8,263.00 \$ 24,789.00	\$ 7,620.76 \$ 22,862.28	\$ 7,300.00 \$ 21,900.00	\$ 6,300.00 \$ 18,900.00	\$ 7,000.00 \$ 21,000.00	\$ 9,335.52 \$ 28,006.56	\$ 6,200.00 \$ 18,600.00	\$ 6,000.00 \$ 18,000.00	\$ 9,000.00 \$ 27,000.00
E.12	12" MJ Bfl Valve	5 EA	\$ 3,000.00 \$ 15,000.00	\$ 3,950.00 \$ 19,750.00	\$ 2,900.00 \$ 14,500.00	\$ 3,550.00 \$ 17,750.00	\$ 3,100.00 \$ 15,500.00	\$ 3,050.00 \$ 15,250.00	\$ 3,830.00 \$ 19,150.00	\$ 4,068.00 \$ 20,340.00	\$ 3,987.94 \$ 19,939.70	\$ 4,068.00 \$ 20,340.00	\$ 3,550.00 \$ 17,750.00	\$ 3,200.00 \$ 16,000.00	\$ 3,500.00 \$ 17,500.00	\$ 4,618.47 \$ 23,092.35	\$ 3,700.00 \$ 18,500.00	\$ 3,000.00 \$ 15,000.00	\$ 9,000.00 \$ 45,000.00
E.13	8" Flg x MJ Gate Valve	7 EA	\$ 2,200.00 \$ 15,400.00	\$ 2,360.00 \$ 16,520.00	\$ 2,000.00 \$ 14,000.00	\$ 1,950.00 \$ 13,650.00	\$ 2,100.00 \$ 14,700.00	\$ 2,150.00 \$ 15,050.00	\$ 2,705.00 \$ 18,935.00	\$ 2,180.00 \$ 15,260.00	\$ 2,503.00 \$ 17,521.00	\$ 2,243.91 \$ 15,707.37	\$ 2,725.00 \$ 19,075.00	\$ 2,200.00 \$ 15,400.00	\$ 2,700.00 \$ 18,900.00	\$ 2,858.47 \$ 20,009.29	\$ 2,300.00 \$ 16,100.00	\$ 2,100.00 \$ 14,700.00	\$ 4,000.00 \$ 28,000.00
E.14	6" Flg x MJ Gate Valve	8 EA	\$ 1,500.00 \$ 12,000.00	\$ 1,410.00 \$ 11,280.00	\$ 1,350.00 \$ 10,800.00	\$ 1,400.00 \$ 11,200.00	\$ 1,400.00 \$ 11,200.00	\$ 1,450.00 \$ 11,600.00	\$ 1,800.00 \$ 14,400.00										



CITY COUNCIL Staff Report

Meeting Date: 2/11/2026

To: The Honorable Mayor Hodson & City Council
Thru: Randy Ealy, Interim City Administrator
From: Don Hardy, Planning Director and Ryan Potter, Planning Manager
Agenda Item: Consider Adopting Order No. 26-03: An Order Granting a Modification/Extension Noise Variance Application to Trammell Crow Company to allow completion of concrete pours and site work between the hours of 5:30 am – 10:00 pm on February 2 through April 1, 2026, at 2121 SE Township Road.

Summary

A request for an extension to the November 5, 2025, approved noise variance was submitted on January 21 for the Sequoia Logistics Center from February 2 to April 1, 2026, for the hours between 5:30 am and 10:00 pm, related to concrete pouring and construction equipment. The November 5 noise variance approval was between 5:30 am to 7:00 pm from December 1, 2025, to February 2, 2026.

Trammell Crow (TC) provided a summary of their construction operations as part of the noise variance application and noted: Our team has been adhering to the 5:30 am mobilization time and 6:00 am start of construction. We have also received an approved right-of-way permits along Mullino Road which has allowed us to recently modify construction entrances allowing for the bulk of early morning traffic to filter into and out of the site from Mullino Road to help further minimize any possible noise. We have taken noise readings from various street locations nearest the neighboring houses and with all concrete pour and concrete truck modified backup white noise systems the readings are consistently coming in from low 50 decibel (dBs) to low 60 dBs, and we're finding that it's only when taking the measurement at the street immediately upon when any large industrial truck (non-construction related) is passing by (especially with their air brakes) that the dB readings jump up into the mid-80s. We feel that we are not differing materially from posted allowable dB levels, but we understand the concerns of the community as it relates to noise in the area given the ongoing operations from some of the existing steel companies, and because of that want to be upfront with the City Council regarding our intentions.

