



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

A REQUEST FOR CONDITIONAL USE AND SITE AND DESIGN APPROVAL FOR A 102 BED SENIOR LIVING AND MEMORY CARE FACILITY))))))	FINDINGS, CONCLUSION & FINAL ORDER DR 25-03 & CUP 25-02 1300 S. IVY ST. SENIOR CARE FACILITY
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NATURE OF THE APPLICATION

The applicant, Petronella Donovan of Waterstone Investments, LLC, has submitted a request for Conditional Use and Design Review approval for a Senior Care Facility that will have 80 assisted living beds and 22 memory care beds, with associated parking and site improvements.

Approval of the proposed project requires Planning Commission approval of Site and Design Review Application DR 25-03, Conditional Use Permit Application CUP 25-02.

HEARINGS

The Planning Commission considered applications **DR 25-03 and CUP 25-02**, at the duly noticed hearing on April 27, 2026. The applicant team requested a continuance before the Planning Commission voted on the applications, to a date certain of June 8, 2026. The Planning Commission considered the revised applications at the duly noticed hearing on June 8, 2026 and verbally approved the proposed project by a 5-2 vote. These findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether the applications shall be approved, the Planning Commission determines whether criteria from the City of Canby Land Development and Planning Ordinance are met or can be met by observance of conditions. Applicable code criteria and standards were analyzed in the Staff Report dated April 17, 2026, and the supplemental memo dated May 29, 2026, and presented by Planning Staff at the April 27, 2026, and June 8, 2026, Planning Commission hearings, respectively.

FINDINGS AND REASONS

The Staff Report and supplemental memo were presented, and oral testimony was received at the public hearings. Planning Staff recommended approval of the revised application package and identified Conditions of Approval to ensure that the proposed project would meet all required City of Canby Land Development and Planning Ordinance approval criteria.

Following presentations by Planning Staff and the applicant team, and after receiving public testimony, the Planning Commission deliberated on the project and its consistency with adopted City code criteria.

The Planning Commission generally concurred with the conclusions articulated by Planning Staff and the project applicant. However, the Commission voiced concerns regarding traffic generation, intersection congestion, and parking demands of the established uses in the area.

The Planning Commission voted to approve the revised project 5-2 with revised conditions included in the supplemental memo.

CONCLUSION

In summary, the Planning Commission adopted the findings contained in staff report and supplemental memo, concluding the application met all applicable approval criteria to the extent feasible, and approved applications DR 25-03 and CUP 25-02, with the Conditions of Approval reflected in the written Order below, which reflect the Conditions of Approval as provided in the supplemental memo.

ORDER

The Planning Commission concludes that, with the following conditions, the application meets the requirements for Site and Design Review and Conditional Use Permit. Therefore, IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that the **1300 S Ivy St Senior Care Facility (DR 25-03 and CUP 25-02)** is approved, subject to the following conditions:

CONDITIONS OF APPROVAL

Staff Note: These Conditions of Approval are as found in the supplemental memo. Compared to the Conditions in the April 17 Staff Report, the following change was made: clarifying language was added to Condition 13, shown in bold. Conditions 40 and 46 were removed because they do not apply to the revised project. In order to retain consistent numbering of the Conditions, numbers 40 and 46 have been retained in the list but struck and noted as no longer applicable.

1. The applicant shall submit engineered plans sealed by an engineer licensed to perform engineering in the State of Oregon to the City of Canby Public Works Department. The public improvement construction plans will be reviewed, and a pre-construction meeting will be held. Following the meeting, fees shall be paid and approved plans will be released to the developer before any construction of public utilities can begin. Early grading will not be permitted prior to having a pre-construction meeting. (Public Works)
2. Specifications shall be per the current ODOT/APWA Oregon Standard Specifications for Construction, latest edition except as modified by the City of Canby Public Works Design Standards dated December 2019. (Public Works)
3. S. Ivy Street is a City arterial street. The existing right-of-way width of 60' and is considered adequate for completing the half street improvements along the site frontage. Where in good condition, the existing curb can be preserved but new curbing will be required where the existing driveway approach will be removed and where the existing curb may be in

poor condition. A 6-foot curb tight concrete sidewalk shall be constructed, with street trees from City approved tree list, utilities as required, streetlighting design to be provided by the developer with lighting installation by Canby Utility. The existing northbound travel lane shall have a 2-inch grind and inlay along the entire frontage. A 12-foot public utility easement abutting the right-of-way will be required. (Public Works/CUB)

