#### Staff Report Template - Site Plan Review for Commercial or Industrial Development

# Notice Information

Notice of Filing Mail Date	January 26, 2024
Notice Area	300 feet
Comment Period	14 days
Comment Due Date	February 9, 2024
Comments Received (summarize below)	None

#### COMMENTS:

None

# Analysis of Development Code Criteria

Section 2.450 of the ADC includes the following review criteria, which must be met for this application to be approved. Development code criteria are written in bold followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

#### **CRITERION 1 – COMPLETENESS**

Date application received:	December 21, 2023	
Date application was paid:	January 2, 2024	
Date application deemed complete:	January 24, 2024	

#### **CRITERION 2 – ZONING DISTRICT DEVELOPMENT STANDARDS**

Standard	CC Zone	Proposal
Minimums		
Lot size (sq. ft.)(1)	None	No change
Lot width	None	No change
Lot depth	None	No change
Front setback	10'	No change
Interior setbacks -abutting non-res'l	None	No change
Interior setbacks - abutting res'l district	10' (5)	N/A
Maximums		
Building Size (sq. ft.)	100,000	No change
Lot size (sq. ft.)	None	No change
Height (8)	50'	No change
Lot Coverage (7)	90%	No change
Landscaped Area (3)	100%	No change
Open Space	N/A	N/A

Spec	cial Circumstances and Exceptions
(1)	The minimum lot size for residential units is 1,600 sq. ft. per unit. No minimum lot
	size is required for non-residential development.
(2)	New NC zones may be no more than 30,000 sq. ft. of contiguous land.
(3)	All yards adjacent to streets. Approved vegetated post-construction stormwater quality
	facilities are allowed in landscaped areas.
(4)	The minimum lot size for supporting commercial uses may be smaller than 3 acres.
(5)	Structures on property abutting residential districts and/or uses require 1 foot of
	setback for each foot of finished wall height with a minimum setback of 10 feet.
(6)	No setbacks are required for buildings abutting railroad rights-of-way.
(7)	Lot coverage for single dwelling detached and middle housing development shall only
	include the area of the lot covered by buildings or structures.
(8)	Unless in Airport Approach Overlay District. See Sections 4.400 to 4.440.

(9)	Ten or more multiple-dwelling units require common open space. See Section 8.220.
(10)	The maximum business footprint for supporting commercial uses allowed in IP is 5,000 square feet. The maximum business footprint for convenience-oriented and personal service-oriented retail uses in NC and OP is 5,000 square feet. Convenience-oriented and personal service-oriented retail uses in buildings constructed prior to
	February 7, 2003, in the NC and OP districts are exempt from the maximum business footprint.
(11)	When adjacent to or across the street from residentially zoned land, the setback shall be 1 foot for each foot of building height over 30 ft. Buildings may increase in height ("step" up) as the setback increases. For example, at the minimum setback in LI, a building may be 30 feet tall but may increase in height up to 50 feet when set back 50 feet from the property line.
(12)	Higher structures permitted by Conditional Use approval.
(13)	The maximum building size may be exceeded for non-commercial and non-office uses when the building is multi-story.

### **CRITERION 3 – SPECIAL PURPOSE DISTRICTS**

Overlay	Checklist	Supplemental Findings
Article 4, Airport Approach	Transitional Surface	3.1: The subject property is located within
	Horizontal Surface	the conical surface of the Airport Approach
	Conical Surface	overlay district. The proposed development
	Approach Surface	will not increase the height of the existing structures upon the subject property.
	None 🗆	structures upon the subject property.
Article 4, Ldn Contours	55 Ldn 🗌	
	60 Ldn 🛛	
	65 Ldn 🗆	
	None 🛛	
Article 6, Floodplain Overlay	Floodway 🗌	
District (/FP)	Floodplain 🗌	
	FIRM Panel No. 41043C	
	Base Flood Elevation	
	NGVD 29	
	NAVD 88	
	Elevation Cert.	
	LOMA 🗌	
	LOMR-F	
	CLOMR-F	
	Not Applicable	
Article 6, Hillside	Applicable 🗌	
Development Overlay (/HD)	Not Applicable	
	Geotech Report Required 🛛	
Article 6, Riparian Corridor	Exempt 🗌	3.2: The subject property contains portions
Overlay (/RC)	Natural Resource Impact Review	within the Riparian Corridor overlay. The
	Mitigation Required	proposed development is not located in or within 30 feet of the Riparian Corridor
	Not Applicable	overlay district.
Article 6, Significant Wetland	Exempt 🗌	,
Overlay (/SW)	Natural Resource Impact Review	
	Mitigation Required	
	Not Applicable	
Article 6, Habitat Assessment	Exempt 🗌	
Overlay (HA)	Natural Resource Impact Review	
	Mitigation Required	
	Not Applicable	
Article 6, Willamette	Applicable 🗌	
Greenway Overlay (/WG)	Not Applicable	
Article 7, Historic Overlay	Monteith 🗌	
District	Hackleman 🗌	
	Downtown Commercial	
	Albany Municipal Airport 🗌	

	Not Applicable	$\boxtimes$	
Conditions			
None			

### **CRITERION 4 – APPLICABLE DESIGN STANDARDS OF ARTICLE 8**

Commercial/Institutional	Summary Description*	Checklist
Standards		-
Entrance Orientation, ADC	New buildings shall be oriented to existing or new public streets.	Source:
8.330(1)		Standard met
		With conditions
		Standard not met
		N/A
		See findings below 🗌
Main Entrance Design, ADC	At least one main entrance, compliant with subsection (1), must be	Source:
8.330(1)(a)	designed to include at least three (3) architectural features.	Standard met
		With conditions
		Standard not met
		N/A
		See findings below 🗌
Parking Location, ADC 8.330(2)	Off-street parking must be located to the side or rear of the building(s) and	Source:
	not between the building and the street, except where the applicant demonstrates that one or more situations apply.	Standard met
	demonstrates that one of more situations apply.	With conditions
		Standard not met 🛄
		N/A
		See findings below 🗌
Façade Design & Articulation,	Regulated façades shall include a minimum of two types of architectural	Source:
ADC 8.345(2)	features.	Standard met
		With conditions
		Standard not met $\Box$
		N/A
		See findings below 🗌
Ground Floor Windows, ADC	Ground floor windows or entrance doors shall be provided along regulated	Source:
8.345(3)	façades at the pedestrian level in accordance with the standards.	Standard met
		With conditions
		Standard not met
		N/A
		See findings below 🗌
Windows on Upper Stories,	In the HD, CB, DMU, and WF zoning districts, buildings with two or more	Source:
ADC 8.345(4)	stories shall provide windows occupying at least 25 percent of the regulated façade on the upper stories in accordance with the standards.	Standard met
	regulated laçade on the appensiones in accordance with the standards.	With conditions
		Standard not met
		N/A
		See findings below
Pedestrian Amenities, ADC	New buildings or expansions or modifications to existing buildings except those where a land use application is not required pursuant to ADC Section	Source:
8.360(1) & (2)	1.105 shall provide pedestrian amenities.	Standard met
		With conditions
		Standard not met
		N/A
		See findings below
Pedestrian Amenities, ADC 8.365(1)	Pedestrian amenities are required in the HD, CB, DMU, and WF zones. Each development shall provide a minimum of one of the improvements listed	Source:
0.303(1)	in $8.365(1)(a) - (f)$ .	Standard met
		With conditions
		Standard not met
		N/A
		See findings below
Compatibility Standards, ADC	Commercial and institutional development shall be designed to comply with compatibility standards and any other improvements peeded to	Source:
8.390	with compatibility standards and any other improvements needed to reduce negative impacts on adjacent uses.	Standard met
	reduce negative impacts on adjacent uses.	

	With conditions
	Standard not met $\Box$
	N/A 🖂
	See findings below $\Box$
Supplemental Findings	
4.1: The applicant proposes to alter the existing site access and interior circulation. No new buildi	
Conditions	
None	

\*This staff report checklist is a guide only. Refer to the Albany Development Code for the full text of standards.