Interim City Administrator, Randy Ealy also reached out to two of the Timber Park Subdivision representatives who provided the following feedback:

Resident A: Thank you for being proactive; they want to start at 5:30am now which is a no go; currently 6:00am they are my alarm clock with the cement pouring and trucks; they are loud from 6am to 10pm; Please continue not starting before 6:00am.

Resident B: Would like to report that they (TC) have more than lived up to their end of the bargain; they've been super quiet; not extended the light poles; lights low; noise is low; They've been doing an awesome job; I will verify with my neighbors, and if any have any complaints I will pass that on to you (I've heard nothing since that January 22 exchange.)

Noise construction variance requests are reviewed and approved by the city council. Noise variance requests are regulated by City of Canby Code Chapter 9.48: Noise Control. The Sequoia Logistics Center land use approval occurred on June 4, 2024, for a 779,000 square foot warehouse building and the building shell permit has been issued and construction is underway.

Background

Noise variance requests are submitted for construction proposed to occur outside of the city authorized 7:00 am to 10:00 pm construction hours, using the on-line application form and the city recorder then places the noise variance request on a city council hearing docket. Noise variances are a city administrator/city attorney directed process. The city council deliberations address the request and need through a public hearing process.

The property is located in the Canby Pioneer Industrial Park and is generally surrounded by other parcels zoned M-1, Light Industrial. These parcels contain a mix of light industrial uses, agricultural uses, vacant land, and a few homes that are mostly associated with adjacent farms. To the east and northeast across S Mulino Road is farmland that is located outside of the city and zoned by Clackamas County for Exclusive Farmland Use (EFU). The Timber Park single-family residential subdivision is located to the southwest of the subject property across the rail spur and S Sequoia Parkway. To the immediate south across the rail spur is the recently completed Lampros Steel facility.

The property fronts directly onto three public streets: S Township Road on the north, S Mulino Road on the east, and S Sequoia Parkway on the west. The property's southwestern corner is adjacent to a functioning railroad spur, which travels in a diagonal northwest-southeast direction and under S Sequoia Parkway which bridges over it via an overpass.

Considerations

In order to provide additional context for the city council review process Trammell Crow Company will address the following in their presentation to the city council on February 11, 2026:

- Requested need and reasoning for the noise variance extension and how their current construction is proceeding
- Addressing the length of proposed construction required with approval of their proposed construction hours vs. 7:00 am to 10:00 pm permitted outright by the city
- Assessing adjacency to residential areas
- Addressing the type of construction activity necessitating the noise variance
- Addressing communication and company contacts

These items are reflective of the city noise control ordinance, Chapter 9.48.050 B (2). In establishing exceptions or granting variances, the City Council shall consider:

- The protection of health, safety and welfare of citizens as well as the feasibility and cost of noise abatement.
- The surrounding type of existing land use.
- The acoustical nature of the sound emitted.
- Whether compliance with the provision would produce a benefit to the public

Fiscal Impact

None

Attachments

1. Noise Variance Application
2. Order on Noise Variance Application
3. Exhibit A – Findings on Noise Variance Application
4. Trammell Crow's Email Response

Recommended Action

City Council Options:

- Approve the noise variance
- Approve an alternate noise variance with different hours
- Deny the noise variance which would default to the city approved construction hours of operation 7:00 am to 10:00 pm.

Staff recommends approval of the noise variance.

From: [Canby OR](#)
To: [Maya Benham](#)
Subject: Form submission from: Noise Variance Request
Date: Wednesday, January 21, 2026 4:15:16 PM

Submitted on Wednesday, January 21, 2026 - 4:15pm

Submitted by anonymous user: [75.205.67.181](#)

Submitted values are:

Applicant Information

Name Hewitt Sullivan
Address 11450 SW Amu St, Tualatin, OR 97062
Phone (971)-509-3439

Event Information

Address of Noise Variance Request 2121 SE Township Rd, Canby, OR 97013
Name of Property/Business Owner Variance Request Trammell Crow Company
Type of Event Early morning concrete pours.
Acoustical Nature of Sound to be Emitted Concrete truck traffic, construction equipment.
Will you be continually present at this event? No
If no is selected, who is to be the contact should the need arise? Ray Vigue
rvigue@perlo.biz
(503)-619-9179

Additional Comments/Information

This request serves as an extension request from previously approved noise variance that expires in the beginning of February 2026. The Council had granted noise variance permitting from 5:30am to 10:00pm.

Date(s)/Time(s) of Event & Requested Hours of Variance 2/2/2026 - 4/1/2026 from 5:30am - 10:00pm

Adjacent Property Owner List See excel attachment.

