



NOTICE OF PUBLIC HEARING

CITY OF ALBANY
PLANNING COMMISSION
City Council Chambers, 333 Broadalbin Street SW
Monday, June 7, 2010
5:15 p.m.

AGENDA

1. CALL TO ORDER

(Chair Faller)

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. APPROVAL OF THE MINUTES

a. March 29, 2010, Joint work session

5. QUASI JUDICIAL PUBLIC HEARING
(Staff Report and Exhibits).

SD-03-10: Subdivision Tentative Plat that will divide a
9.58-acre parcel of land into 30 residential single-family
lots (Laurel Highlands).

6. ACTIVITY UPDATE

7. NEXT PLANNING COMMISSION MEETING DATES:

- a. Tentative Monday, June 28, 2010 Planning Commission; and
- b. Monday, June 28, 2010 Planning Commission

8. 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 541-917-7500.

City of Albany Web site: www.cityofalbany.net



Community Development Department

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Albany, OR 97321

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STAFF REPORT Land Division

HEARING BODY

PLANNING COMMISSION

HEARING DATE

Monday, June 7, 2010

HEARING TIME

5:15 p.m.

HEARING LOCATION

Council Chambers, Albany City Hall, 333 Broadalbin Street SW

GENERAL INFORMATION**DATE OF REPORT:**

May 28, 2010

FILE:

SD-03-10

TYPE OF APPLICATION:

Subdivision Tentative Plat that will divide a 9.58-acre parcel of land into 30 residential single-family lots (Laurel Highlands).

REVIEW BODY:

Planning Commission

STAFF REPORT PREPARED BY:

Evan Fransted, Project Planner

**PROPERTY OWNER/
APPLICANT:**

RBSM LLC; c/o Robert Lowery; 1550 Laurel Heights Drive NW;
Albany, OR 97321

APPLICANT REP:

Dan Watson; K&D Engineering, Inc.; PO Box 725; Albany, OR
97321

ADDRESS/LOCATION:

No addresses yet. Northwest corner of North Albany Road and Laurel
Place NW

MAP/TAX LOT:

Benton County Assessor's Map No. 10S-4W-36AD; Tax Lot 800

ZONING:

RS-10 (Residential Single Family)

TOTAL LAND AREA:

9.58 acres

EXISTING LAND USE:

Vacant

NEIGHBORHOOD:

North Albany

SURROUNDING ZONING:

North: RS-10
South: RS-10
East: RS-10
West: RS-10

SURROUNDING USES:

North: Residential- single family
South: Residential- single family (across Laurel Place)
East: Residential- single family
West: Residential- single family (across North Albany Road)

PRIOR HISTORY:

A previous version of this subdivision application was submitted in 2007, but the application became void when the applicant did not submit the additional information that was needed to make the application complete (Planning File SD-03-07).

NOTICE INFORMATION

A notice of public hearing was mailed to surrounding property owners on May 26, 2010. The site was posted on May 28, 2010, in accordance with Section 1.410 of the Albany Development Code. At the time this staff report was prepared May 28, 2010, the Albany Planning Division had not received written comments from any of the property owners who were mailed notice.

STAFF RECOMMENDATIONS

APPROVAL with CONDITIONS of the land division application referenced above. The proposed conditions of approval are found in this staff report.

PLANNING COMMISSION DECISION

[NOTE TO PLANNING COMMISSION: CHOOSE ONE FROM THE MOTIONS LISTED BELOW.]

MOTION TO APPROVE WITH CONDITIONS

If no new evidence is presented at the public hearing, the Planning Commission may approve the application based on the findings and conclusions of the staff report.

I MOVE that the Planning Commission APPROVE WITH CONDITIONS the application for the Subdivision Tentative Plat that will divide a 9.58-acre parcel of land into 30 residential single-family lots (File SD-03-10). This motion is based on the findings and conclusions of the staff report and testimony presented at the public hearing.

OR

MOTION TO APPROVE WITH CONDITIONS AS MODIFIED

If there is information not included in the staff report or new information presented at the public hearing, the Planning Commission may propose new findings and conditions and approve the application.

I MOVE that the Planning Commission APPROVE WITH CONDITIONS AS MODIFIED (Insert Modification Here) the application for the Subdivision Tentative Plat that will divide a 9.58-acre parcel of land into 30 residential single-family lots (File SD-03-10). This motion is based on the findings and conclusions of the staff report and testimony presented at the public hearing.