#### **CRITERION 5 – MANUFACTURED HOME DEVELOPMENT STANDARDS OF ARTICLE 10**

Standard	Checklist		Supplemental Findings
Design Standards of Article 10	Applicable		
	Not Applicable	$\boxtimes$	

#### **CRITERION 6 – ONSITE DEVELOPMENT AND ENVIRONMENTAL STANDARDS OF ARTICLE 9**

Bicycle Parking Standards	Summary Description*	Checklist
Bicycle Parking, ADC 9.030(3)(a)	All bicycle parking areas shall have direct and accessible access to the	Source:
	public right-of-way and the primary building entrance.	Standard met
		With conditions
		Standard not met $\Box$
		N/A
		See findings below $\Box$
Bicycle Parking, ADC 9.030(3)(b)	If bicycle parking is located within vehicle parking areas, it must be	Source:
	separated from vehicular maneuvering areas by curbing or other barriers	Standard met
	to prevent damage to parked bicycles.	With conditions $\Box$
		Standard not met 🛛
		N/A
		See findings below $\Box$
Bicycle Parking, ADC 9.030(3)(c)	Bicycle parking may be in a public right-of-way, including on a public	Source:
	sidewalk with approval from the City Engineer.	Standard met
		With conditions $\Box$
		Standard not met $\ \square$
		N/A
		See findings below $\Box$
Bicycle Parking, ADC 9.030(3)(d)	All required bicycle parking spaces for new multi-dwelling unit	Source:
	development, mixed-use development, offices, and institutional	Standard met
	development shall be sheltered. For all other uses, at least 50 percent of	With conditions $\Box$
	required bicycle parking spaces must be sheltered, including 50 percent of spaces sized for larger/cargo bicycles.	Standard not met $\ \square$
		N/A 🛛
		See findings below $\Box$
Bicycle Parking, ADC 9.030(3)(e)	Bicycle parking spaces and access dimensions must comply with the standards in Table 9.030-2, except that at least 25 percent of bicycle parking spaces must be 3 feet wide by 8 feet long, with a 5-foot-wide access aisle and on the ground to accommodate cargo bicycles, including family and cargo bicycles.	Source:
		Standard met
		With conditions $\Box$
		Standard not met $\ \square$
		N/A 🛛
		See findings below $\Box$
Bicycle Parking, ADC 9.030(3)(f)	Bicycle parking spaces must be served by access aisles conforming to the	Source:
	minimum dimensions set forth in Table 9.030-2. These areas must be	Standard met 🛛
	constructed of concrete, asphalt, or a pervious hard surface such as	With conditions $\Box$
	pavers, or an equivalent.	Standard not met $\Box$

		N/A 🛛 See findings below			
Bicycle Parking, ADC 9.030(3)(g)	Each bicycle parking space must have a parking rack securely fastened to the ground except for vertical tipped spaces. Bicycle parking racks must support each bicycle at a minimum of two points.	Source: Standard met With conditions Standard not met N/A See findings below			
Supplemental Findings					
6.1: The proposed alteration to the existing site circulation does not result in a new building or alteration to the existing bicycle parking.					
Conditions					
None					

Carpool/Vanpool Spaces	Summary Description*	Checklist
Carpool/Vanpool Spaces, ADC 9.035(1)	When parking is provided, at least one standard-sized parking space shall	Source:
	be reserved for carpool/vanpool parking, or ten percent of employee-use	Standard met
	parking spaces provided, whichever is greater.	With conditions $\Box$
		Standard not met
		N/A
		See findings below $\Box$
Carpool/Vanpool Spaces, ADC	Preferential carpool/vanpool parking spaces must be closer to the	Source:
9.035(2)	employee entrance of the building than other parking spaces, except for	Standard met
	ADA accessible parking spaces.	With conditions $\Box$
		Standard not met $\ \square$
		N/A
		See findings below $\Box$
Carpool/Vanpool Spaces, ADC	Required carpool/vanpool spaces must be clearly marked "Reserved -	Source:
9.035(3)	Carpool/Vanpool Only."	Standard met
		With conditions $\Box$
		Standard not met $\Box$
		N/A
		See findings below $\Box$
Accessible Spaces, ADC 9.040	Spaces compliant with the Americans with Disabilities Act (ADA) must be	Source:
	provided in accordance with ORS 477.233 when off-street parking is	Standard met
	provided.	With conditions $\Box$
		Standard not met $\ \square$
		N/A
		See findings below $\Box$
Supplemental Findings		•
· · · · ·	ment consists of site access and circulation. The proposed alterations will not	create additional parking stal
· · ·		
Conditions		
None		

Electric Vehicle Charging	Summary Description*	Checklist	
Electric Vehicle Charging	Electrical service capacity sufficient for a level 2 electric vehicle charging	Source:	
Capacity, ADC 9.050	station must be provided for no less than 20 percent of all new vehicle	Standard met	
	parking spaces for non-residential developments and no less than 40	With conditions	
	percent of all vehicle parking spaces serving newly constructed residential buildings with five or more multi-dwelling units.	Standard not met	
	buildings with five of more matti-dwelling units.	N/A	$\boxtimes$
		See findings below	/ 🗆

Electric Vehicle Charging Capacity, ADC 9.050(2)	Electric vehicle charging capacity must be provided for 40 percent of ADA spaces in residential and mixed-use developments with five or more units, and 25 percent of ADA and Carpool/Vanpool spaces in non-residential developments.	Source: Standard met With conditions Standard not met N/A
Electric Vehicle Charging Capacity, ADC 9.050(3)	When charging facilities are provided for accessible spaces, charging facilities must be located so there is a clear and accessible path from the vehicle to the sidewalk and shall be accessible in height.	See findings below Source: Standard met With conditions Standard not met N/A See findings below
Supplemental Findings		
6.3: The proposed minor develop not create additional parking stall	ment consisting of site access and circulation does not add any parking stalls s.	. The proposed alterations wi
Conditions		
None		

Loading Standards	Summary Description*	Checklist
Loading Standards, ADC	Loading spaces are required for all uses in the berth shall not protrude into	Source:
9.060(1)	a public right-of-way or sidewalk. Loading berths shall be located so that	Standard met
	vehicles are not required to back or maneuver in a public street	With conditions $\Box$
		Standard not met $\ \square$
		N/A
		See findings below $\Box$
Loading Standards, ADC	A school having a capacity greater than 25 students shall have a driveway	Source:
9.060(2)	designed for the continuous forward flow of passenger vehicles for the	Standard met
	purpose of loading and unloading children.	With conditions $\Box$
		Standard not met 🛛
		N/A
		See findings below $\Box$
Loading Standards, ADC	The minimum required loading area is as follows: (a) 250 square feet for	Source:
9.060(3)	buildings of 10,000 to 20,000 square feet of gross floor area; (b) 500 square	Standard met
	feet for buildings of 20,000 to 50,000 square feet of gross floor area; (c)	With conditions $\Box$
	750 square feet for buildings greater than 50,000 square feet of gross floor area.	Standard not met $\ \square$
	died.	N/A
		See findings below $\Box$
Loading Standards, ADC	The required loading area shall not be less than 10 feet wide by 25 feet	Source:
9.060(4)	long and shall have an unobstructed height of 14 feet.	Standard met
		With conditions $\Box$
		Standard not met $\ \square$
		N/A 🛛
		See findings below $\Box$
Loading Standards, ADC	Required loading facilities shall be installed prior to final building	Source:
9.060(5)	inspection and shall be permanently maintained as a condition of use.	Standard met
		With conditions $\Box$
		Standard not met $\ \square$
		N/A
		See findings below $\Box$
Loading Standards, ADC	Loading areas shall be subject to the same provisions as parking areas	Source:
9.060(6)	relative to plan information, setbacks, buffering/screening requirements,	Standard met
	and lighting.	With conditions $\Box$
		Standard not met $\ \square$
		N/A

		See findings below $\Box$
Supplemental Findings		
6.4: The applicant proposes alterations to site site.	e access and circulation. The proposa	al does not include alterations to the existing loading areas on
Conditions		
None.		

Parking Area	Summary Description*	Checklist
Improvement Standards		
Parking Area Improvement	All public or private parking areas, loading areas and outdoor vehicle sales	Source:
Standards, ADC 9.100	areas must be improved based on the standards. When the total surface	Standard met
	parking area for the development site exceeds 10,890 square feet, parking	With conditions $\Box$
	area improvements must comply with the standards in Section 9.135.	Standard not met $\ \square$
		N/A 🛛
		See findings below $\Box$
Other Requirements, ADC	All parking areas shall conform to the setback, clear vision, landscaping,	Source:
9.100(2)	and buffering/screening provisions of this Code.	Standard met
		With conditions $\Box$
		Standard not met
		N/A 🛛
		See findings below
Surfacing, ADC 9.100(3)	All required parking, travel aisles, and access, shall have a durable, dust-	Source:
54.146.1.B, / 12 C 51200(0)	free surface of asphalt, cement concrete, or other materials approved by	Standard met
	the Director.	With conditions
		Standard not met $\Box$
	All partice late much provide a during a proton to diagona of the much	See findings below
Drainage, ADC 9.100(4)	All parking lots must provide a drainage system to dispose of the runoff generated by the impervious surface. Provisions shall be made for the on-	Source:
	generated by the impervious surface. Provisions shall be made for the on- site collection of drainage water to eliminate sheet flow of such water. All drainage systems must be approved by the Director of Public Works.	Standard met
		With conditions
		Standard not met
		N/A
		See findings below 🗌
Perimeter Curb, ADC 9.100(5)	Perimeter curbing is required for protection of landscaped areas and	Source:
	pedestrian walkways, and to prevent runoff onto adjacent properties.	Standard met
		With conditions $\Box$
		Standard not met $\ \square$
		N/A 🛛
		See findings below $\Box$
Wheel Bumper, ADC 9.100(6)	All parking stalls fronting a sidewalk, alleyway, street or property line, shall	Source:
	provide a secured wheel bumper at least six inches high and at least six	Standard met
	feet long, set back from the front of the stall at least 2-1/2 feet, but no	With conditions
	more than three feet. If the sidewalk is widened to seven feet six inches,	Standard not met
	no wheel bumpers are required.	N/A
		See findings below
Turnaround, ADC 9.100(7)	Groups of more than two parking spaces must be located and served by an	Source:
	aisle or turnaround so that their use will require no backing movements or	Standard met
	other maneuvering in a street right-of-way other than an alley.	With conditions $\Box$
		Standard not met
		N/A 🛛
		See findings below
Striping, ADC 9.100(8)	Lots containing more than two parking spaces must have all required	Source:
	spaces permanently and clearly striped. Stripes must be at least four inches wide. When motorcycle parking, compact, or parking spaces for the	Standard met
	disabled are provided, they shall be designated within the stall.	With conditions
	also and provided, they shall be designated within the stall.	Standard not met 🛛

