



City of Canby
 Planning Department
 222 NE 2nd Avenue
 P.O. Box 930
 Canby, OR 97013
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LAND USE APPLICATION

NONCONFORMING STRUCTURE OR USE Process Type II

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

Applicant Name: Jordan Ward Phone: 208-890-4940
 Address: 655 NE 21st Ave Email: jordanvward1@gmail.com
 City/State: Canby, Oregon Zip: Canby, Oregon

Representative Name: Colony Weyrauch Phone: 503-226-1285
 Address: 15895 SW 72nd Ave, Suite 200 Email: colonyw@cidainc.com
 City/State: Portland, Oregon Zip: 97224

Property Owner Name: Van Bilsen Woodburn, LLC Phone: 208-890-4940
 DocuSigned by:
 Signature: 
 Address: 655 NE 21st Ave Email: jordanvward1@gmail.com
 City/State: Canby, Oregon Zip: Canby, Oregon

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

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

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

PROPERTY & PROJECT INFORMATION:

<u>1477 N Manzanita St</u>	<u>1.32 acres</u>	<u>31E28DC lot 3600 31E33AB lot 2700</u>
Street Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>Existing 13,200 SF church and school building on lot 3600</u>	<u>R-2, R-1</u>	<u>HDR, LDR</u>
Existing Use, Structures, Other Improvements on Site	Zoning	Comp Plan Designation

Convert an existing 13,200 SF 2-story church and school into a 23-unit multi-family dwelling.
 Describe the Proposed Development or Use of Subject Property

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

NONCONFORMING STRUCTURE OR USE – TYPE II—Instructions to Applicants

If a property owner is expanding this size of a nonconforming structure (either foot print or height), the application will be heard by the Planning Commission as a New Business item. If the property owner is replacing within the existing footprint of the structure the Planning Director will make the decision.

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

Applicant City
Check Check

- One (1) copy of this application packet. The City may request further information at any time before deeming the application complete.

- Payment of appropriate fees – cash or check only. Refer to the city’s Master Fee Schedule for current fees. Checks should be made out to the *City of Canby*.

- Please submit one (1) electronic copy of mailing addresses in either an EXCEL SPREADSHEET or WORD DOCUMENT** for all property owners and all residents within 500 feet of the subject property. **If the address of a property owner is different from the address of a site, an address for each unit on the site must also be included and addressed to “Occupant.”** A list of property owners may be obtained from a title insurance company or from the County Assessor’s office.

- One (1) copy of a written, narrative statement describing the proposed development and detailing how it conforms with the Municipal Code and to the approval criteria, including the applicable Design Review Matrix, and availability and adequacy of public facilities and services. **Ask staff for applicable Municipal Code chapters and approval criteria.**
 Applicable Code Criteria for this application includes:

- One copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor’s office. If the property is a legal lot of record created by recorded deed or land sales contract at a time when it was legal to configure property lines by deed or contract, then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds.

CRITERIA FOR EXPANSION OF NONCONFORMING STRUCTURE OR CHANGE OF NONCONFORMING USE

In judging whether or not such applications shall be approved or denied, the City shall weigh the proposal's positive and negative features and the public convenience or necessity to be served against any adverse condition that would result from authorizing the particular development at the location proposed and, to approve such expansion or change 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 the Land Development and Planning Ordinance, other than those specific zoning standards to which the use or structure is nonconforming.
- 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 area in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone.
- E. In considering whether to approve a change in the use the Commission shall compare the following characteristics of the historical use of the property with that proposed by the applicant in order to assure that the change will not constitute an expansion or intensification of the nonconforming use:
 - 1. Traffic, including both volume and type (car, truck, foot, etc.);
 - 2. Noise;
 - 3. Days and hours of operation;
 - 4. Physical appearance;
 - 5. Other environmental considerations (dust, vibration, glare, etc.);
 - 6. Type and size of equipment used.



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Project Narrative

Project No: 210168.01 Revised Date: October 6, 2022
Project Name: Manzanita Apartment Conversion
Subject: Type II Nonconforming Structure Application Narrative
By: Colony Weyrauch
To: City of Canby
Planning Department
222 NE 2nd Ave
Canby, OR 97013

Introduction

The Manzanita Apartment Conversion project proposes to convert an existing 13,200 square-foot 2-story church and school into a 23-unit multi-family dwelling.

The project site is located at 1477 N Manzanita Street in Canby, Oregon and is made up of two tax lots: 3 IE 28DC lot 3600 and 3 IE 33AB lot 2700. The existing structure is situated on lot 3600 and is zoned R-2 and accessory parking is proposed for lot 2700 zoned R-1. No changes are proposed to the existing building footprint, structure, or zoning.

The narrative herein, is provided as part of a Type II Nonconforming Structure application **and associated Design Review**. The existing structure in the subject development has been determined to be nonconforming in height in relation to the required setback of an adjacent property. This application seeks approval to use the structure as it exists. Through subsequent planning and permitting processes conformance with the City of Canby's Development Code beyond the nonconforming height of the existing building will be demonstrated. Below are responses to each section of the development code identified by the City of Canby in reference to the nonconforming structure height as well as the proposed conversion of the church/school to a multi-family dwelling.

Proposed existing building improvements:

- Replace doors and windows throughout
- New openings for doors and windows.
- Siding infill at existing doors and windows.
- **Residing, trim, and paint to match residential aesthetic.**
- New **interior** partition walls, kitchens, and bathrooms in each unit.
- New fire sprinkler.

Proposed site improvements:

- Reducing the curb cut/driveway width on NE 15th Ave.
- **Paving to be removed and replaced with landscape buffers at property lines as required by the City of Canby's development code.**
- Replace sidewalks in the right-of-way along the perimeter of the site. Curbs to remain as existing.
- New outdoor recreation areas as required by the City of Canby's development code.
- New bike parking.
- New sidewalks and landscaped areas onsite.
- Minor **re-paving/re-surfacing** and restriping of the passenger vehicle parking lots.
- Passenger vehicle site access and circulation to remain as existing.



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16.08 General Provisions

The project site is made up of two lots: 3600 zoned R-2 and 2700 zoned R-1. Lot 3600 currently has an existing 13,200 square-foot 2-story structure constructed on it. The existing structure is proposed to be converted to a multi-family dwelling and is allowed outright per 16.20.010.D. Lot 2700 is currently used as accessory parking without any existing structures. Lot 2700 is proposed to remain accessory parking to lot 3600. Accessory uses are allowed outright per 16.16.010C.

A Traffic Impact Study (TIS) has been requested as required by 16.08.150 and will be provided with the Site Plan Review application. For the purpose of this Nonconforming Structure application there are no impacts to traffic and the building is not currently in use. The church and associated school vacated after the end of the school year in June 2022.

16.10 Off-street Parking and Loading

Off-street parking and loading are not impacted by the nonconforming structure.

In relation to the conversion to multi-family housing and per 16.10.030D off-street parking spaces for dwellings shall be located on the same lot, or adjacent lot, with the dwelling. The proposed development includes parking to the north and south to serve the multi-family housing. Lot 2700 is adjacent to 3600 and safe pedestrian access will be provided as shown on the accompanying site plan.

Per Table 16.10.050 (1) parking space is required per studio or 1-bedroom unit. (2) parking spaces per 2-bedroom or larger unit. One additional guest parking space shall be provided for every five units for each development of ten units or more.

The proposed development includes (23) units made up of (7) studio units and (16) 1-bedroom units.

Parking Required	
(7) studio units	(7) spaces
(16) 1-bedroom units	(16) spaces
<u>Add (1) space per (5) units</u>	<u>(5) spaces</u>
Total Parking Requirement	(28) spaces

Parking Provided	
Standard 8.5'x18'	(25) spaces
Compact 8'x18'	(11) spaces
<u>ADA 9'x18'</u>	<u>(2) spaces</u>
Total Parking Provided	(38) spaces

Per Table 16.10.100 (1) bicycle parking space is required per unit.

Bicycle Parking Required	
<u>(23) units</u>	<u>(23) bicycle spaces</u>
Total Bike Parking Required	(23) bicycle spaces

Bicycle Parking Provided	
<u>2'x6'</u>	<u>(24) bicycle spaces</u>
Total Bike Parking Provided	(24) bicycle spaces

See the accompanying site plan for parking locations and access aisle dimensions.



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16.20 R-2 High Density Residential Zone

The site is zoned R-2 and R-1. The proposed conversion to multi-family dwelling will bring the site further into zoning standards conformance by being a permitted use outright. The site is currently used as a church and school which are conditional uses.

In the R-2 zone the required minimum density is (14) units per acre and there is no maximum density. Lot 3600 is 44,124 square-feet/1.01 acres requiring (14.14) units on the lot. The development proposes (23) units and exceeds the minimum.

Per 16.20.030.D yard setbacks are required in the R-2 zone.

Yards Setbacks Required:

Street	20-feet on side with driveway 15-feet all other street sides
Rear	15-feet
Interior	15-feet

Yards Setbacks Provided:

Street	35'-7" from building to N Manzanita St 16'-5" from building to NE 15 th Ave
Rear	19'-10" from building to west property line of lot 3600
Interior	27'-6" from building to north property line of lot 2700 72'-7" from building to south property line of lot 2700

Multi-family development adjacent to R-1 or R1.5 zones must provide 15-foot minimum buffer with site obscuring landscaping and no active recreation areas can be within the 15-foot buffer. See the included site plan for adjacent lot zoning, proposed landscaping, and recreation areas.

Per 16.20.030.E.3. the maximum building height for multi-family developments abutting an R-1.5 zone shall not exceed a building height greater than one foot for each one foot of distance from the R-1.5 property line. The existing building abuts R-1.5 zone on the west property line. The existing building height is 20'-9" from finish grade on lot 3600 and the existing setback is 19'-10" from the adjacent R-1.5 property line to the west. No changes are proposed to the existing built conditions. The existing building is roughly 11-inches taller than allowed by the current development code as outlined in 16.20.030.E.3.