OR

MOTION TO GRANT TENTATIVE APPROVAL WITH CONDITIONS

If new information is presented at the public hearing, and the Planning Commission wishes staff to prepare additional findings that address that information, the Planning Commission may grant tentative approval, and direct staff to prepare findings. At the next meeting, the Planning Commission would review the additional findings, and if they are satisfactory, approve the application based on the staff report, the new information, and the additional findings.

I MOVE that the Planning Commission grant TENTATIVE APPROVAL WITH CONDITIONS of the application for the Subdivision Tentative Plat that will divide a 9.58-acre parcel of land into 30 residential single-family lots (File SD-03-10). I also MOVE that the Planning Commission direct staff to prepare findings that address the new information presented at the public hearing for consideration at the next meeting.

OR

MOTION TO DENY

If the Planning Commission finds that the applicant has not provided sufficient evidence to demonstrate that the review criteria have been met, or if they find the applicant has presented incorrect information, the Planning Commission may deny the application.

I MOVE that the Planning Commission DENY the application for the Subdivision Tentative Plat that will divide a 9.58-acre parcel of land into 30 residential single-family lots (File SD-03-10). I also MOVE that the Planning Commission direct staff to prepare findings to support denial based on the testimony presented at the public hearing and to present these findings for consideration at the next meeting.

APPEALS

Within five days of the Planning Commission's final decision on this application, the Community Development Director will provide written notice of the decision to the applicant and any other parties entitled to notice.

A decision of the Planning Commission may be appealed to the City Council if a person with standing files a completed Notice to Appeal and the associated filing fee to the Planning Division within 10 days of the date of the notice of decision is mailed.

STAFF ANALYSIS

Subdivision File SD-03-10

Project Description

The applicant submitted a Subdivision Tentative Plat application. The subdivision would divide a 9.58-acre parcel of land into 30 residential single-family lots (Laurel Highlands).

The property where the subdivision would be built is located on the north side of Laurel Place NW, east of North Albany Road NW. The property is zoned RS-10 (Residential Single Family).

The minimum average lot size of development in RS-10 zoning districts is 10,000 square feet. The subdivision plat shows that the lots in Laurel Highlands would vary in size from 7,540 square feet to 15,987 square feet. The average lot size would be 11,282 square feet.

Review Criteria

The Albany Development Code (ADC) contains the following review criteria which must be met for this application to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions.

- (1) *Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.*

FINDINGS OF FACT

- 1.1 The proposed subdivision would divide the 9.58-acre parcel of land shown on Benton County Assessor's Map No. 10S-4W-36AD as Tax Lot 800 into 30 residential single-family lots. This parcel is owned by RBSM LLC.

CONCLUSIONS

- 1.1 The proposed subdivision would divide the entire parcel of land owned by RBSM LLC into lots.
 - 1.2 This review criterion is not applicable because there will be no remainder of property to be considered.
- (2) *Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.*

FINDINGS OF FACT

- 2.1 This review criterion has been interpreted by the City Council to require only that adjoining land either have access, or be provided access, to public streets.

- 2.2 Albany Development Code (ADC) 12.060 requires that development must have frontage on or approved access to a public street currently open to traffic.
- 2.3 ADC 12.110 says that new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties.
- 2.4 Property to the north: Six separate parcels of land adjoin the subdivision to the north. Five of the parcels are developed with a single-family house. These parcels have access to Olivia Circle or Cascade Heights Drive. The other parcel shown on Benton County Tax Assessor's Map 11S-4W-36AD as Tax Lot 3700 (Kenyon) is vacant. This property has access to Cascade Heights Drive and can be developed.

Property to the south: There is one adjoining property to the southwest. The property has frontage on North Albany Road and Laurel Place with access to Laurel Place. Properties to the south, across Laurel Place, have frontage on Laurel Place.

Property to the east: Six separate parcels of land adjoin the subdivision to the east. Five of the parcels are developed with a single-family house. The other parcel shown on Benton County Tax Assessor's Map 11S-4W-36AD as Tax Lot 3900 (Drushella) is vacant. All the properties have frontage on Laurel Way (private street) or Cascade Heights Drive.

Property to the west: Properties to the west, across North Albany Road, have access to Northview Lane.

