



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550

Staff Report

Tentative Partition Plat

PA-06-23

January 8, 2024

Summary

This request is for Tentative Partition Plat Review to divide a 1.55-acre parcel into two parcels. The subject site is located at 2317 Waverly Drive SE, in the RS-6.5 (Residential Single-Dwelling Unit) zoning district. The site is illustrated on a location map and included as Attachment A.

The land division review criteria under Albany Development Code (ADC) 11.180 are applicable for the proposed application. These criteria are addressed in this report and must be satisfied to grant approval for this application.

Application Information

Proposal:	The application is for a Tentative Partition Plat to divide one parcel into two parcels.
Review Body:	Staff (Type I-L Review)
Property Owner/Applicant:	Janet Relf, 2317 Waverly Drive SE, Albany, OR 97322
Applicant's Representative:	Laura LaRoque, Udell Engineering and Land Surveying, 63 E Ash Street, Lebanon, OR 97355
Address/Location:	2317 Waverly Drive SE, Albany, OR 97322
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-17A Tax Lot 0204
Zoning:	RS-6.5 (Residential Single-Dwelling Unit)
Comprehensive Plan:	Residential Low Density
Overlay Districts:	None
Total Land Area:	1.55 acres
Existing Land Use:	Residential
Neighborhood:	Periwinkle
Surrounding Zoning:	North: RS-6.5 (Residential Single-Dwelling Unit) East: RS-5 (Residential Single-Dwelling Unit) South: RS-6.5 (Residential Single-Dwelling Unit) West: RS-6.5 (Residential Single-Dwelling Unit)
Surrounding Uses:	North: Single dwelling units East: Single dwelling units South: Single dwelling units West: Single dwelling units
Prior History:	None



Staff Decision

The subject application referenced above is APPROVED with CONDITIONS as described in this staff report. The approval expires three years from the date of tentative plat approval. The final plat must be recorded with the Linn County Records Division (ADC 11.065) unless an extension is approved by the City and the county surveyor's office.

Appeals

The City's decision may be appealed to the Albany Planning Commission if a person with standing files a completed notice of intent to appeal and the associated filing fee no later than 10 days from the date the City mails the notice of decision [ADC 1.220(7)].

Notice Information

A notice of filing was mailed to property owners identified within 300 feet of the subject properties on December 18, 2023, in accordance with ADC 1.220. At the time the comment period ended on January 2, 2024, the Albany Planning Division received no comments.

Analysis of Development Code Criteria

The ADC includes the following review criteria for a tentative plat (ADC 11.180), which must be met for these applications to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Tentative Plat Review Criteria

Criterion 1

The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Article.

Findings of Fact

- 1.1 The underlying zoning district of the subject lot is RS-6.5 (Residential Single-Dwelling Unit District). The RS-6.5 zoning district is intended primarily for low-density residential urban development.
- 1.2 The subject site is comprised of one tax lots totaling 1.55 acres: Assessor's Map No. 11S-03W-17A Tax Lot 0204.
- 1.3 Lot size in the RS-6.5 zone depends on the proposed use, and ranges in size from 1,500 square feet (townhomes), 6,500 square feet (single-dwelling unit detached, duplex and triplex), to 7,000 square feet (cottage clusters and fourplexes). Parcel 1, as proposed, will be approximately 0.49 acres (21,344 square feet) in size and is developed with a single-dwelling unit and an accessory building. Proposed Parcel 2 will be approximately 1.06 acres (46,173 square feet) and is vacant. The proposed lots will exceed the minimum property size.
- 1.4 The minimum width standard for the RS-6.5 zone is 20 feet for townhomes, and 50 feet for all other uses. Proposed Parcel 1 will be 84.59 feet wide and proposed Parcel 2 will be 127 feet wide. The proposed lots will exceed the minimum width standard.
- 1.5 According to ADC Table 3.190-1, the minimum setback standards in the RS-6.5 zoning district are as follows: 15-foot front (building), 20-foot front (vehicle entrance), five-foot side (one story), eight-foot side, (two plus stories), or zero for zero lot line dwellings. Maximum height is 30 feet and maximum lot coverage is 60 percent. Proposed Parcel 1 is improved with a single-dwelling unit and an accessory structure, which conform to the development standards. Parcel 2 is vacant and development standards will be reviewed for conformance at time of building permit.
- 1.6 In any land division for single-dwelling unit residential or middle housing development, lots and blocks shall conform to standards listed in ADC 11.090 and other applicable provisions of the Code. Standards relevant to this proposed partition are addressed below.
- 1.7 ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all proposed lots in compliance with the requirements of the Code. There are no foreseeable difficulties in securing

