



NOTICE OF PUBLIC MEETING

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court room
Monday, June 9, 2008
4:00 p.m.

AGENDA

- 4:00 p.m. **CALL TO ORDER**
- 4:00 p.m. **ROLL CALL**
- 4:00 p.m. **BUSINESS FROM THE PUBLIC**
- 4:05 p.m. **AMC TITLE 18 COMPLIANCE REPORT** – Melanie Adams
Action Requested: Information.
- 4:15 p.m. **NINTH AVENUE PARKING REMOVAL REQUEST** – Ron Irish
Action Requested: Information; discussion; decision. **RES. NO.** _____
- 4:25 p.m. **REQUEST FOR ALTERNATE CONTRACTING METHOD AND EXEMPTION FROM COMPETITIVE BIDDING** – Peter Harr
Action Requested: Information; approval of contracting method; set public hearing for June 25, 2008.
- 4:35 p.m. **NEW SCHOOL ROADWAY DISCUSSION** – Mark Shepard
Action Requested: Information; discussion.
- 5:30 p.m. **3815 SPICER DRIVE PROPERTY ACQUISITION** – Jeff Blaine
Action Requested: Information; discussion; decision.
- 5:45 p.m. **COUNCILOR COMMENTS**
- 5:55 p.m. **CITY MANAGER REPORT**
1. Special work session on Monday, June 30, 2008, for discussion of electronic agenda packets and laptop computers for the City Council.
- 6:00 p.m. **ADJOURNMENT**

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If special accommodations to attend or participate in the meeting/hearing are needed, advance notice is requested by notifying the Human Resources Director at 917-7500.



TO: Albany City Council

VIA: Wes Hare, City Manager
Greg Byrne, Community Development Director *JB*

FROM: Melanie Adams, Interim Building Official *MA*

DATE: June 4, 2008, for the June 9, 2008, City Council Work Session

SUBJECT: AMC Title 18 Update

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods
• A Safe City
• An Effective Government

Action Requested:

None. Informational only.

Discussion:

Since last reporting to Council on February 11, 2008, Compliance staff has received 30 new complaints and has closed 39 cases. Overall, staff has worked toward resolution of 77 total cases during this reporting period. These numbers are a bit lower than in past reporting periods. One reason for this decrease in case volume is that staff is getting better at filtering cases that need to go to other departments for resolution or are civil matters and not within the jurisdiction of the City. The dismal weather this spring may also have played a role in the decrease; we suspect that we may see an upswing in complaint calls once the weather improves and people are spending more time outdoors. It's also important to note that the case volume data is not completely reflective of the overall workload being handled by Compliance staff, as all complaints dealing with signs in the right-of-way are addressed under one master case number. The temporary sign cases, alone, require at least 20 hours of staff time per week just to respond to weekly complaints.

A couple of highlights from the past few months:

- Inland Quick Freeze site
This future site of Edgewater Village had been covered in rubble and debris since a fire destroyed the old Inland industrial plant in May of 2006. After clean-up had been stalled for over a year and a half and the site had become an attractive nuisance for the community, Building staff issued a Notice and Order in January requiring that the property be cleaned up and secured. The property owners responded to the enforcement order quickly, and have made great progress with demolition and clean-up in recent months. The site now looks much cleaner, and most of the debris is in neat piles, waiting for removal and/or reuse.
- 550 Main St SE
For years, this site was the home of a flea market, housed under a cluster of fabric tent structures. The market never received approval from the City, either for the business or for the tent structures, and was in violation of multiple code provisions. Staff had attempted to work with the business owners in the past to help them bring their business into compliance, but they were unwilling to discuss possible solutions. With the new Title 18 tools, staff was able to encourage the property owner to clean up the site and have the tents removed.

New Construction cases with Development Code issues:

5th Ave SE, 404	Vinyl window installed in historic home without Landmarks Advisory Committee approval. Property owner removed vinyl window and re-installed original garage doors.	Status: Closed Active Dates: 03/21/08 - 03/26/08
Salmon Run SW, 1724	Received complaint about large patio cover being constructed without permits and too close to (or over) property line. Inspection revealed that structure was just under 200 sq ft and was 3 ft away from property marker. It appeared to be in violation because rafter ends had not yet been sawn, and they hung over neighbors fence. Structure plans included gutters and tie in to existing drainage system.	Status: Closed Active Dates: 04/16/08 - 04/16/08
Main St. SE, 550	Code squad referral of business being conducted on a permanent basis in temporary outdoor tents. Multiple Development Code violations. Letter sent. Property owner has cleaned up the property and removed the tents.	Status: Closed Active Dates: 05/01/07 - 03/04/08
5th Ave SE, 706	Erection of a fabric car cover in HM district. Temporary fabric structure would be allowed by planning without review in this case. Proposed cover is over 200 sq ft., but being a fabric membrane, no building permit is required for this project. No Violation.	Status: Closed Active Dates: 05/14/08 - 05/14/08
4th Ave SE, 807	Report of electrical service being installed in single family residence to create apartment. Records show apartment in use for at least 30 years. Requested opportunity to inspect site to verify no life safety problems. Performed site inspection and found 1 additional smoke detector should be installed in bedroom and that living room area was being used as a bedroom, which would require extensive renovation to meet egress requirements. According to property owner, apartment is HUD approved and according to their guidelines allows for 2 people per bedroom, plus 1 person. In contact with HUD regarding this matter.	Status: Open Active Dates: 01/03/08 - current
Fairmont Dr NE, 647	A large covered structure was being constructed without permits or proper setbacks. Issued owner Stop Work Order. Owner obtained permit and staff is working with him to meet building and planning requirements.	Status: Open Active Dates: 12/07/07 - current

Development Code cases:

Columbus St SE, 3107	Vehicles parked in front setback area presenting a clear vision issue. Letter sent to property owner requesting removal of vehicles. Vehicles removed on 2/4/08.	Status: Closed Active Dates: 01/22/08 - 02/07/08
Pacific Blvd SW, 3615	Number of signs on property in excess of that allowed by ADC. Owner given option to remove new billboard or to remove older freestanding sign. His tenant moved to a new location and took the freestanding sign with him. Property back in compliance.	Status: Closed Active Dates: 01/31/08 - 04/02/08
Three Lakes Rd SE, 2910	Heavy equipment auction scheduled to be held on a property zoned IP (Industrial Property), which is prohibited. Sent letter to property owner and auctioneer on 3/6/08 requesting the auction not be held at this location. Auction was not held.	Status: Closed Active Dates: 02/04/08 - 04/30/08
Pacific Blvd SE, 1001	Abandoned sign for Ant & Grasshopper Espresso. Letter sent to property owner requesting sign be removed by 4/30/08. Sign removed.	Status: Closed Active Dates: 03/05/08 - 05/15/08

Shortridge St SE, 4130	Complaint of newly constructed fence potentially exceeding height requirement. Performed site inspection. No violation.	Status: Closed Active Dates: 03/27/08 - 05/28/08
Santiam Hwy SE, 2272	Advertising sign installed near sidewalk without a permit. This type of sign was not allowed in this zoning. Owner applied for sign permit, removed non-compliant sign, and installed new, compliant signage.	Status: Closed Active Dates: 04/23/07 - 03/12/08
1st Ave SE, 520	Complaints of an abandoned building with overgrown grass causing clear vision concerns. Building appears to be secure and grass strip is overgrown but not a hazard. Neighbors will work with property owner to make sure mowing is kept up.	Status: Closed Active Dates: 05/13/08 - 05/21/08
Santiam Hwy SE, 2860	Alteration of lot with possible intent to store vehicles for resale. Upon further investigation, it was determined that the property owner converted grassy area to gravel to discourage vagrants from congregating/living on lot. Property owner does not intend to use lot for resale of cars.	Status: Closed Active Dates: 05/14/08 - 05/28/08
Clover Ridge Rd NE, 600	Complaints of builders damaging/filling in wetlands areas that were to be protected as conditions of approval for the development. There was a previous case at this development location regarding non-permitted tree cutting in a conservation easement. Public Works inspected the site and will communicate with the developer and Department of State Lands to address the issues there.	Status: Closed Active Dates: 05/16/08 - 05/21/08
Lyon St SE, 505	Neighboring business complained of a foul-smelling dumpster often overflowing onto street. Worked with apartment owner and manager to find refuse storage solution. Trash pickups were increased and apartment residents put in charge of keeping area neat. There have been no new complaints about the dumpster. Refuse management in the downtown area is being studied. At this time, dumpster will be allowed to remain on street if it and surrounding area are kept clean.	Status: Closed Active Dates: 08/06/07 - 05/23/08
19th Ave SE, 810	Unscreened apartment dumpster was overflowing, causing damage to fence and allowing litter to spread to neighboring properties. Owner of apartment complex erected a dumpster screen in a more appropriate part of the parking lot and increased trash pickup schedule.	Status: Closed Active Dates: 08/17/07 - 05/15/08
Montgomery St SE, 331	Large shrubs in clear vision area blocking driveway views. Sent letter to owner. Sent clear vision area info to complainant. Owner cut shrubs back. Sent letter to complainant to inform him that his shrubs must be clear of ROW as well.	Status: Closed Active Dates: 08/29/07 - 05/02/08
Pacific Blvd SE, 843	Advertising for continuing weekend garage sales and outdoor furniture sales on site of old gas station without permits or site plan review. Delivered letter. Business owner obtained temporary merchant license.	Status: Closed Active Dates: 11/20/07 - 03/25/08
Pacific Blvd SE, 843	Swimming pools placed at the site of an old gas station. Temporary merchant license obtained, expired on 2/11/08. Pools removed on 2/18/08.	Status: Closed Active Dates: 12/19/07 - 02/19/08
Broadalbin SW, 333	New sign case opened to deal with ongoing citywide sign code violations. Non-compliant signs are addressed as they are identified, letters are sent, phone calls made and if voluntary compliance is not achieved, the signs are confiscated.	Status: Open Active Dates: 01/02/08 - current