CONCLUSIONS

- 2.1 All adjoining land has access to public streets.
- 2.2 This review criterion is met.
- (3) *The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.*

FINDINGS OF FACT

- 3.1 The proposed subdivision site is located on the east side of North Albany Road and the north side of Laurel Place.
- 3.2 North Albany Road is classified as a major collector street and is constructed to City standards. Improvements include curb, gutter, and sidewalk, a vehicle travel lane in each direction, and on-street bike lanes.
- 3.3 Laurel Place is classified as a local street and is not constructed to City standards along the frontage of the subject property. The road does not have curb, gutter, or sidewalk along the frontage of the property that would be divided. Curb, gutter, and sidewalk improvements end at the west boundary of this property. Pavement width is approximately 12 feet. The right-of-way width is 30 feet.
- 3.4 Based upon ITE trip generation rates, single family homes generate 9.57 vehicle trips per day. The subdivision will create 30 lots, each of which could be developed with a single-family home. Construction of 30 homes would add about 287 new vehicle trips per day to the public street system. About 30 of those trips would occur during the peak p.m. traffic hour.
- 3.5 City guidelines require submittal of a study for developments that generate 50 or more peak hour trips. The subdivision would not generate sufficient trips to require submittal of a traffic study.
- 3.6 The interior streets within the subdivision would be classified as local streets. The tentative plat shows that all have a right-of-way width of 54 feet, and curb to curb width of 30 feet. That design complies with

Section 12.122 of the Development Code.

- 3.7 Albany's Transportation System Plan (TSP) does not identify any level of service or congestion problems on streets adjacent to the property that would be divided.
- 3.8 ADC 12.060 and ADC 12.200 require that streets adjacent to new development be improved to City standards.
- 3.9 ADC 12.200 allows the City Engineer to approve a partial width street provided the design is determined to be adequate to accommodate needed public facilities, storm drainage runoff, traffic volumes, and traffic loadings.
- 3.10 Laurel Place adjoins the subdivision and currently is not built to City standards. The applicant proposes to dedicate 17 feet of additional right-of-way on the north side of Laurel Place and construct a 28-foot-wide partial street.
- 3.11 Laurel Place is a dead end street east of its intersection with Laurel Heights Drive (near the west boundary of this subdivision) and provides access for 15 single-family lots, two of which are currently vacant. If all of the lots with access to Laurel Place were developed, current traffic volumes on the street would be about 144 vehicle trips per day at its intersection with North Albany Road.
- 3.12 The standard right-of-way width for a local street is 54 feet. The existing right-of-way on Laurel Place is 30 feet. Half of the existing right-of-way (15 feet) has been dedicated from properties on the north side of the road, and half from the south. Dedication of an additional 17 feet with this development will result in the north side of the street having dedicated half of the ultimate right-of-way for the street.
- 3.13 The proposed 28-foot-wide partial street along the subdivision's frontage on Laurel Place would provide for a 10-foot vehicle travel lane in each direction and on-street parking along the north side of the street. Because of its current narrow width (12 feet) no on-street parking is currently provided on the street. The City Engineer has determined that the proposed improvements are sufficient to accommodate the traffic expected on the street.
- 3.14 Installation of a crosswalk and stop sign will be needed on the new street connection to North Albany Road in order to assign right-of-way.
- 3.15 The installation of street name signs and street lights will be needed within the development to provide for the safe and efficient movement of traffic (ADC 12.280).
- 3.16 ADC 12.321 says that when a new public street is created in conjunction with development, street trees are required in accordance with the standards provided in the Standards Construction Specifications and the Urban Forestry Management Plan. A street tree plan was not submitted with this application.

CONCLUSIONS

- 3.1 The proposed subdivision will generate about 287 vehicle trips per day. About 30 of those trips would occur during the p.m. peak traffic hour.
- 3.2 Albany's Development Code requires that new development improve their frontage on existing streets that are not constructed to City standards. The public street system adjacent to the development on Laurel Place is not constructed to City standards.
- 3.3 The applicant has proposed construction of a partial width street along the subdivision's frontage on Laurel Place. The street would have a paved width of 28 feet and provide for a travel lane in each direction and on-street parking along the north side of the street. The City Engineer has determined that

the proposed improvements are sufficient to accommodate the traffic expected on the street.