It is significant to note that the finish grade of the adjacent property to the west zoned R-1.5 is approximately 2-feet higher in elevation than the subject property. Where the existing building is closest to the property line there is an approximately 2-foot-high retaining wall with an additional 6-foot-tall wood fence above. The effective height of the building relative to the adjacent property is approximately 18'-10" and includes sight obscuring screening the entire length.

Approval to use the building as it is constructed is requested through this nonconforming structure application.

Per 16.20.030.F the maximum impervious area allowed is 70%. The development proposes 63% (36,461 square-feet) of impervious area with the remaining 37% (21,115 square-feet) to be pervious landscaping meeting the zone standards.

Per 16.20.030.G multi-family development exceeding ten units must provide 150 square-feet of recreation space per dwelling unit. Additionally, recreation spaces must be 1,500 square-feet or larger. The development requires 3,450 square-feet of recreation space and proposes to provide 5,868 square-feet. See the included site plan for areas and locations of proposed recreation spaces.



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16.21 Residential Design Standards (Sections 16.21.060 and 16.21.070)

The project proposes to alter an existing building. The footprint of the building and roof line will not change. Minor site alterations are also proposed as described earlier in this narrative. See the attached Table 16.21.070 Multi-Family Design Menu completed for the proposed alterations to the building and site. Applicant comments have been provided below each Design Criteria within the table to describe how the alterations meet or do not meet the criteria.

Per the attached Table the project scores a total of 20 out of 29 points applicable to the development. This is 69% of the possible points. Additionally, the development achieved 7 out of 11 possible points in the Low Impact Development (LID) category exceeding the 10% requirement.

At least five design elements for street facing facades are incorporated on the building elevation facing N Manzanita Street including:

- Windows with 4" trim
- Building trim at building corners, and siding transitions
- Horizontal bellyband delineating the 2nd floor
- Siding with two widths and two colors
- Existing exterior arch at previous chapel to be re-painted
- Existing river rock veneer to remain

Applicant notes that the proposed development does not meet 16.21.070.B.4. Of the applicable Design Criteria listed in Table 16.21.070 a minimum of 1 point is not received in the Building Orientation category. Implementation of the only applicable criteria in this category is impractical due to the existing site development. Parking and associated paving currently exists behind the buildings. To limit impacts and further site disturbance the project proposes to keep parking in the existing locations. The individual apartment entrances are most practically located off the parking areas rather than off N Manzanita Street. Sidewalks have been proposed to route pedestrians safely to the entrances through the site.

The applicant requests the proposed development waive 16.21.070.B.4 requirement that a minimum of 1 point be received in each applicable category of the Design Menu.

16.42 Signs

No signs are proposed as part of this nonconforming structure application.

16.43 Outdoor Lighting Standards

No changes to existing outdoor lighting are proposed as part of this nonconforming structure application.

16.49 Site and Design Review (Table 16.49.040)

The current planning application is for nonconforming structure approval. A subsequent Site Plan Review application will describe how the converted multi-family dwelling complies with the multi-family design standards described in 16.21.070 which supersedes Table 16.49.040 per City of Canby planning staff.

16.52 Nonconforming Uses and Structures

The existing building is nonconforming in height if used as a multi-family dwelling as it is currently constructed in the assigned zone R-2 adjacent to R-1.5. Subsequent planning and building permit applications will seek approval to convert the existing building into a multi-family dwelling without expanding or altering the existing building footprint. Approval of the current nonconforming structure application will allow the project to move forward.



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Criteria for Expansion of Nonconforming Structure or Change of Nonconforming Use

- A. The proposal will be consistent with the policies of the Comprehensive Plan and the requirements of the Land Development and Planning Ordinance, other than those specific zoning standards to which the use or structure is nonconforming.
 - a. Response: The proposal is consistent and intends to comply with the City's Comprehensive Plan and the Land Development and Planning Ordinance. This project aims to address the need for affordable, multi-family housing in Canby. As an adaptive reuse project, it will not only save development and construction costs from being passed on to future tenants allowing rents to remain as affordable as possible but also provides an example of a more sustainable redevelopment option in comparison to new construction.

The nonconformance to the zoning height standards is proportionally small compared to the benefit the development could bring to the greater community.

Applicable Comprehensive Plan Policies to the development:

Land Use Element

Policy No. 2: Canby shall encourage a general increase in the intensity and density of permitted development as a mean of minimizing urban sprawl.

Response: The proposed project supports this policy by meeting the minimum R-2 High Density Residential standard of 14 units per acre. No maximum density is specified.

Policy No. 3: Canby shall discourage any development which will result in overburdening any of the community's public facilities or services.

Response: Existing public infrastructure is adequate for the proposed development. Additionally, new services will be added and sized appropriately for the multi-unit development.

Housing Element

Policy No. 2: Canby shall encourage a gradual increasing in housing density as a response to the increase in housing costs and the need for more rental housing.

Response: The project proposes to add 23 affordable rental housing units. The project aims to remain affordable by redeveloping an existing developed site and building.

Policy No. 3: Canby shall coordinate the location of higher density housing with the ability of the city to provide utilities, public facilities, and a functional transportation network.

Response: The development is zoned R-2 High Density Residential and proposes to repurpose an existing church/school that already utilized utilities, public facilities, and public transportation at an increased demand than surrounding single-family homes. The proposed project maintains this increased demand for utilities, public facilities, and transportation network but will not overburden the systems already in place. Additionally, traffic study will be submitted once scope is determined by 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.
 - a. Response: The site and existing building meet or will meet all standards by the City of Canby except the height is 11-inches taller than allowed outright.

ARCHITECTURE
 ENGINEERING
 PLANNING
 INTERIORS



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- C. All required public facilities and services exist to adequately meet the needs of the proposed development.
- a. The proposal concerns an existing church and associated school with existing public infrastructure. The public infrastructure is adequate or will be improved to serve the proposed multi-family dwelling redevelopment.
- D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits or precludes the use of surrounding properties for the uses listed as permitted in the zone.
- a. Response: The proposed use of multi-family dwelling is permitted outright. Efforts will be made to change the aesthetic of the current church to more closely match the surrounding single-family properties. For example, the multi-color, plexiglass windows at the chapel will be removed and infilled with, siding, windows, and doors appropriate for dwelling units. The building siding will be replaced and painted to be neutral.
- E. In considering whether to approve a change in use, the City shall compare the following characteristics of the historical use of the property with that proposed by the applicant to assure that the change will not constitute an expansion or intensification of the nonconforming use:
1. Traffic, including both volume and type (car, truck, foot, etc.);
 2. Noise;
 3. Days and hours of operation;
 4. Physical appearance;
 5. Other environmental considerations (dust, vibration, glare, etc.)
 6. Type and size of equipment used.
- a. Response:
 1. Changing from a church and school to multi-family housing will likely change traffic pattern. However, multi-family housing is an allowed use and some increase in car and foot traffic should be expected. It is also probable that without church and school uses there will be less traffic on Sundays and at school drop-off/pick-up times Monday-Friday.
 2. It is not anticipated that noise level will change with the development.
 3. Days and hours of operation will no longer apply. Residential uses don't have specific days and hours of operation.
 4. As noted previously, the development intends to modify the physical appearance of the existing church to more closely match the surrounding single-family properties.
 As mentioned previously in this narrative the finish grade of the adjacent property to the west zoned R-1.5 is approximately 2-feet higher in elevation than the subject property. Where the existing building is closest to the property line there is an approximately 2-foot-high retaining wall with an additional 6-foot-tall wood fence above. The effective height of the building relative to the adjacent property is approximately 18'-10" and includes sight obscuring screening the entire length. The applicant believes the intent of the zoning code is met with these existing physical characteristics that are proposed to remain.
 5. There are no other environmental considerations that expands or intensifies the nonconformance.
 6. There is no equipment associated with a multi-family dwelling that is not also associated with single-family dwellings or church use.

Manzanita Apartment Conversion - Updated 02-15-2023					
Table 16.21.070 Multi-Family Design Menu					
Design Criteria	Possible Points				
Parking	0	1	2	3	4
Screening of parking and/or loading facilities from public right-of-way	Not Screened	Partially Screened	Fully Screened	-	-
Applicant note: Location of parking is not changing. This criteria is not applicable.	N/A	N/A	N/A		
Parking lot lighting provided.	No	Yes	-	-	-
Applicant note: New LED wall packs are being proposed on the exterior of the building at parking areas.	N/A	1	N/A		-
Parking location (behind building is best)	Front	Side	Behind	-	-
Applicant note: Location of parking is not changing. This criteria is not applicable.	N/A	N/A	N/A		
Number of parking spaces provided (% of minimum required)	>120%	101-120%	100%	-	-
Applicant note: 28 parking spaces are required for the proposed 23 units. 38 parking spaces are proposed.	0				
Points	1/2				
Tree Retention	0	1	2	3	4
Percentage of trees retained	<10%	10-50%	51-75%	>75%	-
Applicant note: No trees will be removed with the project.				3	
Replacement of trees removed	<50%	≥50%	-	-	-
Applicant note: No trees will be removed. This criteria is not applicable.	N/A	N/A			
Points	3/3				
Building Orientation	0	1	2	3	4
Primary entrances face the street	Not street facing	Entrance breezeway faces street	All entrances face the street	-	-
Applicant note: Two entrances to the west wing and a breezeway will face NE 15th Street . Other entrances will face existing parking behind the building.		1			
Site's frontage has buildings within 25 feet of front lot line. (Full points may be given when courtyards are adjacent to the frontage.)	0-25% of street frontage	26-50% of street frontage	≥51% of street frontage	-	-
Applicant note: Footprint of building is existing and will not be altered. This criteria is not applicable	N/A	N/A	N/A		
Points	1/2				
Screening of Storage Area & Utility Boxes	0	1	2	3	4
Trash storage is screened from view by solid wood fence, masonry wall or landscaping	No	Yes	-	-	-
Applicant note: New trash enclosure will include a 6-ft tall wood fence for screening.		1			
Trash storage is located away from adjacent property lines.	0 - 10 feet from adjacent property	11 - 25 feet from adjacent property	>25 feet from adjacent property	-	-
Applicant note: New trash enclosure is located more than 25-ft from adjacent property lines.			2		
Utility equipment is screened from view.	Not screened	Partially screened	Fully screened	-	-
Applicant note: New utility equipment will not be screened.	0				
Points	3/5				