4. The driveway access to S Ivy St. shall be restricted to right-in right-out only. The Ivy Street driveway shall be redesigned so that the island has detectable warning surfaces at each edge of the median island. The detectable warning surfaces shall be separated by a 2-foot minimum length of walkways without detectable warnings. The final design for the intersection shall meet the requirements of the City of Canby Public Works Department and Canby Fire District. (Public Works/CFD)
5. SE 13th Avenue is a City arterial street, the existing half street right-of-way along the site frontage is 20 feet. An additional 10 feet of right-of-way will be required along the entire frontage. The developer shall construct half street improvements per Section 2.207 of the City of Canby Public Works Design Standards with curbs placed at 22 feet from the centerline of the right-of-way (to match the existing south side of the roadway), 6-foot concrete curb tight sidewalk, with street trees from City approved tree list, utilities as required, streetlighting design to be provided by the developer with lighting installation by Canby Utility. A 12-foot public utility easement abutting the right-of-way will be required. (Public Works/CUB)
6. Traffic signs, traffic markings and curb painting shall be installed by the developer as part of this development. The developer's design engineer will be required to submit a signing and striping plan as part of the final public improvement plan set. The signage and striping plan shall identify the limits of the no parking area needed on SE 13th Avenue to meet sight distance. (Public Works)
7. Curb and gutter shall be designed and installed per Section 2.210 of the City of Canby Public Works Design Standards. (Public Works)
8. All driveways shall be constructed to commercial driveway structural standards of Standard Drawing No. 104 and shall be designed and inspected to meet the current Public Right-of-Way Accessibility Guidelines (PROWAG). (Public Works)
9. Prior to the City of Canby conducting a final inspection, sight distance at each access point will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon. (Public Works)
10. Street trees shall be selected from the City approved tree list and shall be installed by the developer at a spacing consistent with City standards. (Public Works)
11. Easements required by Canby Municipal Code Section 16.64.030 shall be noted in the final public improvement plan set. Utility easements along streets shall also be noted as a Public Sidewalk Easement where any portion of the public sidewalk is outside the right-of-way, such as at the S Ivy Street driveway. (Public Works)
12. All new sidewalks shall be constructed in accordance with PROWAG standards. Existing utility structures that fall within the new sidewalk area and are intended to remain, shall be

adjusted so that the utility structure lids conform to PROWAG tolerances. Sidewalk clearance around utility poles shall not be reduced to less than 48 inches. (Public Works)

13. Sanitary sewer lines shall be extended to the edge of the property being developed to facilitate the future extension of the collection system. **Any portion of the public sanitary sewer main that is oversized, or is deeper than needed to serve the project, or is not needed to directly serve the project, shall be an SDC creditable improvement.** (Public Works/Planning)
14. Public sanitary sewer improvements shall comply with Chapter 3 of the City of Canby Public Works Design Standards. Sanitary sewer trench patches shall conform to the requirements of the Public Works Design Standards and the Public Works Inspector. Main lines shall generally run at or near minimum grade. Public sanitary sewer main extensions are required to be reviewed and approved by Oregon DEQ. A copy of the DEQ approval shall be forwarded to the Public Works Department prior to construction plan approval. (Public Works)
15. Existing on-site sewage disposal systems shall be abandoned in conformance with Oregon DEQ and Clackamas County Water Environmental Services (WES) regulations. A copy of the septic tank removal certificate shall be submitted to the Public Works Department for any septic tanks that are removed. (Public Works)
16. Storm drainage improvements shall comply with Chapter 4 of the City of Canby Public Works Design Standards dated December 2019. A storm drainage report detailing onsite and public stormwater systems and is in conformance with the requirements of Chapter 4, shall be submitted to the Public Works Department for review and approval during public improvement plan review. (Public Works)
17. The existing drainage inlet on SE 13th Avenue property frontage drains to a drywell near the S Ivy Street intersection. The new drainage inlet on SE 13th Avenue can drain to a water quality manhole and then to the existing drywell, rather than to a new drywell. (Public Works)
18. A new drainage inlet is needed on S Ivy Street prior to the curb ramp as the nearest upstream inlet on S Ivy Street is more than 700 feet south of the intersection, exceeding the spacing requirements of the Public Works Design Standards. The new storm drain inlet shall be a curb inlet, unless approved otherwise by Public Works. (Public Works)
19. All private storm drainage generated from onsite shall be discharged on-site as per Section 4.112 of the City of Canby Public Works Design Standards. Any drywells or UIC facilities onsite shall be rule authorized or permitted by the Department of Environmental Quality (DEQ). A copy of the DEQ approval shall be submitted to the City prior to construction plan approval. (Public Works)
20. Drywells are proposed as the means of discharging the storm runoff from the public streets. The proposed drywells (UIC) must meet the following criteria: (Public Works)
 - a. UIC's shall meet the Drainage System Capacity requirements of Section 4.301 of the City of Canby Public Works Design Standards.