Highway 99E, 34685	Auto repair shop doing business without approval. Unapproved signs, outside storage, expired building permits, and Fire Department access issues. Owner removed some inoperable vehicles and erected fence to screen stored materials. Letter mailed to owner 5/16/08. Some signs have been removed. Permits to be obtained by 6/5/08.	Status: Open Active Dates: 01/17/07 - current
Pacific Blvd SE, 2780	Abandoned sign for Hereford Steer restaurant. Initial response from property owners indicated sign would be removed by 4/30/08. Sign has not been removed. Second letter sent on 5/30.	Status: Open Active Dates: 03/05/08 - current
7th Ave SE, 118	Community service and transitional housing programs reported to be operating out of a residence without "Conditional Use" approval. The current use is similar to an "Oxford House" and does not require conditional use approval. Because of concerns that other activities may start again, we are monitoring this case.	Status: Open Active Dates: 03/12/08 - current
Center St SE, 1340	Neighbor complained of a "used car lot" in neighborhood. During several site visits, between one and three vehicles with "For Sale" signs were observed in driveway or on road near house. Otherwise, the very neat and quiet property shows no clear signs of being used by a business not allowed as a home occupation. Sending friendly letter to owner outlining permitted home occupations. Will monitor.	Status: Open Active Dates: 03/24/08 - 5/28/08
Highway 20 NW, 2613	Business operating out of a house in an area zoned as residential, which does not comply with the Home Occupation standards. Additional investigation and documentation needed for case. Follow-up set for 6/11/2008.	Status: Open Active Dates: 03/27/08 - current
22nd Ave SE, 3303	Complaints about 2 outbuildings closer than 3 feet to property line and one structure butting up against neighbor's fence. The structures, all under 200 sq. ft., are not regulated by Building Code. Complainant revoked setback complaint. Will consult with Planning to see if we should pursue setback case.	Status: Open Active Dates: 03/28/08 - current
Hill St SE, 930	Business owner hung a very large banner advertising a sale on the frame of a warehouse without permits. Owner has been warned several times about posting signs without permits, so a citation was issued on 4/08/08. Owner is eligible for diversion. Will monitor and close once outcome is known.	Status: Open Active Dates: 04/03/08 - current
Ferry St SW, 3001	Very tall electric fence erected inside city limits without permits and in violation of ADC. State BCD is pursuing license violations. Business was ordered to keep fence separated from any power source. We are currently working towards permanent removal of the fence.	Status: Open Active Dates: 08/27/07 - current
Ravenwood Ct NW, 2000	Shed located in required interior setback area and not in compliance with fire life safety requirements. Performed re-inspection on 4/7/08, shed is now in compliance with interior setback requirements. However structure requires modifications to meet building code guidelines. Follow-up with property owner set for 6/11/08.	Status: Open Active Dates: 10/29/07 - current
Maple St SW, 1840	Two permanent signs advertising an out-of-town home-buying business are displayed in yard without permits. Owner claims they are real estate signs and refuses to remove them. Currently working with City Attorney regarding limitations of our enforcement.	Status: Open Active Dates: 11/15/07 - current

Maier Lane	Tree cutting occurred without site plan review; Stop Work Order issued. Site Plan Review submitted. Planning Commission denied application. Appeal to City Council was approved. Decision was appealed to LUBA. City Attorney's office is following up. Detectives are gathering evidence.	Status: Open Active Dates: 12/08/06 - current
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Dangerous Buildings, Structures, and Premises cases:

23rd Place SE, 3504	Water leak from upstairs bathroom dripping down onto kitchen counter contributing to possible mold and biohazard issues from grey/black water coming into contact with food prep areas. Landlord hired plumber to make needed repairs on 2/5/08.	Status: Closed Active Dates: 02/05/08 - 02/08/08
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Bernard Ave NE, 3476	Report of trailer being rented out without electricity and perhaps with no water. Appliances ripped out, lots of junk, possible fire hazard. This older manufactured home has now been cleaned up and water is back on.	Status: Closed Active Dates: 03/14/08 - 04/30/08
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Main St SE, 1905	House and garage reported in disrepair: windows boarded-up, garage appeared ready to fall down, yard filled with junk & trash and tall weeds. Inspected and learned that clean-up was done and house was advertised for rent.	Status: Closed Active Dates: 04/21/08 - 04/28/08
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2nd Ave SE, 904	Report of house abandoned and vacant over one year, bad roof, unsecured building, yard overgrown, many cats living there. Concerns that it is a fire hazard. Upon inspection, it did not appear to be a dangerous property, but grass, berry vines and weeds were getting quite tall. Discussed situation with complainant/neighbor, and he agreed to call us if yard is not cut by the middle of June as it may become a weed abatement issue.	Status: Closed Active Dates: 04/24/08 - 04/29/08
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Ermine St SE, 315	Reports of an abandoned house that is unsecured. Trespassers come and go through windows and under opened garage door. Junk and trash collecting on property. Rats have taken up residence on property. Case is currently under investigation by APD for junk and trash issue. Spoke to neighbors about reporting suspicious activity to APD. Insufficient evidence of violation.	Status: Closed Active Dates: 05/13/08 - 05/21/08
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Baker St SE, 532	Historic home damaged by fire in 1996 and never repaired. Notice and Order issued June 22, 2007. New owner has acquired the property and obtained structural, electrical, and plumbing permits in November and December 2007. Work has been progressing steadily and improvements are evident with each visit. Due to scale of work, it may be a while before final inspections are ordered. Continue to monitor.	Status: Open Active Dates: 02/01/07 - current
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6th Ave SE, 337	Complaints of dilapidated and filthy conditions in apartment including: no hot water, inadequate cold water, leaking pipes, "spongy" flooring near leaks, faulty electrical outlets, ill-fitting windows that allow weather in, holes/spaces in walls/floors that allow views into neighboring units, leaks along wall in bedroom, and mold in carpet and other flooring throughout unit which is reported to be the best-maintained in the building. We were not able to access the parts of the building with the most serious (alleged) deficiencies. Awaiting permission from current tenants to inspect or for an incident/new complaint that would justify obtaining an inspection warrant. Monitor case.	Status: Open Active Dates: 02/07/08 - current
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6th Ave SE, 338	Garage converted to apartment in historic district without permits or review. Complaints of inadequate and filthy conditions. Sending letter to request that owner obtain permits to convert apartment back into garage space.	Status: Open Active Dates: 02/08/08 - current
Shortridge St SE, 1250	Property owner living in shop; no sanitation; electrical hazards; expired permits; many junk items. Performed inspection; identified numerous dangerous conditions. Notice & Order issued 5/15/07. Financing by Code Squad allowed dumpsters of junk to be hauled away. Owner is continuing the clean-up of the property and is making progress.	Status: Open Active Dates: 02/13/07 - current
Thurston St SE, 2020	Contaminated drug lab property. Notice and Order posted on 8/9/06. Sampling complete. Work plan approved. Clean-up performed, but re-sampling revealed contamination is still present. Referral to City Attorney.	Status: Open Active Dates: 06/01/06 - current
Main St SE, 301	Multiple habitability/life safety violations reported by Fire Dept. Ownership of property changed, and new owner has rehabilitated all units. Most permits have received final inspection approval. On the two open permits, work is reported to have been completed and is awaiting scheduling of final inspections. Case will be closed after last inspection approval.	Status: Open Active Dates: 08/11/06 - current
Oak St SE, 2225	Burned out house has become attractive nuisance. N&O posted on 1/09/08. Owner cannot afford demo and cleanup and wants to turn house over to City. In May, it was learned that Linn County foreclosed on the property for owner's failure to pay taxes, but they may not record the deed until Fall of 2008. Until then, they have no legal access to the property to secure or clean even if issued a notice. Linn County will try to accelerate the process, but for the time being, we will pursue enforcement action against the owner of record.	Status: Open Active Dates: 10/01/07 - current
Madison St NE, 200	Demolition was incomplete after Inland Quick Freeze Fire. Fence that was securing site was damaged, fallen or missing in many areas. Complaints received regarding transients and children on property. N&O posted and we have been working with owners to get property secured and cleaned. Demolition is almost complete and site looks very good at this point. Will close case once demolition permits get final inspection approval.	Status: Open Active Dates: 11/13/07 - current

New Construction cases:

Jackson St SE, 1505	Code squad referral. New roof work and interior work performed without permits. Permits obtained. Received approved final inspections.	Status: Closed Active Dates: 01/05/07 - 04/01/08
Mount Vernon St SE, 2510	Addition of walls in garage. Conversion to create livable space. Tenant and property owner were unwilling to remove structure or obtain permits. Notice of Substandard or Nonconforming Condition attached to title of property on 4/24/08.	Status: Closed Active Dates: 01/24/08 - 05/07/08
Pine St SE, 321	Expired electrical permit without final inspection. Received final inspection approval on 5/27/08.	Status: Closed Active Dates: 01/29/08 - 05/28/08
Hill St SE, 3226	Plumbing work completed in bathroom without plumbing permit. Permit obtained. Received final inspection approval on 2/1/08.	Status: Closed Active Dates: 01/31/08 - 02/04/08