Manzanita Apartment Conversion - Updated 02-15-2023					
Table 16.21.070 Multi-Family Design Menu					
Design Criteria	Possible Points				
Prevention of Monotonous & Incompatible Design	0	1	2	3	4
Horizontal length of all buildings is a maximum of 120 feet.	101-120 feet	81-100 feet	≤80 feet	-	-
Applicant note: Length of building is not changing. Criteria is not applicable.	N/A	N/A	N/A		
Roofs have a gable, hip or gambel form, minimum pitch of 3 to 12 with at least 6- inch overhang.	No	Yes	-	-	-
Applicant note: Existing roof is not changing. Criteria is not applicable.	N/A	N/A			
A minimum of 15% of street façade areas contains windows or doors. All windows provide trim, recess, or other method of providing shadowing.	No	Yes	-	-	-
Applicant note: Approximately 15% of the street facing façade (facing Manzanita Street) will contain windows w/4" trim.		1			
Garages are located to minimize their visual impact.	Front of building	Side of building	Back of building	-	-
Applicant note: There are no garages. This criteria is not applicable.	N/A	N/A	N/A		
Exterior design features include offsets, balconies, projections, window reveals, or similar elements to break up large building expanses.	Less than one design feature within every 30 feet of longest façade.	One design feature within every 30 feet of longest façade.	Two or more design features within every 30 feet of longest façade.	-	-
Applicant note: Windows, trim, belly band, two siding colors, and two siding widths will help break-up façade and provide shadowing.			2		
Points	3/3				
Private OpenSpace & Landscaping	0	1	2	3	4
Private open space provided in addition to what is required for the base zone.	No additional open space.	Patios or balconies (at least 48 square feet) provided for 50% of units.	Patios or balconies (at least 48 square feet) provided for 51- 100% of units.	Sport court, tot lot, pool or community room is provided.	-
Applicant note: The project proposes 2,418 square-foot of outdoor recreation space beyond what is required per 16.20.030. The existing covered area is paved and intended to be used as a sport court.				3	
Number of non-required trees provided.	-	At least one tree per 500 square feet of landscaping.	-	-	-
Applicant note: It is unknown at this time if additional trees will be planted. This criteria will not be counted.	N/A	N/A	N/A		
Amount of grass (less grass is better) (% of total landscaped area)	>50%	25-50%	<25%	-	-
Applicant note: The amount of grass is not changing or will be reduced. The landscape plan has not been determined yet. This criteria will not be counted.	N/A	N/A	N/A		
Points	3/3				
Street & Block Framework	0	1	2	3	4
Multi-family developments 8 acres or larger are developed as a series of complete blocks bounded by a network of public or private streets with sidewalks and street trees.	No blocks or network.	10-50% of units are along a street with sidewalks, street trees, and on-street parking.	51-100% of units are along a street with sidewalks, street trees, and on-street parking.	-	-
Applicant note: The site is not 8-acres or larger. This criteria is not applicable.	N/A	N/A	N/A		
Points	N/A				

Manzanita Apartment Conversion - Updated 02-15-2023					
Table 16.21.070 Multi-Family Design Menu					
Design Criteria	Possible Points				
Low Impact Development (LID)	0	1	2	3	4
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%
Applicant note: Existing parking and access aisles are paved. Paving material is not changing. Criteria is not applicable.	N/A		N/A	N/A	N/A
Provision of park or open space area for public use	None	-	Open Space (Generally not for public use)	-	Park (public or privately owned for public use)
Applicant note: Outdoor recreation space will be provided as required per . It intended for residents and visitors but not the general public.			2		
Use of drought tolerant species in landscaping (% of total plants)	<25% drought tolerant	-	25-50% drought tolerant	51-75% drought tolerant	>75% drought tolerant
Applicant note: New landscaping will include drought tolerant species.			2		
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-
Applicant note: 3,167 square-feet of parking lot landscaping is required. 5,515 square feet is proposed.				3	
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	10-50%	>50%
Applicant note: Roof is existing and will not be changed. This criteria is not applicable.	N/A			N/A	N/A
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-	10-50%	>50%
Applicant note: Site currently has surface parking adjacent to the building. This criteria is not applicable.	N/A			N/A	N/A
Disconnecting downspouts from city stormwater facilities	None	Some downspouts disconnected	All downspouts disconnected	-	-
Applicant note: Building downspouts will not be changed. Downspouts currently route to drywells and are not connected to public storm. This criteria is not applicable.	N/A	N/A	N/A		
Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%	-	-
Applicant note: Parking is not changing to shared or public. This criteria is not applicable.	N/A	N/A	N/A		
Provision of rain gardens/bioretenion areas for stormwater runoff (% of total landscaped area)	None	-	10-50%	51-75%	>75%
Applicant note: Scope of work does not include rain gardens. Current stormwater management plan is not changing. This criteria is not applicable.	N/A		N/A	N/A	N/A
Points	7/11	64% of possible points in LID category			
Total Points	20/29	69% of possible points			



15895 SW 72ND AVE
SUITE 200
PORTLAND, OR 97224
PHONE: 503.226.1285
FAX: 503.226.1670
INFO@CIDAINC.COM
WWW.CIDAINC.COM

Project Memorandum

Project No: 210168.01 Date: October 6, 2022
Project Name: Manzanita Apartment Conversion
Subject: Incompleteness Determination
By: Colony Weyrauch
To: City of Canby
Planning Department
222 NE 2nd Ave
Canby, OR 97013

The below memo is provided in response to the letter RE: Incompleteness Determination for City File NRC 22-01, Manzanita Church Conversion dated October 3, 2022 sent via email by Emma Porricolo, Associate Planner for the City of Canby. This memo is intended to address the missing information outlined in the letter.

Missing Materials for Completeness:

1. Alteration Plans.

Applicant Response: The Project Narrative has been revised to include Table 16.21.070 Multi-Family Design Menu. Each of the table's Design Criteria has an applicant note below the criteria addressing the criteria as it relates to the proposed alterations or it is noted as not applicable.

2. Response to Applicable Comprehensive Plan Policies.

Applicant Response: The Project Narrative has been revised to address the applicable Comprehensive Plan Policies identified by the City of Canby planning staff. Section 16.52.050.A of the narrative includes these additional policies.

Additional Information and Materials Requested:

1) Site Compatibility

a. Location of existing and proposed landscaping to understand screening and buffering that exists or will be provided.

Applicant Response: See the included survey for the project site. Existing asphalt is noted and hatched. Existing landscaping is not hatched (blank). There are (3) small trees in the northeast quadrant of the site that is currently lawn. The lawn and all (3) trees will remain unchanged.

Additionally, existing asphalt paving will be removed along portions of the north, west and south property lines and replaced with new landscaping buffers. A landscape plan has not been designed at this stage of planning but the included A0.1 Site Plan drawing shows proposed landscape areas in green. Shrubs and trees will be planted as required by the City of Canby's development code. The included survey indicates fencing where occurs along property lines that will also remain unchanged.

b. Location of waste storage and collection. If located outdoors please indicate if it is screened.

Applicant Response: See the included A0.1 Site Plan drawing for proposed location of the trash enclosure. A note has been added to describe it will include a 6-ft tall wood fence for screening. The location of the trash enclosure is over 25-ft away from adjacent property lines. Additionally, it is located behind the building and away from street view.

EXISTING CONDITIONS MAP

TAX LOT 3600, MAP 3S, 1E, 28DC
TAX LOT 2700, MAP 3S, 1E, 33AB
LOCATED IN THE S.E. 1/4 SECTION 28
& N.E. 1/4 SECTION 33, T.3S., R.1E., W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON
MAY 20, 2022 SCALE 1"=20'

SURVEY NOTES:

THE DATUM FOR THIS SURVEY IS BASED UPON A STATIC GPS OBSERVATION OF LOCAL CONTROL POINTS, PROCESSED THROUGH OPUS. DATUM IS NAVD 88.

A TRIMBLE S6-SERIES ROBOTIC INSTRUMENT WAS USED TO COMPLETE A CLOSED LOOP FIELD TRAVERSE.

THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MONUMENTS FOUND AND HELD PER THE PLAT OF "INSPIRATION PARK", RECORDS OF CLACKAMAS COUNTY.

THE PURPOSE OF THIS SURVEY IS TO RESOLVE AND DETERMINE THE PERIMETER BOUNDARY OF THE SUBJECT PROPERTY, TO SHOW ALL PERTINENT BOUNDARY ISSUES AND ENCROACHMENTS. NO PROPERTY CORNERS WERE SET IN THIS SURVEY.

NO WARRANTIES ARE MADE AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ADVERSE POSSESSION, ESTOPPEL, ACQUESCENCE, ETC.

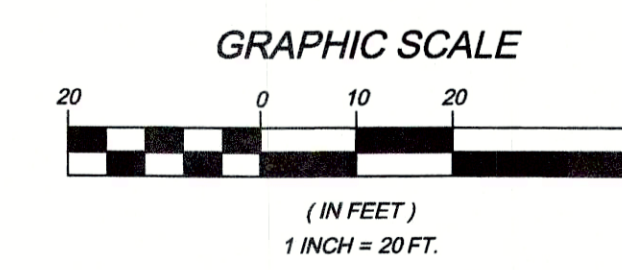
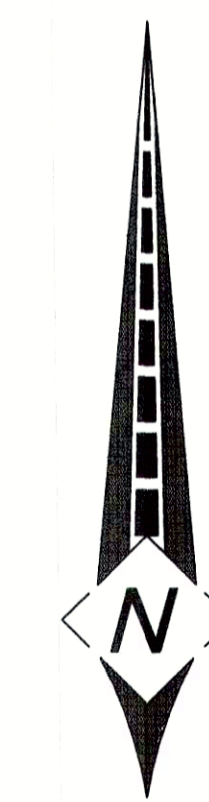
NO TITLE REPORT WAS SUPPLIED OR USED IN THE PREPARATION OF THIS MAP.

