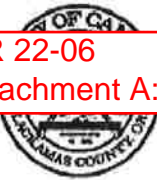


DR 22-06

Attachment A: Application Written Materials



City of Canby
PO Box 930
Canby, OR 97013
(503) 266-7001

LAND USE APPLICATION

SITE AND DESIGN REVIEW

General Type III

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

☐ Applicant Name: LRG Architects Phone: 503-265-1561
Address: 720 NW Davis St. #300 Email: ploundy@lrsarchitects.com
City/State: Portland, OR Zip: 97209

☐ Representative Name: AAI Eng Phone: 503-670-3030
Address: 4875 SW Griffith Dr. #300 Email: bahz@aaieng.com
City/State: Beaverton, OR Zip: 97005

☐ Property Owner Name: Helen & Gifford LLC Phone: (971)506-1833
Signature: [Signature]
Address: 2300 SE Beta St, Ste B Email: BRoberts@Therma-Glass.com
City/State: Milwaukie, OR Zip: 97222

☐ Property Owner Name: na 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:

SE corner of Walnut & Squadia 1.79 ac 31E3401715
Street Address or Location of Subject Property Total Size of Property Assessor Tax Lot Numbers

na M-1 IND.
Existing Use, Structures, Other Improvements on Site Zoning Comp Plan Designation

Warehouse use, 29,735 sq building w/assess. site improvements.
Describe the Proposed Development or Use of Subject Property

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

SITE AND DESIGN REVIEW APPLICATION – TYPE III–INSTRUCTIONS

All required application submittals detailed below must also be submitted in electronic format on a CD, flash drive or via email. Required application submittals include the following:

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*. **\$ 3,100 -**
- ☒ ☐ **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:
16.08, 16.10, 16.32, 16.35, 16.42, 16.46,
16.49, 16.50, 16.58, 16.89.
- ☒ ☐ Three (3) copies of a Traffic Impact Study (TIS), conducted or reviewed by a traffic engineer that is contracted by the City and paid for by the applicant (payment must be received by the City before the traffic engineer will conduct or review a traffic impact study. **\$ 800 -**
Ask staff to determine if a TIS is required.
- ☒ ☐ One (1) copy in written format of the minutes of the neighborhood meeting as required by Municipal Code 16.89.020 and 16.89.070. The minutes shall include the date of the meeting and a list of attendees.
- ☒ ☐ One (1) copy in written format of the minutes of the pre-application meeting
- ☒ ☐ One copy of either the recorded plat or the recorded deeds or land sales contracts that demonstrates how and when legal property lines were established and where the boundaries of the legal lot(s) of record are located. If the property is a lot or parcel created by plat, a copy of the recorded plat may be obtained from the Clackamas County Surveyor's office. If the property is a legal lot of record created by recorded deed or land sales contract at a time when it was legal to configure property lines by deed or contract, then those recorded deeds may be obtained from the Clackamas County Office of the Clerk, or a Title Company can also assist you in researching and obtaining deeds.
- ☐ ☐ If the development is located in a Hazard ("H") Overlay Zone, submit one (1) copy of an affidavit signed by a licensed professional engineer that the proposed development will not result in

significant impacts to fish, wildlife and open space resources of the community. If major site grading is proposed, or removal of any trees having trunks greater than six inches in diameter is proposed, then submit one (1) copy of a grading plan and/or tree-cutting plan.

Applicant City
Check Check
☒ ☐

Two (2) 11" x 17" paper copies of the proposed plans, printed to scale no smaller than 1"=50'. The plans shall include the following information:

- ☒ Vicinity Map. Vicinity map at a scale of 1"=400' showing the relationship of the project site to the existing street or road pattern.
- ☒ Site Plan-the following general information shall be included on the site plan:
 - ☐ Date, north arrow, and scale of drawing;
 - ☐ Name and address of the developer, engineer, architect, or other individual(s) who prepared the site plan;
 - ☐ Property lines (legal lot of record boundaries);
 - ☐ Location, width, and names of all existing or planned streets, other public ways, and easements within or adjacent to the property, and other important features;
 - ☐ Location of all jurisdictional wetlands or watercourses on or abutting the property;
 - ☐ Finished grading contour lines of site and abutting public ways;
 - ☐ Location of all existing structures, and whether or not they are to be retained with the proposed development;
 - ☐ Layout of all proposed structures, such as buildings, fences, signs, solid waste collection containers, mailboxes, exterior storage areas, and exterior mechanical and utility equipment;
 - ☐ Location of all proposed hardscape, including driveways, parking lots, compact cars and handicapped spaces, loading areas, bicycle paths, bicycle parking, sidewalks, and pedestrian ways;
 - ☐ Callouts to identify dimensions and distances between structures and other significant features, including property lines, yards and setbacks, building area, building height, lot area, impervious surface area, lot densities and parking areas;
 - ☐ Location of vision clearance areas at all proposed driveways and streets.
- ☒ Landscape Plan, with the following general information:
 - ☐ Layout and dimensions of all proposed areas of landscaping;
 - ☐ Proposed irrigation system;
 - ☐ Types, sizes, and location of all plants to be used in the landscaping (can be a "palette" of possible plants to be used in specific areas for landscaping);
 - ☐ Identification of any non-vegetative ground cover proposed, and dimensions of non-vegetative landscaped areas;
 - ☐ Location and description of all existing trees on-site, and identification of each tree proposed for preservation and each tree proposed for removal;
 - ☐ Location and description of all existing street trees in the street right-of-way abutting the property, and identification of each street tree proposed for preservation and each tree proposed for removal.
- ☐ Elevations Plan
The following general information shall be included on the elevations plan:
 - ☐ Profile elevations of all buildings and other proposed structures;
 - ☐ Profile of proposed screening for garbage containers and exterior storage areas;
 - ☐ Profile of proposed fencing.