		N/A
		See findings below 🗌
Connecting to Adjacent Parking	Where an existing or proposed parking area is adjacent to a site within the	Source:
Areas, ADC 9.100(9)	same zoning district, any modifications to the parking areas must be	Standard met
	designed to connect to the existing or future adjacent parking area, unless	With conditions
	waived by the Director.	Standard not met $\Box$
		,
De directed a state de series ADC	Deal free the shall the trademond second free to the standards free	See findings below
Parking Lot Landscaping, ADC 9.100(10)	Parking lots shall be landscaped according to the standards in Section 9.150.	Source:
9.100(10)	Section 9.150.	Standard met
		With conditions
		Standard not met 🛛
		N/A 🛛
		See findings below $\Box$
Compact Car Parking, ADC	No more than 40 percent of parking spaces provided may be designated	Source:
9.100(11)	for compact cars. Compact spaces must be signed and/or the space	Standard met
	painted with the words "Compact Car Only."	With conditions $\Box$
		Standard not met
		N/A
		See findings below
Parking Accessible to the	All parking areas must provide accessible parking spaces in conformance	Source:
Disabled, ADC 9.100(12)	with the Oregon Structural Specialty Code.	Standard met
21305120,7122 51100(12)		
		With conditions
		Standard not met
		N/A
		See findings below 🗌
Lighting, ADC 9.100(13)	Any lights provided to illuminate any public or private parking area or vehicle sales area must be arranged to reflect the light away from any abutting or adjacent properties.	Source:
		Standard met
		With conditions $\Box$
		Standard not met
		N/A
		See findings below 🗌
Pedestrian Access, ADC	Walkways and accessways shall be provided in all new off-street parking	Source: Attachment B
9.100(14)	lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings.	Standard met
		With conditions
		Standard not mot
		Standard not met
		N/A
		N/A □ See findings below ⊠
	The Director may approve the use of gravel surfacing for parking above the	N/A See findings below Source:
	The Director may approve the use of gravel surfacing for parking above the maximum parking requirements intended for occasional needs.	N/A  See findings below  Source: Standard met
		N/A See findings below Source:
		N/A  See findings below  Source: Standard met
		N/A □ See findings below ⊠ Source: Standard met □ With conditions □
		N/A □ See findings below ⊠ Source: Standard met □ With conditions □ Standard not met □
ADC 9.110		N/A □ See findings below ⊠ Source: Standard met □ With conditions □ Standard not met □ N/A ⊠
ADC 9.110 Conversion of Off-Street	maximum parking requirements intended for occasional needs.	N/A     □       See findings below     ⊠       Source:     □       Standard met     □       With conditions     □       Standard not met     □       N/A     ⊠       See findings below     □
ADC 9.110 Conversion of Off-Street	maximum parking requirements intended for occasional needs.         When new development, including expansions to existing structures,	N/A       □         See findings below       ⊠         Source:       Standard met         With conditions       □         Standard not met       □         N/A       ⊠         See findings below       □         Source: Attachment B       Standard met
ADC 9.110 Conversion of Off-Street	maximum parking requirements intended for occasional needs.         When new development, including expansions to existing structures, results in the conversion or elimination of existing off-street surface parking areas for a use other than bicycle-oriented and transit-oriented facilities, all existing parking areas that are physically impacted by the	N/A       □         See findings below       ⊠         Source:       Standard met         With conditions       □         Standard not met       □         N/A       ⊠         See findings below       □         Source: Attachment B       Standard met         Standard met       ⊠         With conditions       □
Occasional Overflow Parking, ADC 9.110 Conversion of Off-Street Parking, ADC 9.115)	maximum parking requirements intended for occasional needs.         When new development, including expansions to existing structures, results in the conversion or elimination of existing off-street surface parking areas for a use other than bicycle-oriented and transit-oriented	N/A       □         See findings below       ⊠         Source:       Standard met         With conditions       □         Standard not met       □         N/A       ⊠         See findings below       □         Source: Attachment B       Standard met         Standard met       ⊠         With conditions       □         Standard met       ⊠         With conditions       □         Standard not met       □
ADC 9.110 Conversion of Off-Street	maximum parking requirements intended for occasional needs.         When new development, including expansions to existing structures, results in the conversion or elimination of existing off-street surface parking areas for a use other than bicycle-oriented and transit-oriented facilities, all existing parking areas that are physically impacted by the	N/A       □         See findings below       ⊠         Source:       Standard met         With conditions       □         Standard not met       □         N/A       ⊠         See findings below       □         Source: Attachment B       Standard met         Standard met       ⊠         With conditions       □

6.6: The proposed circulation and access alterations will maintain the existing pedestrian access and include an additional pedestrian access located at the eastern vehicle access to the site.

6.7: The subject property contains a large existing non-conforming parking lot. The applicant proposes to alter the existing parking lot by reducing the number of parking stalls to accommodate for travel aisles serving the existing development. ADC 9.115(1) clarifies "physically impacted by development" shall include the removal of surfacing, surface striping, or landscaping in association with the new development. Restriping of existing parking with no change to layout and internal remodels or changes to use to an existing approved development that do not extend a structure or associated facility into the existing parking are exempt from this standard. The applicant does not propose to extend a structure or facility into the existing parking area; therefore, the existing parking lot is not required to be improved to the current standards in Article 9.

#### Conditions

None

Parking Lot Design & Circulation	Summary Description*	Checklist
Off-Street Parking Lot Design & Circulation, ADC 9.120(1)	All off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with the standards in this Article and the City standards for parking stalls and drive aisles as set forth in Table 9.120-1: Parking Lot Design and supplemental drawings in Figures 1 and 2.	Source: Standard met With conditions Standard not met N/A See findings below
Driveways and Drive Aisles, ADC 9.120(2)	<i>Driveways</i> are major travel routes through a site that provide access to and from surrounding streets and connections through the site to buildings and parking lot drive aisles. <i>Drive aisles</i> primarily provide vehicular access to bordering parking spaces. See Figure 9.120-1.	Source: Attachment B Standard met With conditions Standard not met N/A See findings below
Internal Circulation System, ADC 9.120(3)	Interior driveways shall meet the standards in (a) – (g) unless the driveway is lined with angled or perpendicular parking stalls. Developments must provide street-like design and features along driveways including curbs, pedestrian facilities, and buildings built up to pedestrian facilities.	Source: Attachment B Standard met With conditions Standard not met N/A See findings below
Minimum Driveway and Drive Aisle Widths, ADC 9.120(4)	Driveways for two-way traffic and emergency vehicle operations must be at least 24 feet wide. One-way driveways and one-way emergency vehicle access must be at least 20 feet wide. Drive aisle dimensions must comply with the standards in Table 9.120-1.	Source: Attachment B Standard met With conditions Standard not met N/A See findings below
Parking Lot Design, ADC 9.120(5)	Parking stall and aisle dimensions must comply with Table 9.120-1. Stall dimensions are measured from inside the stripes. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall include 20 feet of storage length.	Source: Attachment B Standard met With conditions Standard not met N/A See findings below
Compact Spaces, ADC 9.120(6)	Shall be at least 8 feet wide by 16 feet long.	Source: Standard met With conditions Standard not met N/A See findings below
Accessible Spaces, ADC 9.120(7)	Accessible spaces shall be a minimum of 9 feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent access aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and six feet wide for a standard accessible space.	Source: Standard met With conditions Standard not met N/A See findings below
Stall Width, ADC 9.120(8)	Long-term parking spaces must be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands must be at least 9.5 feet wide. Stall dimensions are measured from inside the stripes.	Source: Standard met With conditions Standard not met N/A See findings below
Supplemental Findings	er the existing site access and circulation. The location of existing driveways	
site plan review. The existing	g driveways have and will continue to have raised curbs and landscaping. The at the eastern driveway. The existing and proposed pedestrian facilities are	proposed alteration will provide

and sidewalk(s) with crossings at the intersections demarcated by striping. As a condition of approval, prior to the final building inspection, a 5-foot-wide sidewalk from Queen Avenue to the front access shall be constructed at the easternmost driveway.

#### Conditions

Condition 1: Prior to the Certificate of Occupancy, a 5-foot-wide sidewalk from Queen Avenue to the front access shall be constructed at the easternmost driveway.