Ferguson Dr NW, 1640	Structure in backyard constructed without building permit. Building permit obtained. Work completed and final inspection and approval issued on 5/19/2008.	Status: Closed Active Dates: 03/05/08 - 05/28/08
36th Court SE, 516	Homeowner reported to be building covered structure over 200 sq. ft. without permit or adequate setbacks. After contacting owner and looking at plans, it was learned that building is under 200 sq. ft. and has adequate setbacks.	Status: Closed Active Dates: 03/14/08 - 04/16/08
3rd Ave SW, 225	Sidewalk canopy in extreme disrepair and a possible danger to passersby. Replacement project was slowed by special engineering requirements and a change of contractors, but new awning is now installed.	Status: Closed Active Dates: 03/16/07 - 05/16/08
David Ave NE, 3525/3519	Complaints of electrical system problems and electrical work (converting 2-wire system to 3-wire system) without permits. Other complaints include leaking windows, inadequate windows (some won't open, some won't lock, some are too small for egress), lack of heat to all bedrooms, and pests (insects and rodents). No proof of who did work and when. No imminently hazardous conditions present. Tenants moved out and house is listed for sale.	Status: Closed Active Dates: 03/21/08 - 05/02/08
Ermine St SE, 4369	Expired Plumbing permit. Work was completed and passed final inspection on 4/23/08.	Status: Closed Active Dates: 04/07/08 - 04/23/08
Waverly Dr SE, 2714	Large patio cover constructed without permit. Owner reduced square footage and removed exterior wall so that the space is not habitable. Approved by Building Inspector.	Status: Closed Active Dates: 05/29/07 - 02/12/08
22nd Ave SE, 2500	Home addition without permit. Stop work order issued. Permit obtained. Passed final inspection 2/8/08.	Status: Closed Active Dates: 09/06/07 - 02/08/08
Western St SE, 300 #39	Enclosure of porch to create living space without building permits. Corrections completed and verified at time of re-inspection on 3/26/08.	Status: Closed Active Dates: 10/24/07 - 04/23/08
6th Ave SE, 739	Train derailment caused structural damage to house. Inspection revealed several bedrooms in basement without egress windows, electrical and plumbing work without permits and with serious defects. Appropriate permits obtained; final inspection approval on all permits received as of 3/11/08.	Status: Closed Active Dates: 11/09/06 - 03/20/08
43rd Place SE, 2452	Expired residential electrical permit. Final inspection performed and approval received on 2/7/08.	Status: Closed Active Dates: 11/09/07 - 02/25/08
Geary St SE, 1320	Parking lot for store was repaved and an awning added without permits. Awning removed. Site plan application submitted for parking lot. Site plan approved. Corrections were made and parking lot was approved.	Status: Closed Active Dates: 12/09/06 - 02/15/08
6th Ave SE, 306	Expired residential electrical permit. Letter received from electrical contractor on 3/3/08 confirming no work was performed at this residence.	Status: Closed Active Dates: 12/23/07 - 03/04/08
Queen Ave SE, 2009	Enclosure of patio/porch to create living space without permits. First letter sent on 1/4/08, which was returned undeliverable. No available phone numbers to contact owner. Letter sent certified 3/21/08, addressed to occupant, returned unclaimed. Copy of letter to be posted on site.	Status: Open Active Dates: 01/03/08 - current

9th Ave SE, 919	Commercial remodeling work without permits. Stop Work Order issued on 1/4/08. Business owner applied for permits, but soon after was taken to court for eviction by building owner. Business owner is appealing FED. Monitoring case for outcome because although interior work passed inspection, there are ADA parking lot improvements required in connection with the remodeling.	Status: Open Active Dates: 01/03/08 - current
Oak Street SE, 2315	Room added without permits or owner approval. Working with owner to bring into compliance. This may be a slow process because owner is on Disability and her daughter has a very low income.	Status: Open Active Dates: 01/16/08 - current
Three Lakes Rd SE, 2151 #71	Newly placed MFH in park, occupied without final building inspection approval. Letter sent on 3/14/08 requesting set up and final inspections be performed. Received request from property owner for an extension. Allowed extension to 5/30/08. Follow-up set for 6/5/08.	Status: Open Active Dates: 02/04/08 - current
Three Lakes Rd SE, 2151 #94	Newly placed MFH in park, occupied without final building inspection approval. Property owner was not aware approval was required before home could be occupied. Progress is being made on items needed to pass final inspection. Follow-up scheduled for 6/4/08.	Status: Open Active Dates: 02/04/08 - current
Jackson St SE, 1630	Front porch remodel and electrical work without permits. Permits obtained. Work is ongoing. Monitor for completion.	Status: Open Active Dates: 02/07/07 - current
Water Ave NE, 1442	Expired electrical permit. Owner requested extension to coincide with building permit. Extension to 8/1/08 granted. Follow-up scheduled for 8/6/08.	Status: Open Active Dates: 03/05/08 - current
Montgomery St SE, 725	Abandoned sign for Skating Rink. Letter sent on 3/31/08 giving 30 days to remove sign. Site inspection on 5/14 reveals sign has not been removed and no one is present at this location. Attempting to locate alternate address for property owner.	Status: Open Active Dates: 04/11/08 - current
4th Ave SE, 1015	Garage converted to apartment with no permits. After repeated phone calls and certified letters to owners and property manager, permits have not been obtained and inspections have not been performed. Notice of Substandard or Nonconforming Condition was filed on 5/12/08.	Status: Open Active Dates: 05/01/06 - current
4th Ave SE, 704	Extensive interior remodel and exterior alterations to historic home. Application submitted to and approved by LAC. Building permits obtained. Exterior alterations performed do not conform to what was approved by LAC. House is for sale. Letter sent to owner 12/31/07. Owner has not met deadline to perform required alterations.	Status: Open Active Dates: 05/10/07 - current
12th Ave SW, 1141	New plumbing, electrical, mechanical, and structural work being done without permits. Permits were obtained, but due to shortage of funds, work progress is slow. Will monitor case and close when final inspections are approved.	Status: Open Active Dates: 06/25/07 - current
Washington St SW, 1210	Garage being built too close to property line, no permit. Owner received LAC approval for his HM district replacement garage because it was built in original footprint. Work is almost complete. Awaiting final inspection on structure.	Status: Open Active Dates: 07/02/07 - current
20th Ave SW, 520	Second story addition without permits. Appears to be structurally unsound. Owner came in to apply for permits and learned project requires engineering. Owner has very limited funds, does not live in house and is very hard to contact. Permit applications pending.	Status: Open Active Dates: 08/02/07 - current

Echo Springs Pl SE, 3388	Covered patio being converted to sunroom/living space without permits. Posted Stop Work Order. Homeowner applied for permits. This project requires engineering. Owner will take care of this as soon as funds allow. Until then, permit in pending status. Monitor case.	Status: Open Active Dates: 10/24/07 - current
4th Ave SE, 703	Construction of new exterior stairs on historic home without a building permit or historic review. Owner submitted applications and received approval. Corrections are necessary. Monitoring for completion of work. Reminder letter mailed 4/4/08.	Status: Open Active Dates: 11/29/06 - current
20th Ave SE, 2500	City Manager's office forwarded complaint of partially-constructed house. Project has been abandoned and was foreclosed upon. Construction debris has been cleaned up. Notice was recorded on title. New owner has obtained permits. Monitoring for final inspection.	Status: Open Active Dates: 11/30/06 - current



TO: Albany City Council

VIA: Wes Hare, City Manager
Diane Taniguchi-Dennis, P.E., Public Works Director *DSTD*

FROM: Mark Shepard, P.E., City Engineer *MWS*
Ron Irish, Transportation Systems Analyst *RI*

DATE: May 21, 2008, for the June 9, 2008, City Council Work Session

SUBJECT: Parking Removal on 9th Avenue

RELATES TO STRATEGIC PLAN THEME: ● A Safe City

Action Requested:

Staff recommends Council, by resolution, authorize the removal of 75 feet of on-street parking along the north side of 9th Avenue from the crosswalk at 615 9th Avenue east.

Discussion:

The Police Department has observed an increasing number of close calls at the crosswalk in front of the Helping Hands shelter at 615 9th Avenue. Sight distance at the crosswalk is somewhat limited by both parked cars and a curve in the eastbound off ramp from 99E onto 9th Avenue. Police Department staff have suggested that on-street parking be removed on the north side of 9th Avenue between the crosswalk and the off ramp. Public Works engineering staff agrees that a restriction in on-street parking would increase sight distance and improve safety at the crossing.

The crosswalk was installed in the summer of 2005 at the request of the shelter. The crosswalk is needed to accommodate the high number of pedestrian crossing movements between the shelter and the Hwy 99E/Hwy 20 couplet. The crosswalk is located just west of the bottom of a curved off-ramp from 99E down onto 9th Avenue. Upon receiving the initial crosswalk request, staff was concerned about the proximity of the proposed crosswalk to the curved highway off ramp. A meeting was held at the site with the manager of ODOT's Bicycle and Pedestrian Program, representatives from the shelter, and city staff. The general consensus reached at the end of the meeting was that the crosswalk should be marked at the location of greatest pedestrian demand to encourage pedestrian usage of the marked crossing and make the crossings more predictable for drivers. City and ODOT staff both supported a restriction in on-street parking between the crosswalk and the off ramp, but shelter representatives were concerned about the loss of parking. It was agreed that operation of the crosswalk would be closely monitored and if problems developed, the removal of parking would be considered. It now appears that those problems have in fact occurred and a parking restriction should be considered.