- ☐ Sign Plan.
☒ Location and profile drawings of all proposed exterior signage.
☒ Color and Materials Plan.
☐ Colors and materials proposed for all buildings and other significant structures.
- ☒ One (1) copy of a completed landscaping calculation form (see page 5)
- ☒ One (1) copy of a completed Design Review Matrix (see page 6)

SITE AND DESIGN REVIEW APPLICATION: LANDSCAPING CALCULATION FORM

Site Areas

1. Building area	28,885	- Square footage of building footprints
2. Parking/hardscape	27,823	- Square footage of all sidewalks, parking, & maneuvering areas
3. Landscaped area	21,264	- Square footage of all landscaped areas
4. Total developed area	77,972	- Add lines 1, 2 and 3 (1.79 acres)
5. Undeveloped area	0	- Square footage of any part of the site to be left undeveloped.
6. Total site area	77,972	- Total square footage of site (1.79 acres)

Required Site Landscaping (Code 16.49.080)

7. Percent of landscaping required in Zoning District	15%	- Fill in the Appropriate Percentage: R-1, R-1.5, R-2 Zones: 30%; C-2, C-M, C-R, M-1, M-2 Zones: 15%; C-1 Zone: 7.5%
8. Required minimum square footage of landscaping	11,696	- Multiply line 4 and line 7
9. Proposed square footage of landscaping	21,264	- Fill in value from line 3

Required Landscaping within a Parking Lot (Code 16.49.120(4))

Note: This section and the next apply only to projects with more than 10 parking spaces or 3,500 square feet of parking area

10. Zone	M-1	- Fill in the Appropriate Zone and Percentage: C-1 Zone: 5%; Core Commercial sub-area of the Downtown Canby Overlay: 10%, except for parking lots with 10 or more spaces and two or more drive aisles: 50 square feet per parking space; All other zones: 15%.
11. Percent of required landscaping	15%	
12. Area of parking lot & hardscape	13,405	- Fill in area of parking and maneuvering areas plus all paved surface within ten (10) feet of those areas.
13. Number of vehicle parking spaces	32 spaces	- For Core Commercial sub-area in the Downtown Canby Overlay only, fill in the total # of parking spaces on-site.
14. Required square footage of landscaping within 10 feet of parking lot	2,010 sf	- Multiply area of parking lot (line 12) by percent of required landscaping (line 11) -OR- for the CC sub-area in the Downtown Canby Overlay multiply line 13 by 50 square feet.
15. Proposed square footage of Landscaping within 10 feet of parking lot	2,967 sf	- Calculate the amount of landscaping proposed within 10 feet of all parking and maneuvering areas.

Parking Lot Tree Calculation

16. Number of parking spaces	32 spaces	- Total number of vehicle parking spaces
17. Area of parking lot & hardscape	13,405 sq ft	- Area from line 12
18. Number of parking spaces (line 16) divided by 8	4 spaces	- Round up to the nearest whole number
19. Area of parking lot area (line 17) divided by 2,800	5	- Round up to the nearest whole number
20. Number of required trees in parking lot	5 trees	- Fill in the larger of row 18 and row 19
21. Number of trees provided within 10 feet of parking lot	7 trees.	- Fill in the number of proposed trees within 10 feet of parking and maneuvering areas.

SITE AND DESIGN REVIEW APPLICATION: DESIGN REVIEW MATRIX

Applicants: Please circle the applicable point column to your project and compute the total and percentages at the end of the table.

Table 16.49.040 Site Design Review Menu *Not applicable - see Industrial Overlay Matrix*

As part of Site and Design Review, the following menu shall be used as part of the review. In order to "pass" this table 60% of total possible points shall be earned, 10% of the total possible points must be from LID elements

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	-	-
Parking lot lighting provided	No	Yes	-	-	-
Parking location (behind building is best)	Front	Side	Behind	-	-
Number of parking spaces provided (% of minimum required)	>120%	101-120%	100%	-	-
Screening of Storage Areas and Utility Boxes	0	1	2	3	4
Trash storage is screened from view by solid wood fence, masonry wall or landscaping.	No	Yes	-	-	-
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	-	-
Utility equipment, including rooftop equipment, is screened from view.	Not screened	Partially screened	Fully screened	-	-
Access	0	1	2	3	4
Distance of access to nearest intersection.	≤70 feet	71 - 100 feet	>100 feet	-	-
Pedestrian walkways from public street/sidewalks to building entrances.	One entrance connected.	-	Walkways connecting all public streets/sidewalks to building entrances.	-	-
Pedestrian walkways from parking lot to building entrance.	No walkways	Walkway next to building only	Walkways connecting all parking areas to building entrances	-	-