Surface Parking Areas	Summary Description*	Checklist
Standards		
Surface Parking Areas, ADC 9.130(1)	Standards apply to new or improved surface parking areas of more than	Source:
	0.25 acres (10,890 square feet), when existing parking areas are enlarged	Standard met
	to more than 10,890 square feet, and when re-construction of a surface	With conditions $\Box$
	parking area of more than 0.25 acres is proposed.	Standard not met $\ \square$
		N/A 🛛
		See findings below $\Box$
Surface Parking Areas, ADC	Compliance with at least one of the following options in (a) – (c).	Source:
9.130(2)		Standard met
		With conditions $\Box$
		Standard not met
		N/A
		See findings below $\Box$
Surface Parking Areas, ADC	Trees must be provided along all driveways but are not required along	Source:
9.130(3)	drive aisles. Trees shall be at least 10 feet tall at the time of planting.	Standard met
		With conditions
		Standard not met
		N/A 🛛
		See findings below 🗌
Surface Parking Areas, ADC	Development of a tree canopy plan under this section shall be done in	Source:
9.130(4)	coordination with the local electric utility and other utility providers,	Standard met
	including pre-design, design, building and maintenance phases and meet the standards in (a) – (e).	With conditions
		Standard not met
		N/A 🛛
		See findings below
Surface Parking Areas, ADC	Parking lots shall be designed to separate pedestrians from vehicles and include protected pedestrian walkways from parking areas to building entrances.	Source:
9.130(5)		Standard met
		With conditions
		Standard not met
		N/A 🛛
		See findings below
Surface Parking Areas, ADC	Parking lots with 75 or more spaces must comply with additional standards	Source:
9.130(6)	to ensure pedestrian safety and to improve vehicle circulation and reduce	Standard met
	visual impacts of large expanses of pavement.	With conditions
		Standard not met
		N/A
		See findings below
Supplemental Findings		
<u> </u>	urfaced parking areas. The proposed alterations to site access and circulation	will not increase the amount
Conditions None		

Connectivity	Summary Description*	Checklist
Street, Bicycle and Pedestrian	Pedestrian and bicycle connections shall be provided in the following	Source:
Connectivity, ADC 9.133(4)	locations: (a) Between an existing or planned transit stop and new	Standard met

	development that is at, or within, 200 feet of the existing or planned transit stop; (b) Between the building's main entrance(s) and the nearest sidewalk abutting the site or roadway where there is no sidewalk; (c) Between the development site and abutting properties.	With conditions   Image: Constraint of the second
Major Transit Stops, ADC 9.133(5)	Sites at major transit stops shall provide the items listed in (a) – (f).	Source: Standard met With conditions Standard not met N/A See findings below
Supplemental Findings		
6.10: The proposed alterations are	e to the site's access and circulation. There is no new proposed development.	
Conditions		
None		

Non-Residential Landscaping	Summary Description*	Checklist
Landscaping Required – Non- Residential, ADC 9.140(2)	All required front and interior setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued.	Source: Attachment B Standard met With conditions Standard not met N/A See findings below
Supplemental Findings	·	•
which stipulated that landso	d not provide a detailed landscaping plan. The subject property has an issued aping was required. As a condition of approval, the required landscaping must with ADC 1.190 prior to Certificate of Occupancy.	
Conditions		
Condition 2: All required landsca Occupancy.	ping must be installed or have landscaping guaranteed in accordance with A	DC 9.190 prior to Certificate of

Parking Lot Landscaping	Summary Description*	Checklist
Planter Bays, ADC 9.150(1)	Parking areas shall be divided into bays of not more than 12 parking	Source: Attachment B
	spaces. At both ends of each parking bay, there shall be curbed planters at	Standard met 🛛 🖂
	least six feet wide, excluding the curb.	With conditions
		Standard not met $\ \square$
		N/A
		See findings below 🛛
Entryway Landscaping, ADC	Both sides of a parking lot entrance shall be bordered by a minimum five-	Source: Attachment B
9.150(2)	foot-wide landscape planter strip meeting the same landscaping	Standard met 🛛 🖂
	provisions as planter bays, except that no sight-obscuring trees or shrubs	With conditions
	are permitted.	Standard not met $\ \square$
		N/A
		See findings below $\Box$
Parking Space Buffers, ADC	Parking areas shall be separated from the exterior wall of a structure by	Source: Attachment B
9.150(3)	pedestrian walkways or loading areas or by a five-foot strip of landscaping	Standard met 🛛 🖂
	materials.	With conditions $\Box$
		Standard not met $\ \square$
		N/A
		See findings below $\Box$
Stormwater Collection System,	Vegetated post-construction stormwater quality facilities shall be	Source:
ADC 9.150(4)	considered as the initial stormwater collection system.	Standard met $\Box$

	Standard not met 🛛
	N/A
	See findings below $\Box$
Required landscaped areas adjacent to graveled areas must be protected,	Source: Attachment B
	Standard met 🛛 🗌
by large boulders, or by another acceptable means of protection.	With conditions
	Standard not met 🛛
	N/A
	See findings below $\Box$
All parking areas (excluding entranceways) adjacent to a public street shall	Source:
	Standard met 🛛 🗌
The landscape plan shall be prepared by a licensed landscape architect.	With conditions $\Box$
	Standard not met 🛛
	N/A
	See findings below $\Box$
All required landscaped areas must be provided with an irrigation system	Source: Attachment B
	Standard met 🛛 🖾
	With conditions 🛛 🖾
plants do not require imgation.	Standard not met 🛛
	N/A
	See findings below $\Box$
ite circulation will convert existing parking stalls into a two-way travel aisle w a detailed landscaping plan with the application materials. As a condition of a through ADC 9.190 prior to the Certificate of Occupancy.	
a	either by railroad ties secured by rebar driven 18 inches into the ground, by large boulders, or by another acceptable means of protection. All parking areas (excluding entranceways) adjacent to a public street shall be screened according to one of the following options in (a) through (d). The landscape plan shall be prepared by a licensed landscape architect. All required landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman submits written verification that the proposed plants do not require irrigation.

6.13: The existing parking lot contains the required landscape plater strip at the entrance of the parking lot. The existing entryway landscaping has been removed for the construction of a fence. As a condition of approval, all required landscaping must be installed or assured through ADC 9.190 prior to the Certificate of Occupancy.

6.14: A detailed landscaping plan with irrigation plans were not included in the application submittals. As a condition of approval, the applicant shall either install an irrigation system or submit a letter form a qualified landscape professional stating that irrigation is not required per ADC 9.165 prior to the Certificate of Occupancy.

#### Conditions

Condition 3: The applicant shall either install an irrigation system or submit a letter from a qualified landscape professional stating that irrigation is not required per ADC 9.165 prior to the Certificate of Occupancy.

Tree Felling Standards	Summary Description*	Checklist
Tree Felling, ADC 9.205(1)	The Director or his/her designee shall approve a Site Plan Review for tree felling when the applicant demonstrates that the felling of the tree(s) is warranted because of the condition of the tree(s) with respect to disease, hazardous or unsafe conditions, danger of falling, proximity to existing structures or proposed construction, or interference with utility services or pedestrian or vehicular safety.	Source: Standard met With conditions Standard not met N/A See findings below
Tree Felling, ADC 9.205(2)	For property where a Site Plan Review, Conditional Use, or land division application has been approved or is currently under review for development of the property, the Director or his/her designee shall approve Site Plan Review for tree felling when the applicant demonstrates that all of the review criteria in (a) – (d) are met.	Source: Standard met With conditions Standard not met N/A See findings below
Tree Felling, ADC 9.205(3)	For property where tree felling is proposed and there is no approved or concurrent Site Plan Review, Conditional Use, or land division application for development of the property, the Director or his/her designee shall approve a Site Plan Review application for tree felling when the applicant demonstrates that all the review criteria in subsection (2) above are met, and the additional criteria in (a) – (g) are met.	Source: Standard met With conditions Standard not met N/A See findings below

Clear & Objective Criteria for	For property where a building permit, Site Plan Review, subdivision, or	Source:	
Tree Felling Associated with	partition application has been approved or is currently under review for	Standard met	
Housing, ADC 9.206	the development of housing on a property, the applicant proposing the felling of trees may choose to meet the criteria in Section 9.206 rather than	With conditions	
	the criteria in Section 9.205.	Standard not met	
		N/A	$\boxtimes$
		See findings below	

Buffering & Screening Standards	Summary Descriptio	n*	Checklist
Buffering, ADC 9.240	The buffer area shall meet	Source: Attachment B	
			Standard met 🛛 🖂
			With conditions $\square$
			Standard not met
			N/A
			See findings below 🗵
Screening, ADC 9.250	Where screening is require	ed or provided, these standards apply in a	ddition Source:
	to conditions (1) and (3) or	f ADC 9.240.	Standard met
			With conditions $\Box$
			Standard not met
			N/A
			See findings below 🗌
Screening of Refuse Containers,	Standards apply to all d	evelopments except for refuse contain	ners or Source:
ADC 9.255	disposal areas serving four	Standard met	
		With conditions $\Box$	
			Standard not met $\Box$
			N/A
			See findings below 🗌
Buffer and Screening Matrix,	□ 0′	Buffer Only 🛛	Source:
Table 9.210-1	□ 5′	Buffer & Screening	Standard met
	⊠ 10′		With conditions $\Box$
	□ 20′		Standard not met $\Box$
	□ 30′		N/A
	□ 40′		See findings below 🗌
Supplemental Findings	1		

6.15: The subject property abuts Queen Avenue a minor arterial right-of-way and is required to provide 10 feet of buffering to be located within the front setback. As a condition of approval, all landscaping must be installed prior to the Certificate of Occupancy.