THE UNDERGROUND UTILITIES AS SHOWN ON THIS MAP HAVE BEEN LOCATED FROM FIELD SURVEY OF ABOVE GROUND STRUCTURES AND AS MARKED BY ONE CALL TICKET NUMBER 22089590 DATED APRIL 22, 2022. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES, SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR.

LEGEND:

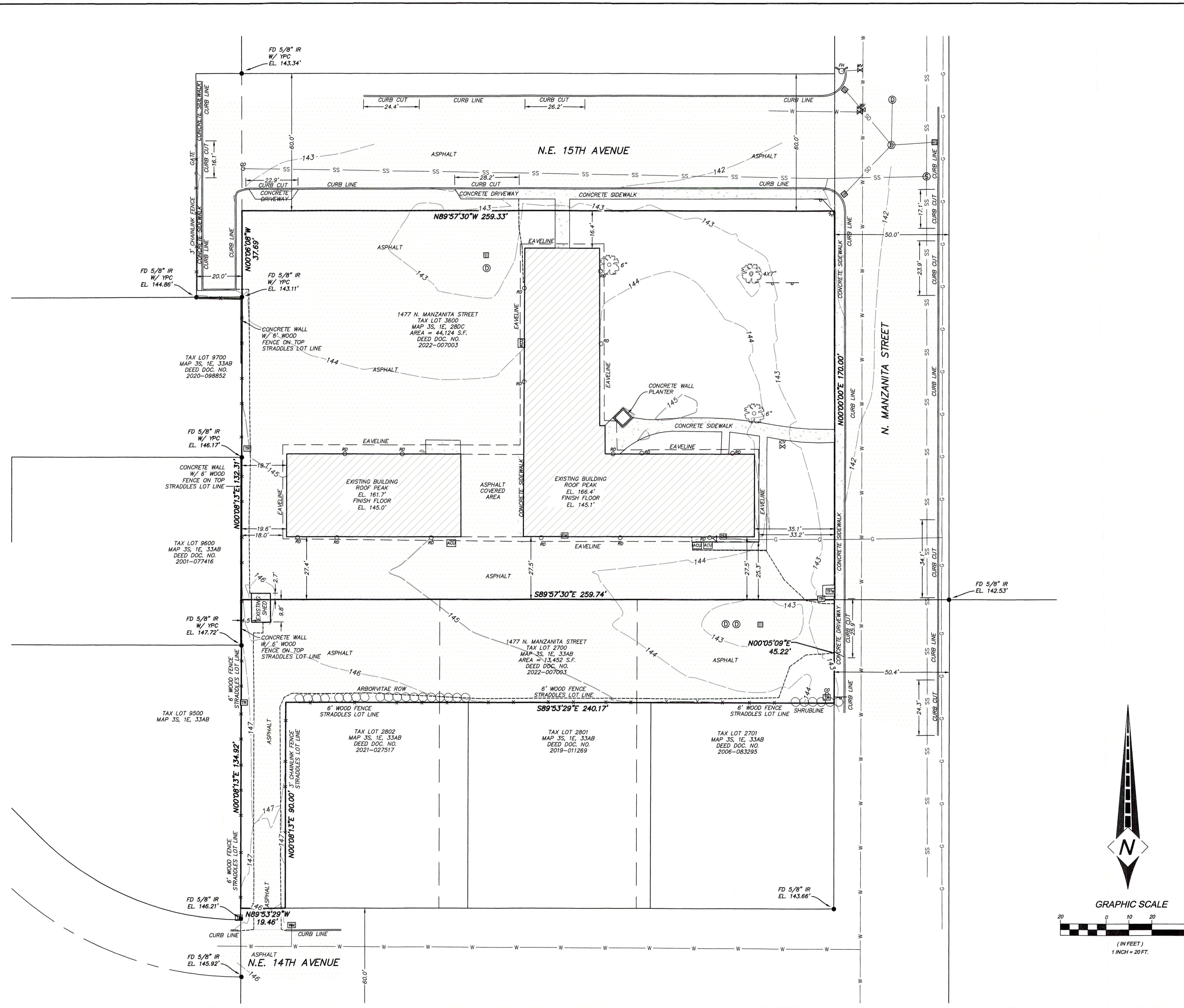
Some Symbols shown may not be used on map

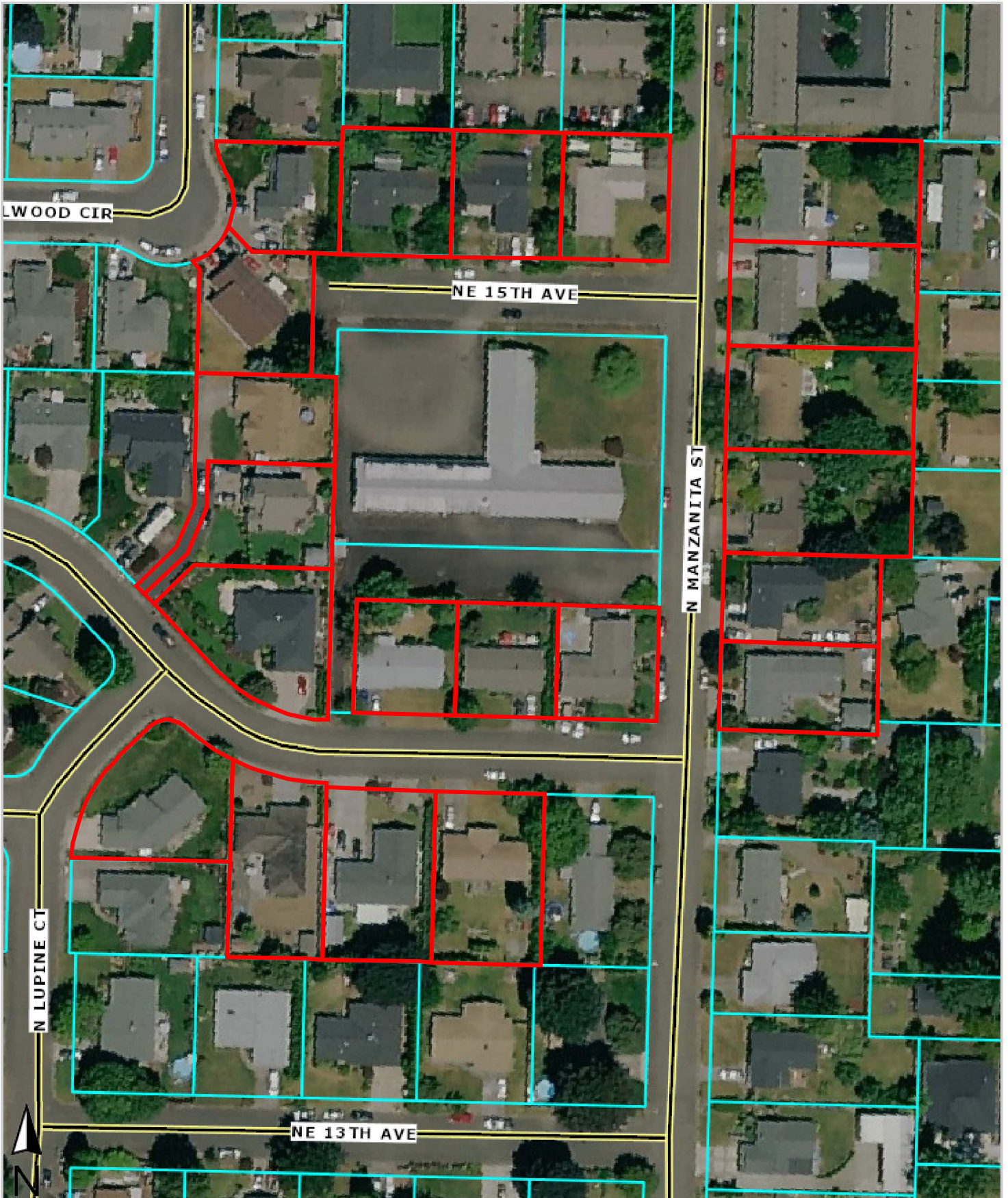
- | | |
|--|-----------------------------|
| 12' DEODIDOUS TREE | TRAFFIC SIGNAL POLE |
| 24' EVERGREEN TREE | UTILITY POLE |
| DEAD TREE | LIGHT POLE |
| STORM SEWER MANHOLE | GUY WIRE |
| CATCH BASIN | ELECTRIC BOX |
| CURB INLET | ELECTRIC METER |
| AREA DRAIN | TRANSFORMER |
| DITCH INLET | ELECTRIC RISER |
| SANITARY SEWER CLEANOUT | HEAT PUMP |
| SANITARY SEWER MANHOLE | GATE POST |
| FIRE HYDRANT | CABLE TV BOX |
| WATER MANHOLE | CABLE TV RISER |
| WATER METER | OVERHEAD LINE |
| WATER VALVE | GAS LINE |
| HOSE BIB | ELECTRICAL LINE |
| IRRIGATION CONTROL VALVE | COMMUNICATIONS LINE |
| GAS VALVE | SANITARY SEWER LINE |
| GAS METER | STORM DRAIN LINE |
| UTILITY RISER | WATER LINE |
| UTILITY BOX | FENCE LINE |
| TELEPHONE MANHOLE | HANDRAIL |
| TELEPHONE RISER | ARBORVITAE ROW OR SHRUBLINE |
| STORM OUTFALL | FD = FOUND |
| SIGN | IP = IRON PIPE |
| BOLLARD | IR = IRON ROD |
| FOUND MONUMENT | YPC = YELLOW PLASTIC CAP |
| DOWN SPOUT TO STORM SYSTEM | ALC = ALUMINUM CAP |
| DOWN SPOUT TO SPLASH GUARD OR GROUND W/ PIPE DIRECTION | RPC = RED PLASTIC CAP |



SIGNED ON: *Toby G. Bolden*
REGISTERED PROFESSIONAL LAND SURVEYOR
Toby G. Bolden
OREGON
JULY 13, 2004
TOBY G. BOLDEN
60377LS
RENEWS: DECEMBER 31, 2023