Tree Retention	0	1	2	3	4
Design Criteria	Possible Points				
Percentage of trees retained	<10%	10-50%	51-75%	>75%	-
Replacement of trees removed	<50%	≥50%	-	-	-
Signs	0	1	2	3	4
Dimensional size of sign (% of maximum permitted)	>75%	50-75%	<50%	-	-
Similarity of sign color to building color	Not similar	Somewhat similar	Similar	-	-
Pole sign used	Yes	No	-	-	-
Building Appearance	0	1	2	3	4
Style (similar to surroundings)	Not similar	Somewhat similar (1 or 2 points possible depending on level of similarity)		-	-
Color (subdued and similar to surroundings is better)	Neither	Similar or subdued	Both	-	-
Material (concrete, wood and brick are best)	Either 1 or 2 points may assigned at the discretion of the Site and Design Review Board				
Size of building (smaller is better)	>20,000 square feet	≤20,000 square feet	-	-	-
Provision of public art (i.e. murals, statues, fountains, decorative bike racks, etc.)	No	-	-	-	Yes
Landscaping	0	1	2	3	4
Number of non-required trees provided	-	At least one tree per 500 square feet of landscaping.	-	-	-
Amount of grass (less grass is better) (% of total landscaped area)	>50%	25-50%	<25%	-	-
Low Impact Development (LID)	0	1	2	3	4
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%
Provision of park or open space area	None	-	Open space (Generally not for public use)	-	Park (public or privately owned for public use)

Design Criteria	Possible Points				
Use of drought tolerant species in landscaping (% of total plants)	<25% drought tolerant	-	25-50% drought tolerant	51-75% drought tolerant	>75% drought tolerant
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	10-50%	>50%
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-	10-50%	>50%
Disconnecting downspouts from city stormwater facilities	None	Some downspouts disconnected	All downspouts disconnected	-	-
Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%	-	-
Provision of rain gardens/bioretention areas for stormwater runoff (% of total landscaped area)	None	-	10-50%	51-75%	>75%
	Total Possible Points = 71, 60%=42.6 points, 10%=7.1 points				

Total Points Earned: _____ (42.6 points required for 60%) **N/A**

Total LID Points Earned: _____ (7.1 required for 10%) **N/A**

SITE AND DESIGN REVIEW – TYPE III: APPLICATION PROCESS

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

SITE AND DESIGN REVIEW – TYPE III: REVIEW CRITERIA (*Code 16.49.040*)

1. The Planning Commission shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following A through D, and with Criteria 4, 5, and 6 below:
 - A. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height and appearance of the proposed development are involved; and
 - B. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and
 - C. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity; and
 - D. The Planning Commission shall, in making its determination of compliance with subsections B and C above, use the applicable matrix [*pages 8-12*] to determine “compatibility”.
2. The Planning Commission shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this section. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.
3. The Planning Commission shall, in making its determination of compliance with the requirements set forth, consider the effect of its action on the availability and cost of needed housing. The Planning Commission shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Planning Commission from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase the cost of housing beyond the minimum necessary to achieve the purposes of this ordinance.
4. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Chapter 12.32, the City Tree Ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.32. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

Project Sequoia Thermaglass

Site and Design Review Application

Prepared for:
City of Canby, Planning Department
222NE 2nd Ave.
Canby, Oregon 97123

Prepared by:
AAI Engineering
4875 SW Griffith Drive Suite 300
Beaverton, OR 97005
(503) 352-7678
(503) 620-5539, fax
Email: bethz@aaieng.com

May 2022
A21051.30

Project Sequoia Thermaglass

Site and Design Review Application

Summary

Project Location and Identification

The property is located in the City of Canby, Oregon. The site is currently undeveloped, fairly flat and unvegetated. The property is approximately 1.79 acres in size. The property is zoned M-1 Light Industrial Zone, with a O-1 Overlay.



Proposal

The project proposes a 28,885 square Office and Warehouse facility with associated parking, loading dock, landscape and stormwater facilities. Access is provided from both S. Walnut Rd. and Sequoia Pkwy.

The project requires a Type III Site and Design Review.

Applicable Standards

The following Standards and Regulations have been addressed within this Narrative.

TITLE 16 PLANNING AND ZONING

16.08 General Provisions

16.10 Parking and Off-Street Parking

16.32 M-1 Light Industrial Zone

16.35 Industrial Overlay Zone

16.42 Signs

16.46 Access Limitations on Project Density

16.49 Site and Design Review

16.88 General Standards and Procedures

16.89 Application and Review Procedures

TITLE 16 PLANNING AND ZONING

16.08 General Provisions

16.08.010 Compliance with title.

No building, structure, or land shall hereafter be used or occupied, and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered contrary to the provisions of this title. No lot area, yard, or required off-street parking or loading area existing on or after the effective date of the ordinance codified in this title shall be reduced in area, dimension, or size below the minimums required by this title, nor shall any lot area, yard, or required off-street parking or loading area that is required by this title for one use be used to satisfy the lot area, yard, off-street parking or loading area requirement for any other use, except as may be provided in this title.

Response: As proposed, this project complies with all applicable provisions of City of Canby, Title 16, Planning and Zoning.

16.08.150 Traffic Impact Study (TIS).

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

Response: A Traffic Impact Study, prepared by DKS, is included in this application package

16.10 Parking and Off-Street Parking

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

TABLE 16.10.050

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

Response: The project proposes a 28,885 building, with 2,079 SF of office.

USE	REQUIRED	PROPOSED
Office (2/1000)	5 spaces	5 spaces
Warehousing (1/1000)	27 spaces	27 spaces

Response: The project requires a total minimum of 32 vehicle parking spaces and provides 32 spaces.

16.10.060 Off-street loading facilities

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

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

Response: Two loading berths are required for the building. A total of three are proposed.

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

2. Industrial uses – 12' x 60'

C. Required loading areas shall be screened from public view, from public streets, and adjacent properties by means of sight-site obscuring landscaping, walls or other means, as approved through the site and design review process.

