



PUBLIC HEARING
CITY OF ALBANY
PLANNING COMMISSION
City Council Chambers, 333 Broadalbin Street SW
Monday, June 29, 2009
5:15 p.m.

AGENDA

1. CALL TO ORDER

(Chair Faller)

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. CONTINUED LEGISLATIVE PUBLIC HEARING

DC-02-09: Legislative amendments to the following
Development Code Articles: Articles 1, 2, 9, 11, and 12.

5. ACTIVITY UPDATE

6. NEXT PLANNING COMMISSION MEETING DATE: Joint
CC/PC meeting **JULY 20, 2009**.

7. ADJOURN

Rules of Conduct for Public Hearing

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.

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The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling 917-7500.

City of Albany Web site: www.cityofalbany.net



TO: Planning Commission
FROM: Anne Catlin, Planner II *aca*
DATE: June 22, 2009, for the June 29, 2009, Planning Commission
SUBJECT: Continued Proposed Development Code Amendments (DC-02-09)

Based on the comments received at the June 15, 2009, Planning Commission Meeting, the Public Works Engineering Department has provided initial responses and feedback as presented below. A representative from the Engineering Department will also be available at the June 29, 2009 meeting to respond to any additional questions or comments on the proposed Development Code revisions.

2.490. Site Plan Application Contents (pages 38-39 of your June 15, 2009, packet). An application for Option A Site Plan Review must include:

- (5) a site plan showing:
- (k) Natural drainage patterns, **flow arrows showing existing and proposed drainage patterns, and existing and proposed finished grade contours at 1-foot intervals, or at a larger interval if approved by the City Engineer.**
 - (l) **Clearly identify any existing and proposed swales, ditches, or other drainage ways.** Location, size, and capacity of the existing and proposed drainage system including pipe size, slope, **detention facilities, and water quality facilities.** Show existing and proposed finished grade elevations at collection points and property lines. Include the location, size, and capacity of **the downstream drainage system** that would serve the proposed development.
 - (m) **Also provide any supporting calculations.**
 - (n) **Typical cross sections at adjacent property boundaries showing pre-and post-development conditions and clearly identify any changes in elevation at the property line not captured in the typical section.**

Example: Smart Centers is a good example of a recent project that required all of this information. Although each item wasn't specifically listed in the Development Code, the information was required in order for Public Work's to identify potential conflicts. Because of the size and location of the project, Smart Centers dealt with a wide range of issues such as fill in the floodplain, capacity concerns with the existing drainage system, drainage concerns between properties, private detention systems, public detention systems, sub-surface drainage concerns, filled in an existing pond, and it covered two drainage basins.

Reason for proposed language: Stormwater management is a critical element of most development proposals. The Public Works Department is tasked with reviewing the stormwater component of these development applications. As such, Public Works requires that enough information is provided to make an educated decision on the proposal. The requested changes reflect the type of information Public Works typically requires when engineering plans for a subdivision are submitted to the City. The updated list will better prepare applicants for what is actually required during review and should help reduce delays as a result of incompleteness.

Unlike a subdivision, when a project goes through Site Plan review, Engineering staff may not get another opportunity to review the stormwater system. Therefore, it is imperative that a comprehensive review be completed during the land use process.

It was noted that the Planning Commission would like to add the word “applicable” when defining what is required to be shown on the Site Plan. This addition is appropriate and provides some flexibility for the applicants and staff.

12.370 Utility Easement Width (page 69 of your June 15, 2009, packet). The standard width for public utility easements adjacent to street rights-of-way is 7 feet. The minimum width for all other public utility easements shall be 15 feet for water, 20 feet for sewer, and 15 feet for piped storm drainage unless otherwise specified by the utility company or City Engineer. **Greater easement widths may be required by the City Engineer when necessary for long-term access to, and maintenance of, the proposed utility.** When feasible, utility easements shall be centered on a lot line.

Example: Fabian Estates is a good example of a recent project that required additional easement widths. Where stormwater was piped down the steep slope towards West Thornton Lake, additional easement widths were required in order to provide legal access to conduct future maintenance activities. Between West Thornton Lake Drive and the outfall, the piped system transitions to a water quality swale. In this location, the City required an easement over the drainage system and additional width to drive maintenance vehicles parallel to the swale and down to the outfall to conduct maintenance activities. As the City moves towards more environmentally friendly stormwater solutions these types of circumstances will increase.

Reason for language: The existing Development Code language gives the City Engineer the authority to require greater easement widths. The proposed text was intended to clarify the requirements and to avoid “surprises” for the developer as related to access requirements for maintenance activities. Based on the comments received, it appears that the proposed language may not accomplish what was intended. Therefore, staff proposes to leave the existing language unchanged and defer consideration of modified language until water quality related easement needs are better defined.

12.440/12.500/12.530 – Water, Sewer, Storm Plan Approval (pages 70-72 of your June 15, 2009, packet). **Preliminary water plans and systems must be submitted to the City Engineer as part of the tentative plat or site plan review application. These plans must provide enough information to enable the City Engineer to determine that the proposed development is feasible, but are not required to be detailed construction level documents. The City’s Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.**

Example: An appeal of the Fabian Estates land use decision identified the need for the proposed changes.

Reason for language: Based on the LUBA remand for Fabian Estates, the existing language requires more of an applicant than what was intended, or than has been required in past practice. The revisions will clarify the requirements and not result in any process changes when compared to typical past practices.

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The intent of the Code is to have applicants demonstrate to the City's satisfaction that their proposed development is feasible. Engineered construction drawings are not necessary at this stage and are required through the Site Improvement (SI) process, after land use approval. If the existing language were to remain, developers would be required to submit fully engineered drawings for the land use application before they knew if they had land use approval. This would be an unnecessary, and costly, requirement for the developer.

Please bring your Planning Commission packets from the June 15th meeting to our meeting next week. Extras will be available if you have already recycled yours, or you can access it online at www.cityofalbany.net/comdev/applications.

If you have any questions or concerns about any of the amendments, please call me or Don at 917-7550, so that we can make sure to have the appropriate staff or resources available at the meeting.

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Attachment

c: Jeff Blaine, Assistant City Engineer
Greg Byrne, Community Development Department
Don Donovan, Planning Manager
Mark Shepard, City Engineer

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