



APPROVED: June 5, 2006

**CITY OF ALBANY
PLANNING COMMISSION**
City Hall Council Chambers, 333 Broadalbin Street
Monday, May 15, 2006
5:15 p.m.

MINUTES

Planning Commissioners present: Dan Bedore, David Faller, Tim McCarley, John McEvoy, Anne Peltier, Cordell Post, Wayne Rackham, and Dala Rouse

Planning Commissioners absent: Paul Davis

Staff present: Planner II Anne Catlin, Senior Planner Don Donovan, Community Development Director Helen Burns Sharp, and Administrative Assistant I Tracy Swett

Others present: Eight others in the audience, including the applicants

CALL TO ORDER

Vice Chair Cordell Post called the meeting to order at 5:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

CONSOLIDATED QUASI-JUDICIAL PUBLIC HEARING, Case Files CU-01-06, SP-09-06, and VC-01-06 (Wastewater Treatment Plant Expansion)

Post called to order a public hearing on planning files CU-01-06, SP-09-06, and VC-01-06, a Conditional Use request for the expansion of the City's wastewater treatment plant; a request for Site Plan Review approval to remove 51 trees larger than 8 inches in diameter; and a request to vacate portions of River Avenue, Linn Avenue, Burkhart Street, and Columbus Street. The applicant is the City of Albany. The primary address of the treatment plant is 310 Waverly Drive NE.

Declarations:

Commissioner Dala Rouse said she lives on Burkhart Street, adjacent to the portion that is proposed to be vacated. She also attended the neighborhood meeting on the project.

Post said he is a member of the Albany Chamber's Governmental Affairs Committee and there was a brief presentation on the project at a recent meeting.

Commissioner Wayne Rackham said he has visited the site on several occasions. Rouse also noted she has visited the plant in the past.

Staff Report:

Senior Planner Don Donovan summarized the staff report for the three applications to expand the City's wastewater treatment plant. The expansion includes a Conditional Use request, Site Plan Review, and a request to vacate portions of River Avenue, Linn Avenue, Burkhart Street and Columbus Street.

He showed overheads of an aerial photo with the site highlighted; a site plan highlighting the existing facilities and the proposed facilities, marked in green, to be constructed as part of the expansion project (Exhibit A, in agenda file); an aerial photo showing the portions of the streets proposed for vacation marked in yellow; and a site plan highlighting the trees to be removed to construct the facilities.

Donovan said most of the expansion is proposed on property zoned Heavy Industrial (HI). Two of the additions are proposed on land zoned for residential use, which triggered the Conditional Use review and a public hearing. The Albany City Council is required to review the Vacation application and hold a public hearing. Since the applications are interdependent, all three will be brought before the Council. The Planning Commission's role will be to provide a recommendation to the Council on all three applications.

Donovan reviewed the review criteria for a Conditional Use, with concentration on the residential portion of the development proposal.

The first criterion requires that the proposed use is consistent with the existing zone and the adjacent neighborhood. Donovan said the portions of the expansion that will be built on the residentially-zoned land are the parking lot and the vertical loop reactors. The parking lot is next to one house and the vertical loop reactors are along the back yard of several houses.

The applicant has proposed a 30-foot-wide buffer area with landscaping and a six-foot concrete block fence topped with wrought iron to separate the vertical loop reactors from the adjacent houses.

Donovan said the parking lot will have 19 spaces. A ten-foot-wide landscaped buffer area and a six-foot concrete block fence topped with wrought iron will be constructed between the parking lot and the residential property to the west.

Staff noted the expansion will construct facilities that generate less noise and odors than the current plant. Equipment that might generate noise will all be located indoors and be insulated. The new plant will use aerobic processes which are different from the current facility's processes. Aerobic processes do not produce methane gas as a by product. The current facility emits methane, which is known to cause odors.

Donovan said the new facilities will have lights, but they will be cut-off lights with adjustable fixtures to keep the light on the property and reduce glare. Lights on the roads and buildings will be equipped with a photocell and a timer to only turn on at night.

The second criterion relates to building style and scale. Donovan said drawings of the proposed facilities are available should the Commission wish to look at them.

