



City of Canby

STAFF REPORT Tievoli Commons DR 23-06 & PLA 23-05

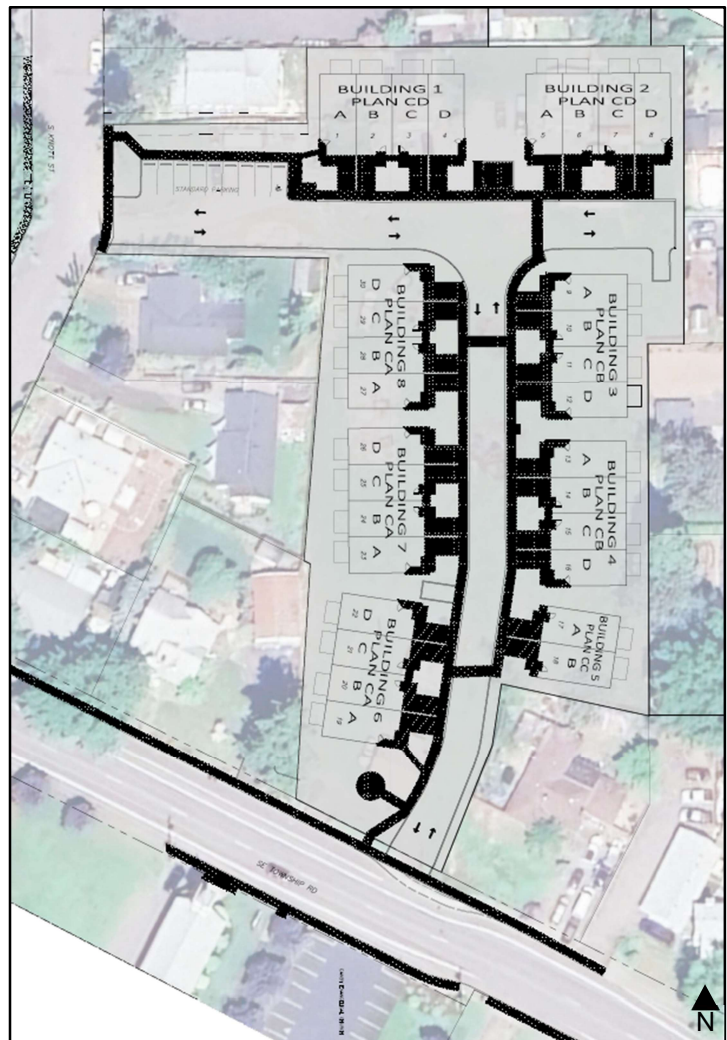
HEARING DATE: January 22, 2024
STAFF REPORT DATE: January 12, 2024
TO: Planning Commission
STAFF: Brianna Addotta, AICP, Associate Planner

Applicant Proposal

The applicant proposes to develop the site with 30 condominium units clustered into 7 buildings of 4 attached townhome style dwellings and a single building with two attached dwellings. The property proposed for development is in southeast Canby north of SE Township Road and east of S Knott Street. The development site consists of three separate tax lots currently occupied by 4 existing homes.

Staff Recommendation

Based on the applications submitted and the facts, findings, and conclusions of this report, staff recommends that the Planning Commission **Approve Tievoli Commons**, DR 23-06 & PLA 23-05, pursuant to the Conditions of Approval identified in Section VI at the end of this report.



Application Information

Location	486 S Knott St., 360 SE Township Rd., third parcel has no address
Tax Lot(s)	31E33DC 05001, 31E33DC 04600, 31E33DC 04402
Property Size	1.99 acres (combined)
Comprehensive Plan	HDR – High Density Residential
Zoning	R-2 High Density Residential
Owner	Jason and Jeanne Bristol
Applicant	Jason Bristol
Application Type	Site and Design Review, Property Line Adjustment
City File Number(s)	DR 23-06, PLA 23-05

Attachments

A. Application Package:

A.1	I. Application Forms
	II. Written Narrative
A.2	III. Pre-Application Meeting Information
	IV. Neighborhood Meeting Information
A.3	V. General Maps
	VI. Civil Plans
	VII. Building Plans
	VIII. Site Lighting Plans
	IX. Landscaping Plans
A.4	X. Storm Drainage Report
A.5	XI. Traffic Impact Analysis