- 3.4 The design of the development's interior local street system complies with the Development Code.
- 3.5 Albany's TSP does not identify any level of service or congestion problems on streets adjacent to the proposed subdivision.
- 3.6 Installation of a crosswalk and stop sign will be needed at the new intersection with North Albany Road.
- 3.7 The installation of street name signs and street lights will be needed within the subdivision.
- 3.8 The development must provide street trees in conjunction with the new streets.

CONDITIONS

- 3.1 The property owner shall dedicate 17 feet of right-of-way along the development's frontage on Laurel Place.
- 3.2 Before the City will approve the final subdivision plat, the property owner/developer shall construct or financially assure the construction of partial street improvements along the subdivision's frontage on Laurel Place Drive. The improvements shall include:
 - Installation of curb and gutter on the north side of the street. The face of curb shall be located 37 feet north of the current south right of way line of the street.
 - Installation of sidewalk to City standards along the Laurel Place frontage of lots 1, 2, 3, and 30.
 - Installation of new pavement to City standards to a width of 28 feet as measured from the new face of curb along the north side of the street.
- 3.3 The subdivision's interior street system shall be constructed to City standards. The right-of-way and curb to curb widths shall be as shown on the tentative subdivision plat.
- 3.4 The property owner/developer shall install street lights and street name signs to city standards.
- 3.5 The property owner/developer shall install a crosswalk and stop sign at the new street approach to North Albany Road.
- 3.6 The property owner/developer shall provide street trees in accordance with ADC 12.324.

(4) *The location and design allows development to be conveniently served by various public utilities.*

FINDINGS OF FACT

General

- 4.1 ADC 12.440, 12.500, and 12.530 say preliminary water, sewer and storm sewer plans and systems must be submitted to the City Engineer as part of the tentative plat 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.

Sanitary Sewer

- 4.2 City utility maps show an 8-inch public sanitary sewer main in North Albany Road south of Northview Lane; an 8-inch main in North Albany Road near the northwest corner of the subject property; and, an 8-inch main in Laurel Place along the eastern 350 feet of the subject property's frontage.
- 4.3 Oregon Revised Statutes (ORS) 92.090 states that no subdivision plat shall be approved unless sanitary sewer service from an approved sewage disposal system is available to the lot line of each and every lot depicted in the proposed subdivision plat.
- 4.4 The Albany Development Code requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line (ADC 12.470).
- 4.5 Sewer collection mains must be extended along the full length of a property's frontage(s) along the right(s)-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion (ADC 12.490). Main extensions may be required through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide access to the public system for current or future service to upstream properties (ADC 12.510). Extension of the sewer across the frontage and/or through the interior of a property makes the system available to adjacent properties. Then, when the adjoining property connects, that property owner must extend the sewer in a similar manner, making the sewer available to the next properties. In this way, each property owner shares proportionately in the cost of extending sewer mains.
- 4.6 Some of the proposed lots in this subdivision will have direct access to existing public sewer mains adjacent to the site. Any lots that do not have access to these mains must be provided sewer service by extending public sanitary sewer mains through the proposed subdivision.
- 4.7 The applicant's preliminary utility plan shows an extension of approximately 85 feet of public 8-inch sewer main in Laurel Place to provide sewer service to Lots 1, 2, 6, 7, and 8. The plan also shows public 8-inch sewer main extensions into the site within the proposed streets to provide sewer service to the other lots that will not have access to existing public sewers. Lots 9, 10, 11, 13, and 14 will have access to existing sewer laterals that were installed when the North Albany Road extension was constructed.

Water

- 4.8 City utility maps show an 8-inch public water main in North Albany Road and an 8-inch main in Laurel Place along the full length of the subject property's frontages. An 8-inch water main was stubbed toward the property at the North Albany Road and Northview Lane intersection.
- 4.9 ORS 92.090 states that no subdivision plat shall be approved unless water service from an approved water supply system is available to the lot line of each and every lot depicted in the proposed subdivision plat.
- 4.10 The Albany Development Code requires all new development to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main (ADC 12.410).
- 4.11 All required public water main extensions must extend to the furthest property line(s) of the development or parcel. Main extensions may be required through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide current or future looping of water mains, or to provide current or future service to adjacent properties [AMC 11.01.120 (2)(e)]. When the owner of a property is required to connect to the public water system, the water main must be extended across the property's entire frontage and/or through the interior of the property. Extension of the water across the property's frontage and through the interior of the property makes the system available to adjacent properties. Then, when the adjoining property connects, that property owner must extend the water mains in a similar manner, making the water available to the next properties. In this way, each property owner shares proportionately in the cost of extending water mains.