Budget Impact:

None.

RGI:kw
Attachment (3)

Irish, Ron

From: Hinrichs, Jeff
Sent: Monday, May 12, 2008 1:51 PM
To: Irish, Ron
Subject: FW: 9th Street

Hello Ron, What do you think of this situation? This has caused a few close calls. I like the idea but wanted your thoughts. Jeff.

From: McKnight, Robin
Sent: Friday, May 09, 2008 6:53 PM
To: Hinrichs, Jeff
Subject: 9th Street

Jeff,

I believe a have a potential for a fatality to occurred in front of Helping hands in the cross walk that was put there. The cross walk is on the eastside of the driveway entrance to Helping Hands and there is parking allowed east of the crosswalk on the north side of the street. There have been a few close calls in the past because of the long sharp turn off Pacific Blvd. onto 9th Street and the pedestrian walking into the street in the crosswalk are not seen until they come out from where the parked cars are.

My suggestion is that we paint the curb yellow east of the driveway entrance to Helping Hands yellow on the north side of the street and move the crosswalk to the west side of the driveway entrance to Helping Hands. This way the crosswalk is further from the curve and the view to see pedestrians is not blocked by parked vehicles. If you want go look at the situation and tell me what you think. Thank you.

Robin

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING ON-STREET PARKING RESTRICTIONS AT 615 9TH AVENUE.

WHEREAS, a crosswalk across 9th Avenue was installed in 2005 at the request of the Helping Hands Shelter at 615 9th Avenue; and

WHEREAS, the crosswalk is needed in order to provide a safe and predicable location for pedestrians to cross 9th Avenue between the shelter and the Highway 99E couplet; and

WHEREAS, conflicts and near misses between pedestrians and vehicles have been observed at the crossing due in large measure to sight distance problems; and

WHEREAS, the removal of parking on the north side of 9th Avenue just east of the crosswalk would improve the sight distance for both drivers and pedestrians and thereby improve the safety of the crossing for all users.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize a restriction of on-street parking on the north side of 9th Avenue from the crosswalk at 615 9th Avenue, a distance of 75 feet to the east.

DATED THIS 9th DAY OF JUNE 2008.

Mayor

ATTEST:

City Clerk



TO: Albany City Council

VIA: Wes Hare, City Manager
Diane Taniguchi-Dennis, P.E., Public Works Director *DSTD*

FROM: Mark W. Shepard, P.E., Assistant Public Works Director / City Engineer *MWS*
Peter Harr, P.E., Civil Engineer III *PH*

DATE: June 4, 2008, for the June 9, 2008, Council Work Session

SUBJECT: SS-07-04, North Albany Lift Station Project Status & Exemption From Competitive Bidding

RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Staff recommends that Council, acting as the Contract Review Board: 1) approve an exemption from competitive bidding and approve an alternate project contracting method for project SS-07-04, North Albany Lift Station; and 2) set a public hearing for June 25, 2008, to provide an opportunity for any interested party to speak to the written findings supporting the request and as outlined in OAR 137-049-0630.

Discussion:

Project Background

On April 9, 2007, staff presented Council an updated report concerning several wastewater pump station and collection system improvements, including a plan for the North Albany Lift Station (NA-LS). As part of the North Albany Lift Station, Council approved construction of a new force main to the Wastewater Treatment Plant, currently undergoing expansion. The goal of this new force main is to off-load a substantial amount of flow from the existing Riverfront Interceptor (RFI), thereby significantly reducing wet weather overflows. Reduction of these overflows is required to comply with Albany's Stipulated Final Order (SFO) entered into with the Oregon Department of Environmental Quality (DEQ). Improvements related to this Order have to be completed, and be operational, no later than December 31, 2009.

Recommendations

Due to the critical importance of this project and the need for its timely completion, staff recommends that the North Albany Lift Station Project, SS-07-04, be completed using an alternate contracting method known as Construction Management/General Contractor (CM/GC). This approach requires the Council, acting as the local Contract Review Board, to declare the project exempt from competitive bidding, in accordance with AMC 2.66.060 and ORS 279C.335. The City's intent is to select the CM/GC Contractor through a Request for Proposal (RFP) process as outlined in OAR 137-049-0600-0690.

The project is complex and requires both engineering and construction expertise to complete it successfully. The project involves the sole wastewater pump station serving the entire North Albany service area. There is virtually no storage capacity within the system, thus the lift station collection system must be kept operational during the entire construction period until the new pipeline is constructed.

The pipeline will be routed along the north side of the Willamette River, along one of several options as shown in the attached Figure 1. This general routing may require construction in busy

public roads, sensitive environmental areas, open agricultural areas, and will require sophisticated boring and/or directional drilling under the Willamette River.

CM/GC Concept

Though not based on the traditional design-bid-build method, the CM/GC approach is still based on a competitive selection process. Instead of strictly using a low price bid, the CM/GC is a method of project delivery in which a Contractor is selected based upon established, proven construction experience and also cost-based factors including subcontractor markup, overhead and profit factors. Once selected, the City would execute a single contract with one entity to provide construction management and general contracting services.

In addition, the selection of the CM/GC Contractor occurs before the design is completed. In this way, the CM/GC can participate in the final design effort and provide value engineering advice from a construction perspective that fosters cost-effective construction. Since the CM/GC contractor participates in the completion of the final design, it affords singular responsibility and also allows the contractor to provide a firm "guaranteed" price for all project work. This is achieved through early team building, value engineering and constructability review, thereby reducing design and construction time. All of this translates into cost savings, helps to meet City budgets, and reduces the City's administrative burden. Team building also helps to ensure that problems which may arise during construction will be resolved efficiently with minimal delay and cost.

The general contractor will be selected based on a competitive proposal process (RFP). Albany will consider the proposer's experience and capabilities; their proposed work plan; project management capabilities focused on leadership, communications and organization; and a project control plan focused on cost, schedule, safety, and quality control. Proposals will be solicited through advertising and directly from interested and qualified contractors. An Albany Evaluation Team will evaluate the proposals and will recommend approval to award to the contractor that best meets the RFP evaluation criteria.

CM/GC Advantages & Draft Written Findings

Provided below is a summary of the anticipated advantages and draft findings associated with the CM/GC project delivery process. These draft findings form the basis of final written findings to be presented at a subsequent City Council Meeting:

- **Public Benefit** - The public will benefit in two direct ways. The CM/GC procurement and construction method will allow the City to satisfy the existing agreement with Oregon DEQ and save the City from potential costly legal penalties for not meeting the DEQ agreement requirements. Being able to select a qualified and experienced contractor who can aid in making design decisions will improve the project quality and lower cost, and will reduce project risk regarding the SFO deadline.
- **Schedule – The City is required by DEQ Stipulated Order to eliminate sanitary sewer overflows by December 31, 2009.** Expeditiously selecting an experienced contractor and initiating construction activities in a timely way is critical for meeting the requirements of the Stipulated Order.
- **Value Engineering & Cost Savings** – The qualification-based proposal process and negotiated contract approach gives the contractor an increased opportunity to engage in value engineering, which increases the likelihood of cost savings to the City, as well as

provides quality improvements. The selected contractor will be brought on board immediately in the design process in order to assist with the construction scheduling, phasing, costing, quality assurance, and design constructability reviews.

The CM/GC contracting method has the potential for achieving significant cost savings by involving the contractor in the Design Phase of the project. Having the contractor available during this project phase affords early review that may result in construction cost savings, otherwise missed. It ensures constructability of the design and reduces the likelihood of costly change orders.

- **Specialized Expertise** – The project requires a contractor that has specialized expertise implementing trenchless pipeline technologies, in potentially constrained areas or roads, on a compressed schedule, while working around an active wastewater collection system with significant safety and security requirements. Several different highly specialized pipeline boring technologies will need to be used during construction. This mix of expertise cannot be adequately evaluated in a sealed bid process, but can be better evaluated through a negotiated RFP process. The proposed RFP process will allow the City to review the qualifications of each contractor's project manager and confirm his/her ability to fulfill their expected project responsibilities.
- **Technical/Planning Complexity** – Capable, professional planning will be crucial to achieve timely project completion. It is also critically important that the existing collection system continues to operate in a safe and cost-effective manner. The knowledge an experienced contractor will bring to the process will provide an opportunity for further innovation as to how best to execute the project. The work will require ongoing coordination with Wastewater Plant and Collection System operators, CH2M Hill, City of Albany staff, private property owners, and State regulators. The RFP process allows the City to consider the contractor's experience and expertise in this type of work, sensitivity to safety, legal, and operational issues, and the qualifications of its project manager and support team.
- **Public Safety** – Safety is important not only with regards to construction activities, but with regards to not disrupting the City's sanitary sewer system and causing a sewer overflow and a threat to human health. Disruption of the wastewater collection system and potentially the treatment plant itself could occur as a result of pipeline and lift station construction activities. The RFP process will allow the City to take contractor's safety records and safety programs into account.
- **Market Conditions** – Presently there is no shortage of work for waste and water treatment and pipeline contractors. As a result of pending deadlines for state- and federally-mandated water and wastewater treatment standards, qualified contractors are busy. The size of Albany's project is on the low dollar-volume end of jobs that experienced and qualified contractors seek. As a result, it is anticipated that construction costs for this project might be somewhat higher than they might under other market conditions.