- building permits to build on the proposed lots provided applicable development standards are followed.
- 1.8 According to ADC 11.090(2), when lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat. Proposed Parcels 1 and 2 are greater than double the minimum lot size of 6,500 square feet. The applicant submitted an Urban Conversion Plan conceptualizing further partitioning of proposed Parcel 2, and stated that future division of proposed Parcel 1 would be a flag lot with access to Waverly Drive SE.
 - 1.9 ADC 11.090(3) states double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector or arterial street status or to overcome specific disadvantages of topography and/or orientation. No double frontage lots are proposed.
 - 1.10 ADC 11.090(4) states side yards of lots shall run at right angles to the street the property faces. Both lots have side yards that run at right angles to the street the property faces.
 - 1.11 According to ADC 11.090(5), block dimensions shall be determined by existing street and development patterns, connectivity needs, topography, and adequate lot size. The average block length shall not exceed 600 feet unless adjacent layout or physical conditions justify a greater length. Block length is defined as the distance along a street between the centerline of two intersecting through-streets. Physical conditions may include existing development, steep slopes, wetlands, creeks, and mature tree groves. The proposed partition does not create any new streets, and therefore, does not create any new blocks. This standard is not applicable.
 - 1.12 ADC 11.090(6) states off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible. All lots have direct access to a public street. This standard is satisfied.
 - 1.13 ADC 11.090 (7) and (8) provide standards for townhomes on cul-de-sacs and flag lots. The proposed development does not include townhomes or flag lots. These standards are not applicable.
 - 1.14 According to ADC 11.090(9), street intersections must be constructed so there is not less than a 20-foot radius along the curb line. This standard ensures all public improvements, including accessibility ramps, can be contained in the public right-of-way at the corresponding street corners. Proposed Parcel 1 has access to an existing public street, Waverly Drive SE, and proposed Parcel 2 will have access to 22nd Avenue SE via an access and utility easement. All parcels will have access to an existing public street, and therefore, no new intersections are proposed. This standard is not applicable.

Conclusions

- 1.1 The proposal meets the standards of the underlying zoning district.
- 1.2 There are no foreseeable difficulties in securing building permits to build on the proposed lots.
- 1.3 The proposed partition does not propose to create new blocks, intersections, cul-de-sacs, or double-frontage lots.
- 1.4 The proposal meets the underlying development and lot and block standards of the RS-6.5 zoning district.
- 1.5 This criterion is satisfied without conditions.

Criterion 2

Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Findings of Fact

- 2.1 The proposal is seeking to legalize the division of a single, 1.55-acre parcel into two parcels. Parcel 1 will be 0.49 acres and Parcel 2 will be 1.06 acres.
- 2.2 Proposed Parcels 1 and 2 are owned in their entirety by Janet Relf.
- 2.3 There is no other remainder of property under the same ownership.

Conclusions

- 2.1 There is no other remainder of land to consider.
- 2.2 This review criterion is satisfied without conditions.

Criterion 3

Adjoining land can be developed, or is provided access that will allow its development, in accordance with this Code.

Findings of Fact

- 3.1 This review criterion has been interpreted by the city council to require only that adjoining land either have access, or be provided access, to public streets.
- 3.2 ADC 12.060 requires that development must have frontage on or approved access to a public street currently open to traffic.
- 3.3 Properties to the north have access to Waverly Drive SE or 22nd Avenue SE, properties to the east have access to Edgemont Street SE, and properties to the west and south have access to Waverly Drive SE.
- 3.4 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. Adjoining properties have independent access to a public street, and the proposed partition will not impact the access of adjoining properties.

Conclusions

- 3.1 All the adjoining land has, and will continue to have, access to public streets.
- 3.2 This criterion is met without conditions.

Criterion 4

The Public Works Director has determined that transportation improvements are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.

Findings of Fact

- 4.1 Proposed Parcel 1 has direct frontage on and takes access from Waverly Drive SE. Access to proposed Parcel 2 will be to 22nd Avenue SE via the creation of an access and utility easement over the adjoining parcel to the north (Assessor's Map No. 11S-03W-17A Tax Lot 0229). The adjoining parcel is the subject of a recently approved tentative subdivision (SD-01-23). The access/utility easement proposed with this partition follows the interior public street right-of-way for the subdivision.
- 4.2 Waverly Drive SE is classified as a minor arterial street and is, with the exception of a sidewalk, improved to city standards. Improvements include curb and gutter, a vehicle travel lane in each direction, a two-way center left turn lane, on-street bike lanes, and on-street parking along the west side of the road.
- 4.3 ADC 12.060 requires that the public street frontage of all new development be improved to city standards. This partition meets the ADC definition of new development, and as a result, the installation of sidewalk along the site's frontage on Waverly Drive SE is needed to comply with ADC 12.060.
- 4.4 The existing right-of-way line along the site's frontage on Waverly Drive SE is approximately 4 feet behind the back of curb. In accordance with ADC 12.300, the standard width for a sidewalk along an arterial street is 7 feet. Dedication of either additional public right-of-way or a sidewalk easement will be needed to accommodate the installation of public sidewalk.
- 4.5 Based on the site's RS-6.5 zoning designation, both parcels resulting from this partition can be developed in the future with single-dwelling units and/or middle housing. This partition does not increase the potential intensity that could occur with any future development on either of the parcels.
- 4.6 Albany's Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.

Conclusions

- 4.1 Albany's Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.
- 4.2 ADC 12.060 requires that the public street frontages of all new development be improved to city standards. The installation of public sidewalk is needed along this site's frontage on Waverly Drive SE to fully improve the site's frontage to city standards. Additional dedication of either right-of-way or a public sidewalk easement is needed to accommodate the sidewalk installation.
- 4.3 Access to proposed Parcel 2 will be via creation of an access/utility easement over the adjoining parcel to the north (Assessor's Map No. 11S-03W-17A Tax Lot 0229) to 22nd Avenue SE. The adjoining parcel is the subject of a recently approved tentative subdivision (SD-01-23). The location and alignment of the easement must match the interior public street system approved under SD-01-23.
- 4.4 This criterion is satisfied with the following conditions.