- 4.12 The applicant's preliminary utility plan shows the extension of 8-inch public water mains within the proposed streets of the subdivision to provide service to each of the lots except Lots 1, 2, and 10. Lots 1, 2, and 10 will be served by water services installed by City personnel from existing water mains in North Albany Road and Laurel Place. Water service installation permits must be obtained by the applicant before these services will be constructed.

Storm Drainage

- 4.13 City utility maps show a 12-inch public storm drainage main in North Albany Road north of Northview Lane and a 21-inch main in Laurel Place near the subject property's southwest corner. These public storm drainage system improvements were constructed as part of the North Albany Road and roundabout project. The facilities were sized such that they would be capable of accommodating the anticipated stormwater runoff from this site without on-site detention for the area that will be discharged to these facilities.
- 4.14 All new development within the City must, where appropriate, provide for the extension of existing storm sewer lines or drainageways serving surrounding areas. Extensions may be required along all frontages and/or through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide service to upstream properties (ADC 12.580). Any public drainage facility proposed for a development shall be designed large enough to accommodate the maximum potential runoff from its entire upstream drainage area, whether inside or outside of the development, as specified in the City's storm drainage facility plan or separate storm drainage studies (ADC 12.550).
- 4.15 A development will be approved only where adequate provisions for storm and flood water runoff have been made, as determined by the City Engineer (ADC 12.530).
- 4.16 The applicant's preliminary utility plan shows the construction of public storm drainage improvements within the proposed streets to be built in association with this subdivision. The majority of the street runoff will be collected by catch basins within the streets and carried through pipes to the existing public drainage facilities in Laurel Place, which will then flow to public drainage facilities in North Albany Road. A small amount of street runoff will flow to the east in Laurel Place and to the west at the intersection of North Albany Road and Northview Lane. The slope of the property is such that some of the proposed lots along the north portion of "C" Street will not be able to drain roof drains to the curb. In order to provide for drainage of hard surfaces to the public storm drainage system the applicant must construct a public storm drainage main in "C" Street north of "B" Street and provide individual storm drainage service laterals to each of the lots which cannot be served by roof drain connections to the curb.
- 4.17 Because of the slope of the subject property, the applicant's plan shows private storm drainage facilities to be constructed along the rear of the lots along the north and east boundaries of the subject property. Drainage from the back of Lots 13, 14 and 15 will be collected in a shared private drainage system and carried to a connection to the existing public storm drainage main in North Albany Road, near the subject property's northwest corner. Included in the design of this private system is a private storm drainage detention vault at the extreme northwest corner of Lot 14. A shared maintenance agreement must be created to assure that the private drainage system and this detention facility is properly maintained and continues to function as designed.

Drainage from the back of Lots 23, 24, 25, and 26 will be carried to a connection to an existing private storm drain line near the common boundary between Lots 24 and 25, where it will then run through piping installed as part of the Cascade Heights subdivision. The applicant's findings indicate that this piping was installed for the Cascade Heights development and was sized to accommodate the anticipated runoff from the subject property. Drainage from the back of Lots 27, 28, 29, and 30 will be carried to the south to Laurel Place where it will be discharged to existing drainage facilities to the east. The roof drains and other impervious surfaces from lots 23 through 30 must be drained to the street or the public storm drainage main in the street. Lots 6, 7, 8, and 9 are shown with private storm drainage piping and catch

basins along their back lots lines. The roof drains and other impervious surfaces may be connected to this private storm drainage system along the south boundaries of the lots, or can be connected to the curb or public storm drainage facilities in "B" Street. Shared maintenance agreements must be created to assure proper maintenance of each of these private drainage facilities.