Response: The project requires two loading berths. The loading berths are 12' x 60' in size and are screened from the views of the surrounding rights-of-way.

TABLE 16.10.070 Minimum dimensional Standard for Parking					
This table and Figure 16.10.070 provide the minimum dimensional standards for parking areas and spaces.					
A = Parking angle in degrees			D = Minimum clear aisle width		
B = Minimum stall width			E = Minimum clear stall distance at bay side		
C = Minimum stall depth			F = Minimum clear bay width		
A	B	C	D	E	F
0 (parallel)	8'0"	-	12'0"	22'0"	20'0"
30	8'6"	16'4"	12'0"	17'0"	28'4"
45	8'6"	18'9"	12'6"	12'0"	31'3"
60	8'6"	19'10"	18'0"	9'10"	37'10"
90	8'6"	18'0"	24'0"	8'6"	42'0"

Response: All proposed 90-degree parking exceed the minimum dimensional requirements. (Proposed 9' x 18').

16.10.100 Bicycle Parking.

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

C. Number of spaces: The bicycle parking standards set out in Table 16.10.100 shall be observed.

TABLE 16.10.100 BICYCLE PARKING STANDARD	
LAND USE CATEGORY	MINIMUM REQUIRED BICYCLE PARKING SPACES
Industrial	2, or .1 space per 1000 ft ² whichever is greater
Industrial Park	
Warehouse	2, or .1 space per 1000 ft ² whichever is greater
Manufacturing, etc.	2, or .15 space per 1000 ft ² whichever is greater

Response: As proposed, this project requires 3 bicycle parking spaces. Three bicycle spaces are provided. Please refer to the Site Plan for location and design.

16.32 M-1 Light Industrial Zone

16.32.010 Uses permitted outright.

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

A. Manufacturing, fabricating, processing, compounding, assembling or packaging of products made from previously prepared materials such as cloth, plastic, paper, metal, wood (but not including sawmills or lumber mills).

Response: This project proposes a warehouse/distribution use, which is permitted outright, and will not produce any of negative impacts typically related to a manufacturing use.

16.35 Industrial Overlay Zone

16.35.020 Applicability.

16.35.030 Uses permitted outright.

Unless limited by sections 16.35.040 or 16.35.045, uses permitted outright in the C-M zone, M-1 zone, and M-2 zone are permitted outright in the I-O zone, subject to the respective zone district boundaries.

Response: This project proposes a warehouse/distribution use, which is permitted outright in the M-1 zone. Therefore, it is also a permitted use in the Industrial Overlay zone.

16.35.050 Development standards.

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

- A. Minimum lot area: none.
- B. Minimum lot width and frontage: none.
- C. Minimum yard requirements (measured from building foundation to right-of-way line):

- 1. Street yards(s): 20 feet for buildings up to 25 feet in height; 35 feet for buildings between 25 feet and 45 feet in height. Parking and internal drives (except curb cuts and entrance drives) are prohibited within the required 20-foot street yard.

2. Interior yard: 10 feet, except 20 feet where abutting a residential zone. Common-wall lot lines (attached buildings), and development which provide shared parking and circulation with abutting developments, are exempt from interior yard standards.

3. Rear yard: 10 feet, except 20 feet where abutting a residential zone. Common-wall lot lines (attached buildings), and development which provide shared parking and circulation with abutting developments, are exempt from interior yard standards.

Response: The building setback varies due to the curvature of both abutting rights-of-ways. Parking and internal drives are not proposed within the 20-foot setback requirement.

The project does not abut a residential zone and the building is setback more than 10-feet from the interior and side yards.

D. Maximum building height: 45 feet.

Response: As proposed, the building is 34'-8" – 36'-0" in height.

E. Maximum lot coverage: 60 percent in the C-M zone; none in the M-1 and M-2 zones.

Response: This project is in the M-1 zone, with no limitations on lot coverage.

F. Street access (curb cuts) spacing shall be a minimum of 200 feet on designated parkway and collector streets.

Response: The project proposes a single driveway/curb cut on each abutting right-of-way. Therefore, this does not apply.

Please refer to Section 16.46 Access Limitations on Project Density, TABLE 16.46.30 and City of Canby, Public Works Design Standards; 2.211.f. Driveways, discussed in this narrative document.

H. Building orientation standards. The following standards are intended to ensure direct, clear, and convenient pedestrian access:

1. Development in the M-1 zone and M-2 zone shall provide at least one public entrance facing the street. A direct pedestrian connection shall be provided between the primary building entrance and public sidewalk.

Response: As proposed, the primary public entrance faces the corner of Sequoia Pkwy and S. Walnut Rd. A direct pedestrian connection is provided between the building entrance and the sidewalk along Sequoia Pkwy. A second access is provided on S. Walnut Rd.

I. Right-of-way plantings: Street trees and ground cover plantings shall be installed with development, as approved by the City. Shrubs are prohibited within the public right-of-way.

Response: ROW plantings are provided as required. Please refer to the Landscape Plan.

J. Metal building exteriors are prohibited, except that the Planning Commission may approve architectural metal elements that accent and enhance the aesthetics of building entrances and office areas

Response: This project does not propose metal building exteriors.

K. Lighting shall be required for all streets, sidewalks, and pedestrian ways.

Applications for land division approval and site plan review shall include photometric plans.

Response: A Photometric Plan, illustrating the proposed light levels, is included in this application.