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



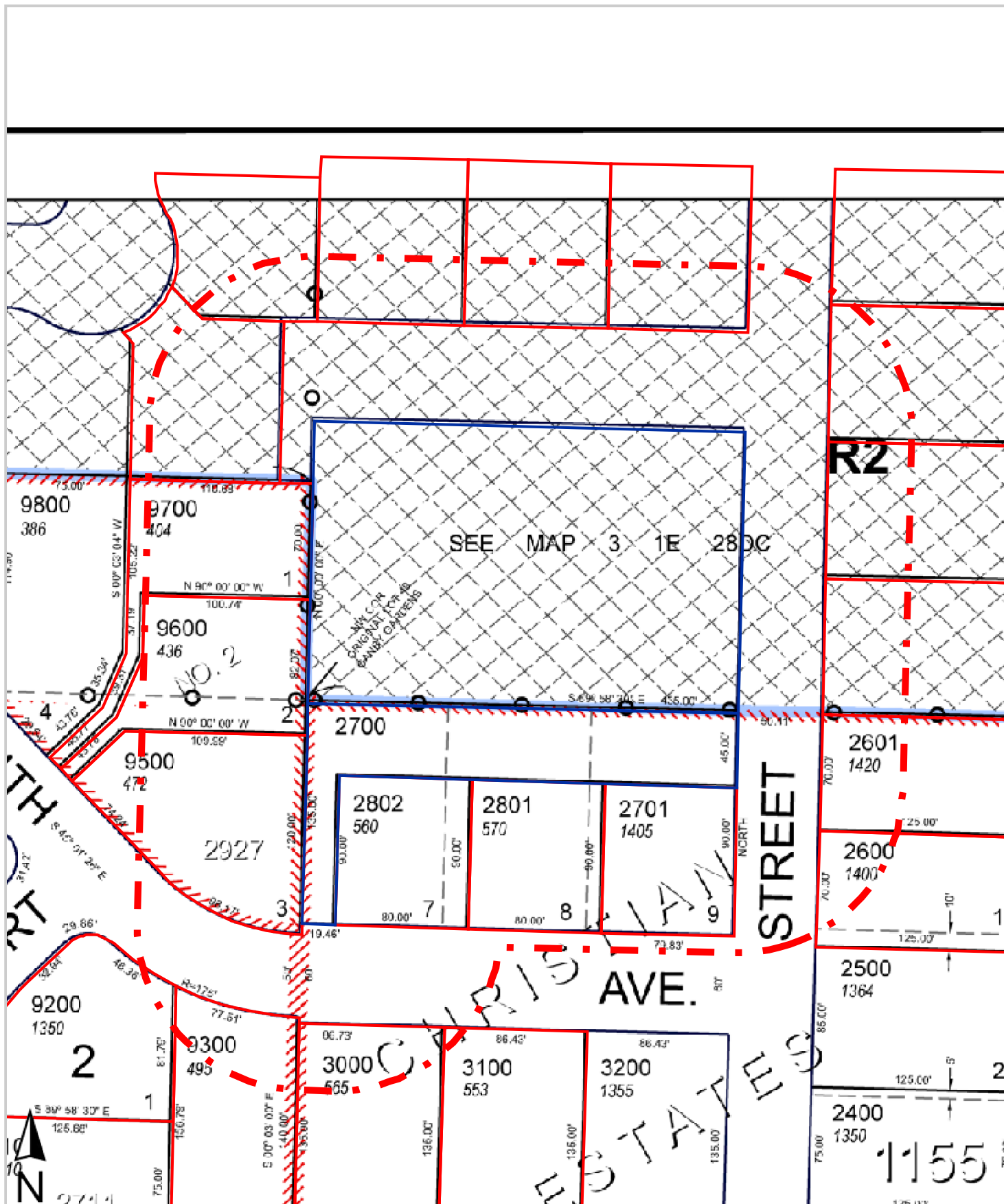


100' 00777975 & 00785298

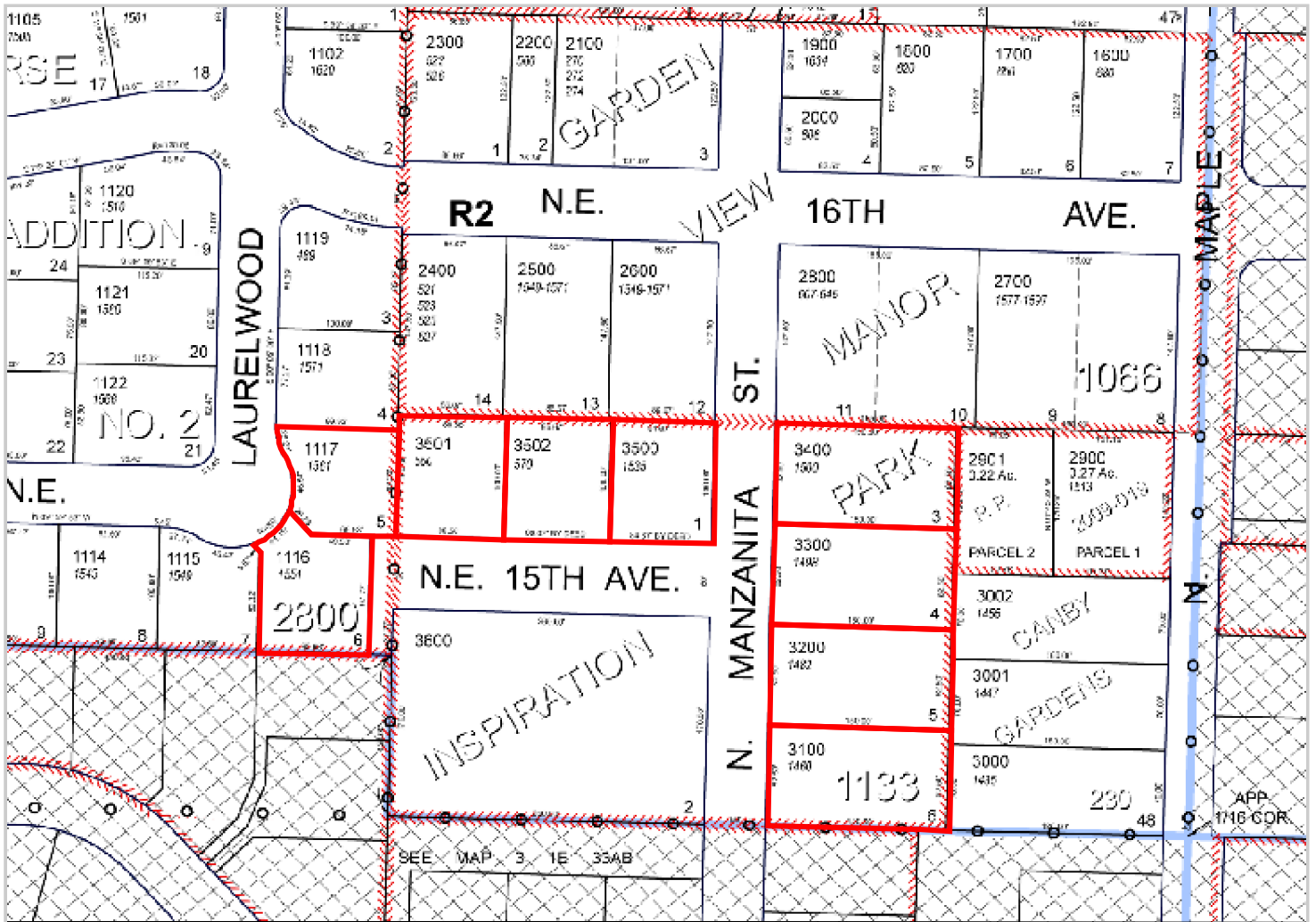


CHICAGO TITLE

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

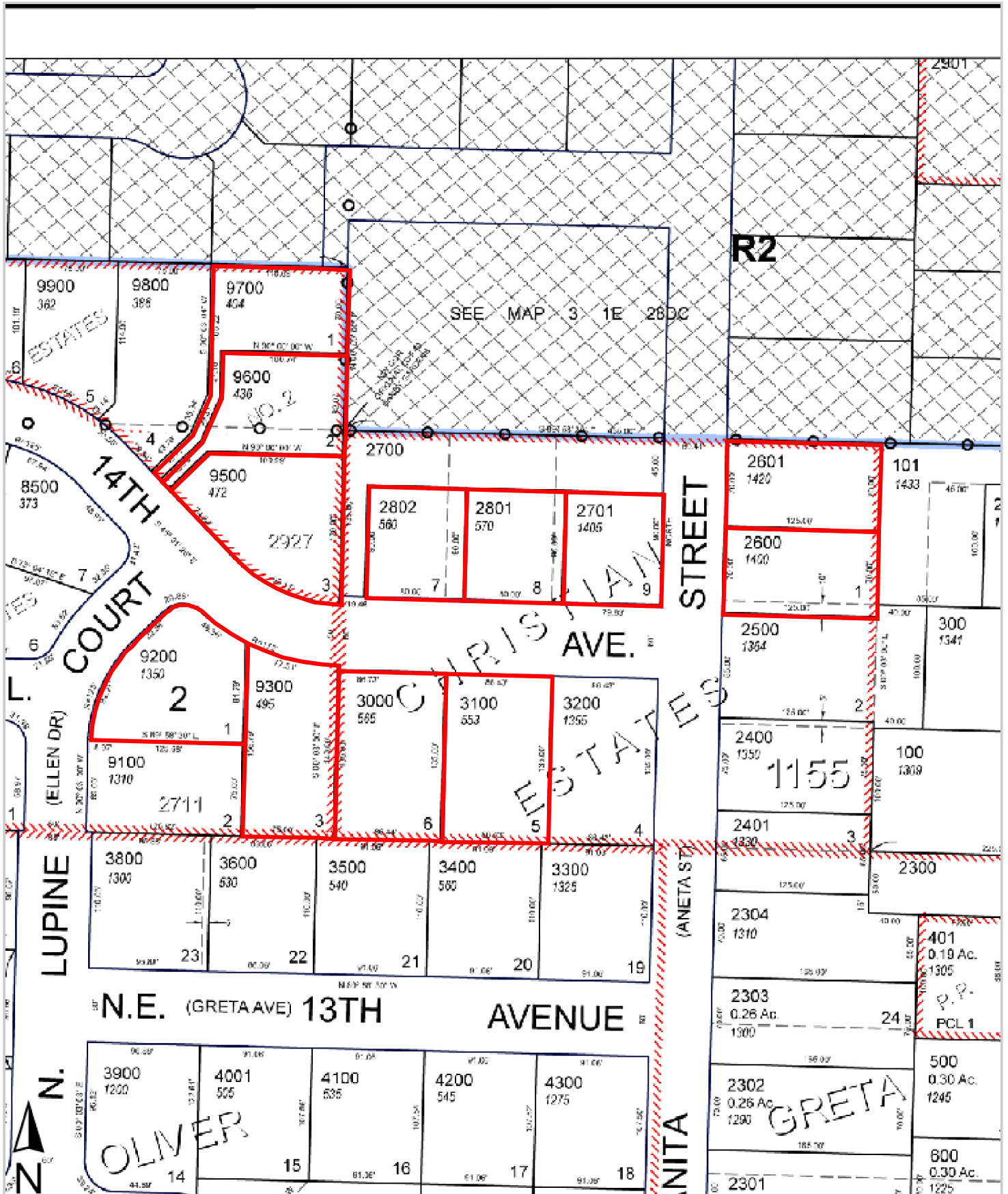


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31E28DC

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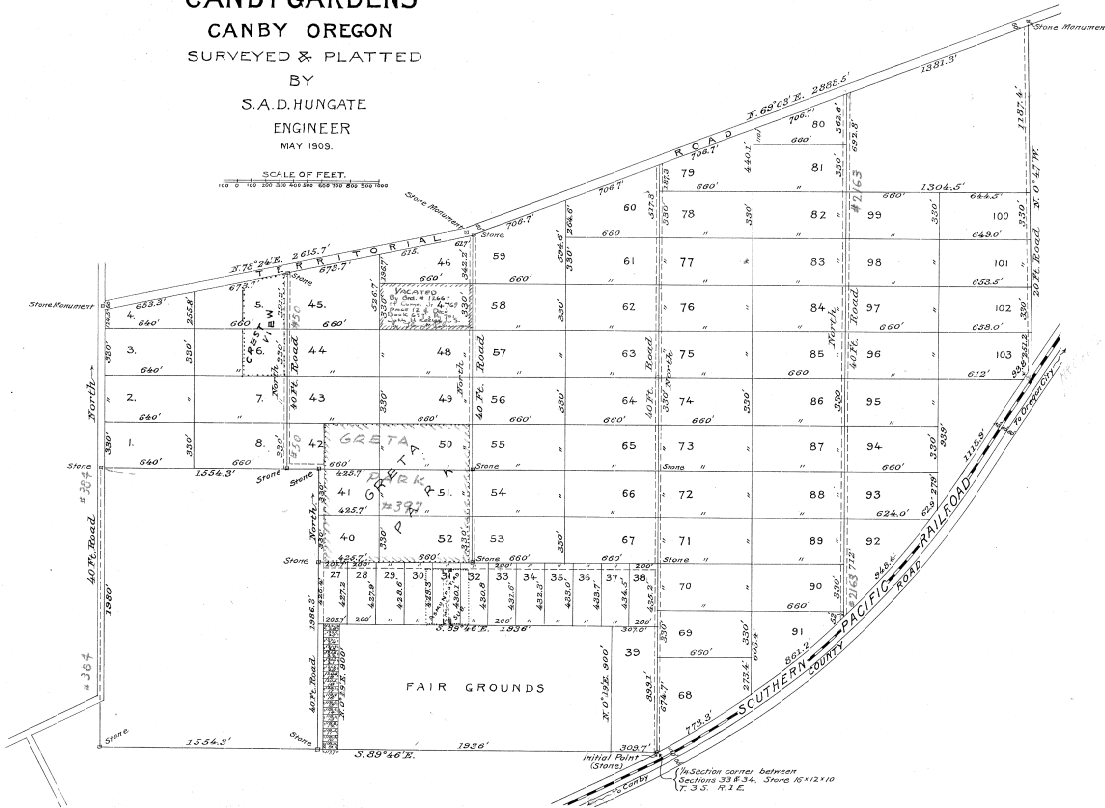
31E33AB



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MAP OF CANBY GARDENS CANBY OREGON SURVEYED & PLATTED

BY S.A.D.HUNGATE ENGINEER MAY 1909.



Know all men by these presents, that one Charles S. Watt and Charles E. Watt, owners of the following described property: ... Beginning at a point which is the E. & S. corner between Sections 33 & 34, Range 2 East of the Willamette Meridian; thence running North 89 degrees 46 minutes West 300.7 feet ...

of Southern Pacific Right of Way 50 feet at right angles from center of track thence along said line northwards to S. 600.0 feet to the point of beginning ... In Witness Whereof We have hereunto set our hands and seals this 5th day of May 1909

State of Oregon } ss. I, S. A. D. Hungate, of said County of Clackamas, do hereby certify that the foregoing is a true and correct copy of the original map and plan of the Canby Gardens ... State of Oregon } ss. S. A. D. Hungate, Engineer of Clackamas County, Oregon ...

State of Oregon } ss. AFFIDAVIT OF SURVEYOR I, the undersigned, S. A. D. Hungate of the County of Clackamas, State of Oregon, being first duly sworn, depose and say, that I have personally and personally and surveyed, and that I have marked the monuments on said lands as represented by the plat herein, that I planted a stone monument at each of the corner