CONCLUSIONS

- 4.1 The City Engineer has reviewed the applicant's preliminary water, sewer, and storm sewer plans and determined the proposed development is feasible.
- 4.2 The public sanitary sewer and water systems have the capacity to accommodate the proposed development. Public utility (sanitary sewer and water) main extensions will be required to provide service to all of the lots in the proposed subdivision.
- 4.3 The applicant's preliminary utility plan shows the extension of approximately 85 feet of 8-inch public sanitary sewer main in Laurel Place to provide service to Lots 1, 2, 6, 7, and 8; and, the extension of 8-inch mains within the subdivision to provide service to the other lots. Lots 9, 10, 11, 13, and 14 are to be served by existing sanitary sewer laterals tapped from public mains in North Albany Road.
- 4.4 Public water mains currently exist along the property's North Albany Road and Laurel Place frontages. It appears that Lots 1, 2, and 10 will be served by water services that will be connected to existing public mains. The applicant must obtain water service installation permits from the Public Works Engineering Division before these services will be installed by city personnel. The applicant's preliminary utility plan shows the extension of 8-inch public water mains within the subdivision to provide service to the other lots within the subdivision.
- 4.5 The applicant's preliminary storm drainage plan appears to be acceptable, but a public storm drainage main must be extended to the north end of "C" Street to provide service to those lots whose roof drains (and other hard surfaces, such as driveways, etc.) cannot be drained to the adjacent curb.
- 4.6 Each of the shared private storm drainage systems along the rear lot lines of the lots must be covered by a shared maintenance agreement for those lots sharing the systems.
- 4.7 The final construction design for all public infrastructure work associated with this project must be reviewed and approved by the City's Engineering Division as part of the Permit for Private Construction of Public Improvements. These required public infrastructure improvements must be completed, or the applicant must provide financial assurances for their completion, before the final subdivision plat will be approved.
- 4.8 This review criterion will be met when the following conditions are met.

CONDITIONS

- 4.1 Before the City will approve the final subdivision plat, the property owner/developer must construct public sanitary sewer, water, and storm drainage system improvements to serve the proposed development. These improvements must generally conform to the plans submitted to the City with the subdivision tentative plat application. One modification to the submitted plans that must be included with the final review of the public utility plan review is the extension of a public storm drainage main within the north portion of "C" Street.
- 4.2 At the time of the final plat submittal, the property owner/developer shall show provision of private utility maintenance agreements for each shared private storm drainage facility proposed along the rear boundaries of the lots.

- (5) *Any special features of this site (such as topography, floodplains, wetlands, vegetation, historic sites, etc.) have been adequately considered and utilized.*

FINDINGS

Topography

- 5.1 *Comprehensive Plan Plate 7: Slopes*, shows that the property that will be divided has steep slopes of 12 to 25 percent. The Tentative Plat shows that the northeast side of the property has steep slopes that average 12 to 22 percent. The elevations on the property range from 322 feet to 271 feet. The property slopes generally from the north central area outward to the northwest, northeast, southeast and southwest areas.
- 5.2 ADC 6.170 through 6.230 includes Hillside Development standards. ADC 6.180 says that the Hillside Development standards apply to any property proposed for development that has slopes of 12 percent or greater as shown on Plate 7 of the Albany Comprehensive Plan. The Hillside Development standards apply to the proposed subdivision.
- 5.3 ADC 6.170 says the purpose of the Hillside Development district is to regulate the development of potentially hazardous terrain, minimize public and private losses due to earth movement hazards in specified areas, and minimize erosion and related environmental damage.
- 5.4 ADC 6.190 says that Hillside Development is reviewed as part of the land division application process as a Type III procedure. The Type III process requires a public hearing (ADC 3.160). A public hearing on this application will be held.
- 5.5 ADC 6.200 requires the applicant to submit a geologic and soils report prepared and stamped by a certified engineering geologist or a licensed civil engineer, licensed in the specialty of geotechnical engineering with the State of Oregon. The applicant submitted a "Geotechnical Investigation," prepared by OGD Consulting, Inc., dated June 26, 2009. The Geotechnical Investigation is stamped by Melvin McCracken, a Registered Professional Engineer.
- 5.6 ADC 6.200 says the report must identify the following:
- (1) *All geologic and soils hazards and certify that the site, and each individual lot if a land division is proposed, are suitable for the proposed development.*

A letter attached to the report says "There are no geologic or soil hazards that were identified at the site. The result of our investigation suggests that the entire parcel is suitable for the proposed residential development." The report says "The soil conditions at the site are adequate to support the planned development, provided the upper soil is mitigated as recommended herein."