L. Shared access: The City may require the provision of shared access drives through the land division review process. Shared access drives are intended to maintain adequate driveway spacing and circulation along the designated Parkway and Collector streets.

Response: The access driveway from S. Walnut St. is shared with the Lucky Food project to the south.

M. All landscaped areas shall be irrigated unless drought tolerant plants are installed and watered until well established and replaced in event of failure.

Response: A irrigation system for all landscape areas is proposed.

N. Other regulations: The C-M zone, M-1 zone, and M-2 zone provide other applicable regulations related to vision clearance, Highway 99E sidewalk width, setback measurement, outside storage, and wireless/cellular tower certification.

Response: Vision clearance standards have been reviewed in the Traffic Impact Statement, included in this application.

O. Open storage or “laydown yards” shall be screened by a six-foot site-obscuring fence or hedge-type vegetation that would become a solid site obscuring barrier within three years of planting.

Response: This project does not propose open storage or laydown yards.

16.35.070 I-O Design review matrix.

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

Industrial Overlay Design Review Matrix
Table 16.35.040

CRITERIA	Possible Scores
<u>Parking</u>	
Parking areas located to the side or rear of buildings as viewed from public right-of-way: <50% of parking spaces=0; 50%-75%=1; 75%-100%=2.	0 1 2
Increase minimum interior parking lot landscape over the base 15%: 15%-18%=0; 18%-22%=1; >22%=2.	0 1 2 ▲
Increase the base number of trees required by 16.49.120 (all landscape islands must contain 1 tree, 1 tree for every 40' along the required setback): 100%-105% of base requirement=0; 105%-110% of base requirement=1; >110%=2; (# of trees proposed/# of trees required x100=% of base requirement)	0 1 2 ▲
Number of parking spaces provided: (% of required minimum): >110%=0; 110%-105%=1; 105%-100%=2. See Table 16.10.050 for required parking. (# of spaces proposed/# of spaces required x100=% of required minimum)	0 1 2 ▲
Minimum Acceptable Score	4 points

Response: As proposed, the project scores 4 points, as indicated above.

The minimum required interior parking lot landscape has been increased to 22%. Please refer to the Landscape Plan for design and calculations.

The project requires 32 parking spaces. A total of 32 spaces are required, which is between 105% and 100%.

<u>Transportation/Circulation</u>	
Design private, on-site pedestrian pathways: 6' painted ways=0; 6' brick/paver ways=1; 6' brick/paver & raised concrete ways=2	0 1 2 ▲
Number of pedestrian connections between the street sidewalk and internal circulation system: One connection = 0 Two or more connections = 1	0 1 2 ▲
Minimum Acceptable Score (some provisions may not apply) 2points	

Response: As proposed, the project scores 2 points, as indicated above.

Pavers are provided at the entrance to the building connecting the walkway to the building and parking lot to Sequoia Pkwy.

Pedestrian connections are provided to both Sequoia Pkwy and S. Walnut Rd.

<u>Landscaping</u>	
Trees installed at 3 inch caliper: <25% of trees=0; 25%-50%=1; 50%-100%=2.	0 1 2
Usable outdoor amenity provided with development (e.g., water features, plazas, seating areas, and similar features): no=0; yes=1; yes and for public use =2.	0 1 2 ▲
Amount of grass (less grass is better) (% of total landscaped area)>50%=0; 25%-50%=1; <25%=2	0 1 2 ▲
Minimum Acceptable Score 3 points	

As proposed, the project scores 3 points, as indicated above.

A plaza is located at the entry to the building. And grass is proposed for less than 25% of the total landscape area. Please refer to the Site Plan and Landscape Plan.

<u>Building Appearance and Orientation</u>	
Building orientation at or near the street: parking or drive separates building from street=0; at least 20% of elevation within 5 feet of minimum setback=1; at least 20% of elevation is at minimum setback=2.	0 1 2
Building entrances visible from the street: no=0; yes=1.	0 1
Buildings use quality materials: concrete, wood, or wood siding=0; concrete masonry, stucco, or similar material=1; brick or stone=2.	0 1 2 ▲
Articulation and/or detailing to break up large building surfaces and accentuate the building entrance(s): no=0; yes=2.	0 2 ▲
Minimum Acceptable Score 4 points	

Response: As proposed, the project scores 3 points, as indicated above.

The building is visible from both abutting streets. Articulation is provided along both street fronting building facades. This will be a tilt-up concrete building, which is in keeping with the surrounding development and the intent of the design standards of the I-O overlay.

The building is located near Sequoia Parkway, with no parking or drive aisles between the building and the ROW. However, because the ROW curves in this area, it is not possible to maintain 20% of the building façade at or within 5' of Sequoia Parkway.

16.42 Signs

16.42.020 Administration and permit requirements.

A. Permit Required. All signs erected after the effective date of this chapter, other than signs exempt from permit requirements per 16.42.025, shall require a sign permit. Application shall be made on forms provided by the Planning Director. Sign permits issued for signs which encroach into the public right-of-way are subject to the standards of 16.42.045.

Response: The sign permit will be a deferred submit which will comply with all applicable code requirements and standards.

16.46 Access Limitations on Project Density

16.46.020 Ingress and egress.

Ingress and egress to any lot or parcel, the creation of which has been approved by the Planning Commission, shall be taken along that portion fronting on a public street unless otherwise approved by the Planning Commission.

A. Vision Clearance:

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

Response: Site specific visions clearance requirements for this project are outlined in the DKS report. As proposed, this project complies with those requirements.