corners at the quarter section corners between sections 33 and 34, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, as shown below the surface of the ground as the initial point of said survey; which said lands as intended to be platted and designated as Canby Gardens are more particularly described as follows, to-wit: ...

Beginning at a point which is the E. & S. corner between Sections 33 & 34, Range 2 East of the Willamette Meridian; thence running North 89 degrees 46 minutes West 300.7 feet to the northeast corner of said Section 33 ...

That the size and dimensions of the various subdivisions of said tract, the courses and distances, angles, variations and courses, and the widths of roads, avenues, and thoroughfares, are all shown and designated upon said map or plat; that the initial point of survey of said tract as adopted by one Charles S. Watt, owner of said land, is shown upon said map or plat at the southeast corner of Section 33, Range 2 East of the Willamette Meridian that said initial point is shown upon said map or plat at the southeast corner of Section 33, Range 2 East of the Willamette Meridian. The figures shown upon said map or plat designated as distances, all refer to feet or fractions thereof.

S. A. D. Hungate Subscribed and sworn to before me this the 14th day of May A. D. 1909. My Commission Expires the 15th day of May A. D. 1909. State of Oregon } ss. Sheriff of Clackamas County, Oregon. I appeared this 5th day of May 1909. S. A. D. Hungate, Surveyor of Clackamas County, Oregon. I appeared this 5th day of May 1909. J. E. Watt, Attorney at Law, Clackamas County, Oregon. I appeared this 16th day of May 1909. James B. Kinnick, County Judge. Edward C. McElwain, Commissioner. W. H. McElwain, Notary Public for Oregon.