Conditions

- Condition 1 Prior to recordation of the partition plat, the applicant shall construct or financially assure the construction of a 7-foot-wide public sidewalk along the site's frontage on Waverly Drive SE.
- Condition 2 Prior to or with recordation of the plat map, the application shall dedicate either right-of-way or a public sidewalk easement along the site's frontage along Waverly Drive SE. The dedication shall be to a point a minimum of six inches behind the back of the new public sidewalk.
- Condition 3 Prior to, or with recordation of the plat map, the applicant shall provide an access and utility easement benefiting Parcel 2 over Assessor's Map No. 11S-03W-17A Tax Lot 0229 as shown on the tentative partition plat map.

Criterion 5

The Public Works Director has determined that public facilities and utilities are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.

Findings of Fact

Sanitary Sewer

- 5.1 City utility maps show an 8-inch public sanitary sewer main in Waverly Drive SE along the subject property frontage and an 8-inch public sanitary sewer main in 22nd Avenue SE. The subject property is currently connected to City Sewer.
- 5.2 The preliminary plan shows a new utility easement on Assessor's Map No. 11S-03W-17A Tax Lot 0229 providing access to public sanitary sewer system in 22nd Avenue SE.
- 5.3 ADC 12.470 requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sanitary sewer line.
- 5.4 Proposed Parcel 2 must connect to the public sanitary sewer system upon development. Installation of new sewer laterals is the responsibility of the developer. An encroachment permit must be obtained before beginning work on or around a public utility. A public sanitary sewer main extension would require a Site Improvement Permit from the City's Engineering Division.
- 5.5 The proposed partition will not negatively affect public sanitary sewer service to the existing home, or impact sewer service availability for future development on this parcel.

Water

- 5.6 City utility maps show a 16-inch public water main in Waverly Drive SE along the subject property frontage and an 8-inch public water main in 22nd Avenue SE. The subject property is currently connected to City Water.

- 5.7 The preliminary plan shows a new utility easement over Assessor's Map No. 11S-03W-17A Tax Lot 0229 providing access to public water system in 22nd Avenue SE.
- 5.8 ADC 12.410 requires all new development to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main.
- 5.9 The proposed new lot must connect to the public water system upon development.
- 5.10 The proposed property partition will not negatively affect public water service availability for future development on this parcel.

Storm Drainage

- 5.11 City utility maps show 15-inch and 60-inch public storm drainage facilities in Waverly Drive SE along the subject property frontage and a 60-inch public storm drainage facility in 22nd Avenue SE. Waverly Drive SE is currently improved to City standards with curb and gutter and 22nd Avenue SE is partially improved to City Standards with pavement, curb and gutter on a portion of the 22nd Avenue SE right-of-way.
- 5.12 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. Private drainage systems crossing multiple lots will require reciprocal use and maintenance easements and must be shown on the final plat. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany's Engineering Division.
- 5.13 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer and/or the Building Official. Also, no storm water may be discharged to the public sanitary sewer system.

Conclusions

- 5.1 City utilities (sanitary sewer, water) are available and adequate to serve the proposed lots.
- 5.2 The proposed partition will have no adverse impacts on public utility services to the subject properties. Utility easements will need to be shown on the final plat.
- 5.4 The proposed new lot must connect to public utility services upon development. Installation of new sewer laterals are the responsibility of the developer. An encroachment permit must be obtained before beginning work on or around a public utility.

Criterion 6

Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Findings of Fact

- 6.1 Article 4: Airport Approach District. According to Figure 4.410-1 of the ADC, the subject property is located in the Airport Approach District. This district is comprised of several imaginary surfaces above which aircraft are allowed to operate. The subject property is under the outermost surface called the Conical Surface. No development is proposed with this land division. Maximum height will be reviewed at the time of development.
- 6.2 Article 6: Steep Slopes. Comprehensive Plan Plate 7: According to Plate 7 of the Comprehensive Plan, the subject property is outside the Hillside Development District.
- 6.3 Article 6: Floodplains. Comprehensive Plan Plate 5: According to the FEMA Flood Insurance Rate Map, Community Panel No. 41043C0527G, dated September 29, 2010, the subject property is located in Zone X, Area of Minimal Flooding and is outside of the Special Flood Hazard Area (aka 100-year floodplain).

- 6.4 Article 6: Wetlands. *Comprehensive Plan Plate 6* does not show Significant Wetlands on the properties. The National Wetlands Inventory (NWI) does not show wetlands on the property.
- 6.5 Article 6: Significant Natural Resource Overlay Districts. *Comprehensive Plan, Plate 3* shows that the property is not located in a significant natural resource overlay district.
- 6.6 Historic and Archaeological Resources. *Comprehensive Plan, Plate 9* shows the property is not in a historic district. There are no known archaeological sites on the property.

Conclusions

- 6.1 Except for the Airport Approach District, there are no other special purpose districts that impact the partition.
- 6.2 This criterion is met.