TABLE 16.46.30
Access Management Guidelines for City Streets*

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

Response: S. Walnut Rd. is a Collector and Sequoia Pkwy is an Arterial. As such, 100' is required on S. Walnut Rd. and 330 feet is required on Sequoia Pkwy between driveway to roadway and driveway to driveway spacing.

These requirements are met on N. Walnut Rd. However, we are asking for the City Administrator to approve a deviation on Sequoia Pkwy. It is impossible to meet the 330-foot requirement based on the lot street frontage (approximately 296 LF).

- g. Driveway spacing shall be as shown in the following table.

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

Notes: (1) Minimum distance or no closer than 60% of parcel frontage unless this prohibits access to the site, in which case City Administrator or designee may approve a deviation.

(2) Direct access to this street will not be allowed if an alternative exists or is planned.

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

16.49 Site and Design Review

16.49.030 Site and design review plan approval required.

16.49.40 Criteria and standards.

B. In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the following:

1. The proposed site development, including the site plan, architecture, landscaping and graphic design, is in conformance with the standards of this and other applicable city ordinances insofar as the location, height and appearance of the proposed development are involved; and

Response: As proposed, the project complies with all applicable code requirements and standards.

2. The proposed design of the development is compatible with the design of other developments in the same general vicinity; and

Response: The building has been designed to complement the surrounding architecture, without providing a monotonous streetscape. Furthermore, the landscape plan has been designed with similar plant materials used at the Lucky Foods project to the south.

3. The location, design, size, color and materials of the exterior of all structures and signs are compatible with the proposed development and appropriate to the design character of other structures in the same vicinity.

Response: The site layout and building design are consistent with the surrounding development. Please refer to the Building Elevations and Materials Sheet.

4. The proposed development incorporates the use of LID best management practices whenever feasible based on site and soil conditions. LID best management practices include, but are not limited to, minimizing impervious surfaces, designing on-site LID stormwater management facilities, and retaining native vegetation.

Response: The project proposes an on-site LID stormwater management facility and has limited the impervious site coverage to 71%. Native plant materials are proposed, however, there was no native or significant vegetation on site to retain.

5. The Board shall, in making its determination of compliance with this Ordinances, shall use the matrix in Table 16.49.040 to determine compatibility unless this

matrix is superseded by another matrix applicable to a specific zone or zones under this title. An application is considered to be compatible with the standards of Table 16.49.040 if the following conditions are met:

Response: Table 16.49.040 has been superseded by the Industrial Overlay Design Review Matrix, discussed above.

6. Street lights installation may be required on any public street or roadway as part of the Design Review Application.

Response: Street lights will be installed as required.

D. In review of a Type III Site and Design Review Application, the Board shall, in exercising or performing its powers, duties or functions, determine whether there is compliance with the INTENT of the design review standards set forth in this ordinance.

Response: As proposed, this project complies with the intent of all applicable standards.

E. The Board shall, in making its determination of compliance with the above requirements, be guided by the objectives and standards set forth in this ordinance. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed development. If the site and design review plan includes utility facilities or public utility facility, then the City Planner shall determine whether those aspects of the proposed plan comply with applicable standards.

Response: As proposed and illustrated on the Utility Plan, public facilities are available to service this site.

G. As part of the site and design review, the property owner may apply for approval to cut trees in addition to those allowed in Chapter 12.32, the city Tree ordinance. The granting or denial of said application will be based on the criteria in Chapter 12.32. The cutting of trees does not in and of itself constitute change in the appearance of the property which would necessitate application for site and design review.

Response: No trees exist and therefore will be removed on the site.

Table 16.49.040 Site Design Review Menu

As part of Site and Design Review, the following menu shall be used as part of the review. In Order to “pass” this table 60% of total possible points shall be earned, 10% of the total possible points must be from LID elements

Response: The project site is within the Industrial Overlay Zone. Therefore, the Design Review matrix (16.49.040), does not apply.

16.49.065 Bicycle and pedestrian facilities.

Developments coming under design review shall meet the following standards:

A. The internal walkway system shall be extended to the boundaries of the property to adjoining properties developed or zoned for commercial, public, or multi-family uses. The walkway shall connect to an existing walkway system on adjoining property or be located so as to provide for development of a logical connection in the future when the adjoining property is developed or redeveloped.

Response: The project proposes walkway connections from the building to both S. Walnut Road and Sequoia Parkway rights-of-way.

The project site is surrounded by like zoning (M-1), not developed or zoned for commercial, public, or multi-family uses. Therefore, connections to adjoining properties is not required.

B. On-site facilities shall be provided to accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers, and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers. Residential developments shall include streets with sidewalks and accessways.

Response: The property is zoned Light Manufacturing. Therefore, this code section does not apply.

D. Use of permeable surfacing materials for walkways is encouraged whenever site and soil conditions make it feasible. Permeable surfacing includes, but is not limited to, paving blocks, turf blocks, and porous asphalt. All permeable surfacing shall be designed, constructed, and maintained in accordance with the Canby Public Works Design Standards.

Response: Permeable surface materials are not proposed and are not appropriate for an industrial use.

16.49.080 General provisions for landscaping.

C. The minimum area requirement for landscaping for developments coming under design review shall be the percentage of the total land area to be developed as follows. Parking lot landscaping area is included in calculating the following landscape areas:

1. Fifteen (15) percent for all industrial and commercial zones (except the Downtown-Commercial zone, but including the Commercial-Residential zone).