B. Utility & Service Provider Comments

C. Public Comment

I. Existing Conditions:

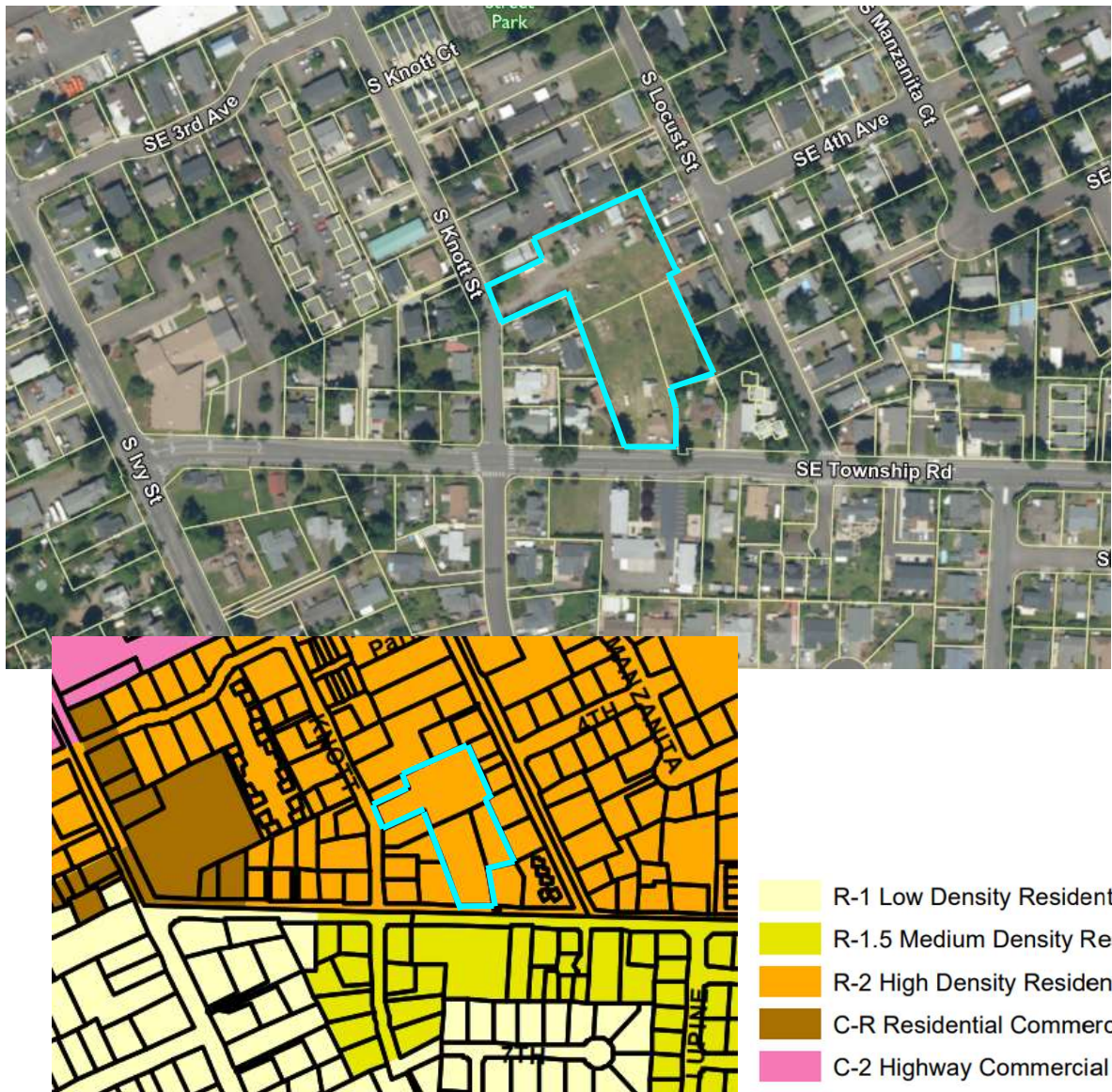
The property proposed for development is in southeast Canby north of SE Township Road. and east of S Knott Street. The development site consists of three separate tax lots currently occupied by four existing homes. The land is irregularly shaped and largely tucked away inside the southern portion of the neighborhood block formed by SE Township Road, S Knott Street, S Locust Street, and SE 2nd Avenue. The properties have a small amount of frontage on two streets, approximately 90 feet of frontage on SE Township Road and approximately 73 feet on S Knott Street.

Four mid-century homes currently occupy the property. Three of the homes (and one outbuilding) are on Tax Lot 4600, one is on Tax Lot 5001, and Tax Lot 4402 is vacant. The three homes on Tax Lot

4600 at the northern end of the site take access from S Knott Street via a shared gravel driveway. The existing home on Tax Lot 5001 in the southern portion of the site has access via a semicircular asphalt driveway with two driveway approaches onto SE Township Road. All existing structures will be demolished as part of this project.

Much of the site is lawn. The property previously had a larger number of trees covering the site, but there was significant tree damage during the ice storm of February 2021 and now only one tree remains onsite, adjacent to S Knott Street. The site appears flat, but there is five feet of elevation change across the site with the southern portion of the site higher than the northern portion. The SE Township Road frontage is improved with curb and curb-tight sidewalk while the S Knott Street side of the site is improved with curb, but no sidewalk. A bump-out in the curb line and sidewalk of SE Township Road is located at the eastern end of the site frontage.

Vicinity and Zoning Maps



Public Utilities and Services

- Water and electric service – Canby Utility
- Wastewater – City of Canby Public Works
- Solid waste disposal services – Canby Disposal
- Storm Drainage – Private infrastructure
- Fire services – Canby Fire District
- Police services – City of Canby Police Department

Detailed information regarding public utility and service availability for the project is discussed throughout this report. Staff has provided conditions of approval at the end of this staff report (Section VI), written to ensure that the necessary public infrastructure is constructed and installed in accordance with all applicable city, county, state, and federal requirements.

II. Project Description

The applicant proposes to develop the site with 30 condominium units clustered into 7 buildings of 4 attached townhome style dwellings and a single building with two attached dwellings. The townhome style dwellings will be two-story, either two- or three-bedrooms, with a mixture of different unit styles. The 8 dwellings in Buildings 1 and 2 at the northern end of the site will have a slightly larger unit design than the other 22 units. Each dwelling will measure 20 feet wide by at least 42 feet deep and every unit will have a single car garage and one parking space in front of the garage. In addition to the 30 parking spaces in garages and the 30 driveway parking spaces, eleven additional parking stalls will be provided onsite for resident and guest parking. A lot line adjustment application is submitted by the applicant to facilitate consolidation of the three existing tax lots that currently make up the site into a single tax lot.

The development proposes to retain two of the existing driveway access points, one on SE Township Road and one on S Knott Street. The dwellings will face and take access from an internal private accessway. Sidewalks are planned along one side of the S Knott Street accessway and on both sides of the SE Township Road accessway. The sidewalks will provide pedestrian connectivity throughout the site from every dwelling to the mailboxes, the common trash facility, parking, and the public street frontages. The trash enclosure is centrally located near the northern end of the site with easy access for the garbage hauler and the mailbox facility is centrally located between Buildings 3 & 4.

The 30 condominium units will share the ownership and maintenance of the common areas.

III. Applicable Criteria

In addition to components of the City of Canby Comprehensive Plan, applicable criteria used in evaluating this application are listed in the following sections of the *City of Canby's Land Development and Planning Ordinance*:

- 16.08 General Provisions
- 16.10 Off-street Parking and Loading
- 16.20 R-2 High Density Residential Zone
- 16.21 Residential Design Standards
- 16.42 Signs

- 16.43 Outdoor Lighting Standards
- 16.46 Access Limitations on Project Density
- 16.49 Site and Design Review
- 16.58 Lot Line Adjustment
- 16.70 PUD and Condominium Regulations
- 16.88 General Standards and Procedures
- 16.89 Application and Review Procedures

IV. Findings

Consistency with the Canby Comprehensive Plan and Canby Municipal Code are required to gain Planning Commission approval for multifamily residential development. The request must also be consistent with applicable portions of the Oregon Statewide Planning Goals. Staff finds that the proposal is generally consistent with these standards. Detailed discussion is found below.

The code criteria below are presented in sequential order as a means of organization. Some sections of code under general chapter headings are purposely omitted as they are either not relevant to the analysis or do not require affirmative findings of fact.