- b. All UIC devices must be preceded by a water quality manhole. Water quality manhole shall have a snout oil-water -debris separator manufactured and installed as per the requirements of Clean Water Services Drawings No. 250 & 260 or pre-approved equal.
 - c. UIC structures shall meet at least one of the following two conditions in accordance with the City of Canby Stormwater Master Plan, Appendix "C", Groundwater Protectiveness Demonstration and Risk Prioritization for Underground Injection Control (UIC) Devices:
 - i. the vertical separation distance between the UIC and seasonal high groundwater shall be more than 2.5 feet or
 - ii. the horizontal separation distance between the UIC and any water well shall be a minimum of 267 feet
21. At the completion of construction, a UIC report shall be submitted to Canby Public Works Department confirming that each UIC was constructed to City of Canby Standards and providing as-built location and depth information for each UIC. (Public Works)
22. Water and electrical system improvements shall be constructed in conformance with Canby Utility requirements and standards. Fire hydrant locations and installation shall be as required by Canby Utility and Canby Fire District. Fire hydrant locations shall be identified with a reflective blue marker in the street. (CUB/CFD)
23. Any existing domestic or irrigation wells being abandoned shall be abandoned in conformance with OAR 690-220-0030. A copy of Oregon Water Rights Department (OWRD) conformance with OAR 690-220-0030. A copy of Oregon Water Rights Department (OWRD) abandonment certificate shall be submitted to the Public Works Department following abandonment. (Public Works)
24. Prior to any on-site disturbance: (Public Works)
- a. An erosion control permit shall be obtained from the City of Canby,
 - b. A 1200-C Construction Stormwater Permit shall be obtained from Oregon DEQ if construction activity, materials and equipment staging, stockpiling will disturb one or more acres of land and will have the potential to discharge to surface waters or to a conveyance system that leads to surface waters of the State of Oregon.
 - c. A grading permit shall be obtained from Clackamas County, unless the site is exempt from needing a grading permit due to minimal grading activities. Verification of the exemption (such as an email from Clackamas County) shall be provided to the Public Works Department confirming exempt status.
 - d. A pre-construction meeting shall be held.
25. Demolition permits will be required from the City of Canby and Clackamas County prior to the removal of existing structures. (Planning/Clackamas County)

26. All public improvements shall be inspected by an Oregon Registered Engineer or a qualified individual under the supervision of an Oregon Registered Engineer. The City will not authorize work to begin on public improvements without the designation of the inspecting engineer by the owner or developer. All inspection costs including the required testing shall be paid by the owner or developer. (Public Works)
27. The applicant shall work with Canby Fire District to determine the location of fire hydrant installation. The fire hydrant and vault shall be shown on the pre-construction plans. The hydrant shall have a Storz adapter per Drawing 004. The fire vault for FDC will have a Double Check Detector Assembly (DCDA). (CFD)
28. The height of the entrance portico shall be at least 13.5' in height to accommodate emergency vehicles. (CFD)
29. Fire Alarm and sprinkler plans shall be shown on the pre-construction plans and shall include a Riser Room and FACP area. A NFPA 13 sprinkler system is required per OSSC 903.2.6. A fire alarm system is required per OSSC 907.2.6. (CFD)
30. Elevators shall have a width that can accommodate medical equipment and crews. (CFD/Clackamas County)
31. The 102-bed assisted living facility will require a Commercial Building Permit for compliance with the commercial code – OSSC (Oregon Structural Specialty Code). The facility will be classified as Group I-1 condition 2 per OSSC 308.2.2. (Clackamas County)
32. OAR Section 918-460-0200, applicable to newly constructed buildings and newly constructed parking areas, requires 20% of the parking spaces to have electric vehicle charging station infrastructure installed that consists of a conduit system. (Clackamas County)
33. A solar-ready zone is required to be shown per OSSC 3111.4. (Clackamas County)
34. Energy code shall comply with 2025 OEESC, which references ASHRAE 90.1-2022. Refer to Oregon BCD for more information on the forms that are required to be submitted along with the permit application. (Clackamas County)
35. A vestibule is required at all the building entrances per ASHRAE 90.1 5.4.3.3 unless one of the exceptions is met. (Clackamas County)
36. Accessible units, Type A units, Type B units along with accessible bathing facilities are required per OSSC 1108.5. (Clackamas County)
 - For accessible units, a 30" X 52" clear floor space is required on both sides of the bed per 2017 A117.1 1102.15.1.