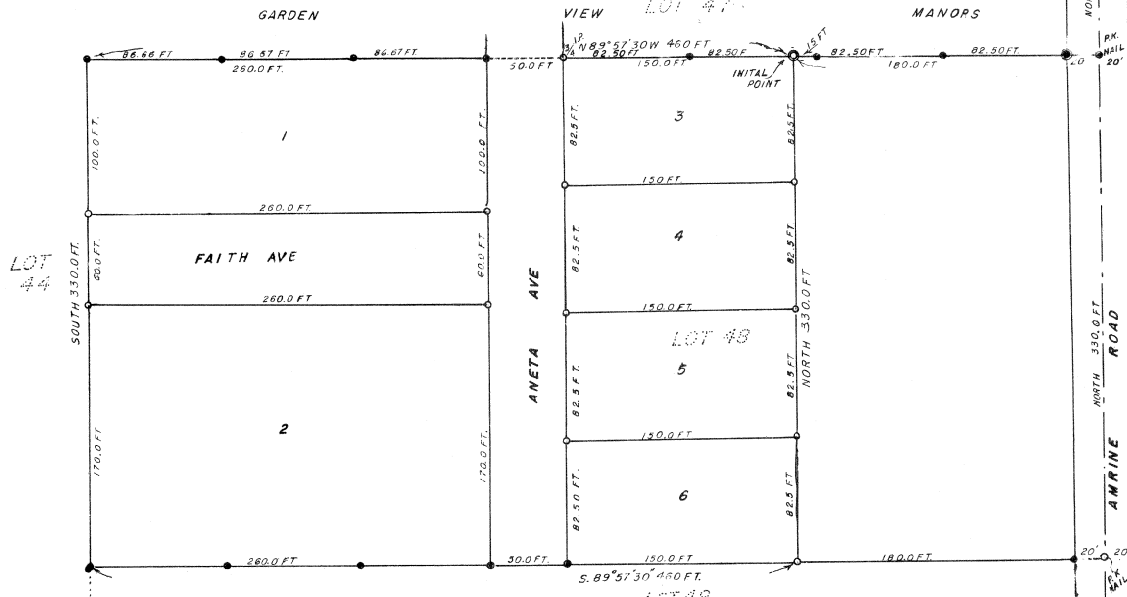


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INSPIRATION PARK

A SUB-DIVISION OF PART OF LOT 48 IN CANBY GARDENS IN SECTION 28, T.3S. R.1E. W.M. CLACKAMAS COUNTY OREGON

SCALE 1 INCH = 50 FEET
INDICATES SURVEY MONUMENT FOUND SET 2" IRON PIPE



I FRANK SPERB BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I DID SURVEY AND MARKED WITH LEGAL MONUMENTS LANDS REPERSENTED ON THE ANNEXED MAP OF "INSPIRATION PARK". FOR THE INITIAL POINT OF SAID SURVEY I USED A 2 INCH IRON PIPE 36 INCHES LONG AT A POINT 2382.7 FT. NORTH AND 1521.4 FT WEST FROM STONE AT THE N.E. CORNER BETWEEN SECTIONS 33 AND 34 T.3S., R.3E. OF W.M SAID INITIAL POINT IS ALSO N 89° 57' 30" W 200 FT. RK NAIL AT N.W. COR. OF LOT 48 CANBY GARDENS AND ALSO N. 89° 57' 30" W 180 FT FROM IRON PIPE AT INITIAL POINT OF GARDEN VIEW MANOR. THE PROPERTY PLATED IS ALL OF LOT 48 CANBY GARDENS EXCEPT THE EAST 200 FEET MORE PARTICULARLY DESCRIBED AS FOLLOWS. BEGINNING AT THE HERETOFOR MENTIONED INITIAL POINT THAT IS N. 89° 57' 30" W 200 FT. FROM PK. NAIL AT N.W. COR. OF LOT 48 CANBY GARDENS; RUNNING THENCE N. 89° 57' 30" W ALONG THE NORTH LINE SAID LOT 48 AND SOUTH 200 FT. FROM PK. NAIL AT N.W. COR. OF LOT 48 CANBY GARDENS; RUNNING THENCE N. 89° 57' 30" W 460 FEET TO THE E. CORNER OF LOT 48 AND SOUTH 180 FT. FROM IRON PIPE AT INITIAL POINT OF GARDEN VIEW MANOR. THENCE SOUTH ALONG WEST LINE LOT 48 AND EAST LINE LOT 48 TO THE LINE OF GARDEN VIEW MANOR 460 FEET TO N.W. OF LOT 48 AND 3/4 INCH 4 THENCE SOUTH ALONG WEST LINE LOT 48 AND EAST LINE LOT 48 THENCE N 89° 57' 30" E ALONG THE SOUTH LINE LOT 48 AND NORTH LINE LOT 47, 460 TO A 2 INCH IRON PIPE; THENCE NORTH PARALLEL WITH EAST LINE LOT 48 330 FEET TO INITIAL POINT AND PLACE OF BEGINNING
THIS TRACING IS A TRUE COPY OF THE ORIGINAL



REGISTERED OREGON LAND SURVEYOR NO. 14
SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF JULY 1966
NOTARY PUBLIC FOR THE STATE OF OREGON
MY COMMISSION EXPIRES

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED J.P. MINTON PRESIDENT OF THE ASSEMBLY OF GOD OF CANBY AND N.D. DAVIDSON PRESIDENT OF THE ASSEMBLIES OF GOD OREGON DISTRICT. DO HEREBY MAKE ESTABLISH AND DECLARE THE ATTACHED MAP A TRUE AND CORRECT MAP OF "INSPIRATION PARK" AS DESCRIBED IN ACCOMPANYING SURVEYOR'S CERTIFICATE ALL LOTS BEING OF THE DIMENSIONS SHOWN ON SAID MAP AND ALL ROADS AND STREETS OF THE WIDTHS THEREON SET FORTH AND WE DO HEREBY DEDICATE TO THE OF THE PUBLIC AS PUBLIC WAYS FOREVER ALL ROADS AND STREETS AS SHOWN IN WITNESS WHEREOF, THE SAID J.P. MINTON AND N. DAVIDSON HAVE CAUSED THESE PRESENTS TO BE EXECUCED THIS DAY OF JULY 1966
J.P. Minton

STATE OF OREGON SS
COUNTY OF MARION
THIS IS TO CERTIFY THAT ON THIS 20th DAY OF JULY 1966 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR STATE AND COUNTY, PERSONLY THE ABOVE J.P. MINTON AND N.D. DAVIDSON TO ME KNOWN TO BE THE INDIVIDUALS NAMED AND EXECUTED THE ABOVE INSTRUMENT FREE AND VOLUNTARILY. IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY OFFICAL SEAL
John B. Young
NOTARY PUBLIC FOR STAT OF OREGON
MY COMMISSION EXPIRES ~~January 9, 1967~~

APPROVED 7-20-66 APPROVED Jan. 25 1967
Ralph S. Hubert *Donald S. Hatten*
PRESIDENT CITY OF CANBY COUNTY ASSESSOR
PLANNING COMMISSION DEPUTY ASSESSOR

APPROVED 1-27-67 APPROVED July 26th 1966
Robert Schmaacker *John H. Kinsey Jr.*
COUNTY CLERK COUNTY SURVEYOR
G. Poppen *Raymond Johnson*
DEPUTY CLERK DEPUTY SURVEYOR

APPROVED _____ TAXES PAID TO 6-30-67
Joe Shobe

CHAIRMAN COUNTY COMMISSIONERS
Fred Poppen
COUNTY COMMISSIONER
Joe Shobe
COUNTY COMMISSIONER
COUNTY SHERIFF
Arden Taylor
TAX DEPUTY

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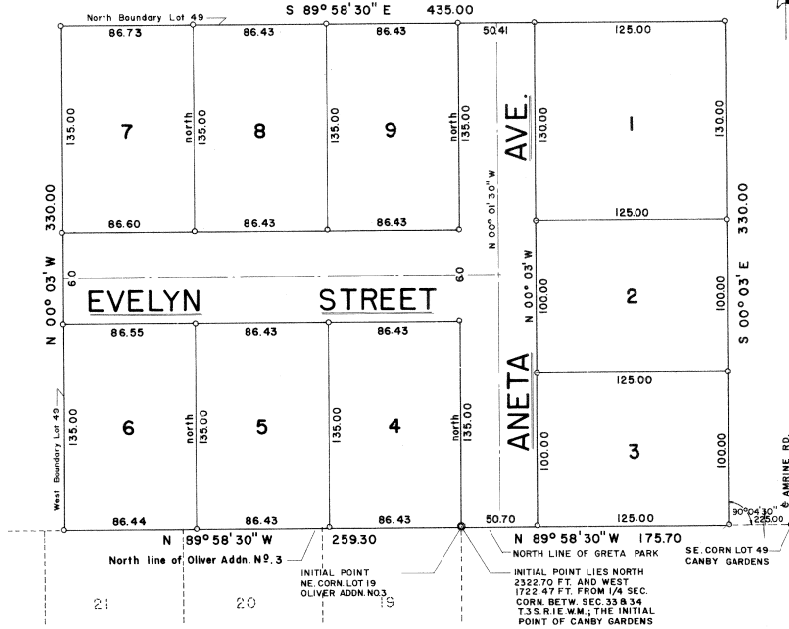
CHRISTIAN ESTATES

A SUB-DIVISION OF THE WEST 435 FEET OF LOT 49, CANBY GARDENS, LOCATED IN THE NE. 1/4 OF SECTION 33, T. 3 S., R. 1 E. OF THE W. M.

Scale: 1 inch = 50 feet

NOTE:

Bearings are based on the north line of Oliver Addn. No. 3 taken as N 89° 58' 30" W. 5/8"x30" iron rod monument set at all lot corners.



SURVEYOR'S CERTIFICATE

I, RONALD G. TATONE, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LAWFUL MONUMENTS THE LANDS REPRESENTED ON THE ANNEXED MAP OF "CHRISTIAN ESTATES" THAT AN INITIAL POINT OF SAID SURVEY I DROVE A GALVANIZED IRON PIPE 2 INCHES IN DIAMETER AND 36 INCHES LONG, 6 INCHES BELOW THE SURFACE OF THE GROUND, SAID INITIAL POINT IS ALSO THE NE. CORN. OF LOT 19, IN OLIVER ADDN. NO. 3 AS RECORDED IN RECORDS OF PLATS, CLACKAMAS COUNTY, OREG. AND SAID INITIAL POINT LIES 2322.70 FT. NORTH AND 1722.47 FT. WEST FROM THE STONE HERETOFORE SET AT THE INITIAL POINT OF CANBY GARDENS, SAID STONE BEING FURTHER DESCRIBED AS BEING THE 1/4 SEC. CORN. BETWEEN SECTION 33 AND 34 IN T. 3 S., R. 1 E. OF THE W. M.; THE PROPERTY PLATTED IS DESCRIBED AS FOLLOWS: BEGINNING AT SAID INITIAL POINT, THENCE N 89° 58' 30" W, 259.30 FT. ALONG THE SOUTH LINE OF LOT 49, CANBY GARDENS; THENCE N 00° 03' W, 330.00 FT. ALONG THE WEST BOUNDARY OF SAID LOT 49; THENCE S 89° 58' 30" E, 435.00 FT. ALONG THE NORTH BOUNDARY OF SAID LOT 49; THENCE S 00° 03' E, 330.00 FT.; THENCE N 89° 58' 30" W, 175.70 FT. ALONG THE SOUTH BOUNDARY OF SAID LOT 49, TO THE INITIAL POINT OF BEGINNING. THIS TRACING IS A TRUE COPY OF THE ORIGINAL PLAT.

Subscribed and sworn to before me this 7th day of July 1966
 Notary Public for the State of Oregon, my commission expires July 22, 1969

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT CLAYTON V. CHRISTIAN AND EVELYN M. CHRISTIAN, HIS WIFE DO HEREBY MAKE, ESTABLISH AND DECLARE THE ACCOMPANYING SURVEYOR'S CERTIFICATE A TRUE AND CORRECT MAP AND PLAT THEREOF ALL LOTS BEING OF THE DIMENSIONS SHOWN AND ALL STREETS AND AVENUES OF THE WIDTH SET FORTH AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC AS PUBLIC WAYS FOREVER ALL STREETS AND AVENUES SHOWN ON SAID MAP WITNESS OUR HANDS THIS 8th DAY OF JULY 1966

Clayton V. Christian Evelyn M. Christian

STATE OF OREGON]
 COUNTY OF CLACKAMAS] S.S.