No negative impact is expected as a result of the use of the recommended contractor selection process. It is expected that there will be an adequate number of Oregon-based competitors available to respond to the RFP. Even so, there are a limited number of firms capable of adequately meeting and coordinating the technologies and challenges associated with the project's force main construction. Selection of a contractor with the

necessary expertise to manage the technical complexities will be critical to overall project success.

Another benefit of the CM/GC method is that it avoids the cost in time and money in rebidding of a project, should bids come in higher than expected. Furthermore, by using the CM/GC method, construction costs are determined early on, and changes to the design and scope of the project necessary to meet the project budget are more easily achieved.

- **Unlikely to Encourage Favoritism or Substantially Diminish Competition** – The CM/GC is selected through a competitive selection process to provide both construction management and general contracting services. No reduction of competition is expected since the proposed process is open to the same contractors that would have participated in the traditional low bid method. Uniform evaluation criteria will be used in the selection of the CM/GC firm, and the construction work elements will be subcontracted and procured through open competitive bids managed by the CM/GC, but based on identified selection criteria.
- **Funding Sources** – The contract is expected to be funded by the City of Albany from Oregon DEQ State Revolving Fund Loan (SRF) proceeds. DEQ SRF loans require that the recipient follow state procurement procedures. This procedure outline herein adheres to the Oregon Revised Statutes, Chapters 279A & C.

Considering the above factors, use of the CM/GC alternative contracting method will provide the City with a much more secure and dependable path forward towards meeting the mandated completion schedule and the project's budgetary goals.

With concurrence of Council, staff will bring forward a Resolution with the findings necessary in accordance with City and State purchasing rules supporting this contracting methodology. Public notification of the intent to seek qualified contractors through a competitive process will be made and a public hearing will be provided to allow interested parties to comment on this project delivery approach.

Budget Impact:

Funding in support of this project is available from the Sewer Fund (615-50-2302).

PH:kw

Attachment: Figure 1

Figure 1
North Albany Pipeline
and Existing Lift
Station Improvements



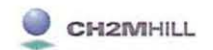
LEGEND

- Alternative 1 Segments
- Alternative 2 Segments
- - - Alternative 2 Options
- Railroad
- Existing Force Main
- River Front Interceptor
- Road
- Wetland
- Albany City Limit
- Park



0 400 800 1,200
 Feet

1 INCH EQUALS 800 FEET





TO: Albany City Council

VIA: Wes Hare, City Manager
Diane Taniguchi-Dennis, P.E., Public Works Director *DSTD*

FROM: Mark W. Shepard, P.E., Assistant Public Works Director / City Engineer *MWS*
Ron Irish, Transportation Systems Analyst *R.I.*

DATE: June 4, 2008, for the June 9, 2008, City Council Work Session

SUBJECT: Roadway Improvement Width for -
ST-08-04, Infrastructure Improvements – Somerset to School
ST-08-06, Infrastructure Improvements – School to Knox Butte Road

RELATES TO STRATEGIC PLAN THEME: ● Great neighborhoods

Action Requested:

Staff is bringing this issue forward for discussion at the direction of Council. Council has asked to discuss the proposed width of the new north/south roadway between Knox Butte Road and Somerset Drive. Some Council members have expressed a concern that the roadway width approved by the Planning Commission with the school's land use application is too narrow to accommodate the ultimate traffic volumes and demand. There was also some interest in widening the roadway to allow for on-street parking for use by the school as overflow during special events.

Background:

On August 20, 2007, the Planning Commission approved a conditional use application for construction of a new grade 3 through 8 school (see Exhibit A). The new school is located about 1,000 feet north of Knox Butte Road and will be on the east side of a new major collector street. The Commission, after discussing the information provided during the public hearing, approved the project subject to the street design conditions recommended by staff. The conditions included construction of the new collector street along the frontage of the school's site and south to Knox Butte Road. The required curb width of the street was 32-feet, intended to provide for 11-foot vehicle travel lanes and 5-foot bike lanes. No on-street parking was envisioned for the street, and the street's new intersection with Knox Butte Road was to be a roundabout.

The School District used the street requirements contained in the Notice of Decision to proceed with the preliminary design of the street and also as the basis for applications for wetland and storm water discharge permits required for construction of new school and road. The School District has now obtained the necessary permits, and they are based on a street improvement and storm water treatment design for a 32-foot wide street.

The Brandis owners dedicated all of the right-of-way required for street improvements based on the Planning Commission decision. The right-of-way width is 73-feet wide between Knox Butte Road and the school property. The right-of-way along the school property and north is 70-feet wide. This right-of-way width allows for the roadway improvements, 6-foot-setback sidewalks on both sides with bioswales between the curbs and sidewalks. The bioswale design requires a minimum of 12 feet of width between the sidewalk and the curb. It is anticipated that the School District's consultants will be available at the Work Session to provide additional design information if desired.

Questions Previously Raised by Council:

What is the classification of the new roadway?

The functional classification of the new road in Albany's TSP is "major collector."

What is the Development Code minimum width standard for a collector street, and does this street meet the minimum?

ADC 12.120 establishes a range of roadway widths for collector streets between 36 and 48-feet. The road width proposed for the new collector street is 32 feet. The Planning Commission, during their review of the school's land use application, discussed at some length the desirable width of the road as well as the width standards contained in ADC 12.120. In the end, the Commission concluded that a 32-foot-wide street was the preferable design for this situation. They also noted that by approving that design, they were in essence approving a variance for the project. Modification of the design standards contained in the Development Code standards is allowed subject to approval of a variance.

The roadway width standards in the Development Code were established in 1981. At that time, there was no requirement that collector streets include striped bike lanes. The minimum allowable width of 36 feet on collector streets was intended to provide for 8-foot, on-street parking along both sides, and unobstructed 10-foot vehicle travel lanes. Since the mid 1990's several two-lane arterial and collector streets with no parking and on-street bike lanes have been constructed in the City. Some were constructed by developers, and some were built by the City. They are listed below, and all have included roadway widths of less than 36 feet. Travel lane widths on those streets vary between 10.5 and 11 feet, and bike lane widths vary between 5 and 6 feet.

Street	Classification	Width
Marion Street	minor arterial	32-foot road width
Price Road	major collector	34-foot road width
Dogwood Avenue	major collector	34-foot road width
North Albany Road	major collector	33-foot road width
Clover Ridge Road	minor collector	34-foot road width
Lexington Street	minor collector	34-foot road width
21 st Avenue	minor collector	34-foot road width

Are the proposed vehicle and bike lane widths safe?

The current design is for 11-foot vehicle lanes and 5-foot bike lanes. Travel lane widths on the collector and arterial street systems in Albany vary between 10 feet and 12 feet in width. Design decisions concerning lane width are made on a case-by-case basis for any particular arterial or collector street. Factors considered when making a decision about lane widths include: volume and type of traffic; desired average speed; adjoining land uses; and available curb and right-of-way width.

There have been studies that correlate increased lane width with higher vehicle speeds. No correlation, however, has been found on urban streets between accident rate and lane width so long as travel lanes are at least 10 feet in width. In essence, for urban city streets, 12-foot travel

lanes are no safer than 10-foot travel lanes. That result is probably due in large measure to the lower vehicle speeds seen on the narrower travel lanes. A travel lane width of 11 feet is sufficient to accommodate passenger vehicle, bus, and truck traffic. School buses, for example, have a bumper width of 8 feet. When rear view mirrors are considered, the overall width of a school bus is 9.5 feet. Curb side bike lanes in Albany vary between 5 and 6 feet. Those widths fall within the design recommendations contained in the Oregon Bicycle and Pedestrian Plan.

A major factor in staff's decision to support a 32-foot street during the school's land use application was the assumption that, given the land uses proposed for the area, a 25 mph speed limit on the street was desirable. The roundabout at the south end of the street at Knox Butte Road will limit vehicle speeds at that location to between 15 and 20 mph. The school's frontage will be posted with a reduced school zone speed (20 mph, school days from 7:00 to 5:00). A benefit of a 32-foot street design is that it would help keep average vehicle speeds down to around 25 mph between the roundabout and the school. A wider street would lead to increased speeds north of the roundabout, and the need to slow northbound drivers back down as they approached the school. Other schools in Albany located on higher speed streets have had difficulty gaining compliance with reduced speed school zones without concentrated and continued enforcement. Staff believes that the vehicle and bike lane widths approved by the Planning Commission are safe, can accommodate the volume and type of traffic expected on the road, and will help to keep the speed on the street down.

If a decision is made to construct the new street with a road width of 36 feet, the resulting street would have 12-foot travel lanes and 6-foot bike lanes. Previous studies done on 34-foot-wide streets in Albany with bike lanes (Clover Ridge Road and 21st Avenue) have shown average speeds of 29 mph, and 85 percentile speeds of 34 mph. Traffic calming features could be added to the street to help keep speeds down, but design options available for use on collector streets are fairly limited. Speed humps and raised intersections are difficult for school busses to negotiate at speeds above 15 mph due to the long wheel base of the vehicles and lack of passenger seat belts. Curb extensions are only an option along streets with on-street parking and, unless they severely restrict road width, have a limited impact on vehicle speeds. Chicanes or sharp curves in alignment can work, but would require much sharper center line curves than required of collector streets under ADC 12.210 (400 foot radius). Shifting the street improvement back and forth within the right-of-way to create a more curved alignment could also adversely impact the design of water treatment bioswales without acquisition of additional right-of-way.

