



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

SITE AND DESIGN REVIEW FOR)	FINDINGS, CONCLUSION & FINAL ORDER
CONSTRUCTION OF A 31,000 SQUARE)	DR 21-11
FOOT FOOD PROCESSING FACILITY)	LUCKY FOODS

NATURE OF THE APPLICATION

Site and Design Review for construction of a 31,000 square foot concrete tilt-up building. The building program includes 3,000 square feet of office space and 28,000 square feet of manufacturing/warehouse space. Industrial operations on site would include loading and unloading of food products. Standard hours of operation would be from 7:00 am -6:30 pm, Monday through Sunday. Lucky Foods would employ a total of 52 employees split into two shifts.

HEARING

The Planning Commission considered application **DR 21-11** after the duly noticed hearing on January 10, 2022 during which the Planning Commission approved by a 7/0 vote **Lucky Foods Food Processing Facility**, subject to Conditions of Approved. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not the aforementioned application shall be approved, the Planning Commission determines whether criteria from the City of Canby Land Development and Planning Ordinance are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated December 30, 2021 and presented at the January 10, 2022 meeting of the Canby Planning Commission.

FINDINGS AND REASONS

The Staff Report was presented, and written and oral testimony was received at the public hearing. Staff recommended approval of the Site and Design Review application and applied Conditions of Approval in order to ensure that the proposed project will meet all required City of Canby Land Development and Planning Ordinance approval criteria.

CONCLUSION

In summary, the Planning Commission adopted the findings contained in the Staff Report along with the additional findings included at the public hearing and noted herein, concluding that the application met all applicable approval criteria to the extent feasible, and determined that **DR 21-10 Lucky Foods Food Processing Facility** be approved with the Conditions of Approval reflected in the written Order below.

ORDER

The Planning Commission concludes that, with the following conditions, the application meets the requirements for Site and Design Review approval. Therefore, IT IS ORDERED BY THE PLANNING COMMISSION of the City of Canby that **DR 21-10 Lucky Foods Food Processing Facility** is approved, subject to the following conditions:

CONDITIONS OF APPROVAL

Public and Utility Improvements:

1. Sanitary sewer service shall be extended to serve the facility to the satisfaction of the City Engineer and the Public Works Department. (Public Works/City Engineer)
2. Water and electric service shall be extended to serve the facility to the satisfaction of the City Engineer and Canby Utility. Water services shall be constructed in conformance with Canby Utility requirements. (Public Works/City Engineer)
3. Water services and fire protection shall be constructed in conformance with Canby Utility and Canby Fire requirements. The applicant shall coordinate directly with these agencies. (Canby Utility; Canby Fire)
4. The applicant shall improve 4th Avenue adjacent to the project site consistent with the 'local low volume street' standard, including a 6' sidewalk, 5.5' planter strip, and 8' travel lanes providing two way traffic. There will be no through access on SE 4th Avenue; physical barriers will be improved by the applicants as part of their development, in accordance with Canby Fire Department and the City transportation consultant. Signage denoting local access only with a speed limit of 10 MPH is required. (Public Works/City Engineer)

Project Design/Site Plan Approval:

5. All proposed lighting shall meet the standards described in Chapter 16.43 and must have cutoff shielding and be installed as shown in the submitted design drawings. (Planning)

Transportation:

6. The development shall pay Transportation System Development Charges to address citywide impacts.

7. The development shall pay a fee-in-lieu based on its proportionate share of the impact at the OR 99E intersection with Haines Road, for a total fee-in-lieu of \$40,924.
8. The development shall obtain a design modification for the 4th Avenue driveway, to allow it to be constructed 140 feet closer to another driveway than the 200-foot City spacing standard allows.
9. Minimum sight distance requirements shall be met at all driveways. Sight distances should be verified in the final engineering/construction stages of development.

Building Permits:

10. The project applicant shall apply for Clackamas County Building permits and a City of Canby Erosion Control Permit from the Canby Public Works Department. Clackamas County Building Codes Division will provide structural, electrical, plumbing, and mechanical plan review and inspection services for construction of the project (B. Addotta)

Prior to Occupancy:

11. Pursuant to Subsection 16.49.060 of the Canby Municipal Code, Site and Design Review Board approvals shall be void after twelve (12) months unless: A building permit has been issued and substantial construction pursuant thereto has taken place, as defined by the state Uniform Building Code; or the Planning Department finds that there have been no changes in any Ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. (Ord. 848, Part III, Section 4, 1091). (Planning)
12. An erosion control and a grading permit will be required from the City of Canby prior to any onsite disturbance. (Planning)
13. The project applicant shall apply for a City of Canby Site Plan Permit, Clackamas County Building permits (including grading permits), and a City of Canby Erosion Control Permit prior to project construction. (Planning/Public Works)
14. Clackamas County Building Services will provide structural, electrical, plumbing, and mechanical plan review and inspection services. (Clackamas County Building Services)
15. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. (City Engineer)
16. The applicant shall submit signage applications to the City for any future signs. Proposed signs shall conform to provisions of Chapter 16.42 of the CMC and shall secure a building permit from Clackamas County Building Services prior to their installation if applicable. (Planning)
17. A narrative with accompanying materials shall be provided during the final certificate of occupancy process that demonstrates how the project is consistent with the conditions of approval stated in this Staff Report. (Planning)
18. Prior to occupancy, all parking striping, wheel stops, ADA space requirements, landscaping and signage shall be installed and inspected. (Planning)