Overall Conclusion

As proposed, the application for tentative plat to partition one parcel into two parcels satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

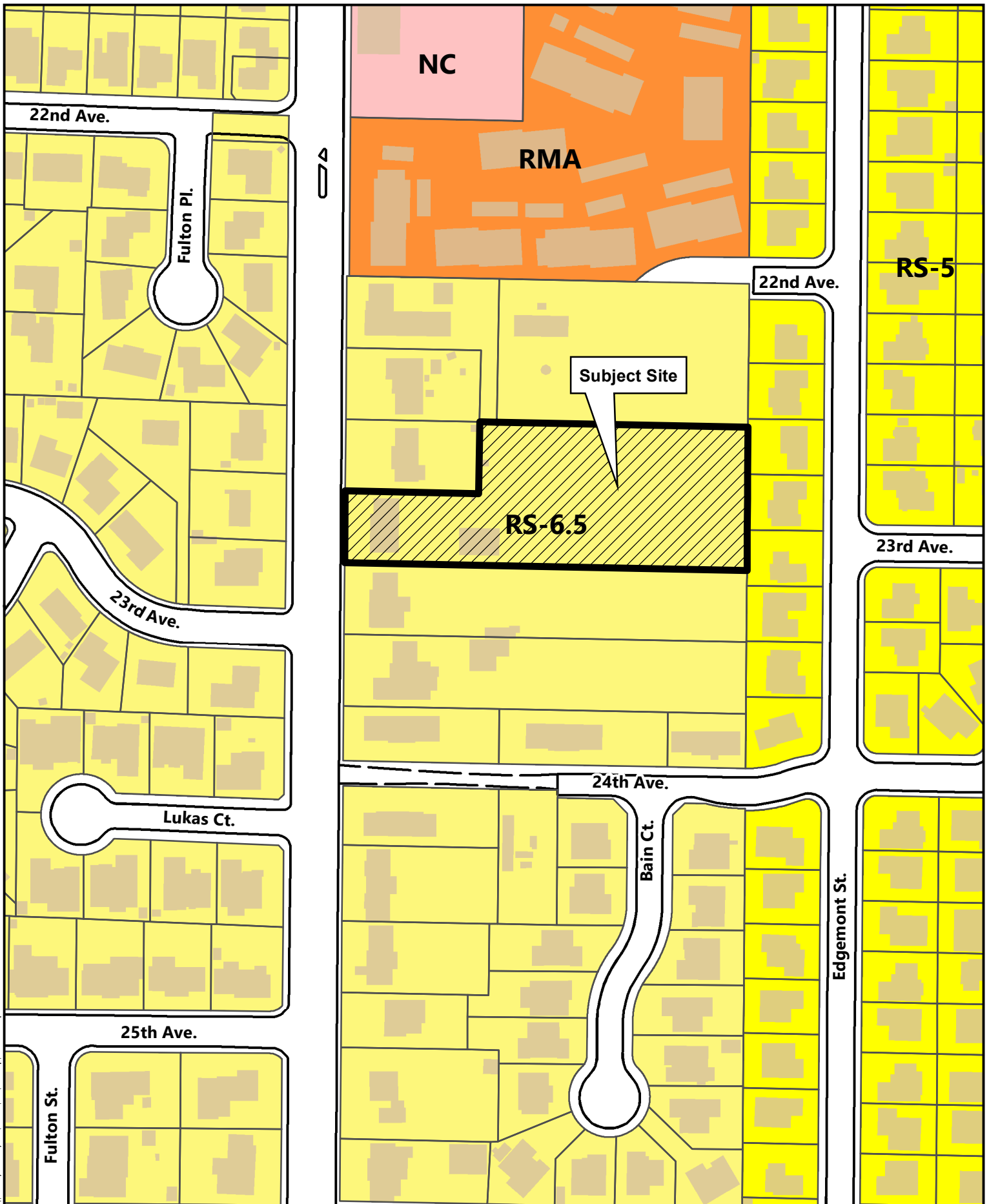
- Condition 1 Prior to recordation of the partition plat, the applicant shall construct or financially assure the construction of a 7-foot-wide public sidewalk along the site's frontage on Waverly Drive SE.
- Condition 2 Prior to recordation of the partition plat, the application shall dedicate either right-of-way or a public sidewalk easement along the site's frontage along Waverly Drive SE. The dedication shall be to a point a minimum of six inches behind the back of the new public sidewalk.
- Condition 3 Prior to, or with recordation of the partition plat, the applicant shall provide an access and utility easement benefiting parcel 2 over Assessor's Map No. 11S-03W-17A Tax Lot 0229 as shown on the tentative partition plat map.

Attachments

- A. Location Map
- B. Proposed Tentative Partition Plat
- C. Applicant Narrative

Acronyms

- ADC Albany Development Code
AMC Albany Municipal Code
FEMA Federal Emergency Management Agency
FIRM Flood Insurance Rate Map
RS-6.5 Residential Single-Dwelling Unit District
OS Open Space Zoning District
SFHA Special Flood Hazard Area