Upload a Document [adjacent_property_owner_list.xlsx](#)

Today's Date & Time 01/21/2026 - 3:56pm

Signature WHS

Acknowledgement I Accept

The results of this submission may be viewed at:

<https://www.canbyoregon.gov/node/22164/submission/4849>

**BEFORE THE CITY COUNCIL
OF THE CITY OF CANBY**

In the Matter of the Trammell Crow
Company Noise Variance Application,
Submitted January 21, 2026

ORDER GRANTING APPLICATION

WHEREAS, the Applicant, the Trammell Crow Company, submitted an application for a noise variance pursuant to Canby Municipal Code (CMC) 9.48.050 in order to conduct early morning concrete pours anticipated to emit sounds from concrete truck traffic and construction equipment., at 2121 SE Township Rd, Canby, OR 97013 (Application) that would otherwise be in violation of CMC 9.48; and

WHEREAS, the City Council, on February 11, 2026, conducted a duly-noticed public hearing on the Application in accordance with CMC 9.48.050.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. The Council GRANTS the Application.

Section 2. In support of this Order, the City Council adopts the findings set forth the attached Exhibit A, which is incorporated herein by this reference.

SO ORDERED by the City Council this 11th day of February, 2026, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF CANBY, OREGON

Brian Hodson, Mayor

ATTEST:

Maya Benham, CMC
City Recorder

EXHIBIT A

FINDINGS IN SUPPORT OF ORDER GRANTING NOISE VARIANCE APPLICATION

1. Factual Background.

On January 21, 2026, the Trammell Crow Company (Applicant) applied for a noise variance in order to conduct early morning concrete pours anticipated to emit sounds from concrete truck traffic and construction equipment., at 2121 SE Township Rd, Canby, OR 97013 (Application) that would otherwise be in violation of CMC 9.48.

On February 11, 2025, the City Council conducted a public hearing in which it received the staff report, testimony from the Applicant, and public testimony on the Application. Based on the evidence in the record, the City Council GRANTS the application based on the following findings.

2. Procedural Requirements.

CMC 9.48.030 and 9.48.040 regulates the types, amounts, levels, duration, and times of the emission of noises within the City. CMC 9.48.050 permits the granting of variances to the noise regulations and establishes the procedural and substantive criteria for the review of applications for noise variances.

a. Application Requirements.

CMC 9.48.050(B)(1) requires an application for a noise variance to be submitted to the City on the form prescribed by the City Recorder and shall contain all required information, fees, and a list of all property owners within 200 feet of the location of the variance. The Application satisfies these requirements.

b. Hearing Requirements.

CMC 9.48.050(B)(4) requires the City Council to conduct a public hearing before granting an application for a noise variance. Notice of the public hearing must be published in a newspaper at least 20 days prior to the public hearing. Notice of the public hearing also be delivered to the holder of a variance by certified and all persons who have filed with the City Council a request for this notification. CMC 9.48.050(B)(5)(b). The public hearing was noticed and conducted in satisfaction of these requirements.

3. Findings.

The Council makes the following findings on the Application based on its consideration of the evidence in the record under the factors established by CMC 9.48.050(B)(2):

- The protection of health, safety and welfare of citizens as well as the feasibility and cost of noise abatement;
- The surrounding type of existing land use;
- The acoustical nature of the sound emitted; and
- Whether compliance with the provision would produce a benefit to the public.

EXHIBIT A

- c. FINDING: Granting the Application will not be materially detrimental to other property within the same vicinity.

Under CMC 9.48.050(B)(5)(a), the Council shall not grant an application for a noise variance that will be materially detrimental to other property within the same vicinity.

The Council finds that granting the Application will not be materially detrimental to the other property within the same vicinity because the Applicant testified that its emission of construction noises in connection with concrete pouring will not typically begin until one hour after the Applicant begins work at the construction site. This means that the Applicant likely will not begin emitting these noises until 6:00 AM. This is only one hour before the time at which the Applicant could begin emitting these noises without a variance. The impact of that one hour on properties within the same vicinity is not materially detrimental.

Additionally, the Applicant has received approved right-of-way permits along Mulino Road which allows the Applicant to modify construction entrances. This means that the bulk of early morning construction traffic enters and exits the construction site from Mulino Road, which helps to minimize noise impacts on neighboring properties.