37. Accessible parking and sign requirements shall comply with “Standards for Accessible Parking Places” published by Oregon Transportation Commission, 2023. (Clackamas County)
- When an accessible parking space is provided, it shall be at least 9’ wide with an adjacent access aisle at least 8’ wide for an accessible parking space designated as “van-accessible” or reserved for wheelchair users only. The access aisle is required to be located on the right side (passenger side) of the accessible parking space where only one accessible parking space is provided.
38. In new buildings, the turning space is required to be 67-in minimum diameter per 2017 A117.1 304.3.1.1. (Clackamas County)
39. The trash refuse will require a separate Commercial Permit if the structure is independent, includes a roof cover, and is 120 square feet or greater in area. (Clackamas County)
40. ~~Removed because it is no longer applicable. The four independent living duplexes will require four separate Residential Building Permits for compliance with the residential code —ORSC (Oregon Residential Specialty Code). Separate Electrical and Plumbing permits will also be required. Mechanical systems are reviewed as part of the Residential Building Permit. (Clackamas County)~~
41. Separate associated permits will also be required, including: (Clackamas County)
- Mechanical Permit for the mechanical system including the Type I hood, Walk-in Freezer/Cooler. Any structural support analysis for the equipment (such as Type I hood) will need to be submitted as part of the Building (Structural) Permit
 - Underground Fire Line Permit
 - Fire Sprinkler Permit
 - Fire Alarm Permit
 - Building Permit for Walk-in Freezer/Cooler
 - Building Sign Permit
 - Electrical Permit
 - Plumbing Permit
42. SE 13th Avenue shall be potholed by the developer to identify if there is a conflict between the existing 2” poly gas line and the proposed sewer line and the results shall be provided to NW Natural before or at the pre-construction meeting. (NW Natural)
43. The developer shall work with the waste collection company to verify the location of the trash structure is acceptable. A flat smooth transition from the enclosure to the driveway and gate pins and holes to secure the structure are required. (Kahut Waste Services)

44. Premise isolation on the domestic water line per Canby Utility Water Distribution Construction Standards and Specifications section 5.2. (CUB Water)
45. A type 1 site plan application package shall be submitted and approved by the Planning Department before the City of Canby allows Clackamas County to release their permit set. Responses to all conditions of approval shall be submitted as part of this application package. The site plan shall include details on the proposed bicycle parking. (Planning)
46. A sign application package shall be submitted and approved to the Planning department before sign installation. (Planning)
47. ~~Removed because it is no longer applicable. Site plan approval by the Planning Department is required for the duplexes. They may be applied for separately or in conjunction with the primary facility. (Planning)~~
48. Pervious pavement materials shall be maintained in perpetuity to ensure their drainage abilities are sustained over lifespan of the development. (Planning/Public Works)

I CERTIFY THAT THIS ORDER, DR 25-03 and CUP 25-02, 1300 S Ivy St Senior Care Facility, was presented to and APPROVED by the Planning Commission of the City of Canby on the 8th of June 2026.

 Matt Ellison
 Planning Commission Chair

 Don Hardy
 Planning Director

 Emily Sasse, Attest
 Recording Secretary

ORAL DECISION: June 8, 2026

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>Matt Ellison, Chair</i>	x			
<i>Dan Ewert, Vice-Chair</i>	x			
<i>Michael Hutchinson</i>	x			
<i>Jennifer Driskill</i>		x		
<i>Judi Jarosh</i>	x			
<i>Leah McCarthy</i>	x			
<i>Craig Lewelling</i>		x		

WRITTEN DECISION: June 22, 2026

<i>Name</i>	<i>Aye</i>	<i>No</i>	<i>Abstain</i>	<i>Absent</i>
<i>Matt Ellison, Chair</i>				
<i>Dan Ewert, Vice-Chair</i>				
<i>Michael Hutchinson</i>				
<i>Jennifer Driskill</i>				
<i>Judi Jarosh</i>				
<i>Hannah Ellison</i>				
<i>Craig Lewelling</i>				