Consistent with Section 16.49.030 and Section 16.58 of the Canby Land Development and Planning Ordinance (the Ordinance), Chapter 16 of the Municipal Code, the proposed applications qualify as a Type 3 Site and Design Review and Property Line Adjustment.

Staff has identified the Applicable Criteria as listed in Section II of this report. The applicant has provided a narrative providing responses to the criteria. Staff incorporates the applicant's written response as findings in support of the criteria. Additional facts and findings are provided herein.

Chapter 16.08 General Provisions

Section 16.08.150: Traffic Impact Study

Finding: DKS & Associates conducted an initial scoping of the project and then completed the traffic analysis on behalf of the applicant and City. The Transportation Impact Analysis (TIS) in its entirety is included as Attachment A.3.V. to this staff report; the findings and conclusions in that analysis are incorporated herein by reference. The TIS generally indicated that the new residential development would produce fewer peak and daily trips when compared to the neighborhood trip impact standard and dedication / construction of right-of-way and payment of SDCs are required. A summary of the principal findings and recommendations are discussed here.

Expected Net Change in Vehicle Trips:

- The proposed project will generate approximately 14 a.m. peak trips, 17 p.m. peak trips, and 216 daily trips.
 - The intersections closest to the proposed project will be expected to see the highest increase in peak trips such as OR 99E/S Ivy Street and S Ivy Street/ SE Township Road, with up to 14 additional peak trips and up to 174 additional daily trips.

Intersection Operations:

- Peak-hour intersection operations were evaluated for the existing and future 2025 background (without the proposed project) and project conditions (with the proposed project) scenarios.
- Existing intersection volume data was collected and adjusted to reflect future 2025 Project Conditions using a background growth rate of 0.5 percent per year and adding trips generated by all approved but unoccupied developments in the City (see Table 6 in the TIS) and trips generated by the proposed development.
 - Figure 1 shows the level of congestion experienced at study intersections and along roadway segments in 2025 with the proposed project.
 - The measured conditions indicate that drivers are experiencing some congestion during peak travel times, particularly at OR 99E/ S Ivy Street intersection, although the conditions are still within the acceptable range when compared to the adopted ODOT and City mobility standards at all study intersections.

Proposed Site Access and Internal Site Circulation:

- The site includes two proposed driveways to connect the proposed site to public streets, one to SE Township Road and one to S Knott Street.
 - The proposed driveways would be 26 feet wide and provide full ingress/egress for vehicles and bicycles.
 - A proposed internal drive aisle would connect both proposed driveways and provide access to the on-site parking areas.
 - The proposed access to S Knott Street complies with the City's spacing standard, however the proposed driveway to SE Township Road would be located 30 feet closer than the 100- foot collector spacing standard.
 - However, no operational or safety issues are anticipated due to the low number of vehicles using these existing driveways that serve single-family uses.
 - A deviation to the spacing standard in the Code will be required for this driveway.
- Preliminary sight distance evaluation indicates that sight distance is adequate. However, prior to occupancy, sight distance at all access points will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon.
- The site plan also shows a proposed sidewalk on the internal drive aisle along the frontage of the residential units, and a connection to SE Township Road and S Knott Street.
- The proposed internal site circulation and connections to external public streets meets City requirements and can adequately accommodate all users.

Proposed Site Frontage Improvements

- The applicant will be required to design and construct improvements along the entire site frontage of SE Township Road and S Knott Street to City standard.
 - The existing paved width of SE Township Road meets the City's cross-section standard for Collector streets, although the sidewalk along the frontage is substandard and the applicant should reconstruct with a 6-foot sidewalk.
 - S Knott Street is improved and exceeds the City's cross-section standard for Local streets, with a 40-foot paved width (the current standard requires a 34-foot paved width for Local streets). However, the applicant must construct a 6-foot sidewalk along the frontage.

Adequate Street Drainage

- This project is not expected to have an impact on street drainage.
- City of Canby Public Works has included a Condition of Approval that all storm water be disposed of on-site.

Safe Access and Clear Vision at Intersections

- Access to the site is proposed via one driveway to SE Township Road and one driveway to S Knott Street.
- The two existing site driveways to SE Township Road are proposed to be consolidated into a single driveway that would be located approximately 70 feet from the nearest existing driveway to the east and west, or 30 feet closer than the 100-foot Collector spacing standard allows without a deviation to the Code.
 - Although the proposed driveway would be located about closer than the 100-foot collector spacing standard, no operational or safety issues are anticipated due to the low number of vehicles using the existing driveways that serve single family uses. A deviation to the spacing standard in the Code will be required.
- The proposed driveway to S Knott Street would be located at least 10 feet from the nearest driveways, complying with the spacing standard.
- Prior to occupancy, sight distance at all proposed accesses will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon. Preliminary sight distance evaluation from the approximate location of the proposed accesses indicates that they would be expected to provide adequate sight distance.

Adequate Public Utilities

- *Domestic Water service:* A common water service will be used to serve all 30 units with backflow protection on the water service.
- *Irrigation water service:* Existing water meters will be used to provide water for irrigation of site landscaping.
- *Fire Suppression:* An existing public fire hydrant is located on the S Knott Street frontage of the site. That hydrant is proposed to remain. One new hydrant is proposed along the

SE Township Road frontage and other private onsite fire hydrants will be installed as required by the Fire Marshal.

- *Sanitary sewer:* The development proposes to install a private sanitary sewer system that will connect to the public sewer main in S Knott Street. No public sewer extension is proposed.
- *Electrical:* Individual electrical meters will be used. A gang of meters will be placed along a side wall of each building and will be screened from view from the public streets.
- *Natural Gas:* Natural gas is not planned to be used for this development.
- *Communications / cable:* Communication & cable TV will be needed for each unit.
- *Storm drainage:* Stormwater will be provided as a private facility, not as a public infrastructure. Stormwater will drain to onsite drywells, as will roof drain runoff.
- *Garbage:* A shared garbage and recycling facility will be constructed along the main driveway for ease of access for the garbage company.
- *US Mail:* A shared mailbox unit will be placed inside the site between Buildings 3 & 4, in a location approved by the U.S. Postal Service.

Access onto a Public Street with the Minimum Paved Widths

- The site includes two proposed driveways to connect the proposed site to public streets, one to SE Township Road and one to S Knott Street. The proposed driveways would be 26-feet wide and provide full ingress/egress for vehicles and bicycles. A proposed internal drive aisle would connect both proposed driveways and provide access to the on-site parking areas.
- The site plan also shows a proposed sidewalk on the internal drive aisle along the frontage of the residential units, and a connection to SE Township Road and S Knott Street. The proposed internal site circulation and connections to external public streets meets City requirements and can adequately accommodate all users.