If the desired speed on a wider new street is 25 mph, the street design will need to incorporate traffic calming features as well as likely having to vary from the street design standards contained in the Development Code. If the desired speed on the road is 30 to 35 mph, the street can be designed to fully comply with the design standards contained in the Development Code and the inclusion of traffic calming features would not be necessary.

What is the eventual ADT anticipated for this street?

The modeling work done for the TSP update includes year 2030 traffic volume estimates for the new collector street. The street is projected to have a year 2030 PM peak hour volume (see Exhibit B) of 179 trips just north of Knox Butte Road, and 151 trips just north of the Somerset Avenue intersection. Those volumes reflect build out of the area adjoining the new street between Knox Butte Road and the UGB to the north. PM peak hour volumes generally account for about 10 percent of the total daily trips on a street. That would equate to predicted long-term volumes for the new road of about 1,800 ADT near Knox Butte Road, and 1,500 ADT near Somerset

Avenue. While the computer model is fairly accurate at predicting volumes and movements along the arterial street system, it is less accurate at predicting volumes on the collector street system at the edges of the UGB. For that reason, staff believes that volumes used as a basis for the design of the new collector street should be on the order of 3,500 ADT near Knox Butte Road, and 2,500 ADT near Somerset Avenue.

Two lane collector streets have the capacity to accommodate between 6,000 and 8,000 ADT. That means that at build out of the area, the proposed street will be operating at about 50 percent of its capacity. For comparison, examples of current traffic volumes on several other two-lane collector and arterial streets in Albany are listed below:

Street	Classification	Traffic Volume
21 st Avenue east of Waverly	minor collector	3,300 ADT
14 th Avenue east of Geary	major collector	11,000 ADT
34 th Avenue east of Marion	minor arterial	10,700 ADT
Washington Street north of 3 rd	major collector	4,500 ADT

Will Clover Ridge Road eventually be converted to a dead end, and if so, what impact will that have on traffic volumes on the new street?

The TSP modeling and traffic volumes discussed above reflect Clover Ridge Road being dead-ended near the UGB, and through trips being redirected to the new collector street. Therefore, no additional traffic loading above what is currently projected will result from the eventual dead ending of Clover Ridge Road.

What are the widths of other roads in the City that adjoin schools?

A table showing the curb-to-curb, travel lane and bike lane widths for streets adjoining schools in Albany is attached to this memo as Exhibit C. Schools in Albany front on arterial, collector, and local streets. Travel lane widths adjoining schools vary from 8 to 13 feet in width. The average lane width at schools on arterial streets is 11.2 feet, 11.3 feet on collector streets, and 10.5 feet on local streets. The average travel lane width on 25 mph roads that adjoin schools is 10.8 feet, which is narrower than the 11-foot lane width recommended for the new street.

Is there a need to provide for on-street parking to accommodate special events at the school?

The new school has a planned maximum enrollment of 800 students. The school will construct two parking lots. The south lot contains 85 vehicle parking spaces as well as school bus loading zone that can accommodate up to 7 busses at a time. There is also additional space to stack busses waiting to access the loading zone. The north parking lot contains 97 vehicle parking spaces together with a parent pick up and drop off zone. In total, the school will provide 182 on-site parking spaces. For comparison, the number of on-site parking spaces provided at middle schools in Albany is listed below:

School	Number of Students	Number of Parking Spaces
North Albany Middle School	608	116
Calapooia Middle School	775	71
Memorial Middle School	665	143
New 3rd – 8th Grade School	800	182

The new school will have more parking spaces relative to students than the middle schools listed above. There will, however, be the occasional special event at the school where the parking demand outweighs the number of on-site spaces. That problem would be mitigated to some extent by the design of the school and the neighborhood within which it resides. The school will have excellent bicycle and pedestrian connections to the surrounding neighborhood and that will encourage residents of the neighborhood to use those modes, particularly during special events.

If a decision is made to modify the road design to include on-street parking, the road width would need to be increased 7 to 8 feet. If on-street parking was desired along both sides of the road, the total increase in width would be 14 to 16 feet. The new school will have about 736 feet of frontage on the new collector street. That frontage will be broken up by three driveway approaches. If the road were to be widened to accommodate on-street parking on the east side along the school frontage, approximately 14 spaces could be provided along the school's frontage. That would probably not be a sufficient number of additional spaces to accommodate all potential over-flow parking demand.

For reasons of safety, staff does not recommend that on-street parking be provided on the west side of the road across from the school. On-street parking on the west side of the road would encourage parents to park across the street from the school, and wave their children across the street when picking them up from school. This exact situation is occurring at other schools in the City and is a source of continuing concern and complaints. Avoiding this problem is one of the reasons the Planning Commission approved a 5-foot bike lane width on the road rather a 6-foot width. Bike lanes with a width of 6 feet are just wide enough to tempt drivers to park in them.

In addition to the adverse impacts on roadway speeds and child safety, construction of on-street parking to accommodate the occasional peak events at the school does not make good economic or environmental sense. The parking will only be used on a few occasions each year. All other times, the on-street parking will remain empty. The economic impacts will be increased costs for construction as well as the requirement that additional property be dedicated to public right-of-way. The environmental impact will be increased wetland impacts and increased impervious surface, which will increase runoff from the roadway. These economic and environmental costs would be incurred in order to provide some limited relief at a few events each year.

A likely consequence of widening the road to include parking would be the need to reapply to the State for modified wetland and water quality discharge permits. If the storm water treatment design remained the use of bioswales, it's also likely that additional right-of-way would be necessary.

Options:

Option A

Construct the street to a width of 32 feet, with 11-foot travel lanes and 5-foot bike lanes. This design would match the conditions of approval the School District received from the Planning Commission, and also conform with the permitting that has been done to date with the State for wetland mitigation and storm water discharge. The narrow width would help to keep vehicle speeds low along the length of the street. Overflow parking when the school holds a special event could not be accommodated along the school's frontage on the new street, and would instead spill over on Somerset Avenue and nearby neighborhoods to the north. Development of a proposed park north of the school site may provide additional overflow parking in the future. This is also the lowest cost option and can be constructed within the current right-of-way.

Option B

Construct the street to a width of 34 feet, with 11-foot travel lanes and 6-foot bike lanes. This design would increase the overall width of the street by 2 feet and incorporate that width into the bike lanes. The design would be identical to several existing collector streets in Albany (Price Road, Dogwood Avenue, Clover Ridge Road, Lexington Avenue, and 21st Avenue). Vehicle speeds on those streets have tended to average about 29 mph. If lower speeds are desired for this street, traffic calming features would need to be incorporated into the street design. The additional pavement width would increase the impervious surface area along the street, while also reducing the area available for use as bioswales and storm water treatment.

In the event the widened street improvement and corresponding reduction in area for storm water treatment precluded the use of bioswales, this design would necessitate modification of the storm water treatment approvals currently held by the School District. The School District is currently investigating the likelihood of this happening and will have further information available at the work session should Council desire to consider this option. If additional right-of-way was found necessary to replace/increase the bioswale area, modification of the wetland permits would also be necessary. The need to re-apply to the State for the wetland and/or storm water quality discharge permit would likely result in a delay in the opening of the school

Option C

Construct the street to a width of 36 feet, with 12-foot travel lanes and 6-foot bike lanes. This design would increase the overall width of the street by 4 feet and allow it to comply with the collector street widths contained in the Development Code. The wider street and lane widths will result in higher vehicle speeds. If the desired posted speed is 25 mph, traffic calming features would need to be incorporated into the street design. The additional pavement width would increase the impervious surface area along the street, while also reducing the area available for use as bioswales and storm water treatment. The reduced area available for use as a bioswale would preclude use of that treatment option within the existing right-of-way. Either additional right-of-way would need to be acquired, or mechanical water quality treatment would need to be used. As a result this option would necessitate modification of the storm water treatment approvals currently held by the School District. The need to re-apply to the State for the wetland and/or storm water quality discharge permit would likely result in a delay in the opening of the school.

Option D

Construct the street to a width of 43 feet, with 12-foot travel lanes, 6-foot bike lanes, and 7 feet of parking along the school's frontage. This design would increase the overall width of the street by 11 feet, allow it to comply with the collector street widths contained in the Development code, and provide for some overflow parking. The wider street and lane widths will result in higher vehicle speeds. If the desired posted speed is 25 mph, traffic calming features would need to be incorporated into the street design. The additional pavement width would increase the impervious surface area along the street, while also reducing the area available for use as bioswales and storm water treatment. The reduced area available for use as a bioswale would preclude use of that treatment option within the existing right-of-way. Either additional right-of-way would need to be acquired, or mechanical water quality treatment would need to be used. As a result this option would necessitate modification of the storm water treatment approvals currently held by the School District. The need to re-apply to the State for the wetland and/or storm water quality discharge permit would likely result in a delay in the opening of the school.

Option E

Construct the street to a width of 50 feet, with 12-foot travel lanes, 6-foot bike lanes, and 7 feet of parking along both sides of the road. This design would increase the overall width of the street by 18 feet, allow it to comply with the collector street widths contained in the Development code, and provide for some overflow parking. The wider street and lane widths will result in higher vehicle speeds. If the desired posted speed is 25 mph, traffic calming features would need to be incorporated into the street design. The additional pavement width would increase the impervious surface area along the street, while also reducing the area available for use as bioswales and storm water treatment. The reduced area available for use as a bioswale would preclude use of that treatment option within the existing right-of-way. Additional right-of-way would need to be acquired and mechanical water quality treatment would need to be used. As a result this option would necessitate modification of the storm water treatment approvals currently held by the School District. The need to re-apply to the State for the wetland and/or storm water quality discharge permit would likely result in a delay of the school opening.