#### Conditions

See Condition #2 above.

Fence & Wall Standards	Summary Description*	Checklist
Fence and Wall Standards in	Fences shall be no taller than 4 feet in required front setbacks. Properties	Source:
Residential, MUR and MUC	listed on the National Register of Historic Places may have front yard	Standard met
zones, ADC 9.380(1)	fences taller than 4 feet if the fence is appropriate to the building style and	With conditions $\Box$
	scale and is approved by the Landmarks Commission.	Standard not met
		N/A
		See findings below $\Box$
Fence and Wall Standards on	Corner properties, which by definition have two front yards, may have a	Source:
Corner Lots in Residential, MUR and MUC zones, ADC 9.380(2)	fence no taller than 6 feet in the front yard adjacent to the street that does not contain the main door entrance when the fence does not extend in front of the building and one of the conditions in (a) – (d) is met.	Standard met
		With conditions $\Box$
		Standard not met $\ \square$
		N/A
		See findings below $\Box$
Fence and Wall Standards for	Fences in a residential zone in Article 3 or in the MUR or MUC zone may	Source:
Interior Setbacks in Residential,	have fences up to six feet tall in the interior setbacks except that a single-	Standard met

MUR and MUC zones, ADC	dwelling use or zone that shares an interior property line with a multiple-	With conditions
9.380(3)	dwelling unit, commercial or industrial use or zone may have a fence up to	Standard not met $\Box$
	eight feet tall along the property line.	
		N/A
		See findings below
Fence and Wall Standards in	Fences shall be no taller than 6 feet in required front setbacks. 6-foot	Source: Attachment B
Commercial, Industrial, ES, LE, MS, PB, and TD zones, ADC	permitted in the front cathack	Standard met
9.380(4)		With conditions
5.500(1)		Standard not met $\Box$
		N/A
		See findings below $\Box$
Fence and Wall Standards in HD,	Fences shall be no taller than 4 feet within 10 feet of a front lot line unless	Source:
DMU, CB, and WF zones, ADC	allowed under (a)-(c). Barbed wire on top of fences is not permitted within	Standard met
9.380(5)	10 feet of a front lot line.	With conditions $\Box$
		Standard not met 🛛
		N/A 🛛
		See findings below 🗌
Standards for All Fences, ADC	🗆 Over 8 feet	Source: Attachment B
9.380(6)-(10)	🛛 Clear Vision Area verified	Standard met 🛛 🖂
	⊠ Fence height verified	With conditions $\Box$
	⊠ Setbacks verified	Standard not met
	☑ Property line verified	N/A 🗆
		See findings below
Screening Standards, ADC	In order to be "sight-obscuring," fences and walls must be at least 75	Source:
9.385(1)-(2)	percent opaque when viewed from any angle at a point 25 feet away from	Standard met
	the fence or wall. Hedges must be an evergreen species that will meet the	With conditions
	standards year-round within two years of planting. Fences and walls will	Standard not met
	be a minimum of 6 feet tall. Hedges will be of a species capable of attaining	N/A
	a height of at least six feet within two years of planting.	See findings below $\Box$
Supplemental Findings		
	ns an existing perimeter fence located within the front setback and along the	e interior setback of the subject
	is less than 6 feet, does not contain barbed wire or any other material that v	
Conditions		
None.		

Environmental Standards	Summary Description*	Checklist
Environmental Standards –	The City noise standards are stated in Albany Municipal Code Title 7, Public	Source:
Noise, ADC 9.440(1)-(5)	Peace, Morals and Safety. Oregon Administrative Rules (OAR) 340-035- 0035, Noise Control Regulations for Industry and Commerce, is adopted	Standard met 🛛
		With conditions $\Box$
	here in its entirety, and as may be subsequently amended by the State of Oregon.	Standard not met 🛛
		N/A 🛛
		See findings below $\Box$
Environmental Standards –	Within the mixed-use, commercial, IP and WF zoning districts, there shall	Source:
Visible Emissions, ADC 9.450	be no use, operation, or activity that results in a stack or other point source emission, other than an emission from space heating, or the emission of pure uncombined water (steam) that is visible from a property line.	Standard met
		With conditions $\Box$
		Standard not met 🛛
		N/A 🛛
		See findings below $\Box$
Environmental Standards –	Direct discharge of stormwater and process waste from the operation of	Source:
Water Quality, ADC 9.455	industries shall comply with the water quality standards adopted by the	Standard met
	City of Albany, DEQ and as authorized by a National Pollutant Discharge Elimination System (NPDES) Permit.	With conditions $\Box$
		Standard not met 🛛
		N/A 🖂
		See findings below $\Box$

Environmental Standards –	Continuous, frequent, or repetitive vibrations that exceed 0.002g peak	Source:
Vibration, ADC 9.460	may not be produced. Vibrations from temporary construction and	Standard met
	vehicles that leave the site (such as trucks, trains, or aircraft) are exempt;	With conditions $\Box$
	vibrations lasting less than five minutes per day are also exempt.	Standard not met
	Vibrations from primarily on-site vehicles and equipment are not exempt.	N/A
		See findings below
Environmental Standards –	Continuous, frequent, or repetitive odors or the emission of odorous gases	Source:
Odors, ADC 9.470	or other matter in such quantities as to be readily detectable at any point	Standard met
	beyond the property line of the use creating the odors is prohibited.	With conditions
		Standard not met
		N/A 🛛
		See findings below
Environmental Standards –	No direct- or sky-reflected glare in excess of 0.5-foot candles of light,	Source:
Glare and Heat, ADC 9.480	whether from floodlights or from high-temperature processes such as	Standard met
	combustion or welding or otherwise, visible at the lot line shall be	With conditions $\Box$
	permitted. There shall be no emission or transmission of heat or heated	Standard not met
	air so as to be discernible at the lot line of the source.	N/A 🖂
		See findings below
Environmental Standards –	All materials including wastes shall be stored and all grounds shall be	Source:
Insects and Rodents, ADC 9.490	incosts or redonts or crosts a health hazard	Standard met
		With conditions $\Box$
		Standard not met
		N/A
		See findings below $\Box$
Environmental Standards –	Hazardous wastes are subject to the regulations of Oregon Administrative	Source:
Hazardous Waste, ADC 9.500	Rules (OAR) 340.100-110, Hazardous Waste Management.	Standard met
		With conditions $\Box$
		Standard not met
		N/A
		See findings below $\Box$
Supplemental Findings		
	is an alteration of site access and circulation. The proposed development wil	l not have any environmental
Conditions		

\*This staff report checklist is a guide only. Refer to the Albany Development Code for the full text of standards.

### **CRITERION 7 – PUBLIC FACILITIES AND UTILITIES IN ACCORDANCE WITH ARTICLE 12**

Utility	Diameter Size	Location	Checklist
Sanitary Sewer	8-Inch	Clay Street	Source:
-			Standard met
			With conditions
			Standard not met
			N/A 🛛
			See findings below
			Connection Charge
			Connection Required
			System Development
Water	12-inch	Queen Avenue SE	Source:
			Standard met
			With conditions
			Standard not met
			N/A 🛛
			See findings below
			Connection Charge
			Connection Required
			System Development

Storm Drainage	Private	Discharges to Periwinkle	Source:	
	Thrace	Creek	Standard met	
		Creek	With conditions	
			Standard not met	
			Connection Charge	
			Connection Required	
			Onsite Detention	
			SWQ Facility	
			System Development	
			N/A	$\boxtimes$
			See findings below	
Supplemental Findings				
7.1: The proposed development wi	Il have no impact on the public sanit	tary sewer and/or water systems.		
Conditions				
None				