Adequate Frontage Improvements

- The site has frontage along S Knott Street is improved and exceeds the City's cross-section standard for Local streets, with a 40-foot paved width (the current standard requires 34-foot paved width for Local streets). However, the applicant must construct a 6-foot sidewalk along the frontage.
- The site has frontage along SE Township Road. The existing paved width of SE Township Road meets the City's cross-section standard for Collector streets, with one travel lane in each direction and bike lanes. The frontage also includes on-street parking and a curb-tight sidewalk, although the sidewalk along this frontage is substandard and must be reconstructed into a 6-foot sidewalk by the applicant.
- SE Township Road and S Knott Street both have an existing horizontal right-of-way clearance of at least 20 feet.

Compliance with Mobility Standards Identified in the TSP

- Peak hour intersection operations were evaluated for the existing and future 2025 background (without the proposed project) and project conditions (with the proposed project) scenarios.
- The evaluation found that the study intersections are expected to continue to meet mobility targets, although the Ivy Street study intersection along OR 99E is expected to operate with v/c ratios above 0.70 during the peak hours, indicating that drivers at these intersections will experience increasing congestion during peak travel times.
- This project will contribute its proportional share towards the System Development Charge improvement projects.

Neighborhood Traffic

- The proposed use is expected to generate fewer peak and daily trips when compared to the neighborhood trip impact standard.
- The adjacent local street (S Knott Street) is proposed to provide a second access to the site and connect it to SE Township Road and maintain a level of traffic volumes that is consistent with the local street classification (under 1,200 daily trips).

Pedestrian and Bicycle Circulation

- The site has frontage along SE Township Road and S Knott Street.
- SE Township Road has a sidewalk and bike lanes, although the sidewalk along the frontage must be widened to 6-feet to comply with the City's design standard.
- S Knott Street does not have a sidewalk along the proposed site frontage, so the applicant must construct a 6-foot sidewalk.
- Bicyclists share the roadway with motor vehicles on S Knott Street, consistent with the City cross-section standards or Local streets.
- The existing roadways, with the frontage pedestrian improvements, can adequately accommodate the additional vehicle, pedestrian, and bicycle traffic expected.

Chapter 16.10: Off-Street Parking and Loading

Parking

<i>Residential Uses:</i>	
c. Multi-family dwellings in complexes with private internal driveways	One space per studio or 1-bedroom unit. 2.00 spaces per 2-bedroom or larger unit. One additional guest parking space shall be provided for every five units for each development of ten or more units.

Findings: The proposed dwelling units will be two- and three-bedroom units; therefore, each unit is required to have two parking spaces. These parking spaces will be provided by having one space within a garage and one space in the driveway for each unit. Thirty units total are proposed. Therefore, six additional guest spaces are required. Eleven guest spaces are

proposed, including one ADA van parking stall, five more than are required. In total, 66 parking stalls are required and 71 are proposed.

No compact parking spaces are proposed; however, exact dimensions of parking spaces will be reviewed again during the Site Plan review stage. None of the parking spaces will require vehicles to back into the right of way. Parking stalls that abut internal walkways will have wheel stops.

Parking and maneuvering areas are proposed to be mostly standard asphaltic concrete paving and standard concrete surfacing. Some pervious materials will be mixed in onsite but not enough to receive credit in the City's Design Review Matrix, Table 16.21.070, for utilizing pervious paving materials. The permeable surfacing will comply with applicable standards. LID facilities are proposed between adjacent driveways.

The proposed parking and maneuvering layout provides two-way driveways between 20 and 26 feet in width. Adequate room for access and vehicular maneuvering are proposed with dedicated pedestrian sidewalks adjacent to the vehicular accessway. Having two access points will reduce congestion and conflicts at the access points to public streets.

In addition to vehicle parking, multi-family residential developments must also provide one space per unit of bicycle parking. The plans provided show one designated bicycle parking space in each garage next to the water heater. One bicycle rack will also be provided onsite to provide secure bicycle parking for two guests.

Access

16.10.070(B)(8): Minimum access requirements for residential uses - ingress and egress for residential uses shall not be less than the following (except that in the case of flag lots, section 16.64.0400) shall apply):			
<i>Parking spaces required</i>	<i>Minimum number of accesses required</i>	<i>Minimum access width</i>	<i>Sidewalks & curbs (in addition to driveways)</i>
20-49	Option A: 1 access OR Option B: 2 accesses	20 feet 12 feet	Minimum of one sidewalk connection to residences and parking areas; curb required if sidewalk adjacent to driveway.

Findings: Vehicular ingress and egress will be via driveway approaches on SE Township Road and S Knott Street in essentially the same location as the existing driveways. The proposal is to use two accesses with sidewalk connections for the 30 units. The access from S Knott Street will measure 26 feet in width, while the access from SE Township Rd. will measure 20 - 26 feet and will have mountable curbs, as permitted by the Fire Department.

Pedestrian ingress and egress are proposed to occur adjacent to each vehicular access and a dedicated pedestrian lane will be provided through the site. Site accessways will be maintained by the development through an HOA, alterations that would change the number of access points or location of access points are not anticipated in the future given the layout of the proposed development.

Vehicular access will be directly to each unit and will include a garage parking space for each unit. Sidewalks are proposed to extend from the front door of each unit to the driveways, the private accessway and to the public street. Crosswalks will be established where the accessible route crosses the private accessways. The frontage of the site along SE Township Road is already built out with curb and sidewalk. A portion of the existing curb and sidewalk that bumps out into the street at the southeastern corner of the site will be removed and reconstructed in a straight segment as part of the reconstruction of the driveway approach. The S Knott Street frontage has curb but no sidewalk. The applicant shall construct a 6-foot-wide public sidewalk along this frontage consistent with Public Works standards.