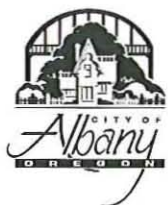
Budget Impact:

The wider the roadway is made, the higher the cost will be to the assessed properties. The estimates provided in the Engineer's Report at the May 28, 2008, Council Meeting were based upon a 43-foot-wide street and did not include the cost of any additionally required right-of-way. All costs for the street improvements will be assessed to the benefiting properties.

MS/RGI:kw

Attachment(s)

Exhibit A



COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, P.O. Box 490
Albany OR 97321

Ph: (541) 917-7550 Fax: (541) 917-7598
www.cityofalbany.net

NOTICE OF DECISION

DATE OF NOTICE: August 29, 2007
FILE: CU-05-07
TYPE OF APPLICATION: Conditional Use application to construct a 107,650-square-foot school. The school will include athletic fields, and covered and uncovered play areas.
REVIEW BODY: Planning Commission
PROPERTY OWNER: Timberhill Corporation; Tanya Durkee, President; 5735 SW Corbett Avenue; Portland, OR 97239
APPLICANT: Greater Albany Public School District; 718 7th Avenue SW; Albany, OR 97321
APPLICANT REPS: Dan Hess; Dull, Olson, Weekes Architects, Inc.; 319 SW Washington Street; Portland, OR 97204
Dave Dodson; Willamette Valley Planning; 350 NW Polk Avenue; Corvallis, OR 97330
ADDRESS/LOCATION: No address yet; north of Knox Butte Road and east of Clover Ridge Road.
MAP/TAX LOT: Linn County Assessor's Map No. 11S-03W-03B; a portion of Tax Lot 100
ZONING: RS-5 (Residential Single Family)

On August 27, 2007, the City of Albany Planning Commission granted **APPROVAL with CONDITIONS** of the Conditional Use application referenced above.

The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW.

A decision of the Planning Commission may be appealed to the Albany City Council if a person with standing files a completed Notice of Appeal and the associated filing fee to the Planning Division within 10 days of the date the notice of decision is mailed. For more information, please contact Mike Leopard or Don Donovan at (541) 917-7550.

This approval expires in three years, unless substantial construction of the project has been accomplished. Substantial construction is defined as "any physical improvement of a property, the cost of which equals or exceeds fifty percent of the fair market value of the property before the improvement was started." If substantial construction has been accomplished, construction can continue to completion.

Planning Commission Chair

Attachments: Location Map, Site Plan, Conditions of Approval, and Information for Applicant

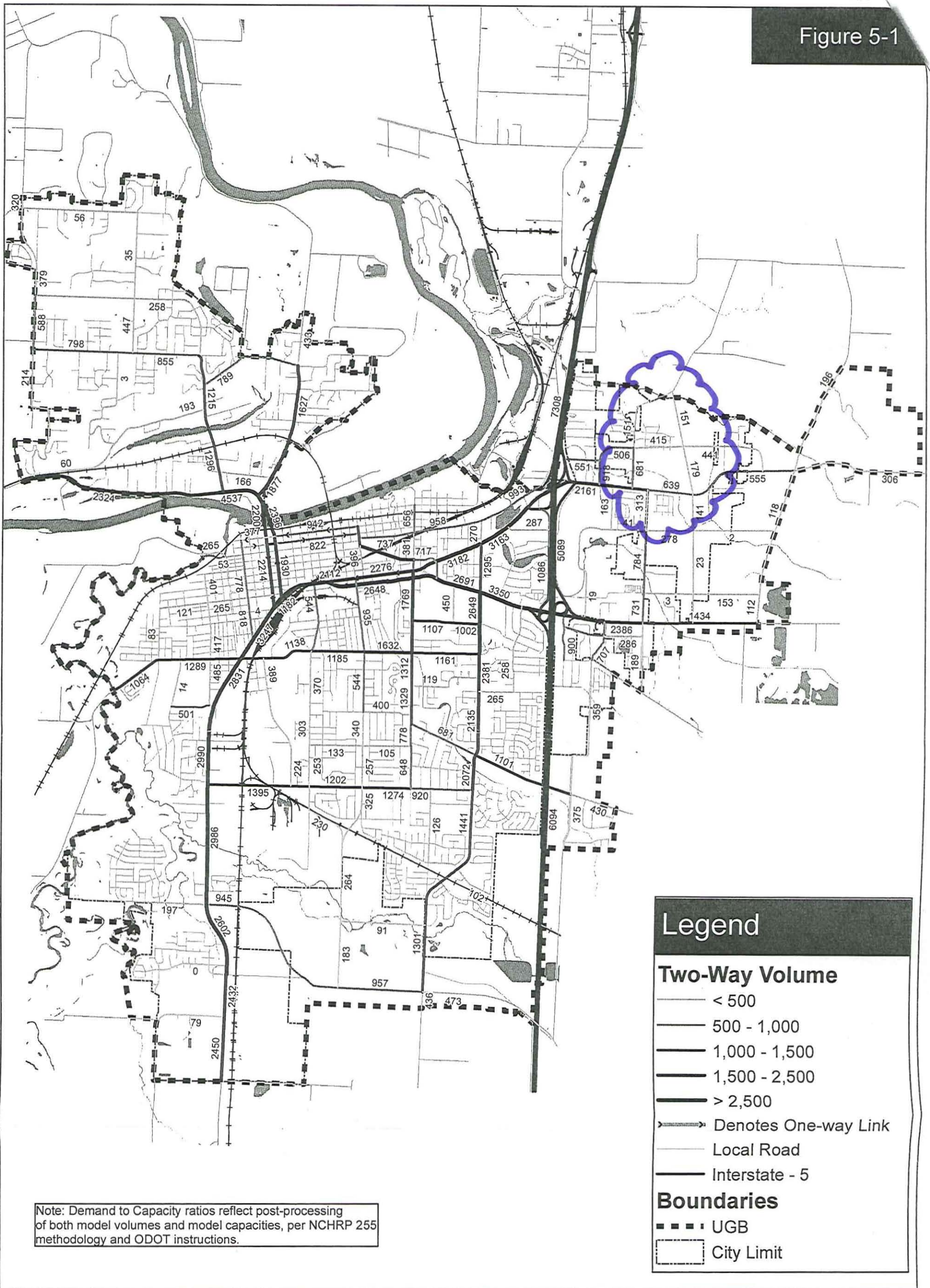
CONDITIONS OF APPROVAL
FILE CU-05-07

- 2.1 The development must provide screening along the north property boundary if that property develops with residential use rather than as a neighborhood park. The screening must conform to the requirements listed in ADC 9.250.
- 2.2 If the City selects the property to the north as the site for a neighborhood park, the applicant must install at least two gates in that portion of the fence.
- 3.1 The applicant shall construct to City standards a new major collector street along the west boundary of the site. The minimum right-of-way width shall be 70 feet and the curb-to-curb width shall be 32 feet. The road shall be striped with an 11-foot travel lane in each direction and on-street 5-foot bike lanes. Striping material shall be 3M StaMark series 380IES or an equal approved by the City Engineer. The City Engineer shall approve the striping plan.
- 3.2 In the event that the new north/south collector street between the school's southwest property line and Knox Butte Road NE has not been constructed or financially assured by others, the minimum necessary street improvement for the applicant is to construct the new street from Knox Butte Road NE to the northwest property line of the school property.
- 3.3 The applicant shall install public sidewalk along the development's frontage on the new collector street. At least nine (9) street trees are required. The sidewalk may either be set back from the curb with a landscape strip OR extend from the back of curb to the property line with tree wells. The applicants will pay a per tree amount to the City Forester for the purchasing, planting, and initial maintenance of the street trees.
- 3.4 Site driveway location and width shall conform to the approved site plan.
- 3.5 Design and construction of the proposed parking lots must conform to the requirements specified in ADC 9.120 and 9.150, as well as the Americans with Disabilities Act (ADA).
- 4.1 The applicant must connect the proposed development to the public sanitary sewer and water systems. Public utilities (sanitary sewer, water, and storm drainage) must be extended along the west boundary of the site within the proposed collector street right-of-way. All required permits must be obtained from the City, and any applicable fees and/or charges paid for these connections.
- 4.2 In the event that public water and sanitary sewer lines have not been constructed to the school site or financially assured by others, the minimum necessary water improvement is for the water line to be extended north from Knox Butte Road NE to the northwest property line of the school property; the minimum necessary sanitary sewer improvement is for the sewer line to be extended southeast from Somerset Avenue NE to the southwest property line of the school property.
- 4.3 The City Engineering Division must approve the design of storm drainage improvements proposed for the project.
- 4.4 The proposed fire access road around the proposed building must be at least 26 feet wide in areas where building height exceeds 30 feet.
- 5.1 All outdoor lighting for the development (in parking areas and on the building) must be designed and arranged such that the illumination from the lights will be reflected away from abutting or adjacent residential districts, as specified in ADC 9.120(14).
- 6.1 The applicant shall not develop within the riparian corridor along the Burkhart Creek diversion channel, as identified in the City's Riparian Corridor Inventory and the "Brandis" annexation agreement. This corridor is a strip of land 50 feet wide on both sides of the tops of bank of the channel.