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N 0 50 100 200 300 Feet

Date: 11/27/2023 Map Source: City of Albany

2317 Waverly Drive SE

Location / Zoning Map

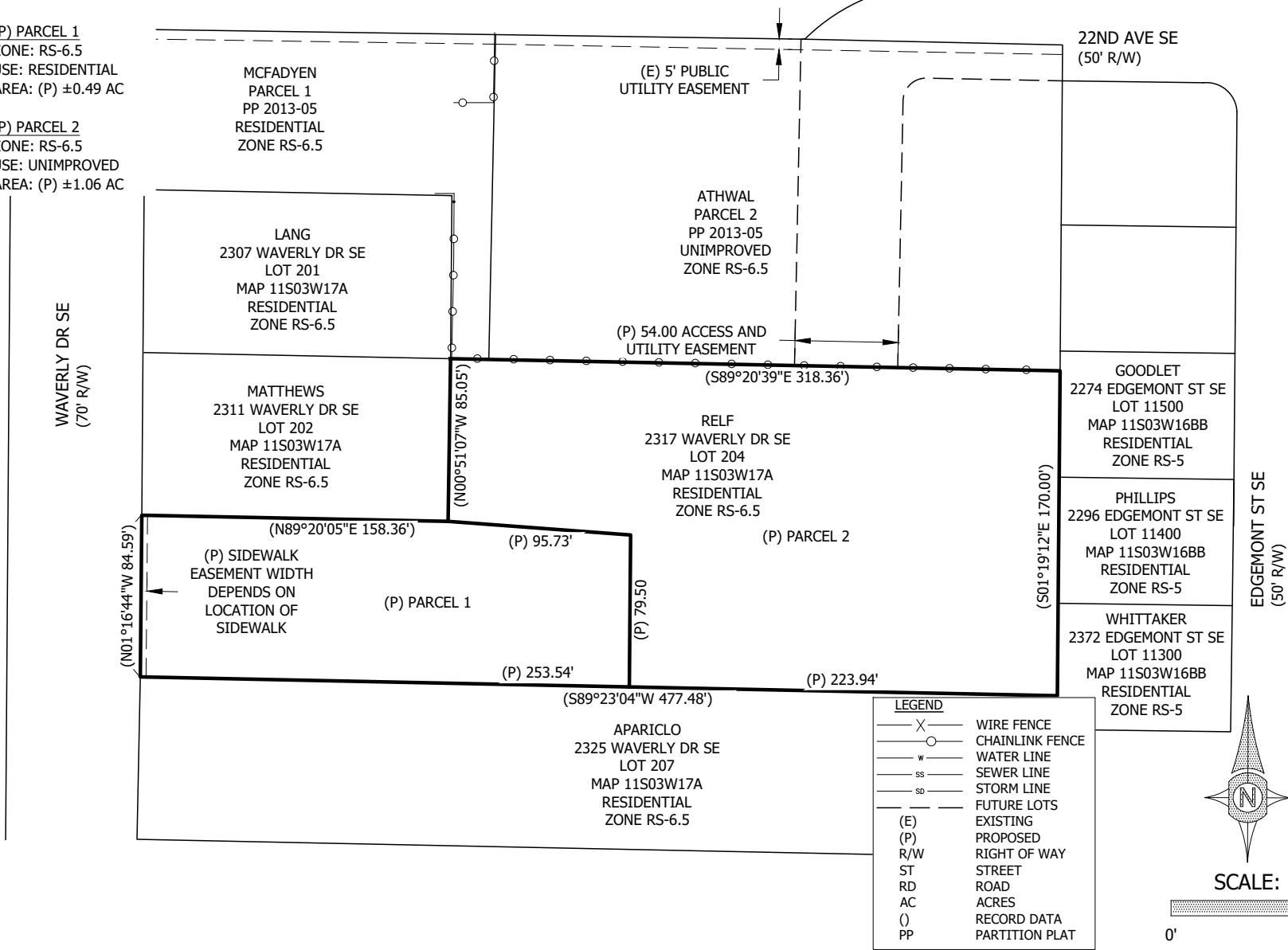
APPLICANT:
 SONA (RANDY) ATHWAL
 9732 SEVEN MILE LANE SE
 ALBANY, OR 97321
 541-979-1794
 ATHWAL1@YAHOO.COM

OWNER/SITE:
 JANET RELF
 2317 WAVERLY DR SE
 ALBANY, OR 97322
 MAP 11S03W17A LOT 204
 TOTAL AREA 1.55 AC

PROPOSED PARCELS:

(P) PARCEL 1
 ZONE: RS-6.5
 USE: RESIDENTIAL
 AREA: (P) ±0.49 AC

(P) PARCEL 2
 ZONE: RS-6.5
 USE: UNIMPROVED
 AREA: (P) ±1.06 AC



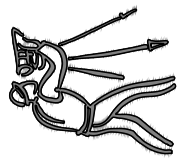
LEGEND

— X —	WIRE FENCE
— ○ —	CHAINLINK FENCE
— w —	WATER LINE
— ss —	SEWER LINE
— sd —	STORM LINE
— — —	FUTURE LOTS
(E)	EXISTING
(P)	PROPOSED
R/W	RIGHT OF WAY
ST	STREET
RD	ROAD
AC	ACRES
()	RECORD DATA
PP	PARTITION PLAT

UDELL ENGINEERING & LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON
 97355 541-451-5125

TENTATIVE PARTITION PLAT
RANDY ATHWAL
 2317 WAVERLY DR
 ALBANY, OR 97322

Date 11/9/2023
 Project # 22-043
 Drawn: NDI
 Checked: BSV



SHEET 1
 of 3

TENTATIVE PARTITION PLAT APPLICATION

Submitted to:	City of Albany Planning Division P.O. Box 490 Albany, Oregon 97321-0144 541-917-7550 cd.customerservice@cityofalbany.net
Property Owner/Applicant:	Janet Relf 2317 Waverly Drive SE Lebanon, OR 97322
Applicant's Representative:	Udell Engineering and Land Surveying, LLC 63 E. Ash Street Lebanon, OR 97355 Laura LaRoque (541) 990-8661 laura@udelleng.com
Site Location:	2317 Waverly Drive SE, Albany, OR 97322
Linn County Assessor's Map No.:	11S-03W-17A Tax Lot 204
Site Size:	±1.55-acres
Existing Land Use:	Single Family Residential
Zone Designation:	Residential Single Family Attached (RS-6.5)
Comprehensive Plan Designation:	Residential Low Density
Surrounding Zoning:	North: RS-6.5 South: RS-6.5 East: RS-5 West: RS-6.5
Surrounding Uses:	North: Residential South: Residential East: Residential West: Residential

