



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

A REQUEST FOR DESIGN REVIEW)	DR 21-12
APPROVAL OF AN 8 UNIT MULTIFAMILY)	531 NE TERRITORIAL ROAD
PROJECT IN THE HIGH DENSITY (R-2))	FINDINGS, CONCLUSION & FINAL ORDER
RESIDENTIAL ZONE)	
)	
)	
)	

NATURE OF THE APPLICATION

The subject property is approximately ±0.52 acres in size and is an irregular rectangular in shape. The property contains two existing structures which are proposed to be demolished to accommodate the new proposed development. The property is largely grass with some areas of mature trees that are proposed for removal to accommodate the new development.

The applicant requests Planning Commission approval to develop (2) two buildings as four-plexes for a total of (8) eight residential units on a ±0.52-acre site. Both buildings will be 2-stories in height with most units sharing a common breezeway entrance. One entrance on the front building, Building A, will face Territorial Road. A single driveway into the site will be along the western side of the site, in the same location as the current driveway to the property. All units will share common parking / maneuvering area and a common trash and recycling enclosure. The property will be professionally landscaped and maintained, as are other developments owned by the owner.

Each of the new buildings will contain four dwelling units. Exterior dimensions of the new buildings will be 65'-3" wide by 40'-3" deep. Two units will be located on the lower level and two will be on the upper level. A covered entry will extend out from the front wall of the front building over the entry to the first-floor street side unit. Each unit will have two-bedrooms.

Building front and street side facing elevations will have door and window trim. Front porches will have covered entries. The street facing side elevation will have horizontal lap siding, while the front elevation will have a combination of horizontal elements, vertical elements, and decorative Hardie shingle siding panels. Roofs will have fiberglass composition shingles.

The proposed development will be accessed off of NE Territorial Road by the means of an existing

approach using an improved driveway. The project site is proposed to be landscaped, contain new parking and maneuvering areas, and other customary improvements associated with the development of a multifamily project in the R-2 zone.

HEARINGS

The Planning Commission considered application **DR 21-12** after the duly noticed hearing on February 28, 2022. The Planning Commission moved to approve the application (**DR 21-12 – 531 NE Territorial Road**) by a 5/0 verbal vote in affirmation. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not the aforementioned application shall be approved, the Planning Commission determines whether criteria from the City of Canby Land Development and Planning Ordinance are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated May 10, 2021 and the Supplemental Memorandum dated June 4, 2021.

FINDINGS AND REASONS

The Staff Report was presented, and written was received at the public hearing. The Planning Commission deliberated after the close of the public hearing and determined that the project met the applicable criteria for approval based on staff analysis and the applicant's submittal.

ORDER

The Planning Commission concludes that, with the following conditions, the applications meet the approval criteria. Therefore, it is ordered by the Planning Commission of the City of Canby that **531 NE Territorial Road (DR 21-12)** is approved subject to the stated conditions of approval included in this document.

CONDITIONS OF APPROVAL

The following numbered list below are conditions of approval applicable to this project. These conditions are imposed as part of the approval process and vesting of the proposed use on the subject property.

ACCESS / STREETS (SEE Exhibit E)

1. The driveway access on NE Territorial shall be a commercial driveway approach and shall be constructed consistent with the City of Canby standard detail drawing No. 104.
2. A demarcated 5-foot pedestrian walking surface shall be provide allowing for direct access to NE Territorial. The path shall be at grade and constructed of concrete, pavers, brick or other differentiated material from the asphalt vehicle travel surface. The path shall meet current ADA standards as appropriate.
3. The applicant shall provide vision clearance documentation prior to submitting a building permit.

The vision clearance shall be documented by an Oregon registered professional engineer demonstrating consistency with the DKS & Associates, TAL; dated October 29, 2021.

4. All sidewalks adjoining and internal to site shall be upgraded to current ADA standards.
5. A continuous curb line is required for the entire frontage of NE Territorial.
6. New street lights are required along NE Territorial Road consistent with Canby Public Works and Canby Utility standards.
7. Street trees shall be required on the frontage of NE Territorial Road per Public Works design standards.

FIRE (SEE Exhibit E and G; Note modified per conversation with Jim Walker on 2/16/22)

8. The applicant shall install FDC at frontage of property. Must be on same side as the hydrant. Do not separate the driveway approach.
9. The driveway access shall maintain 26-foot clear access.
10. Balconies are required to have side sprinkler heads.
11. Demonstration of flow rates are required for potential fire suppression.