### **CRITERION 8 – TRANSPORTATION IMPROVEMENTS IN ACCORDANCE WITH ARTICLE 12**

Street Name or Alley	Classification		Frontage Condition		Supplemental Findings	
Queen Avenue SE	Principal Arterial		Meet City Standards	$\boxtimes$	8.1 The subject property has	
	Minor Arterial	$\boxtimes$	Not Improved		three existing driveway	
	Major Collector		Curb and Gutter		connections to Queen	
	Minor Collector		Sidewalk		Avenue.	
	Local		Vehicle Lane			
	Alley		Bicycle Lane			
			On-Street Parking			
Geary Street SE	Principal Arterial		Meet City Standards	$\boxtimes$	8.2 The subject property	
	Minor Arterial	$\boxtimes$	Not Improved		abuts Geary Street SE but	
	Major Collector		Curb and Gutter		does not have or proposes	
	Minor Collector		Sidewalk		to have a driveway	
	Local		Vehicle Lane		connection to Geary Street.	
	Alley		Bicycle Lane			
			On-Street Parking			
	Principal Arterial		Meet City Standards			
	Minor Arterial		Not Improved			
	Major Collector		Curb and Gutter			
	Minor Collector		Sidewalk			
	Local		Vehicle Lane			
	Alley		Bicycle Lane			
			On-Street Parking			
Supplemental Findings						
8.3: ADC 12.060 requires that al standards.	l streets within the a	djacent new o	development be improved	to city	Traffic Impact AnalysisImpact AnalysisTrip Generation ReportImpact Analysis	
8.4: The site has frontage along both Queen Avenue and Geary Street. Both are classified as minor arterial streets and are improved to city standards along the frontage of the site.					Capacity/Congestion	
8.5: The proposed development will not change the existing use on the site or alter the building area. As a result, no additional vehicle trips or associated impacts to the transportation system are anticipated.					PM Peak Hr. Trips See findings at left 🛛 🖾	
8.6: Access to the site is provided by three driveways to Queen Avenue. The size and location of the driveway will not be altered with this development.						
8.7: The site's west driveway will remain fully open with no modification of allowable movements.						
-	8.8: The site's middle driveway will be limited to egress only movements and will have an electric gate installed approximately 24 feet behind the back of the sidewalk. Because the driveway will be					

limited to exiting movements, a "Exit Only – Do Not Enter" sign is needed along Queen Avenue to help keep entering drivers from attempting to use approach.	
8.9: The site's east driveway will allow for both ingress and egress movements. An electric gate will be installed approximately 41 feet behind the back of sidewalk. The distance between the gate and sidewalk will help prevent entering vehicles stopped to operate the gate from blocking the sidewalk.	
8.10: The development is not projected to generate additional vehicle trips or result in related impacts to the transportation system.	
Conditions	
Condition 4: The applicant shall install a "Exit Only – Do Not Enter" sign at the site's middle driveway to Qu	een Avenue.

### **CRITERION 9 – STORMWATER QUALITY FACILITIES CONSISTENT WITH AMC TITLE 12**

Supplemental Findings	
9.1: See findings under Site Plan Review Criterion Seven (above) related to	Site Larger than 1 Acre
stormwater quality standards in response to this review criterion.	> 8,100 sf Impervious Surface $\Box$
	SWQ Permit Req'd.
	N/A
	See findings at left
Conditions	
None	

#### **CRITERION 10 – PRIOR LAND USE CONDITIONS**

Prior Land Use Cases ⊠	Not Applicable	
List Most Recent to Oldest: CP-04-22; ZC-06-22; PA-09-22; SP-23-22; ZC-01-19; CP-01-19; SP-24-99		
Outstanding Conditions: None.		

#### **CRITERION 11 – NONCONFORMING SITES IN ACCORDANCE WITH ADC 2.330**

Supplemental Findings 11.1 The subject property contains nonconforming development of an existing	Nonconforming Development	$\boxtimes$
parking lot that exceeds the maximum provided off-street parking. The	Nonconforming Lot	
applicant proposes to decrease the among of provided off-street parking,	Nonconforming Use	
which will make the subject property more conforming.	N/A	
11.2 Any further development may require a Nonconforming Development review.	See findings at left	$\boxtimes$
Conditions		
None.		

# Analysis of Development Code Criteria

Section 2.455 of the ADC includes the following review criteria applicable to non-residential development, which must be met for this application to be approved. Development code criteria are written in bold followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

# CRITERION 1 – TRANSPORTATION SYSTEM CAN SAFELY AND ADEQUATELY ACCOMMODATE THE PROPOSED DEVELOPMENT

#### Findings

1.1: Transportation findings and conclusion under Site Plan Review Criterion Eight (above) are incorporated here by reference.

#### Conditions

None.

# CRITERION 2 – PARKING AREAS AND ENTRANCE-EXIT POINTS ARE DESIGNED TO FACILITATE TRAFFIC AND PEDESTRIAN SAFETY AND AVOID CONGESTION

#### Findings

- 2.1: The subject property has three existing driveways from Queen Avenue SE. No new driveways are proposed in this review. The easternmost driveway is designed to accommodate two-way traffic. The middle driveway had been designed to accommodate two-way traffic but will be restricted to exit only access. The third, westernmost access driveway is not altered through this review and will remain as a two-way access.
- 2.2: The applicant proposes access to two of the existing driveways via a gate accessible by keypad. The location of the easternmost access gate is 41 feet from Queen Avenue SE, which is long enough to accommodate most passenger vehicles and small moving trucks.
- 2.3: Pedestrian access is provided from the building to Queen Avenue via an existing sidewalk to the east of the middle driveway. The applicant proposes to provide a secondary pedestrian access between Queen Avenue and the existing building along the western side of the easternmost driveway.

#### Conditions

None.

## CRITERION 3 – DESIGN AND OPERATING CHARACTERISTICS OF THE PROPOSED DEVELOPMENT ARE REASONABLY COMPATIBLE WITH SURROUNDING DEVELOPMENT AND LAND USES, AND ANY NEGATIVE IMPACTS HAVE BEEN SUFFICIENTLY MINIMIZED.

#### Findings

3.1: The submitted Site Plan Review is for the alteration of site access and circulation. The site contains a 41,000-square-foot commercial building. The subject property is located within the Community Commercial (CC) zoning district, which allows commercial uses.

#### Conditions

None

# **Overall Conclusion**

As proposed and conditioned, the application for Site Plan Review satisfies all applicable review criteria as outlined in this report.

#### Conditions of Approval

- *Condition 1* Prior to the final building inspection, a 5-foot-wide sidewalk from Queen Avenue to the front access shall be constructed at the easternmost driveway.
- *Condition 2* All required landscaping must be installed or have landscaping guaranteed in accordance with ADC 9.190 prior to Certificate of Occupancy.
- *Condition 3* The applicant shall either install an irrigation system or submit a letter from a qualified landscape professional stating that irrigation is not required per ADC 9.165 prior to the Certificate of Occupancy.
- *Condition 4* The applicant shall install a "Exit Only Do Not Enter" sign at the site's middle driveway to Queen Avenue.

#### Attachments

- A. Location Map
- B. Site Map

C. Applicant's Narrative

#### Acronyms

ADC	Albany Development Code
ADT	Average Daily Trip
AMC	Albany Municipal Code
CC	Community Commercial Zoning District
FEMA	Federal Emergency Management Administration
FIRM	Flood Insurance Rate Map
ITE	Institute of Transportation Engineers
SFHA	Special Flood Hazard Area
TIA	Traffic Impact Analysis
TSP	Transportation Systems Plan

# Information for the Applicant

Please read the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or Development Code regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

#### Planning

- 1. Land use approval does not constitute Building or Public Works permit approvals.
- 2. Construction of the development must substantially conform to the approved Site Plan Review.
- 3. This proposal must be initiated within three years of the date of this letter of approval.

#### Building

The Building Division within Community Development has provided the following comments:

- 4. The proposed project may require permits that will need to be applied for at <a href="https://www.cityofalbany.net/permits">www.cityofalbany.net/permits</a>. For questions about permitting requirements, please email <a href="https://cityofalbany.net">cd.cutyofalbany.net/permits</a>.
- 5. The proposed design has not been reviewed for code compliance with the Oregon Building Code and the design will need to meet the applicable Oregon Building Code requirement in effect at time of application.

#### Engineering

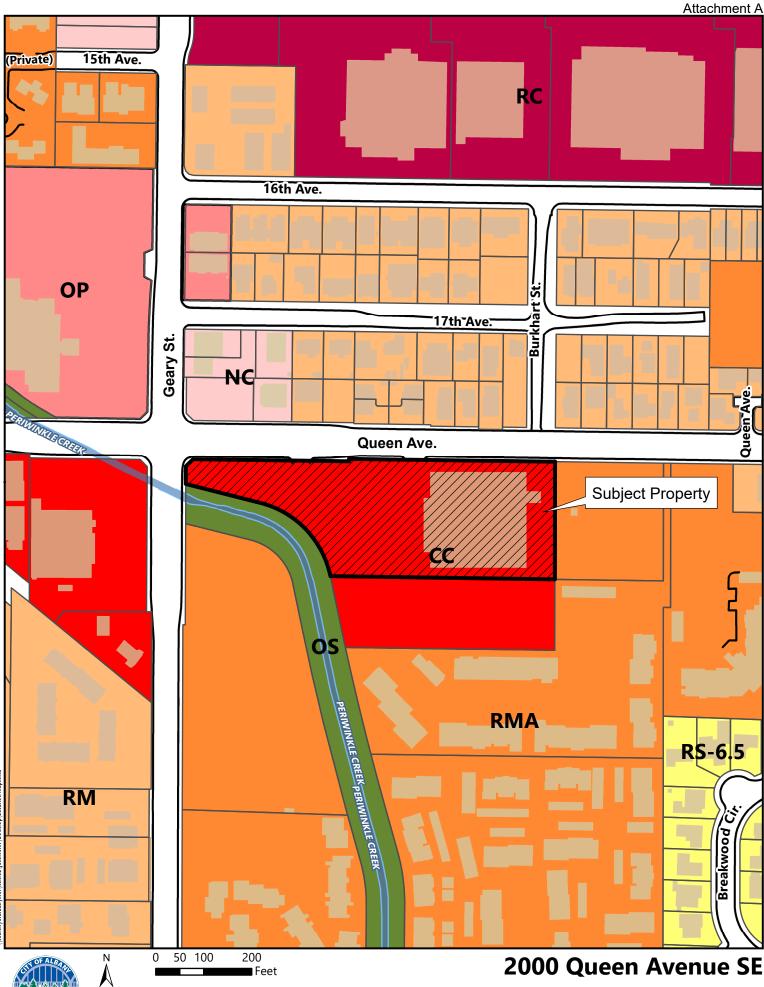
- 6. The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.
- 7. An erosion prevention and sediment control (EPSC) permit shall be obtained for land-disturbing activities affecting an area of 2,000 square feet or greater, cumulatively (AMC 12.40.030)