I. Executive Summary

This application is for a Tentative Partition Plat to divide an ±1.55-acres lot into two parcels. The subject property is addressed 2317 Waverly Drive SE and identified as Linn County Assessor's Map No. 11S-03W-17A Tax Lot 204. Parcels 1 and 2 are proposed to be ±0.49-acres and ±1.06-acres, respectively. Parcel 1 contains an existing single-family dwelling with accessory structures. Parcel 2

is unimproved. Parcel 1 will maintain frontage on and access to Waverly Drive SE. Parcel 2 will gain access from 22nd Avenue SE via a 54-foot access and utility easement.

Land Division criteria contained in Albany Development Code (ADC or Code) 11.180 are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application.

II. Replat Decision Criteria

ADC 11.180 includes the following review criteria for a tentative plat, which must be met for this application to be approved. Code criteria are written in **bold** and are followed by findings and conclusions.

Criterion 1

The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Article.

Findings

- 1.1 This application is for a Tentative Partition Plat to divide a single ±1.55-acre property into two parcels.
- 1.2 The subject property is addressed 2317 Waverly Drive SE and identified as Linn County Assessor's Map No. 11S-03W-17A Tax Lot 204.
- 1.3 The underlying zoning designation of the subject property is RS-6.5. Per ADC 3.020(3) the RS-6.5 District is intended primarily for low-density urban residential development. The average minimum detached single-dwelling unit lot size is 6,500 square feet.
- 1.4 According to ADC 3.050, Schedule of Permitted Uses, the following residential uses are permitted in the RS-6.5 either outright: single-Family, detached; duplex, townhouse, triplex, fourplex, and cottage cluster.

According to ADC 3.190, Table 3.190-1, the minimum property size ranges based on use or unit size and range from 6,500 square feet for single-family detached, duplex, and triplex dwelling types and 7,000 square feet for fourplex and cottage cluster units. The proposed resultant parcel size of ±0.49-acres and ±1.06-acres exceeds the minimum development standards for a single-family and middle housing residential uses.
- 1.5 Development standards such as setbacks, height, lot coverage, and landscaping provided under ADC 3.190, Table 3.190-1 will be reviewed in association with an application for development and therefore, are not applicable in association with this application.
- 1.6 In any single-family or middle housing land division, lots and blocks shall conform to standards listed in ADC 11.090 and other applicable provisions of the development code. Standards relevant to this proposed partition are addressed below.
 - a. ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building

permits to build on all lots in compliance with the requirements of this Code with the exception of lots designated Open Space.

As discussed under finding 1.3 and 1.4 above, the proposed lots meet the development standards of the underlying zoning. The size and dimension of the proposed lots will allow for setbacks to be met while providing an adequate building envelope. Therefore, there will be no foreseeable difficulties in obtaining building permits for either parcel.

- b. ADC 11.090(2) states that lot dimensions must comply with the minimum standards of this Code. When lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat.

Both parcels are greater than 0.29-acres (double the minimum area of the RS-6.5 zoning district). An urban conversion plan with future street pattern has been provided for Parcel 2. The likely future division of Parcel 1 would be a flag lot with access to Waverly Drive. Therefore, this standard is not applicable.

- c. ADC 11.090(3) states that double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector and arterial street status or to overcome specific disadvantages of topography and/or orientation. When driveway access from arterials is necessary for several adjoining lots, those lots must be served by a combined access driveway to limit possible traffic hazards on such streets. The driveway should be designed and arranged to avoid requiring vehicles to back into traffic on arterials. An access control strip shall be placed along all lots abutting arterial streets requiring access onto the lesser class streets where possible.

The proposed parcels are not double frontage lots. This standard is not applicable.

- d. ADC 11.090(4) states side yards of a lot shall run at right angles to the street the property faces, except that on a curved street the side property line shall be radial to the curve.

All proposed parcels will have side yards that will run at right angles to the street frontage. This standard is met.

- e. According to ADC 11.090(5), the average block length shall not exceed 600 feet unless an exception is granted by the City per subsections (a) through (c). Block length is defined as the distance along a street between the centerline of two intersecting through-streets.

The proposed partition does not create any new streets, and therefore, does not create any new blocks. This standard is not applicable.

- f. ADC 11.090(6) states off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible.

Parcel 1 will have frontage on Waverly Drive SE and be connected to the existing street and sidewalk network. Parcel 2 will have access to 22nd Avenue SE via a 54-foot access and utility easement. Future lot creation on Parcel 2 will require street and utility improvements.

- g. ADC 11.090(7) states that, except for townhouse development, the minimum frontage of a lot on a cul-de-sac shall be 22 feet as measured perpendicular to the radius. The proposed lot does not utilize a cul-de-sac; therefore, this standard is not applicable.
- h. ADC 11.090(8) states flag lots are allowed only when the City Engineer has determined that the dedication and improvement of a public street cannot be provided or not practical. The minimum width for a flag lot is 22 feet, except when the point of access is shared by an access and maintenance agreement, in which case, each lot shall have a minimum width of 12 feet and a combined minimum of 24 feet. No flag lot is proposed; therefore, this standard is not applicable.
- i. ADC 11.090(9) requires street intersections to be constructed so there is no less than a twenty-foot radius of the curb line. This standard ensures all public improvements, including accessibility ramps, can be contained in the public right-of-way at the corresponding street corners. All parcels will have access to an existing public street, and therefore, no new intersections are proposed. This standard is not applicable.