Table 1 of CMC 9.48 establishes the maximum decibels that may be emitted by a noise source in a particular area. In any ten-minute period, industrial noise sources may emit no more than 55 decibels of noise in a noise-sensitive area during the day¹ and no more than 50 decibels in a noise-sensitive area during the night.² The Applicant has also taken noise readings from various street locations nearest to the neighboring properties. These noise readings show that, with the concrete pour and the concrete truck's modified white-noise backup systems, readings are consistently in the low 50 decibels to low 60 decibels. These decibel levels are not significantly higher than the maximum levels described in Table 1 of CMC 9.48. The Applicant reports that readings do increase to the mid-80 decibels, but only when any large truck is immediately passing by while readings are being taken.

The Applicant also states that the concrete trucks pouring concrete at the construction site will not emit standard "back-up beepers" when backing up but will emit, instead, a white-noise alert sound which is less obtrusive. This use of white-noise further reduces the impact on other properties within the same vicinity to less than materially detrimental.

Furthermore, the Interim City Administrator has reached out to several of the neighboring property owners who gave public testimony at the City Council's public hearing for the Applicants first noise ordinance application on November 5, 2025. These neighboring property owners reported to the Interim City Administrator no complaints about the Applicant's noise emissions under its first noise variance.

For the above reasons, the Council does not find that granting the Application would be materially detrimental to other property within the same vicinity.

¹ 7:00 AM to 10:00 PM. CMC 9.48.010.

² 10:00 PM to 7:00 AM. CMC 9.48.010.

EXHIBIT A

- d. FINDING: Special circumstances render strict compliance unreasonable or impractical for the Applicant due to special physical conditions or cause; and strict compliance would result in substantial curtailment or closing down of a business.

CMC 9.48.050(B)(5)(a) permits, but does not require, the Council to grant an application for a noise variance if the Council finds any one of the following:

- Strict compliance with the rule, regulations or order is inappropriate because of conditions beyond the control of the persons requesting the variance; or
- Special circumstances render strict compliance unreasonable or impractical due to special physical conditions or cause; or
- Strict compliance would result in substantial curtailment or closing down of a business, plant or operation; or
- No other alternative facility or method of handling is yet available.

The Council finds that special circumstances render strict compliance unreasonable or impractical for the Applicant due to special physical conditions or cause. The Applicant states that industrial properties, such as the property that the Applicant is constructing, require consistent and flat concrete surfaces to achieve uniform pours and to attract tenants. The Applicant further states that, for this construction, larger pour sizes than typical commercial construction are required. Larger pour sizes require additional time to cure within the same workday. In addition to the larger pour sizes, the present cold weather, limited daylight hours, and traffic congestion during regular business hours could delay pouring and further extend the curing period. Therefore, early morning starts are required.

The Council also finds that strict compliance would result in substantial curtailment of the Applicant's operation. The Applicant reports that the smaller pour sizes that the Applicant would be forced to make absent a noise variance would extend the Applicant's cost and schedule for development. The Applicant also states that smaller pour sizes may result in construction that is less attractive to future tenants and may cause a prolonged vacancy period that would have negative financial impacts.

- e. FINDING: Granting the Application is the minimum that will alleviate the Applicant's hardship.

CMC 9.48.050(B)(5)(a) requires that any variance granted shall be no more than the minimum that will alleviate the Applicant's hardship. Based on the Applicant's application and the staff report, the Council finds that granting the Application is the minimum to alleviate the Applicant's hardship described in the finding above.

4. Conclusion.

The Council GRANTS the Application.

From: [Fontenot, Louis @ Portland](#)
To: [Don Hardy](#)
Cc: [Ryan Potter](#); [Jamie Stickle](#)
Subject: RE: February 11 Noise Construction Variance
Date: Friday, February 6, 2026 8:29:08 AM

Don,

Our team has been adhering to the 5:30 am mobilization time and 6:00 am start of construction. We have also received approved ROW permits along Mullino Road which has allowed us to recently modify construction entrances allowing for the bulk of early morning traffic to filter into and out-of the site from Mullino Road to help further minimize any possible noise. We have taken noise readings from various street locations nearest the neighboring houses and with all concrete pour & concrete truck modified backup white noise systems the readings are consistently coming in from low 50 db's to low 60 db's, and we're finding that it's only when taking the measurement at the street immediately upon when any large industrial truck (non-construction related) is passing by (especially with their air brakes) that the db readings jump up into the mid-80's. We feel that we are not differing materially from posted allowable db levels, but we understand the concerns of the community as it relates to noise in the area given the ongoing operations from some of the existing steel companies, and because of that want to be upfront with the City Council regarding our intentions.