#### Fire

The fire department has reviewed the above project for conformance to the 2022 Oregon Fire Code (OFC) per your request and has the following comments.

- 8. Gates securing access to the private fire apparatus access roads required for this project shall comply with all of the following criteria (OFC D103.5):
  - a. The minimum gate width shall be 20 feet.
  - b. Gates shall be of the swinging or sliding type.
  - c. Construction of gates shall be of materials that allow manual operation by one person.
  - d. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
  - e. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
  - f. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of a key box containing the key(s) to the lock is installed at the gate location.
  - g. Locking device specifications shall be submitted for approval by the fire code official.
  - h. Electric gate operators, where provided, shall be listed in accordance with UL 325.
  - i. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F 2200.

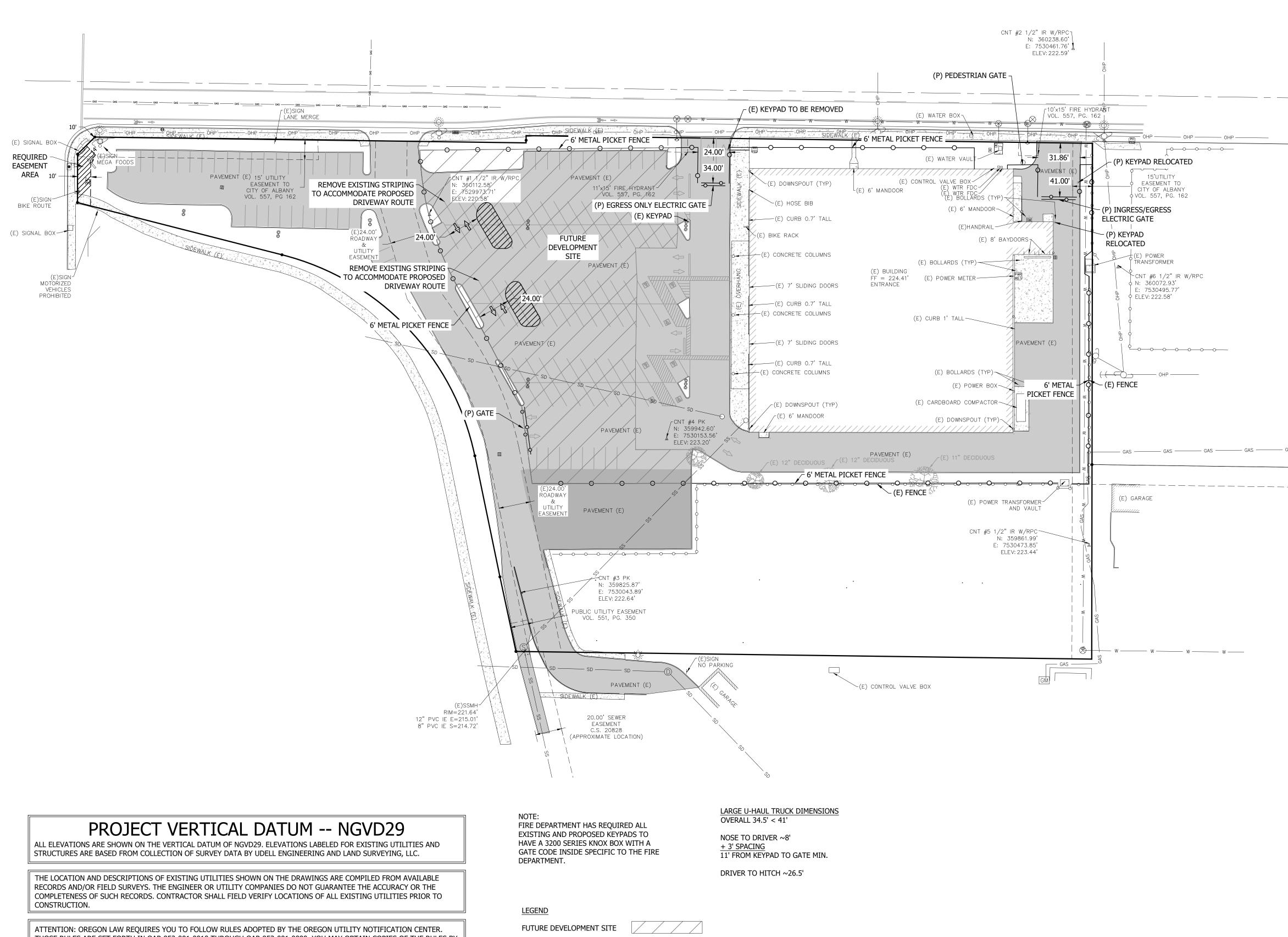
At each electric gate, provide a 3200 series Knox Box. We will place a code specific for the fire department inside.



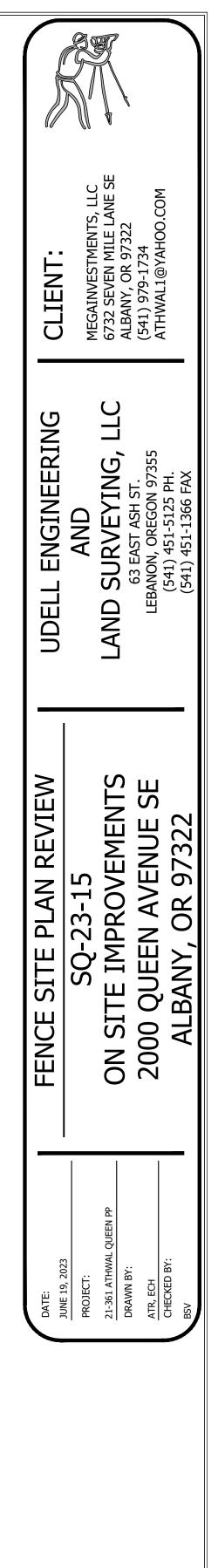
Location Map

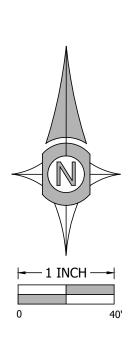
Date: 1/2/2024 Map Source: City of Albany

coa.cityofalbany.net\home\$\jenniferc1\Desktop\Location Map.mxd



THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER AT (503) 232-1987.





PLAN REVISIONS	DATE

Sheet	C100

SCALE: SEE BARSCALE

# SITE PLAN REVIEW APPLICATION

Submitted to:	City of Albany Planning Division P.O. Box 490 Albany, Oregon 97321-0144 (541) 917-7550 <u>cd.customerservice@cityofalbany.net</u>		
Applicants/Property Owners:	Mega Investments, LLC, and Lal Sidhu 6732 Seven Mile Lane SE, Albany, OR 97322		
	Contact: Email: Phone:		Sona Athwal athwal1@yahoo.com (530) 682-2100
Applicant's Representative:	Udell Engineering and Land Surveying, LLC 63 E. Ash Street Lebanon, OR 97355		
	Contact: Email: Phone:		Laura LaRoque <u>laura@udelleng.com</u> (541) 990-8661
Site Location:	Unassigr	ned	
Map/Tax Lot:	11S-03W-08CD; Tax Lot 211		
Site Size:	±3.30-acres		
Existing Land Use:	Improved		
Zone Designation:	Community Commercial (CC)		
Comprehensive Plan Designation:	Commercial - General		
Surrounding Zoning:	North: Residential Medium Density (RM) South: Residential Medium Density Attached (RMA) East: Residential Medium Density Attached (RMA) West: Open Space (OS) / RMA		
Surrounding Uses:	North: Commercial and Residential (north of Queen Ave.) South: Residential Multiple Dwelling East: Utility / Residential Multiple Dwelling West: Periwinkle Creek / Multiple Family Dwelling		



#### I. Executive Summary

The proposal is an application Site Plan Review – Minor Development to construct a fence and electronic gates with associated changes to site circulation at 2000 Queen Avenue SE. The subject site is Parcel 1 of an approved tentative partition plat and is 3.30-acres in size and located in the Community Commercial (CC) zoning district.