The third criterion analyzes whether the existing transportation system can support the proposed use. Donovan said the results of the expansion will actually reduce the amount of traffic from current levels. He said the existing plant produces waste which has to be hauled away in trucks. The new plant will generate about ten percent of what the current facility produces, reducing the amount of trucks needed to pick up waste.

Donovan said interest was expressed at a recent neighborhood meeting held to discuss the project about traffic during construction and what streets would be used. He said the expansion will take about two and one-half years to construct. Davidson, Willamette, and Columbus will be the main routes for construction traffic. The streets will be overlaid with asphalt before and after construction. The streets will be in as good or better shape from their current conditions after construction is complete.

The City recently bought land from private owners to make room for this expansion. Most of these properties face Linn Avenue and no longer need access. One of the proposed street vacations is to vacate a portion of Linn Avenue fronting these properties. Donovan said when the neighborhood was built, many of the street rights-of-way were dedicated, but for the most part the streets have not yet been built.

The street vacations will vacate the street rights-of-way that separate the newly acquired parcels from the existing treatment plant to combine the property into one large parcel. The City has purchased enough land to meet projected expansion needs through 2074.

Commissioner John McEvoy asked if the property west of the proposed vertical loop reactors had not been purchased by the City. Donovan deferred the question to the applicant.

Applicant Testimony:

Chip Ulstad, is a Utility Engineer with the City of Albany, said the property to the west is known as Eades Park and is already owned by the City. The purchase of this property was partially funded by federal funds in the 1970s for use as a park. The City hopes to use this property for future expansions of the treatment plant, but a suitable alternative park site will have to be identified and acquired prior to an expansion onto this property.

McEvoy asked if access to the site would be limited by the proposed vacation of Linn Avenue. Ulstad said not in the long term since the site will eventually be transitioned from a public park to part of the wastewater treatment plant as acknowledged by the Parks Master Plan.

He said he and the projects design manager from CH2M Hill, Rich Frankenfield, are available to answer questions from the Commission if needed.

Testimony In Favor: None.

Opposing Testimony:

Keith Fohrman, 476 Columbus Avenue, said he lives at the corner of Linn and Columbus Avenues. He wanted more information on the concrete wall proposed to be constructed along the turn from the back of the treatment facility's property toward the new entrance.

Ulstad said the wall was not originally designed to turn toward the new entrance, but the design was changed after hearing comments at the neighborhood meeting. Due to the construction timing of projects within the site, this portion of the wall will be built at a different time than other portions.

Neutral Testimony: None.

Applicant Rebuttal: None.

Staff response: None.

Vice Chair Post closed the public hearing at 5:39 p.m.

Commission Discussion: None.

Commission Action:

Commissioner Dan Bedore moved that the Planning Commission recommend that the Albany City Council approve with conditions the Conditional Use application for expansion of the City's wastewater treatment plant; the Site Plan Review application to remove 51 trees larger than 8 inches in diameter; and

the Street Vacation application to vacate River Avenue, from Alco Street to east of Columbus Street; vacate Linn Avenue, from Columbus Street to Davidson Street; vacate Burkhart Street, from Linn Avenue to River Avenue; and vacate Columbus Street, from Linn Avenue to River Avenue (Files CU-01-06, SP-09-06, and VC-01-06). The motion was based on the findings and conclusions of the staff report and testimony presented at the public hearing. Commissioner David Faller seconded the motion, which passed unanimously.

Post noted the City Council will hold a public hearing on these applications on Wednesday, May 24, 2006.

CONSOLIDATED QUASI-JUDICIAL PUBLIC HEARING, Case Files LA-03-06 and PA-04-06 (North Albany Road Property Line Adjustment/Partition)

Post called to order a public hearing on planning files LA-03-06 and PA-04-06, a Property Line Adjustment to move 708 square feet of property from Tax Lot 1500 to Tax Lot 400; and a Partition Tentative Plat that would divide the 1.55-acre parcel of land resulting from the property line adjustment into three parcels. The proposal involves property located at 1325 North Albany Road. The applicants/property owners are Willis and Janeen Coffman and Douglas Killin.

Declarations:

Post and Faller said they have driven by the site many times.