Driveways

Findings: The applicant submission proposes to utilize two driveways, one on S Knott Street and one on SE Township Road. Each driveway will be located where existing driveways are currently constructed, but each driveway is proposed to be modified to become a 26-foot-wide ADA compliant approach. Canby Fire has requested a minimum 26-foot-wide driveway approaches for multifamily developments. The Transportation System Plan (TSP) designates S Knott Street as a local street and SE Township Road as a collector street. The CMC allows restriction of access on a case-by-case basis; the applicant has provided the following reasons why two points of access are preferable to serve the development:

1. Better internal site circulation. In the case of an event that requires emergency response to block one access point, one will remain open for residents, guests and deliveries.
2. A second access onto SE Township Rd will provide better circulation for Fire Department vehicles. SE Township Road is the shortest route from the S. Pine St. fire station, and it is the direction fire trucks are anticipated to travel from in response to an emergency. Having access from SE Township Rd. will allow for faster response times and would make maneuvering of trucks, paramedic vehicles and ambulances through the site easier for the service providers, without needing backing movements.
3. Access from SE Township Rd. will provide straight-line access to the shared trash and recycling facility for the garbage hauler and will allow the hauler to service the site with fewer turning and backing movements.

Currently, Tax Lot 31E33DC04600 has a looped driveway on SE Township Road. The two approaches are 63 feet center to center, and the center of the western approach is 38 feet east from the center of the driveway to 326 SE Township Road. As mentioned previously, the proposal is to retain the eastern driveway approach but rebuild it so that it is 26 feet wide and ADA compliant. Removing the western driveway approach would nearly bring the driveways on the north side of SE Township Road into compliance with the driveway spacing table.

The driveway on SE Township Road would be directly across from the main driveway to Canby Evangelical Church. On the north side of SE Township Road, 198.6 feet will separate

the driveways that are east and west of this site. If the driveway to this site were centered equal distance from each offsite driveway, it would result in driveways spaced at 99.3 feet apart and would require moving the proposed driveway 3.8 feet east. Unfortunately, this would then 1) offset the driveway to this site from the Canby Evangelical driveway across SE Township Road and 2) would put the driveway out of conformance with provision 16.10.070.B.9.h. to maintain the curb cut 5 feet off the property line. The proposed location for the driveway appears to be the preferable location because although it does not comply with every single Code requirement, it conforms with more Code requirements than any other option. The only Code provision not being met is that the 95.7-foot separation from the driveway to 326 SE Township Road is 4.3 feet less than the standard. The traffic study prepared by DKS noted that a deviation from the spacing standard in the Code will be required and that “No operational or safety issues are anticipated...”

S Knott Street is a local street requiring 10 feet of separation between driveways and 50 feet of separation to the nearest intersection. The driveway on S Knott Street will conform with these requirements. Transportation Engineering consultant DKS noted that the proposed internal site circulation and connections to external public streets meets City requirements and can adequately accommodate all users.

The proposed driveways will not serve public facilities, will not be located closer than 50 feet from the intersection of collector or arterial streets. The site is a multi-family development that is anticipated to generate 216 trips per day. The driveways will be constructed to a commercial standard.

Street Trees

Finding: A Landscape Plan showing street trees has been submitted with the application. Both street frontages have curb-tight sidewalks, which will not allow for street trees to be placed in a planter strip. Because S Knott Street has overhead utility wires and there is an existing large evergreen tree located along the street frontage already, no additional street trees are proposed near the street that might conflict with the existing tree or the utility wires. The SE Township Road frontage has a curb tight sidewalk and the proposed street trees shown on the Landscape Plan will be behind the sidewalk. The spacing is intended to approximate a 30-foot spacing between the driveway and the western property line.

Chapter 16.20: R-2 High Density Residential Zone

Uses and Dimensional Standards

Finding: Multi-family developments are permitted outright in the R-2 zone. The units are proposed to be developed as condominium units. A property line adjustment application has been submitted concurrently with the Site and Design review in order to consolidate the three parcels into one parent parcel. The table below summarizes the project's compliance with applicable development standards:

Dimensional Standard		Proposed	Meets Standard?
Minimum Density	14 units per acre	30 units over 1.99 acres	Yes
Street Yard	15' without driveway	120' (Knott) / 42' (Township)	Yes
Rear Yard	15' single story / 20' two story	Northernmost property line 15' single story / 20' two story	Yes
Interior Yard	7'	≥7'	Yes
Building Height and Width	35' / 120'	26.5' / 80'	Yes
Impervious Surface Maximum	70%	69%	Yes
Landscape Buffer	15' required when abutting R-1 or R-1.5	All surrounding property zoned R-2, no buffer proposed	N/A
Infill Standards	Additional regulations for properties abutting R-1 or R-1.5	All surrounding property zoned R-2, standards do not apply	N/A

Chapter 16.21: Residential Design Standards

Table 16.21.070 Multi-Family Design Menu

As part of review of multi-family developments, 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					Points Earned
Parking	0	1	2	3	4	
Screening of parking and/or loading facilities from public right-of-way	Not screened	Partially screened	Fully screened	-	-	1
Parking lot lighting provided	No	Yes	-	-	-	1
Parking location (behind building is best)	Front	Side	Behind	-	-	1
Number of parking spaces provided (% of minimum required)	>120%	101-120%	100%	-	-	1

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	-	-	-	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	-	-	2
Utility equipment, including rooftop equipment, is screened from view.	Not screened	Partially screened	Fully screened	-	-	2
Access	0	1	2	3	4	
Distance of access to nearest intersection.	≤70 feet	71 - 100 feet	>100 feet	-	-	2
Pedestrian walkways from public street/sidewalks to building entrances.	One entrance connected.	-	Walkways connecting all public streets/sidewalks to building entrances.	-	-	2
Pedestrian walkways from parking lot to building entrance.	No walkways	Walkway next to building only	Walkways connecting all parking areas to building entrances		.	2

Tree Retention	0	1	2	3	4	
Percentage of trees retained	<10%	10-50%	51-75%	>75%	-	3
Replacement of trees removed	<50%	≥50%	-	-	-	N/A
Signs	0	1	2	3	4	
Dimensional size of sign (% of maximum permitted)	>75%	50-75%	<50%	-	-	2
Similarity of sign color to building color	Not similar	Somewhat similar	Similar	-	-	N/A
Pole sign used	Yes	No	-	-	-	N/A
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)		-	-	0
Color (subdued and similar to surroundings is better)	Neither	Similar or subdued	Both	-	-	1