The following criteria are addressed in this report: Site Plan Review criteria contained in Albany Development Code (ADC) 2.450. These criteria must be satisfied to grant approval for this application.

#### Analysis of Development Code Criteria

Section 2.450 of the ADC includes the following review criteria, which must be met for this application to be approved. Development code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Criterion 1

#### The application is complete in accordance with the applicable requirements.

Findings of Fact and Conclusions

- 1.1 The application includes the submittal requirements outlined in ADC 1.160(1) and will therefore, be deem complete in accordance ADC 1.160, upon the submittal date.
- 1.2 This criterion is met without conditions.

#### Criterion 2

The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.

#### Findings of Fact and Conclusions

- 2.1 The proposal is to construct a fence and electronic gates with associated changes to site circulation; therefore, provisions related to lot dimensions, density, lot coverage, and building height are not appliable to this request.
- 2.2 Fence standards are found in Sections 9.360 9.380 of the ADC. Findings pertaining to these provisions are below under Criterion 6 and incorporated herein by reference.

#### Criterion 3

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

#### Findings of Fact

3.1 <u>Article 4: Airport Approach district</u>. According to Figure 4.410-1 of the ADC, the subject property is located within the Horizontal Area and Conical Area of the Airport Approach



Overlay Zone. The maximum height in the CC zoning district is 50 feet, well under the maximum height for both the Horizontal and Conical Areas.

- 3.2 <u>Article 6: Significant Natural Vegetation and Wildlife Habitat</u>. Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat, does not show any areas of vegetation or wildlife habitat on the property.
- 3.3 <u>Article 6: Riparian Corridor</u>: Comprehensive Plan Plate 6: Natural Vegetation and Wildlife Habitat, shows Periwinkle Creek along the west property line with a riparian corridor overlay district extending 50 feet upland from the Ordinary High-Water mark, measured horizontally. As shown on the site plan, no development is proposed within the riparian corridor overlay.
- 3.4 <u>Article 6: Floodplains</u>. *Comprehensive Plan Plate 5: Floodplains*, does not show a 100-year floodplain on this property. FEMA/FIRM Community Panel No. 41043C0214H and 41043C0527G, dated September 29, 2010, shows this property is in Zone X, an area determined to be outside the Special Flood Hazard Area.
- 3.5 <u>Article 6: Wetlands</u>. *Comprehensive Plan Plate 6: Wetland Sites,* does not show any wetlands on the subject property; and the National Wetlands Inventory does not show any wetlands on the property.
- 3.6 <u>Article 6: Topography.</u> *Comprehensive Plan, Plate 7: Slopes,* does not show any steep slopes on this property.
- 3.7 <u>Article 7: Historic and Archaeological Resources</u>. *Comprehensive Plan, Plate 9: Historic Districts,* shows the property is not located in a historic district. There are no known archaeological sites on the property.

#### Conclusions

**3.1** The proposed development is located within the Airport Approach special purpose district but will not exceed the maximum height standard of the zone. A Riparian Corridor Overlay exists on the southwest side of the property. No development is proposed in this area.

#### Criterion 4

#### The application complies with all applicable Design Standards of Article 8.

Findings of Fact and Conclusions

4.1 The design standards of Article 8 are not applicable to Site Plan Review applications for changes to site circulation and/or fence. Therefore, this criterion is not applicable.

#### Criterion 5

#### The application complies with all applicable Design Standards of Article 10

Findings of Fact and Conclusion

5.1 Article 10 pertains to manufactured homes, manufactured home parks, and RV parks. These uses do not pertain to the proposal. Therefore, this criterion is not applicable.



#### Criterion 6

# The application complies with all applicable On-Site Development and Environmental Standards of Article 9.

Findings of Fact

- 6.1 Article 9 of the ADC includes provisions pertaining to off-street parking and loading, landscaping, tree protection, buffering and screening, fences, and environmental standards.
- 6.2 The off-street parking and loading, landscaping, buffering and screen, and environment standards were reviewed in association with the previous land use approvals and/or building permits and are not applicable to this request.
- 6.3 Tree removal is not proposed in association with this request; therefore, the tree protection provisions are not applicable.
- 6.4 Fence standards are found in Sections 9.360 9.380 of the ADC.
  - a. ADC 9.360 states that the fence standards are intended to promote the positive aspects of fences and to limit the negative ones. The proposed fence is to secure the site and decrease vandalism that has increased in frequency as of late.
  - b. ADC 9.370 states that fences shall not be constructed of or contain any material that will do bodily harm, such as electric or barbed wire, broken glass, spikes, or any other hazardous or dangerous materials. The proposed fence is a 6-foot-tall metal fence, which complies with this standard.
  - c. ADC 9.380(4) states that fences within Commercial zoning districts must not be taller than 6 feet in required front setbacks. 6-foot fences containing barbed wire on top or fences taller than 6 feet are not permitted in the front setback. The proposed fence complies with these standards.
  - d. ADC 9.380(6) states that in no instance or zone shall a fence exceed eight feet (...). The proposed fence complies with this standard.
  - e. ADC 9.380(7) states that in no instance shall a fence extend beyond the property line. The proposed fence complies with this standard.
  - f. ADC 9.380(8) states that all fences shall meet the Clear Vision Area standards in Section 12.180. The proposed fence complies with these standards.
  - g. ADC 9.380(9) states that Measuring Fence Height. Fence height shall be measured from the average height of the grade adjacent to where the fence is to be located. If a fence is to be constructed on top of a berm, the height shall be measured from the bottom of the berm. Fence height includes the height of the fence, wall, or picket and does not include the posts, or arbors and trellises at entrance gates.
  - h. ADC 9.380(10) states that every fence, whether required or not, will be maintained. No fence is allowed to become or remain in a condition of disrepair including, but not



limited to noticeable leaning, missing slats, broken supports, and overgrowth of weeds or vines.

#### Conclusions

6.1 As proposed, all applicable Article 9 standards can be met.

#### Criterion 7

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

Findings of Fact and Conclusion

- 7.1 Article 12 of the ADC provides public improvement standards to address the City's concerns relative to public health, safety, and welfare as it relates to the management of public transportation systems and utilities.
- 7.2 The public improvement standards in Article 12 of the ADC were reviewed in association with the previous land use approvals and/or building permits and are not applicable to this request. Therefore, this criterion is not applicable.

Criterion 8

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

Findings of Fact and Conclusion

- 8.1 The project is located at 2000 Queen Avenue, south of the Queen Avenue SE right-of-way.
- 8.2 The subject property improved with an existing building, site, and utility improvements including pedestrian pathway and vehicle travel aisles.
- 8.3 The proposal to construct a fence and electronic gates to secure the site from acts of vandalism. Electronic gates are proposed to restricted access to/from Queen Avenue from the site's easternmost and middle ingresses/egresses. The westernmost ingress/egress will remain unrestricted.
- 8.4 Queen Avenue is classified as a minor arterial street and is improved to city standards along the frontage of the abutting site to the north. Improvements include curb, gutter, and sidewalk; a vehicle travel lane in each direction; center turn lane; and on street bike lanes.
- 8.5 ADC 12.100(2) allows 24-32 feet for two-lane driveways. The proposed width of the easternmost and middle ingresses/egresses is proposed to be two-lane and 24-foot-wide.
- 8.6 ADC 12.100(8) states driveways shall comply with applicable fire and building codes.

Section 506.1 of the Oregon Fire Code states that where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for



lifesaving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037 and shall contain keys to gain necessary access as required by the fire code official. At the Fire Marshal's request, a 3200 series Knox Box will be provided at each of the electronic gates.

Section 1104.1 of the Oregon Structural Specialty Code, at least one accessible route with the site shall be provided from public transportation stops, accessible parking, accessible passenger loading zones, and public streets or sidewalks to the accessible building entrances served. Other than in buildings or facilities containing or serving Type B units, an accessible route shall not be required between site arrival points and the building or facility entrance if the only means of access between them is vehicular way not providing for pedestrian access. Therefore, a pedestrian gate at the Geary Street right-of-way and main sidewalk of the main building (i.e., storage facility) will be provided.

8.7 Therefore, this criterion is met.

#### Criterion 9

The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.

Findings of Fact and Conclusion

9.1 The storm drainage standards in Article 12 of the ADC were reviewed in association with the previous land use approvals and/or building permits and are not applicable to this request. Therefore, this criterion is not applicable.

#### Criterion 10

# The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Findings of Fact and Conclusion

10.1 No unsatisfied conditions of approval from previous land use approvals are known to exist. Therefore, this criterion is met.

#### Criterion 11

Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370.

Findings of Fact and Conclusion

11.1 The site is not considered nonconforming; therefore, this criterion is not applicable.

#### II. Overall Conclusion

As proposed, the application for Site Plan Review satisfies all applicable review criteria as outlined in this report.



#### III. Attachments

A. Site Plan