Conclusions

- 1.1 The proposal meets the standards of the underlying zoning district.
- 1.2 The proposed partition does not propose to create new blocks, intersections, cul-de-sacs, or double frontage lots.
- 1.3 This criterion is met without conditions.

Criterion 2

Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Findings

- 2.1 The site is owned in its entirety by Janet Relf.
- 2.2 The proposal is to divide a single ±1.55-acres lot into two ±0.49-acres and ±1.06-acres parcels.

- 2.3 Parcel 1 is improved with an existing single-family dwelling, associated accessory buildings, and associated site improvements. Parcel 2 is unimproved, and an urban conversion plan has been submitted showing potential future urbanization of this parcel.

Conclusions

- 2.1 There is no other remainder of land to consider. All the land area within the parent property will be allocated to the two proposed parcels.
- 2.2 This review criterion is not applicable.

Criterion 3

Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

Findings

- 3.1 This review criterion has been interpreted by the City Council to require adjoining land either have access, or be provided access, to public streets.
- 3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.
- 3.3 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties.
- a. Properties to the north have access to Waverly Drive SE or 22nd Avenue SE.
 - b. Properties to the east have access to Edgemont Street SE.
 - c. Properties to the south have access to Waverly Drive SE.
 - d. Properties to the west have access to Waverly Drive SE.
- 3.4 All the adjoining properties have independent access to a public street, and the proposed partition will not impact the access of adjoining properties.

Conclusions

- 3.1 All the adjoining land has, and will continue to have, access to public streets.
- 3.2 This criterion is met without conditions.

Criterion 4

The Public Works Director has determined that transportation improvements are available to serve the proposed subdivision or partition in accordance with Article 12 or will be available at the time of development.

Findings

- 4.1 The development is located at 2317 Waverly Drive SE. The development will divide a ±1.55-acre parcel of land into two parcels. Parcel 1 is improved with an existing single-family

dwelling, associated accessory buildings, and associated site improvements. Parcel 2 is unimproved, and an urban conversion plan has been submitted to show future urbanization of this parcel.

4.2 The development is located east of Waverly Drive SE. Parcel 1 will have frontage on and access to Waverly Drive SE. Parcel 2 will be provided access from 22nd Avenue SE via a 54-foot access and utility easement.

4.3 Waverly Drive SE is classified as a Minor Arterial and is improved to city standards except for a sidewalk along the frontage of the subject property. The existing pavement has a width of 60 feet and right-of-way width of 70 feet.

4.4 ADC 12.060 requires all streets adjacent and interior to new development be improved to City standards. In situations where the City Engineer determines that an improvement is not timely, the city can accept a petition for Improvement/Waiver of Remonstrance.

Street frontage improvements to the north property boundary of proposed Parcel 2 are proposed and approved in association with SD-01-23 and SP-05-23. Therefore, a petition for Improvement/Waiver of Remonstrance is requested in association with this application request.

4.5 ADC 12.290 requires all development for which land use applications are required, and all expedited and middle housing land divisions, must include sidewalks adjacent to public streets. This requirement also applies to new single-dwelling unit detached houses and middle housing units if they are located on arterial or collector streets or on curbed local streets, if there is an existing sidewalk within 500 feet on the same side of the street.

A sidewalk improvement exists along 2307 Waverly Drive SE, less than 350 feet from the subject property. Therefore, a sidewalk improvement along the frontage of Parcel 1 is required. This improvement is proposed within a public sidewalk easement.

Sidewalk improvements to the north property boundary of proposed Parcel 2 are proposed and approved in association with SD-01-23 and SP-05-23. A petition for Improvement/Waiver of Remonstrance for sidewalk improvement is requested for Parcel 2 in association with this application request.

4.6 The 11th edition of the ITE trip generation manual breaks shows a rate of 7.20 vehicle trips per day and 0.57 trips during the p.m. peak hour per unit. Parcel 1 is already improved with a single-family residential dwelling. Parcel 2 has the potential to be improved with a fourplex due to the proposed parcel size. Construction of 4 units would add about 29 new vehicle trips per day to the public street system with 2 occurring during the peak p.m. traffic hour per day to the public street system.

4.7 The development will not generate enough trips to require submittal of a trip generation analysis or Traffic Impact Analysis (TIA). The threshold for requiring submittal of a trip generation analysis is 50 peak hour trips. The threshold for submittal of a TIA is 100 peak hour trips.

- 4.8 Albany's Transportation System Plan (TSP) does not identify any capacity or safety issues occurring along the street frontages of this development.

Conclusions

- 4.1 The site has frontage on Waverly Drive SE, which is improved to city standards except for a sidewalk across the site's frontage. A sidewalk improvement along Parcel 1 in a public sidewalk easement is proposed. A petition for Improvement/Waiver of Remonstrance for street improvements are proposed for Parcel 2.
- 4.2 The development is not projected to generate enough trips to require submittal of a trip generation estimate or traffic impact analysis.
- 4.3 Albany's TSP does not identify any capacity or safety issues occurring along the frontage of this site.

Criterion 5

The Public Works Director has determined that public facilities and utilities are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.