Material (concrete, wood and brick are best)	Either 1 or 2 points may assigned at the discretion of the Site and Design Review Board					1
Size of building (smaller is better)	>20,000 square feet	≤20,000 square feet	-	-	-	1
Provision of public art (i.e. murals, statues, fountains, decorative bike racks, etc.)	No	-	-	-	Yes	0
Landscaping	0	1	2	3	4	
Number of non-required trees provided	-	At least one tree per 500 square feet of landscaping.	-	-	-	1
Amount of grass (less grass is better) (% of total landscaped area)	>50%	25-50%	<25%	-	-	2
Low Impact Development (LID)	0	1	2	3	4	
Use of pervious paving materials (% of total paved area)	<10%	-	10-50%	51-75%	>75%	0
Provision of park or open space area	None	-	Open space (Generally not for public use)	-	Park (public or privately owned for public use)	2

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	4
Provision of additional interior parking lot landscaping (% of minimum required)	100%	101-110%	111-120%	>120%	-	2
Provision of an eco-roof or rooftop garden (% of total roof area)	<10%	-	-	10-50%	>50%	0
Parking integrated within building footprint (below-grade, structured parking, or tuck-under parking) (% of total on-site parking)	<10%	-	-	10-50%	>50%	3
Disconnecting downspouts from city stormwater facilities	None	Some downspouts disconnected	All downspouts disconnected	-	-	2

Shared parking with adjacent uses or public parking structure (% of total required parking spaces)	None	<50%	≥50%	-	-	N/A
Provision of rain gardens/bioretention areas for stormwater runoff (% of total landscaped area)	None	-	10-50%	51-75%	>75%	0
	Total Possible Points = 62, 60% = 37 points, 10% = 6 points					37/13

Findings: The project has earned 37 of 62 possible points, meeting the 60% minimum total. Of those points, 13 out of 29 possible points have been awarded in the LID category, which exceeds the 10% minimum requirement.

The applicant has provided an in-depth discussion on how the project meets the requirements of the multi-family design menu, found on pages 22 through 27 of Attachment A.1.II. Staff understands and generally agrees with the reasoning applied to the design choices made for the development, but will highlight the fact that one category of the design matrix has attained no points; zero out of four possible points have been awarded in the *Building Orientation to the Street* section. The design of the complex has the buildings facing the internal accessway rather than SE Township Road or S Knott Street. There are several reasons for this decision, including keeping individual driveway accesses off of these public streets and using the design to foster community within the development, having front doors of the homes facing each other.

In the spirit of meeting the design elements in the Code to the degree possible, the applicant has turned the front doors for the units at a 45-degrees to the front/side yards, wrapped the front porches around the side walls of the units, and provided more direct sidewalk connections from Units 1 and 19 toward the public sidewalks along S Knott Street and SE Township Road.

Chapter 16.42 Signs

This chapter of the CMC identifies standards for the location, number, size, and design of signage.

Finding: No signs are proposed at this time. Therefore, approval of the proposed project does not extend to future signage. Applications for any future signs would be processed separately from the land use approval. Chapter 16.42 identifies requirements that will apply to those proposed signs; Section V of this Staff Report includes a condition related to the approval of future signs.

For the above reasons, Planning Staff finds that this request, as conditioned, is consistent with applicable provisions of the CMC.

Chapter 16.43 Outdoor Lighting Standards

Finding: A lighting plan has been submitted showing compliance with the standards of Lighting Zone 1 (LZ1), which is the default zone intended for residential areas. Exterior lighting for the private accessway, sidewalks, and parking areas will include a combination of wall mounted and pole mounted fixtures. Exterior wall mounted light fixtures will be mounted at an elevation of approximately 8 feet. Exterior pole mounted fixtures will be mounted approximately 15 feet above ground. A lighting plan and fixture schedule are included as Attachment A.3.VII, which show conformance to the standards of this section.

Chapter 16.46 Access Limitations on Project Density

16.46.010 Number of Units in Residential Development

A major factor in determining the appropriate density of residential development, particularly in higher density areas, is vehicular access. In order to assure that sufficient access is provided for emergency response as well as the convenience of residents, the following special limitations shall be placed on the allowable number of units in a residential development:

B. Single ownership developments (condominiums)

Two lane access roads/drives shall be a minimum width of 20 feet with no parking permitted, or 28 feet with parking restricted to one side only, or 36 feet with no parking restrictions.

The number of units permitted along a two-lane road are as follows:	
One access	30 units
Two accesses	165 units
Three accesses	258 units

Finding: A single two lane access road/drive is adequate to serve the 30 units proposed. However, 30 units is the maximum number of units that is allowed without a second driveway. The applicant is proposing a second driveway for improved site access. The onsite driveways will have no parallel parking; therefore, 20 feet is the permitted width per 16.46.010, however the approaches will be 26-feet wide to comply with Fire Department requirements.

16.46.030 Access Connection

Access Management Guidelines for City Streets				
Street Facility	Max. Spacing of roadways	Min. Spacing of roadways	Min. Spacing of roadway to driveway	Min. Spacing of 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

Finding: The December 2010 TSP classifies SE Township Road as a collector roadway in Figure 7-1, Functional Classification. Per Table 16.46.30 shown above, the minimum driveway to driveway spacing on collectors is required to be 100 feet and minimum driveway to roadway spacing is also 100 feet. On the north side of SE Township Road 198.6 feet separates the driveways east and west of this site.

Details regarding the exact measurements between proposed accesses are discussed previously in this report under the 'Driveways' portion of the analysis of Chapter 16.10, Off Street Parking and Loading. Plans illustrating the proposed access spacing given existing adjacent accesses are included on page 13 of Attachment A.1.II.

16.46.035 Restricted Access

The City may allow an access to a City street that does not meet the spacing requirements of Table 16.46.030 if the proposed access is restricted (prevents certain turning movements). The City may require an applicant to provide an engineered traffic study, access management plan, or other information as needed to demonstrate that the roadway will operate within the acceptable standards with the restricted access in place.

Finding: Restricted access for the development was not a recommendation of the TIS. Access restrictions that would prevent certain turning movements would be difficult to construct in such a manner that they wouldn't also impact access and turning movements for other existing driveways on the north and south sides of the street. Restricted access improvements are warranted when traffic on the roadway is so heavy that vehicles making left turns will cause serious safety problems, however, on streets without heavy traffic, access restrictions can be more of a detriment to vehicular safety than a benefit.

Chapter 16.49 Site and Design Review

Finding: As analyzed above under Chapter 16.21, the project demonstrated compliance with the Multi-Family Design Menu, Table 16.21.070, which supersedes the Site and Design Review Matrix of this section.