- 6.2 The applicant must obtain any required permits from the DSL and/or the Corps of Engineers regarding wetlands work.

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Figure 5-1



	Adjacent Street(s)	Road Classification	Curb to Curb width (ft)	Lane Travel Width (ft)	Bike Lanes	Bike Lane width (ft)	# of Sidewalks	Sidewalk Width (ft)	On Street Parking	Parent Pickup	Bus Loading	# of Large Bus Trips	Past Speed Complaints
Calapooia M.	24th Ave.	Local	36	10	-	-	2	7	2	Off Street	Off Street	17	-
Central Elem.	Ferry St.	Local	42	13	-	-	2	5	2	On Street	On Street		-
Lafayette	Madison St.	Local	36	10	-	-	2	6	2	Off Street	Off Street	6	Yes
Lafayette	32nd St.	Local	32	12	-	-	1	6	1	Off Street	Off Street		Yes
NA Elem.	East Thornton Lake Dr.	Local	22	11	-	-	-	-	-	Off Street	Off Street	8	Yes
Oak	Oak St.	Local	36	10	-	-	2	6	2	On Street	On Street	9	-
Periwinkle	21st Ave.	Local	36	10	-	-	2	5	2	Off Street	Off Street	10	Yes
South High	36th Ave.	Local	28	10	-	-	1	6	1	Off Street	Off Street	34	-
South Shore	Bain St.	Local	36	10	-	-	2	6	2	Off Street	Off Street	14	-
Sunrise	19th Ave.	Local	36	10	-	-	2	5	2	On Street	On Street	6	Yes
Sunrise	Thurston St.	Local	42	13	-	-	2	5	2	On Street	On Street		Yes
Takena	12th Ave.	Local	36	10	-	-	2	6	2	On Street	On Street	6	-
Waverly Elem.	Columbus St.	Local	42	13	-	-	2	6	2	On Street	On Street	10	Yes
Waverly Elem.	4th Ave.	Local	32	8	-	-	2	6	2	On Street	On Street		-
Central Elem.	9th Ave.	Minor Collector	42	13	-	-	2	5	2	On Street	On Street	3	Yes
Liberty	Liberty St.	Minor Collector	48	11	2	5	1	6	2	On Street	On Street	14	Yes
Liberty	24th Ave.	Minor Collector	40	11	-	-	2	6	2	On Street	On Street		-
Memorial M.	Elm St.	Minor Collector	52	11	2	6	2	5	2	Off Street	Off Street	32	-
South High	Columbus St.	Minor Collector	52	11	2	5	2	6	1	Off Street	Off Street		-
West High	Liberty St.	Minor Collector	48	11	2	5	1	6	2	Off Street	Off Street		-
Fairmont	Springhill Dr.	Minor Arterial	36	12	-	-	-	-	-	Off Street	Off Street	0	Yes
Memorial M.	Queen St.	Minor Arterial	42	10	2	6	2	5	-	Off Street	Off Street		-
NA Middle	North Albany Lake Dr.	Minor Arterial	36	13	2	5	-	-	-	Off Street	Off Street	24	Yes
West High	Queen St.	Minor Arterial	42	10	2	6	2	5	-	Off Street	Off Street	36	-



TO: Albany City Council

VIA: Wes Hare, City Manager
Diane Taniguchi-Dennis, P.E., Public Works Director DSTD

FROM: Mark Shepard, P.E., Assistant Public Works Director / City Engineer MWS
Jeff Blaine, P.E., Assistant City Engineer JIB

DATE: May 28, 2008, for the June 9, 2008, City Council Work Session

SUBJECT: Potential Property Acquisition at the Intersection of Spicer and Three Lakes Road

RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods
● A Safe City

Action Requested:

Public Works staff is seeking Council approval for the purchase of a portion of the property located at 3815 Spicer Drive.

Discussion:

At the January 7, 2008, City Council work session, Council authorized staff to secure an appraisal, perform a Phase 1 environmental assessment, and enter into negotiations for the purchase of a portion of the property located at 3815 Spicer Drive. The portion of the property to be purchased is shown in *Attachment 1*. At that time, the property was not listed, but the owners approached the City and expressed their willingness to sell the portion of their property that is required for future right-of-way (ROW) improvements for Timber Street.

The City's current Transportation System Plan (TSP) identifies the need to realign Timber Street to connect to Three Lakes Road and Spicer Drive to provide improved access to the areas south of Highway 20 and east of Interstate 5. As shown on *Attachment 1*, the property at 3815 Spicer Drive will be significantly impacted by the intersection improvements. Although timing for the improvements is not known at this time, purchase of the property now while there is a willing seller and minimal improvements on the effected portion of the property will save significant costs in obtaining this ROW.

The City received a Special Public Works Fund (SPWF) grant from the State to determine a final alignment and identify actual right-of-way needs for the Timber Street realignment. The effort under the SPWF grant placed the City in a better position to respond to economic development opportunities and possible future State funding for the shovel ready site on the Kempf property. The effort was also intended to remove some of the uncertainty for property owners in the vicinity of the proposed realignment. Council approved an alignment for Timber Street and the intersection configuration at Spicer Drive and Three Lakes Road at its July 26, 2006, meeting, as shown in *Attachment 2*.

Following the January 7, 2008, Work Session, staff proceeded to secure an appraisal and conduct a Phase 1 environmental assessment. The property appraised at \$54,000 and the environmental assessment did not identify any issues that should discourage the City from moving forward with the acquisition. However, it is important to note two items related to the appraisal. First, the appraisal is based on a larger ROW acquisition than is technically required to construct the improvements. Based on the technical evaluation, the proposed ROW acquisition would have

resulted in an irregular shaped remaining parcel with little benefit to the property owners. They requested that the City purchase this additional area, thus creating a more regular shaped remaining parcel.

The second item is regarding sewer service. The existing home is outside the city limits (but within the Urban Growth Boundary) and currently receives sewer services through an on-site septic system. This septic system will be impacted by the ROW dedication. As a result, the appraisal assumes that the City will make the property owner "whole" in regards to sewer service, and does not include any compensation for this impact.

It is also important to note that before Linn County will approve the ROW dedication, adequate sewer service must be demonstrated. This can be demonstrated by either construction of a new septic system or by providing City sewer service. City sewer mains are adjacent to the parcel and staff suggests connecting the existing home to City sewer and having the property owners sign an irrevocable request to annex. Additional documentation will also be required from Linn County to approve the ROW dedication because it will create a remainder parcel smaller than current zoning would allow.

In summary, staff is requesting authorization to purchase approximately 20,500 square feet of the property located at 3815 Spicer Drive for \$54,000 and connecting the existing home to the City sewer system. The purchase would be contingent upon the property owners signing an irrevocable request to annex and Linn County approval of a variance application and a property line adjustment application. The property owners are aware that connection to the City sewer system will require them to pay a monthly sewer bill. If Council would like to move forward with the purchase, staff will proceed with required paperwork from Linn County and bring back right-of-way dedication documents for Council approval at a future Council meeting.

The City's recent purchase of the neighboring property used Transportation System Development Charges (T-SDC) funds. This action required a funding shift between T-SDC project #183 and #148. Project #183 is a street widening project on Geary Street from 9th Avenue to Queen Avenue that is not planned for near term construction and is being reevaluated as part of the Transportation System Plan Update. Project #148 is the Timber Street Realignment project. If Council would like to use a similar mechanism for purchasing this property, staff will bring a resolution authorizing the change to Wednesday's Council meeting.

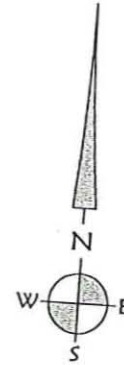
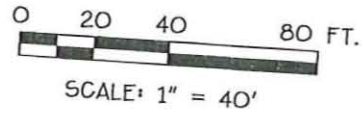
Budget Impact:

The property purchase and connection to the City sewer system is estimated to cost a total of approximately \$60,000. The project is not currently identified as funded from Transportation System Development Charges (TSDC). However, Council could choose to add this project to the funded list making it eligible for TSDC funding. The other option for Council is to fund the proposed property purchase from Street Capital and Restoration (250-50-2700).

JJB:kw
Attachment

ATTACHMENT 1
 RIGHT-OF-WAY ACQUISITION
 FOR
 CITY OF ALBANY

LOCATED IN
 TAX LOT 2300 SEC. 9 T. 11 S. R. 3. W., WM.,
 CITY OF ALBANY, LINE COUNTY, OREGON



MAY 6, 2008

STILL TRACT
 (MF. V. 1412, P. 148)

NEW R-O-W LINE
 N86°13'27"E 108.20'

N21°00'27"E
 49.00'

N13°43'09"E
 2.87'

N03°51'52"W
 31.00'

S03°51'52"E 267.85'

R-O-W DEDICATION
 PORTION OF
 STILL TRACT
 AREA: 20,456 S.F.


N56°16'56"W 154.27'

P.O.B.

THREE LAKES ROAD

SPICER ROAD

LEGEND:

 R-O-W DEDICATION

① L=66.15'
 R=72.30'
 C=N30°09'50"W 63.87'
 D=52°25'15"

② L=43.80'
 R=347.50'
 C=N24°37'08"E 43.77'
 D=7°13'20"

Date: 5/6/2008 Time: 13:01
 Scale: 1=40
 File: dwg\2006\06-45\45-2300-1.dwg (lan)



K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 725
 Albany, Oregon 97321
 (541) 928-2583