WATER (SEE Exhibit E)

12. All new water services shall be constructed in conformance with Canby Utility requirements.
13. Separate addresses will require separate meters for water.
14. Upsizing of water meter is required for proposed new construction.

SEWER (SEE Exhibit E)

15. New sewere mains and lateral shall be constructed to Canby Public Works design standards and requirements.

ELECTRIC (SEE Exhibit E)

16. Any new electrical connection, trenching or extension shall be conducted in conformance with DirectLink and Canby Utility.
17. A new vault is required on NE Territorial Road to accommodate a transformer to feed the property.

STORM (SEE Exhibit E)

18. All private storm drainage shall be disposed of onsite. A final drainage report shall be submitted with the final construction plans (Public Works / City Engineer).
19. No private storm drainage discharge shall be allowed to discharge into NE Territorial Road. The applicant shall demonstrate how the storm runoff generated from the new impervious surfaces will be disposed. If drywells (UIC) are used as a means to discharge storm runoff, they must meet the following criteria:
 - a. The UIC structures' location shall meet at least of the two conditions:
 - i. The vertical separation distance between the UIC and seasonal high groundwater is more than 2.5 feet, or
 - ii. The horizontal separation distance between the UIC and any water well is a minimum of 267 feet in accordance with the City of Canby Stormwater Master Plan, Appendix "C", *Groundwater*

Protectiveness Demonstration and Risk Prioritization for Underground Injection Control Devices.

The storm water drainage report and design methodology shall be in conformance with the requirements as stated in Chapter 4 of the City of Canby Public Works Design Standards dated December 2019. (Public Works / City Engineer).

PROJECT DESIGN / PROCESS

20. A pre-construction conference request is required prior to the start of any improvement on the property. This includes review and redlines of all public and private utilities, landscaping, parking, and signage, lighting and building components. All redlines required by Public Works, the City Engineer or Planning Staff must be substantially addressed prior to the start of work.
 21. An erosion control permit is required prior to any site disturbance and grading required for predevelopment phasing of the proposal.
 22. All landscaping must meet the requirements of Chapter 16.49 for longevity, planting types, irrigation requirements and general coverage.
 23. The developer/builder of the proposed buildings shall consult with Canby Disposal regarding final architectural plans and design considerations for solid waste pickup. (Canby Disposal)
 24. An updated lighting plan with fixture specification sheets shall demonstrate consistency with all applicable standards found in Canby Municipal Code 16.43 prior to issuance of a building permit.
 25. The project shall substantially comply with the submitted narrative and plans. Any deviation from the plans may require additional land use review.
 26. A narrative with accompanying materials shall be provided during the final certificate of occupancy process that demonstrates how the project is consistent with the conditions of approval stated in this report. It is the applicant's responsibility to demonstrate that all of the conditions of approval have been appropriately addressed and satisfied prior to issuance of Final Certificate of Occupancy.

BUILDING PERMITS

27. Pursuant to 16.49.060 Time limit on approval, Site and Design Review Board approvals shall be void after twelve (12) months unless: A building permit has been issued and substantial construction pursuant thereto has taken place, as defined by the state Uniform Building Code; or The Planning Department finds that there have been no changes in any Ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. (Ord. 848, Part III, section 4, 1091).
28. The project applicant shall apply for a City of Canby Site Plan Permit, Clackamas County Building permits, and a City of Canby Erosion Control Permit prior to project construction.
29. Clackamas County Building Services will provide structural, electrical, plumbing, and mechanical plan review and inspection services (Planning).
30. The applicant shall submit sign applications to the City for any future signs. Proposed signs shall conform to provisions of Chapter 16.42 of the CMC and shall secure a building permit from Clackamas County Building Services prior to their installation if applicable.

PRIOR TO OCCUPANCY

31. If temporary Certificates of Occupancy are requested, the applicant shall demonstrate that

the development has appropriate paving, sidewalks and basic fire, life, safety components installed and approved by relevant agencies prior to the request.

- 32.** Prior to occupancy of the station, all landscaping plant material indicated on the submitted landscape plan shall either be installed and irrigated as proposed, or sufficient security (bonding, escrow, etc.) shall be provided pursuant to the provisions of CMC 16.49.100 (B).
- 33.** All parking striping, wheel stops, ADA space requirements and signage shall be installed.
- 34.** All pedestrian infrastructure including sidewalks, pathways and striping shall be installed (Planning).