- **Strict compliance with the rule, regulations or order is inappropriate because of conditions beyond the control of the persons requesting the variance; or**
Industrial properties require consistent and flat concrete surfaces to attract tenants, to achieve these uniform pours, larger pour sizes than typical commercial construction are required. Early morning starts are required due to traffic congestion that can occur during business hours and concrete curing requirements, cold weather and lack of sunlight extend pour times requiring a larger pour timeframe. Variances have routinely been granted in this development zone, and our team has been diligent in minimizing impacts to neighbors. Extended schedule and cost to the developer may result in industrial zones within Canby being a less desirable location for future expansion.
- **Special circumstances render strict compliance unreasonable or impractical due to special physical conditions or cause; or**
The amount of concrete required to be poured to complete this project it is unreasonable to expect concrete service to be adequate during the posted working hours. Onsite noise readings have proven our operation is within the allowable decibel readings for this zone.

- Strict compliance would result in substantial curtailment or closing down of a business, plant or operation; or

Smaller pour sizes and extended cost/ schedule for development. Smaller pour sizes may also result in a product that is less attractive to future tenants resulting in a prolonged vacancy period resulting in loss for developer.

- No other alternative facility or method of handling is yet available.
- Our team has been diligent in monitoring noise levels and trying to be the best possible neighbors. We feel we are not meaningfully deviating from the posted allowable noise for this zone.

Best regards,

Louis Fontenot, Jr. | Vice President
Trammell Crow Company
C +1 503.449.4032

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From: Don Hardy <HardyD@canbyoregon.gov>
Sent: Thursday, February 5, 2026 8:25 PM
To: Fontenot, Louis @ Portland <LFontenot@trammellcrow.com>
Cc: Ryan Potter <PotterR@canbyoregon.gov>; Jamie Stickel <StickelJ@canbyoregon.gov>
Subject: RE: February 11 Noise Construction Variance

External

Hi Louis,

Just following up with you. We need to finish up our city council packets, so if you can provide your responses, our attorney will prepare the order for the council packets which are supposed to go out of Friday.

Thanks,
Don

From: Fontenot, Louis @ Portland <LFontenot@trammellcrow.com>
Sent: Wednesday, February 4, 2026 9:07 PM
To: Don Hardy <HardyD@canbyoregon.gov>

Cc: Ryan Potter <PotterR@canbyoregon.gov>; Jamie Stickel <StickelJ@canbyoregon.gov>
Subject: RE: February 11 Noise Construction Variance

Don,

The team and I are working on the response to your email. Our goal is to publish the response by EOD Thursday.

Best regards,

Louis Fontenot, Jr. | Vice President
Trammell Crow Company
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From: Don Hardy <HardyD@canbyoregon.gov>
Sent: Tuesday, February 3, 2026 3:24 PM
To: Fontenot, Louis @ Portland <LFontenot@trammellcrow.com>
Cc: Ryan Potter <PotterR@canbyoregon.gov>; Jamie Stickel <StickelJ@canbyoregon.gov>
Subject: RE: February 11 Noise Construction Variance

External

Hi Louis,

Can you also please provide us with reasoning for the noise variance based on these criteria in advance of the hearing. This will allow us to prepare findings at the hearing and for issuing the approval order.

- Strict compliance with the rule, regulations or order is inappropriate because of conditions beyond the control of the persons requesting the variance; or
- Special circumstances render strict compliance unreasonable or impractical due to special physical conditions or cause; or
- Strict compliance would result in substantial curtailment or closing down of a business, plant or operation; or
- No other alternative facility or method of handling is yet available.

Thanks,
Don

From: Don Hardy
Sent: Tuesday, February 3, 2026 11:58 AM
To: Fontenot, Louis @ Portland <lfontenot@trammellcrow.com>
Cc: Ryan Potter <PotterR@canbyoregon.gov>; Jamie Stickel <StickelJ@canbyoregon.gov>
Subject: February 11 Noise Construction Variance

Good morning Louis,

For the February 11 city council noise construction variance, can you please have your team available to address construction start times you've been working. Our perception is that this has not been creating noise issues with the neighbors. Our administrator has done some preemptive coordination with the neighbors. Some have shared concerns about the 5:30 am start time in your requested variance application and are assuming mobilization at 5:30 am but a construction start time of 6:00 am. I believe you likely have had construction starting at 5:30 am without notice by the neighbors. The spokesperson for the neighbors in the last meeting felt you all were doing a good job of keeping noise down. Other neighbors have not complained but there is still the perception about 5:30 am construction creating unwanted noise.

Just wanting to have you and your team prepared for the hearing, and I will send you the hearing agenda once it is published. I believe the noise variance is one of the last items on the agenda, but the agenda is pretty light.

Thanks,
Don

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