Staff Report:

Planner II Anne Catlin said these applications came before the Commission because the property proposed to be partitioned is located in the floodplain. She showed an overhead map which outlined the property and the floodplain boundaries (Exhibit B, in agenda file). She said neighboring property owners were notified May 4, 2006, and the property was posted on May, 5, 2006. Planning staff had not received any comments relating to the applications prior to the public hearing.

Catlin said staff is recommending approval of the lot line adjustment since the application meets all applicable review criteria. Staff recommends approval with conditions of the partition application to meet all the applicable review criteria for a partition tentative plat. She reviewed the proposed conditions of approval as they relate to the review criteria for a partition.

The first review criterion states that any remaining property under the same ownership can be completed according to the Development Code. Catlin said the front property (Parcel 1) could be further divided. The partition tentative plat shows a future partition of Parcel 1. In order to divide Parcel 1 at a later date, the applicant will need to assure the new parcel has access to North Albany Road by either making a change to the easement that is being recorded as part of this partition, or they will need to record a new access easement in the future.

The third review criterion relates to the existing transportation system. Catlin said North Albany Road is not yet constructed to City standards. The applicants proposed a six-foot right-of-way dedication, but the City will need about ten feet to construct improvements at a later date. In addition, due to the timing and size of the proposed development, staff has determined an improvement assurance should be provided rather than constructing the improvements now.

The fourth review criterion makes certain existing public facilities can support the proposed development. Catlin said the applicants will have to show that the proposed storm drainage system is adequate to support the development when they submit for building permits.

The fifth review criterion requires staff to ensure the special features of the site have been considered. Catlin said there are no special features of this site other than its location in the floodplain. Most of the property is located in Zone AE, with a base flood elevation of 200 feet. While the land division itself will not impact flooding, certain standards will need to be met in order to minimize flood damage when buildings are constructed. Staff recommends the applicant be required to show the 100-year flood contour line and add a statement to the final partition plat stating development of property within the 100-year floodplain as most currently established by FEMA or the City of Albany may be restricted and subject to special regulations by the City. In addition, Catlin said she proposed a few modifications be made to Note 5 on the final partition plat.

Applicant Testimony:

Jack Burrell, P.O. Box 725; Albany, said he is with K&D Engineering and represents the applicants. Will Coffman is in the audience should the Commission wish to ask questions. Burrell said they have read the staff report and agree with the proposed conditions of approval.

Testimony In Favor: None.

Opposing Testimony: None.

Neutral Testimony: None.

Applicant Rebuttal: None.

Staff Response: None.

Vice Chair Post closed the Public Hearing at 5:55 p.m.

Commission Discussion: None.

Commission Action:

Rouse moved that the Planning Commission approve with conditions the applications for the Property Line Adjustment and Partition Tentative Plat that will divide a 1.55-acre parcel of land into three parcels (Files PA-04-06 and LA-03-06). The motion was based on the findings and conclusions of the staff report and testimony presented at the public hearing. Commissioner Anne Peltier seconded the motion, which passed unanimously.

OTHER BUSINESS:

Community Development Director Helen Burns Sharp gave a short activity update on progress of cases the Commission had previously held hearings on. She said the Conser zone change on Oak and the YMCA zone change on Pacific were recently approved by Council. The Thornton Lake Estates subdivision application is currently under appeal to Council. The record was just closed and the case will go back before Council at their first meeting in June. Staff expects the case will be appealed to LUBA regardless of the Council's decision.

In addition, work on the Oak Creek Refinement Plan continues. A town hall meeting will be scheduled in June. Commissioners will receive invitations to attend.

Catlin reminded the Commission about two presentations given by economic preservationist Donovan Rypkema scheduled on Thursday, May 18, 2006 at 12:30 p.m. and 7:00 p.m.

NEXT MEETING DATE:

The next meetings of the Planning Commission were tentatively scheduled for Monday, June 5, and Monday, June 19, 2006. Faller and Post said they would be unavailable on June 5th.

ADJOURNMENT

Hearing no further business, Vice Chair Post adjourned the meeting at 6:03 p.m.

Submitted by

Signature on file

Tracy Swett

Administrative Assistant I

Reviewed by

Signature on file

Helen Burns Sharp

Community Development Director

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