Findings

Sanitary Sewer

- 5.1 City utility maps show an 8-inch public sanitary sewer main along the west boundary of Parcel 1 within the Waverly Drive SE right-of-way and at the termination of 22nd Avenue SE.

Parcel 1 is currently connected to the public sewer main within the Waverly Drive SE right-of-way.

Public utility improvements to the north property boundary of proposed Parcel 2 are proposed and approved in association with SD-01-23 and SP-05-23. Parcel 2 is proposed to be provided access to the 22nd Avenue SE public sewer main via a 54-foot access and utility easement across Linn County Assessor's Map no. 11S-03W-17A Tax Lot 229. A petition for Improvement/Waiver of Remonstrance for public utility improvements is requested for Parcel 2 in association with this application request.

- 5.2 Albany Municipal Code (AMC) 10.01.100(1) states the objective of the AMC requirements pertaining to public sanitary sewers is to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system.
- 5.3 ADC 12.470 requires all new developments to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line.
- 5.4 ADC 12.370 requires the dedication of public utility easements (typically a minimum of 20 feet in width, to be centered over the main) for all public sanitary sewers and

appurtenances. Permanent structures are not allowed to encroach on a public utility easement or be placed over a public sewer main.

Water

- 5.5 City utility maps show a 16-inch public water main along the west boundary of Parcel 1 within the Waverly Drive SE right-of-way and an 8-inch public water main at the termination of 22nd Avenue SE.
- 5.6 Parcel 1 is currently connected to the public water main within the Waverly Drive SE right-of-way.
- 5.7 Public utility improvements to the north property boundary of proposed Parcel 2 are proposed and approved in association with SD-01-23 and SP-05-23. Parcel 2 is proposed to be provided access to the 22nd Avenue SE public water main via a 54-foot access and utility easement across Linn County Assessor's Map no. 11S-03W-17A Tax Lot 229. A petition for Improvement/Waiver of Remonstrance for public utility improvements is requested for Parcel 2 in association with this application request.
- 5.8 ADC 12.410 requires all new developments to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main.
- 5.9 The Developer will obtain a water meter permit for any new water service. The utility easement will be shown on the final plat.

Storm Drainage

- 5.10 City utility maps show a 60-inch public water main along the west boundary of Parcel 1 within the Waverly Drive SE right-of-way and at the termination of 22nd Avenue SE
- 5.11 It is the property owner's responsibility to ensure any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. Private drainage systems crossing multiple lots will require reciprocal use and maintenance easements and must be shown on the final plat. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system, must be reviewed and approved by the City of Albany's Engineering Division.
- 5.12 ADC 12.580 states all new development within the city must, where appropriate, provide for the extension of existing storm sewer lines or drainageways serving surrounding areas. Extensions may be required along all frontages and/or through the interior of a property to be developed where the City Engineer determines the extension is needed to provide service to upstream properties.

- 5.13 Parcel 1 is currently connected to the public storm main within the Waverly Drive SE right-of-way.
- 5.14 Public utility improvements to the north property boundary of proposed Parcel 2 are proposed and approved in association with SD-01-23 and SP-05-23. Parcel 2 is proposed to be provided access to the 22nd Avenue SE public storm main via a 54-foot access and utility easement across Linn County Assessor's Map no. 11S-03W-17A Tax Lot 229. A petition for Improvement/Waiver of Remonstrance for public utility improvements is requested for Parcel 2 in association with this application request.

Conclusions

- 5.1 City utilities (sanitary sewer, water, and storm drainage) are available to the subject property.
- 5.2 The proposed property partition will have no adverse impact on public utility services to the subject properties. The utility easements will need to be shown on the final plat.

Criterion 6

Activities and developments within special purpose districts must comply with the regulations described in Article 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Findings

- 6.1 Article 4: Airport Approach District. According to Figure 4.410-1 of the ADC, the subject property is located in the conical surface of the Airport Overlay. The conical area slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation. The airport is located at an elevation of 222 feet above mean sea level (NGVD 1929). The subject property at its highest point is 232 feet (NGVD). No structure exceeds 150 feet tall, which is the lowest point of the conical surface. Based on this, the development complies with the Airport Approach District.
- 6.2 Article 6: Steep Slopes. Comprehensive Plan Plate 7 shows that the subject property is not located in the Hillside Development district.
- 6.3 Article 6: Floodplains. Comprehensive Plan Plate 5: The applicable Flood Insurance Rate Map (FIRM) for the subject site is Community Panel No. 41043C0527G, dated September 9, 2010. Based on this FIRM, the subject property is located out of the Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain.
- 6.4 Article 6: Wetlands. Comprehensive Plan Plate 6 does not show any wetlands on the property. The National Wetlands Inventory (NWI) does not show wetlands on the property. This property is not included in a local wetlands inventory.
- 6.5 Article 7: Historic Districts. Comprehensive Plan Plate 9: The subject site is not located in a historic district. There are no known archaeological sites on the property.

Conclusions

6.1 The only special purpose district that the subject property is in is Article 4 (Airport Approach). However, no development is proposed in association with this application. Therefore, height provisions are not applicable.

III. Overall Conclusion

Based on the above analysis, the proposed tentative plat meets all the applicable review criteria as outlined above.

IV. Exhibits

A. Plan Set

1. Tentative Partition Plat, Sheet 1 of 3
2. Tentative Partition Plat, Sheet 2 of 3
3. Urban Conversion Plan, Sheet 3 of 3