BE IT REMEMBERED, THAT ON THIS 8th DAY OF JULY 1966 BEFORE ME THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY PERSONALLY APPEARED CLAYTON V. CHRISTIAN AND EVELYN M. CHRISTIAN, TO ME KNOWN TO BE THE INDIVIDUALS NAMED AND DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY IN TESTIMONY WHEREOF, I HAVE HERETO SET MY HANDS AND FIXED MY OFFICIAL SEAL THE DAY AND YEAR FIRST IN THIS CERTIFICATE WRITTEN.



NOTARY PUBLIC FOR THE STATE OF OREGON MY COMMISSION EXPIRES JULY 22, 1969.

APPROVED: July 20, 1966
 DATE

Ralph P. Blissett
 CHAIRMAN, CITY OF CANBY PLANNING COMM.

TAXES PAID TO: June 30, 1967
 DATE

Joe Shobe
 COUNTY SHERIFF

Violet M. King
 TAX DEPUTY

ATTEST: 8-11-66
 DATE

Robert Schumacher
 COUNTY CLERK

G. Poppen 5-18-67
 DEPUTY CLERK

APPROVED: May 18 '67
 DATE

Donald S. Hatten
 COUNTY ASSESSOR

Myra L. Walker
 DEPUTY ASSESSOR

APPROVED: Aug 11-1966
 DATE

J. P. [Signature]
 COUNTY CHAIRMAN

COUNTY COMMISSIONER

John [Signature] *Skoko*
 COUNTY COMMISSIONER

APPROVED: Aug 5th 1966
 DATE

JOHN H. KEELEY JR
 COUNTY SURVEYOR

[Signature]
 DEPUTY SURVEYOR



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ATTACHMENT A.V

LEASE AGREEMENT

DATED: January 25, 2022
 BETWEEN: Van Bilsen Woodburn, LLC, an Oregon limited liability company "Landlord"
 655 NE 21st Ave
 Canby, OR 97013
 AND: Frontier Education INC "Tenant"

RECITALS:

Landlord owns a building located at 1477 N Manzanita St Canby, OR (the "Property"). Tenant desires to lease approximately 13,000 square feet of the Property known as 1477 N Manzanita (the "Building").

Landlord agrees to lease the Building to Tenant on the terms set forth in this Agreement:

AGREEMENT:

1. TERM.

1.1 TERM. The Lease shall be for a term of 5 calendar months. The term shall commence on February 1, 2022 and continue through July 8th, 2022. Note: July 1st- July 8th, 2022 shall be rent free.

1.2 DELIVERY OF POSSESSION. Tenant shall have possession of the Building at the beginning of the Lease term, Tenant may take early possession of the building with Landlord's written consent if improvements are complete. Landlord shall have no liability for delays in delivery of possession caused by labor disputes, shortages of materials, acts of God, or other cause beyond Landlord's reasonable control.

2. RENT.

2.1 BASE RENTAL. The base rental shall be [REDACTED] per month.

2.2 COST OF LIVING ADJUSTMENT. N/A

2.3 TIME AND PLACE OF PAYMENT. Rent shall be payable in advance on the first day of each month. Rent may be deposited, mailed or direct deposited to [REDACTED] Account [REDACTED]. Rent for the partial month (if any) in which the lease commences shall be prorated and paid at the Commencement of the Lease term. Additional Rent will be paid on or before the due date.

2.4 SECURITY DEPOSIT. Tenant has paid the sum of [REDACTED] as a security deposit. The Deposit shall be held by Landlord to secure all payments and performances due from Tenant under this Lease. Landlord may commingle the deposit with its funds and shall owe no interest on the Deposit. Landlord may apply the Deposit to the cost of performing any obligation, which Tenant fails to perform within the time required by this Lease, but such application by Landlord shall not be the exclusive remedy for Tenant's default. If the Deposit is applied by Landlord, Tenant shall pay the sum necessary to replenish the deposit to its original amount upon Landlord's demand. To the extent not applied by Landlord, the deposit shall be refunded to Tenant within 30 days after expiration of the lease term.

2.5 INTEREST AND LATE CHARGES. All rent and other payments not paid when due shall bear interest from the due date until fully paid [REDACTED]. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within 5 days the due date, Landlord may impose a late charge of [REDACTED] to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

2.6 ADDITIONAL RENT. This Lease is a "triple net lease," meaning that unless otherwise specifically provided herein, Tenant is responsible to pay all insurance, utilities, taxes, and other costs associated with the Building,

ATTACHMENT A.V

computed under the United State Tax Code. Repairs and capital improvements on any of the Property other than the Common Areas used by Tenant, shall not be included in the CAM Charges.

3.5 CAM EXCLUSIONS. CAM Charges and Taxes that are specifically attributable to any tenant, to any other tenant building in the Property, or to the operation, repair, and maintenance thereof, will be allocated entirely to that tenant or other building. However, any CAM Charges and Taxes that are not specifically attributable to any tenant, to any other tenant building within the Property, or to the operation, repair, management, and maintenance thereof, will be included in the CAM Charges. CAM Charges will not include any expenses paid by any tenant directly to third parties or expenses for which Landlord is otherwise reimbursed by any third party, other tenant, or insurance proceeds.

3.6 COMMON-AREA COSTS. Tenant's Share of CAM Charges (and Taxes if not directly assessed) is payable monthly along with the Basic Rent. The amount of the monthly payments will be based on Landlord's estimate of the annual CAM Charges. On or before March 1 of each year, Landlord will deliver to Tenant a reasonably detailed statement showing Tenant's proportionate share of the actual CAM Charges incurred during the preceding calendar year. If Tenant's payments during that year exceed Tenant's proportionate share, Landlord will credit the amount of the overpayment against Tenant's future payments. If Tenant's payments during that year were less than Tenant's proportionate share, Tenant will pay to Landlord the amount of the deficiency within 30 days after delivery by Landlord to Tenant of the statement.

3.7 TAXES. Tenant shall pay all taxes, assessments, liens and license fees ("Taxes") levied, assessed or imposed by any authority having the direct or indirect power to tax or assess any such liens, by reason of Tenant's use of the Building, and all Taxes on Tenant's personal property located in the Building. Landlord shall pay all Taxes with respect to the Building and the Property, which shall be included in the CAM Charges.

3.8 Landlord and Tenant agree to no substantial improvements to the property during the lease term and Tenant shall deliver the building at lease expiration in the same condition as it was at the time of sale.

4. USE OF PROPERTY.

4.1 PERMITTED USE. Tenant shall use the Building only for conducting the following business and for no other purpose without Landlord's written consent:

One School Global education and related activities.

4.2 COMPLIANCE WITH LAWS. In connection with such use, Tenant shall comply at its expense with all applicable laws and regulations of any public authority, including those requiring any alteration to the improvements on the Building, and those regarding maintenance, operation, and use of the Building and appliances on the Building (including signs, permitting, system development charges, etc).

4.3 HAZARDOUS SUBSTANCES. Tenant shall comply fully with all laws pertaining to the protection of human health and the environment, including but not limited to employee and community right-to-know laws and all laws regarding the use, generation, storage, transportation, treatment, disposal or other handling of hazardous substances. Tenant shall promptly advise Landlord in writing of any hazardous substances regulated by such laws that are used, generated, manufactured, stored, transported or otherwise handled on the Property. Tenant shall exercise extreme care in handling any hazardous substances and shall not cause or permit hazardous substances to be spilled, leaked, disposed of or otherwise released on the Property. The term "hazardous substances" is used in its very broadest sense, and refers to materials which because of their quantity, concentration, or physical, chemical, or infectious characteristics may cause or pose a present or potential hazard to human health or the environment when improperly handled, treated, stored, transported, disposed of, or otherwise managed. The term shall include, but is not limited to, all hazardous substances, hazardous materials and hazardous wastes listed by the U. S. Environmental Protection Agency and the state in which the Property is located under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Toxic Substances Control Act (TSCA), and the Federal Water Pollution Control Act (FWPCA), and comparable state statutes.

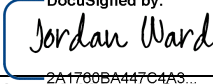
4.4 NUISANCE. Tenant shall not conduct or permit any activities on the Property that create a nuisance or damage the reputation of the Property, or are reasonably offensive to Landlord, other tenants of the Property (if any), or

ATTACHMENT A.V

IN WITNESS WHEREOF the parties have executed this lease as of the date first above written.

LANDLORD:
Van Bilsen Woodburn LLC

TENANT:
Frontier Education INC

By: 

Jordan V. Ward, Sole Member & Manager

By: 

Karl Brandsen, Trustee

Date: 2/1/2022

Date: 2/1/2022

ATTACHMENT A.V

Construction	
General Conditions	\$42,500
Demo	\$12,000
Framing	\$37,000
electrical	\$138,000
Plumbing	\$165,000
Fire sprinkler	\$35,000
Fire Alarm	\$13,500
HVAC	\$40,000
Insulation	\$23,000
Drywall	\$68,000
Doors	\$45,000
Finish Carpentry	\$27,000
Paint	\$37,000
Flooring	\$32,500
Cabinets	\$57,500
Countertops	\$17,500
Landscaping/sidewalks/curbs	\$45,000
Roof Repairs	\$2,000
Deck	\$0
Windows	\$20,500
Siding	\$17,000
Sewer line	\$7,500
Sealcoat	\$9,000
Garbage enclosure	\$6,500
Total Project Cost	\$855,500

ATTACHMENT A.V

From: [Emma Porricolo](#)
To: [Emma Porricolo](#)
Subject: FW: Manzanita Church - Additional Information Requests
Date: Thursday, March 30, 2023 3:47:25 PM

From: Jordan Ward <jordanward1@gmail.com>
Sent: Tuesday, March 14, 2023 11:42 AM
To: Emma Porricolo <PorricoloE@canbyoregon.gov>
Cc: Colony Weyrauch <colonyw@cidainc.com>; Don Hardy <HardyD@canbyoregon.gov>
Subject: Re: Manzanita Church - Additional Information Requests

Emma,

I plan to remove vehicular access to the south onto 14th and replace the entire area with landscaping. There will be a pedestrian walkway along the center of the alley with trees and shrubs along the sides. The walkway will consist of a pervious surface (like bark chips) to comply with pervious surface requirements.

under Oregon Public Records Law. This email is subject to the State Retention Schedule.