Response: This industrial project proposes 29% landscape area on the site.

D. LID stormwater management facilities, such as rain gardens and bioretention areas, may be counted toward the minimum landscaping requirement when they are located on private property. LID facilities in the public right-of-way cannot be counted toward the minimum landscaping requirement. The integration of LID stormwater management facilities within required landscaping must be approved by the city and shall comply with the design and construction standards set forth in the Canby Public Works Design Standards.

Response: A stormwater facility is included in the total landscaping calculation but is not included in the minimum landscaping requirement.

16.49.120 Parking lot landscaping standards.

C. Landscaping Within a Parking Lot.

1. Area within a parking lot shall include the paved parking and maneuvering area, as well as any area within ten (10) feet of any exterior face of curb surrounding the paved parking and maneuvering area.

2. Each interior landscaped area shall be a minimum of six (6) feet wide, unless the area is added to the required perimeter landscaping.

Response: Each proposed landscape island is a minimum of 6-feet in width.

3. The use of LID best management practices in parking lots is encouraged whenever site and soil conditions make it feasible. Such practices include, but are not limited to, permeable surfacing materials, and integrating LID stormwater management facilities into the required landscaping areas.

Response: Part of the site will be treated with a LID facility. Due to grades and depths, part of the site will be treated with filter cartridges and discharged to a drywell.

D. Computing Minimum Area Required to be Landscaped Within a Parking Lot.

Minimum area required to be landscaped within a parking lot shall be as follows:

1. Fifteen (15) percent for all residential, industrial, and commercial zones

Response: As proposed, this project provides 19.5% parking lot landscape.

E. All parking areas with more than 16 spaces shall include landscape islands to break up the parking area into rows of not more than 8 contiguous parking spaces.

1. Landscape islands shall have a minimum area of 48 square feet and a minimum width of six (6) feet.

2. Landscape islands shall contain at least one tree that meets the standards in section (F) below.

3. Landscape islands may be counted toward the minimum parking lot landscaping requirements.

Response: No more than 5 continuous parking spaces are proposed before 8'-0" wide landscape islands planted with one shade tree are proposed.

F. Criteria for Trees in Parking Lots. Deciduous, evergreen and/or shade trees shall meet the following criteria:

1. Reach a mature height of approximately forty (40) feet. Trees must be approximately two-inch (2") caliper at the time of planting.

2. Cast moderate to dense shade in summer.

3. Be long lived, i.e., live to be over approximately sixty (60) years.

4. Do well in an urban environment:

a. Be pollution tolerant; and

b. Be tolerant of direct and reflected heat.

5. Require little maintenance:

a. Be mechanically strong;

b. Be insect and disease resistant; and

c. Require little pruning.

6. Be resistant to drought conditions.

7. Be barren of fruit production.

Response: Trees proposed in parking lot landscape islands meet the above criteria.

Please see the landscape plan.

G. Perimeter of Parking and Loading Areas:

1. Screening of parking and loading areas is required. Within three (3) years of planting, screening shall be of such height and density as to shield vehicle headlights from head-on visibility.

2. In addition, one (1) deciduous, evergreen and/or shade tree shall be planted every forty (40) feet, minimum, along the required setback of the vehicular use area.

Response: Perimeter parking landscaping is proposed to meet these criteria. Please see the landscape plan.

16.50 Conditional Uses (if employment is below requirements stated in 16.35)

Response: This application does not propose a Conditional Use. Section 16.35.040.A.1. states that the project must have no less 3 employees per developed acre. This project would therefore require 5 employees in order to NOT be a conditional use. Thermaglass will have approximately 8 full time employees.

16.88 General Standards and Procedures

16.88.030 Applications and Fees

Applications for annexations, zone changes, variances, conditional use permits, design review, appeals, other permits or approvals and property divisions initiated by property owners or their agents shall be made in writing and submitted to the City Planner. Each application shall be accompanied by a fee. Said fees shall be set out by resolution approved by the City Council. Fees shall differentiate between various processes and applications and no part of which shall be refunded.

Response: This Development Review application will be submitted and all fees paid for, as required.

16.89 Application and Review Procedures

16.89.050 Type III Decision.

A. Pre-application conference. A pre-application conference may be required by the Planning Director for Type III applications.

Response: A Pre-application Conference was held on January 18, 2022. Please see the Pre-application minutes included in this submittal.

B. Neighborhood meetings. As directed in Table 16.89.020, the applicant may be required to present their development proposal at a neighborhood meeting before the City accepts the application as complete. See Section 16.89.070.

Response: A Neighborhood meeting was held on Tuesday, April 5th, 2022 at 6:00pm. This meeting was a virtual meeting. Please see the meeting notice, attendance sheet and minutes included in this application.

C. Application requirements. Type III applications shall be made on forms provided by the Planning Director. The application shall be accompanied by all required information and fees.