Chapter 16.58 Lot Line Adjustment

The City Planner and City Engineer shall review the proposed lot line adjustment and shall determine whether the following criteria have been met:

- A. Each of the remaining parcels and any structures located thereon shall be in full compliance with all regulations of this title, including the setback requirements of Division III. Except, however, that lot line adjustments are permitted on nonconforming lots and lots with nonconforming structures provided that the nonconforming lots and structures will be no less in conformity as a result of the lot line adjustment.
- B. No new lots or parcels will be created as a result of the lot line adjustment.
- C. A survey may be required.

D. Lot line adjustments shall not be permitted where the result will be the creation of additional building sites in known hazardous locations or where the appropriate development or extension of public facilities will be impaired as a result.

Findings: No existing structures will remain onsite. The application has been submitted in order to consolidate three existing parcels into a single parcel. The site is not in a known hazardous location.

Chapter 16.70 Condominium Regulations

Any condominium development project, whether the construction of new units or the conversion of existing rental units, must meet all the requirements of this division. Applicants for condominium projects shall bear full responsibility for compliance with county and state requirements in all cases.

Section 16.76.010 Minimum Requirements

The minimum requirements shall include the following items:

- A. A minimum of fifteen percent of the gross area of the development shall be devoted to open space, and shall be located in a common area.
- B. The average area per dwelling unit shall not be less than that allowed within the zoning district in which the subdivision is located, unless alternative lot layout is used pursuant to 16.64.040(B).
- C. To achieve the goals of low impact development, buildings are encouraged to be clustered within the designated development area of the site.
- D. The use of LID best management practices in site design and development is required where site and soil conditions make it feasible.

Findings: Much of the common area will be open for all residents. The exceptions are the private rear yards that will be fenced. The common space, excluding accessways, totals 21% of the site, shown on Sheet C4 of Attachment A.3.VI. The proposed density is 30 units over 1.99 acres, which is 2 units above the minimum required density. The buildings are clustered to the degree feasible given Building Code provisions, the dimensions of the parent parcel, and the number of dwelling units. Buildings are proposed to be placed at a variety of angles and the site plan avoids having more than two adjacent buildings in a row rotated in the same direction. Several one-foot wide rock & landscape infiltration LID infiltration areas will be provided in between adjacent driveways throughout the site, and 31% of the site will be landscaped pervious area.

Section 16.77.030 Standards and Criteria

The following standards and criteria shall apply:

- A. The site approval as acted upon by the commission shall be binding upon the developer, and variations from the plan shall be subject to approval by the commission.
- B. All land within the development may be subject to contractual agreements with the city and to recorded covenants providing compliance with the city's requirements.

C. The development of the property in the manner proposed will be in keeping with the requirements of this title, other than those provisions allowing for special treatment of PUD's.

D. The plan for the proposed development shall present a unified and organized arrangement of buildings and service facilities.

E. The development must be designed so that the land areas and buildings around the perimeter of the project do not conflict with the adjoining properties. The commission may establish special conditions for the perimeter of the development to minimize or mitigate potential conflicts.

F. Each development shall be a complete development considering all previous requirements. The commission may, in addition, require the inclusion of facilities such as special curbs, sidewalks, streetlights, storm drainage, sanitary sewers, underground power and telephone lines, landscaping and adequate easements for utilities.

G. Land which is not intended for physical development, such as building or street uses, may be required to remain in open space usage perpetually. Maintenance of such open space areas shall remain the responsibility of the individual owner or owners' association, in a manner outlined in the by-laws of such association.

Finding: The developer has shown compliance with the applicable points in the above section. The developer plans to alter no provisions of the base zone or increase the allowable density. The proposed buildings are two stories and the proposed height is almost ten fewer feet than the allowed maximum height. The site plan demonstrates that the buildings are presented in an organized manner that does not conflict with the surrounding properties.

New utilities will be installed underground, except for utility risers and transformers that are required to be above ground. Utilities such as power and communications will be separated from unit to unit. Sanitary sewer and water service will be in common but will separate into individual services outside each unit. Outdoor lighting will conform to City standards and landscaping shall be professionally maintained. Maintenance of the open space and siter amenities will be the responsibility of the owner's association.

Public/Agency Comments

Notice of this application and opportunity to provide comment was mailed to owners and residents of lots within 500 feet of the subject properties and to public agencies expected to service the development. Consolidated comments were provided by Canby Public Works that contained feedback from the following agencies, which have been included as Attachment B and which have been translated into Conditions of Approval included in Section VI of this report.

- Canby Fire Department – Matt English
- Canby Utility Water – Lonnie Benham
- Canby Utility Electric – Josh Muravez
- DirectLink – Matt Downs
- Astound – Michael Barney
- Canby Public Works, Sewer and Storm – Chris Goetz
- Canby Public Works, Streets – Spencer Polack
- Curran-McLeod Engineering – Curt McLeod

If other agency comments and/or conditions of approval are received after staff report publication they will be provided at the public hearing.

One public comment has been received by the time of staff report publication. The comment and the response from staff is included below.

Additionally, the applicant has requested a transcript of a text message conversation he had with a neighbor be included in the record. The conversation was in regards to an existing utility easement on the neighbors property, and it can be found in Attachment C.

Hello. I live on South Knott street and am very concerned about this proposed high density residential building project that is up for comment. I already feel that there is an abundance of high density housing in this neighborhood, which contributes to excessive noise (loud parties, animals, etc), disrespect of property (I find garbage in my driveway all the time), and also parking and traffic issues. I feel that more high density housing would negatively effect all our property values more than they already have been with what we currently deal with on this street. I feel it's just inviting more problems by cramming so many people in such a small spot. If that land would be used for a couple of single family residences, I think that would be fine, but not 30 units. I sincerely hope that the city cares about quality more than quantity.

Thank you, Amanda Bolts, 380 S. Knott St

Staff Response: We understand that currently there is a mix of low, medium and high-density housing in the neighborhood. The property and all surrounding properties including the commenter's is zoned R-2, High Density Residential. The proposed development meets the density requirements of the zone; in fact, a property of its size (1.99 acres) would not be allowed to develop less than 28 units according to the minimum density requirement. Thirty units are proposed, and parking spots in excess of the required minimum will be provided. Neighborhood disturbances such as loud parties or pets making noise can occur regardless of the type of housing present. Staff would like to point out that this development will be condominiums, which will add more diverse options for people to own a home in the City of Canby; homeownership fosters a sense of responsibility to the neighborhood that enriches the community. Each unit will have a small private backyard space in addition to the communal green spaces provided, addressing concerns of child and pet safety. City staff are concerned with both quality and quantity of housing in the City; as land use planners and planning commissioners we must learn to balance these concerns along with local, county, and state regulations.

V. Conclusion

Staff has reviewed the applicant's narrative and submitted application materials and finds that the Design Review and Property Line Adjustment applications conform to the applicable review criteria and standards, subject to the conditions of approval noted in Section VI of this report.

VI. Conditions of Approval

1. Any significant alterations to the proposed plans may require, at the discretion of the Planning Director, further analysis and land use applications, including additional hearings if needed. (Canby Planning)
2. Prior to the start of any public improvement work, the applicant shall provide preliminary construction plans to City of Canby Planning for initial redlines. A subsequent Pre-Construction Conference will only be allowed once plans are sufficiently reviewed and deemed acceptable for moving forward by the reviewing agencies. (Canby Planning)
3. Minimum spacing and sight distance requirements shall be met at all site accesses. Sight distances should be verified in the final engineering/construction stages of development. (City Engineer)
4. All site development shall comply with all applicable City of Canby Public Works Design Standards and ADA standards, unless specifically stated otherwise. (Public Works)
5. A water main must be looped through to S Knott Street in order to support at least one fire hydrant. The applicant shall submit drawings for all project water lines to Canby Utility for review and approval. The submittal shall meet the requirements of Canby Utility as well as the State of Oregon's requirements. (Canby Utility Water)
6. Each unit shall have separate water and electricity meters if they are to be sold individually. (Canby Utility)
7. Canby Utility, in coordination with the applicant, will determine the electrical system layout to serve the development. This shall include required streetlight placement on both SE Township Road and S Knott Street, which shall be represented on a utility service page of the construction plans by the applicant. The developer shall provide all onsite trenching, staking, grading and backfill. Canby Utility shall determine compliance with this condition. (Canby Utility Electric)
8. The applicant shall schedule all water and electric utility construction and inspections at least 15 days in advance. (Contact Canby Utility Operations Field Supervisor at 503-263-4331).
9. Private fire hydrants shall be painted yellow and public hydrants shall be painted orange. Blue reflectors shall be installed in the street to indicate hydrant locations. No chains allowed on the hydrants. (Canby Fire Department)
10. The driveways and road need to be approved by the fire department truck before occupancy and the curblines on S Knott Street and SE Township Road adjacent to the driveway approached need to be painted red. (Appendix D, Oregon Fire Code 2022) (Canby Fire Department)
11. The applicant shall work with DirectLink for coordination of all sleeves and required open trenching scheduling for said communication facilities. DirectLink shall determine compliance with this condition. (Contact DirectLink at 503-266-8242)
12. The applicant shall not place any DirectLink utilities in alleyways, backyards or back of lots.

13. All private storm drainage discharge shall be disposed on-site, design methodology shall be in conformance with the City of Canby Public Works Design Standards. The City Engineer and Public Works shall determine compliance with this condition. (Public Works)
14. The storm drainage report shall be in conformance with the requirements as stated in Chapter 4 of the City of Canby Public Works Design Standards, dated February 2020. The City Engineer and Public Works shall determine compliance with this condition. (Public Works)
15. The applicant shall be responsible for the abandonment of any existing on-site domestic or irrigation wells in conformance with OAR 690—220-0030. A copy of the Oregon Water Rights Department (OWRD) Certificate shall be submitted to the City. The City Engineer and Public Works shall determine compliance with this condition (Public Works)
16. The applicant shall be responsible for the abandonment of any existing on-site sewage disposal system, in conformance with DEQ and Clackamas County Water Environmental Services (WES) regulations. A copy of the septic tank removal certificate shall be submitted to the City. The City Engineer and Public Works shall determine compliance with this condition. (Public Works)
17. The applicant shall guarantee or warranty all public improvement work with a one (1) year Maintenance Bond following written notice of acceptance by the city to the developer in accordance with Section 16.64.070(P) of the Ordinance. (Canby Planning)
18. The applicant must pay the appropriate Site Plan and Development Engineering Plan Review fee as applicable prior to the construction of public or private improvements. (Canby Planning)
19. The applicant shall provide, and have approved, a truck haul route, with flaggers if deemed necessary, for all construction activity at said development site. The haul route shall be approved at the time of the pre-construction meeting by the Public Works Department. (Public Works)
20. The applicant shall obtain an Erosion Control permit from the City of Canby prior to any on-site disturbance. (Canby Public Works)
21. The applicant shall obtain a grading permit from Clackamas County prior to any on-site disturbance and provide the City proof of permit. (Clackamas County/Coordination with City Public Works)
22. All public improvements or submittal of necessary performance security assurances shall be made prior to the signing and release of the final approved site plan. (Canby Planning)
23. All “as-built plans” of City public improvements installed shall be filed with Canby Public Works within sixty (60) days of completion and acceptance of the improvements. (City Engineer/Public Works)
24. The applicant shall submit an application for addressing. The City shall assign addresses for each newly created residential unit and distribute those addresses to the developer, and other applicable agencies accordingly prior to home permitting. (Canby Planning)
25. The applicant shall coordinate with USPS staff at Canby USPS for mailbox locations.

26. The developer shall apply for and submit a City of Canby Site Plan Permit application and Clackamas County Building permit for each building and satisfy the residential design standards of CMC 16.21 as specified in this report and the supporting plan set. (Canby Planning)
27. All residential construction shall be in accordance with applicable Public Works Design Standards. Public Works shall determine compliance with this condition. (Public Works)
28. Clackamas County Building Codes division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for all new home construction. The applicable county building permits are required prior to the construction of a new single-family residence. (Canby Planning)
29. All usual System Development Charges (SDCs) shall be collected with each new home permit within this development before release of Site Plan approval. (Canby Planning)
30. Placement of residential fences along any front or street-adjacent side yard property line are permitted to be a maximum of 3-feet, 6-inches in height, and must not exceed 30-inches in height when within the 30-foot Vision Clearance Triangle for all corner lots, and Vision Clearance Area of ten (10) feet from driveways to the street. Perimeter and rear yard fencing is not to exceed six (6) feet in maximum height. Please reference Section 16.08.110 of the Canby Land Development and Planning Ordinance, Chapter 16, of the Municipal Code. (Canby Planning).
31. The applicant shall submit a Sign Application for all signage proposed for the development. 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. (Canby Planning)