Response: As submitted, the project includes all required materials;

Application packet

Forms/fees

Electronic copy of mailing addresses

Narrative

Traffic Impact Study

Neighborhood meeting minutes

Pre-app meeting minutes

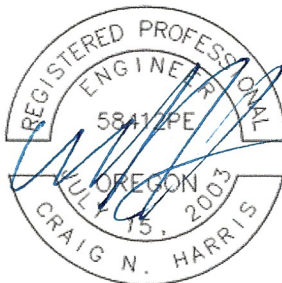
Title Report

Vicinity map
Site Plan
Landscape Plan
Utility Plan
Architectural elevations
Material and colors board (electronic)
Photometric Plan

MEMORANDUM

DATE: 5/18/2022
BY: Craig Harris, PE
SUBJECT: Stormwater Utility Narrative
PROJECT: Project Sequoia – Canby, OR
PROJECT NO.: A21051.10

This memorandum is to outline the stormwater requirements for the Project Sequoia project located on the east corner of S Sequoia Parkway and S Walnut St in Canby, Oregon. The project consists of the construction of a single-story commercial building with associated parking, vehicle and pedestrian circulation. The site is 77,787SF, all of which is existing pervious consisting of a grassy field and shrubs. Post construction, 55,025SF will be impervious areas while 22,853SF will remain pervious. This includes the 28,897SF building. Per City of Canby Public Works Design Standards dated December 2019, onsite facilities and conveyance pipes will be designed to capture and infiltrate the 10-year design storm. 14,037SF of impervious flows from the western parking lot and adjacent sidewalk will be directed to a LID Infiltration Planter/Rain Garden adjacent to the western parking lot curb, designed per CWS standards as described in the Canby Public Works Standards. The geotechnical report states the site has a reduced design infiltration rate of 27 in/hr for drywell design. The remaining 40,988SF impervious runoff from the building, truck docks, and remaining portions of the southern parking lot will be conveyed to a StormFilter catch basin with (3) filter cartridges for treatment and discharged into a drywell onsite. A comprehensive stormwater report will be included in the next submittal.



EXPIRES: 6/30/2023

Old Republic National Title Insurance Company
400 Second Avenue South, Minneapolis, MN 55401

SCHEDULE A

Policy No.:	OXOR00010005	Amount of Insurance:	\$682,258.00
Order No.:	5516001365	Premium:	\$2,274.00
Date of Policy:	April 27, 2022 at 11:40 AM		Address Reference:
			Tax Lot 1715 Walnut St Canby, OR 97013

1. Name of Insured:

Helen & Gifford LLC, an Oregon limited liability company

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title Vested in:

[Helen & Gifford LLC](#), an Oregon limited liability company

4. The Land referred to in this Policy is described as follows:

COMMENCING at a 3-1/4 inch bronze disc in a monument box found at the Southeast corner of the Philander Lee Donation Land Claim located in the Southeast one-quarter of Section 34, Township 3 South, Range 1 East, of the Willamette Meridian, in the City of Canby, Clackamas County, Oregon; thence South 78°25'00" West, along the South line of said Donation Land Claim a distance of 1,086.92 feet to a point on the Southerly extension of the centerline of vacated Walnut Street; thence North 00°22'11" East, along said Southerly extension and along the centerline of said vacated Walnut Street, a distance of 423.86 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "ZTEC LS 1944" found on the Easterly extension of the South line of said Parcel 1 of said [PARTITION PLAT NO. 2010-027](#), said point being the true point of beginning of the tract of land herein described; thence South 89°53'02" West along said South line of said Parcel 1, a distance of 235.31 feet to a point on the Easterly right of way line of Sequoia Parkway; thence along said Easterly right of way line, along a 437.08 foot radius non-tangent curve to the left, through a central angle of 26°11'10", an arc distance of 199.76 feet (the long chord of said curve bears North 27°48'19" West a distance of 198.03 feet) to a point of reverse curve at the intersection with the Southeasterly right of way line of relocated Walnut Street; thence along said Southerly right of way line the following four courses, along a 28.00 foot radius curve to the right, through a central angle of 84°04'09", an arc distance of 41.08 feet (the long chord of said curve bears North 01°08'10" East a distance of 37.50 feet) to a point of tangency; thence North 43°10'15" East a distance of 4.67 feet to a point of curve; thence along a 180.00 foot radius curve to the right, through a central angle of 45°58'06", an arc distance of 144.41 feet (the long chord of said curve bears North 66°09'18" East a distance of 140.57 feet) to a point of reverse curve; thence along a 220.00 foot radius curve to the left, through a central angle of 31°15'49", an arc distance of 120.04 feet (the long chord of said curve bears North 73°30'26" East a distance of 118.56 feet) to a point; thence South 41°20'00" East a distance of 125.45 feet to a point on said centerline of said vacated Walnut Street; thence South 00°22'11" West, along said centerline, a distance of 211.88 feet to the true point of beginning of the tract of land herein described.

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Local agency liens, if any, in favor of the City of Canby. We find No liens as of the date of this policy.
2. The land is within and is subject to restrictions and regulations of Canby Urban Renewal Area, as imposed by the City of Canby, as amended.
3. All covenants, conditions, restrictions, easements or other servitudes, if any, disclosed by the recorded plat of [BURDEN](#).
4. All covenants, conditions, restrictions, easements or other servitudes, if any, disclosed by the recorded plat of [PARTITION PLAT NO. 2010-027](#).
5. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as shown on the filed [map](#).

For : Public Utility
Affects : 16 feet in width along Walnut Street

6. Easements for existing public utilities in vacated street area reserved by Ordinance No. 1351 and the conditions imposed thereby,

Recorded : June 29, 2012 in Official Records under Document No. [2012-041350](#)

7. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following,

Granted To : Adjacent property owner
For : Access
Recorded : March 09, 2020 in Official Records under Document No. [2020-016866](#)
Affects : A portion of this parcel and a portion of the property to the south

8. Easement and Maintenance Agreement, including the terms and provisions thereof,

Recorded : December 8, 2021, in Official Records under Document No. [2021-106990](#)
For : Vehicular and pedestrian access