- (2) *Area(s) suitable for building and describe how slopes will be stabilized.*

The Geotechnical Investigation recommends the following:

- All foundation excavations must extend a minimum of 12 inches below the finished grades and expose firm soils throughout the excavation area.
- Set residential foundations back at least 15 feet from the top of fill or cut slopes greater than 5 feet high. If foundations are required closer to the slopes, a site-specific geotechnical evaluation will be required.
- Provide for foundation drainage around the perimeter of the structures. The drains should include a 3 or 4-inch diameter drain pipe bedded in drain rock with a minimum width of 12 inches of drain rock around the pipe and 12 inches of drain rock over the pipe.

- Excavate permanent cut slopes using an average slope configuration no steeper than 2(horizontal):1(vertical).
- The completed exaction slope should be covered with an erosion control blanket or mulched and seeded after final grading. Some minor erosion of the slope face should be anticipated during establishment of the vegetation.

More specific details are provided in the Recommendations section of the report. There are 28 Recommendations. A condition of approval of the subdivision will be that the recommendations be followed for subdivision construction.

(3) *Suitable building footprint(s) for development on each lot.*

As discussed under (2) above, the Geotechnical Report makes recommendations about the location of houses on the lots. The report also says base aggregate should be placed and compacted over the prepared building pads and finished grades surrounding the residential structures should be built up to assist in promoting surface water away from the structures on the gently sloping site.

(4) *Any requirements that must be met from the time construction begins to the time construction is completed.*

The Recommendations in the Geotechnical Report list requirements that must be met from the time construction begins to the time construction is completed.

(5) *Any requirements that must be met after construction is completed (e.g., maintenance requirements for continued slope stabilization).*

As discussed under (2) above, the Geotechnical Report recommends that the completed exaction slope should be covered with an erosion control blanket or mulched and seeded after final grading (Recommendation 27).

- 5.7 ADC 6.210 requires that "In all slope areas, impervious surface drainage from roofs, driveways, and parking areas must be directed to a City storm drain or other City-approved drainage system. Development activities must not block the flow of stormwater in natural drainageways without prior approval from the Public Works Director."

Storm drainage is addressed under Review Criterion (4) of this staff report.

- 5.8 ADC 6.220 requires that "Street grades shall generally be 12 percent or less. Grades on Arterial or Collector streets must be no more than 6 percent and 10 percent respectively (see Section 12.210). Street grades of up to 15 percent may be permitted for a distance of no more than 200 feet. No intersections are permitted where street grades exceed 12 percent. Where practical, streets must be contoured to hillside areas in order to minimize environmental and scenic disruption. Driveways must have a grade of 15 percent or less, unless the Public Works Director approves a greater slope."

"A", "B" and "C" Streets in the subdivision will be classified as local streets. The Tentative Plat shows that "A" Street will be 4.68 percent grade. "B" Street will be 2.17 percent grade. "C" Street will vary from 4.15 percent to 6.82 percent grade. Driveway grades will be established when building permits for houses are issued. The restriction on the steepness of driveways will be included as a condition of approval of the subdivision.

- 5.9 Grading Permit. Albany Municipal Code (AMC) 12.35 requires that a grading permit be obtained from the City of Albany Public Works Department if more than 50 cubic yards of material are to be excavated or filled on slopes steeper than 12 percent.

This requirement will be included as a condition of approval of the subdivision.

Floodplains

- 5.10 *Comprehensive Plan Plate 5: Floodplains*, does not show a 100-year floodplain on this property. FEMA/FIRM Community Panel No. 410137 0001F, dated July 7, 1999, shows that this property is in Zone X, an area determined to be outside any 500-year floodplain.

Wetlands

- 5.11 *Comprehensive Plan Plate 6: Wetland Sites*, does not show any wetlands on the property. The North Albany Local Wetlands Inventory does not show any wetlands on the property.

Vegetation and Wildlife Habitat

- 5.12 *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat*, shows no vegetation and/or wildlife habitat on this property. The subdivision tentative plat shows 30 trees on the property. There is a row of 18 pine trees that vary in size from 8 inches to 12 inches in diameter. Written materials submitted with the application say "This project proposes to not remove any trees over 8" in diameter. The pine trees and the 18" Birch may be impacted by future home development, but can be preserved depending on the future home configuration and the health of the tree." An Apple tree that is 18 inches in diameter would be removed to install utilities. The largest tree on the property is a 36 inches in diameter Oak tree. The Oak tree "will not be impacted by future home development."

Historic and Archaeological Sites

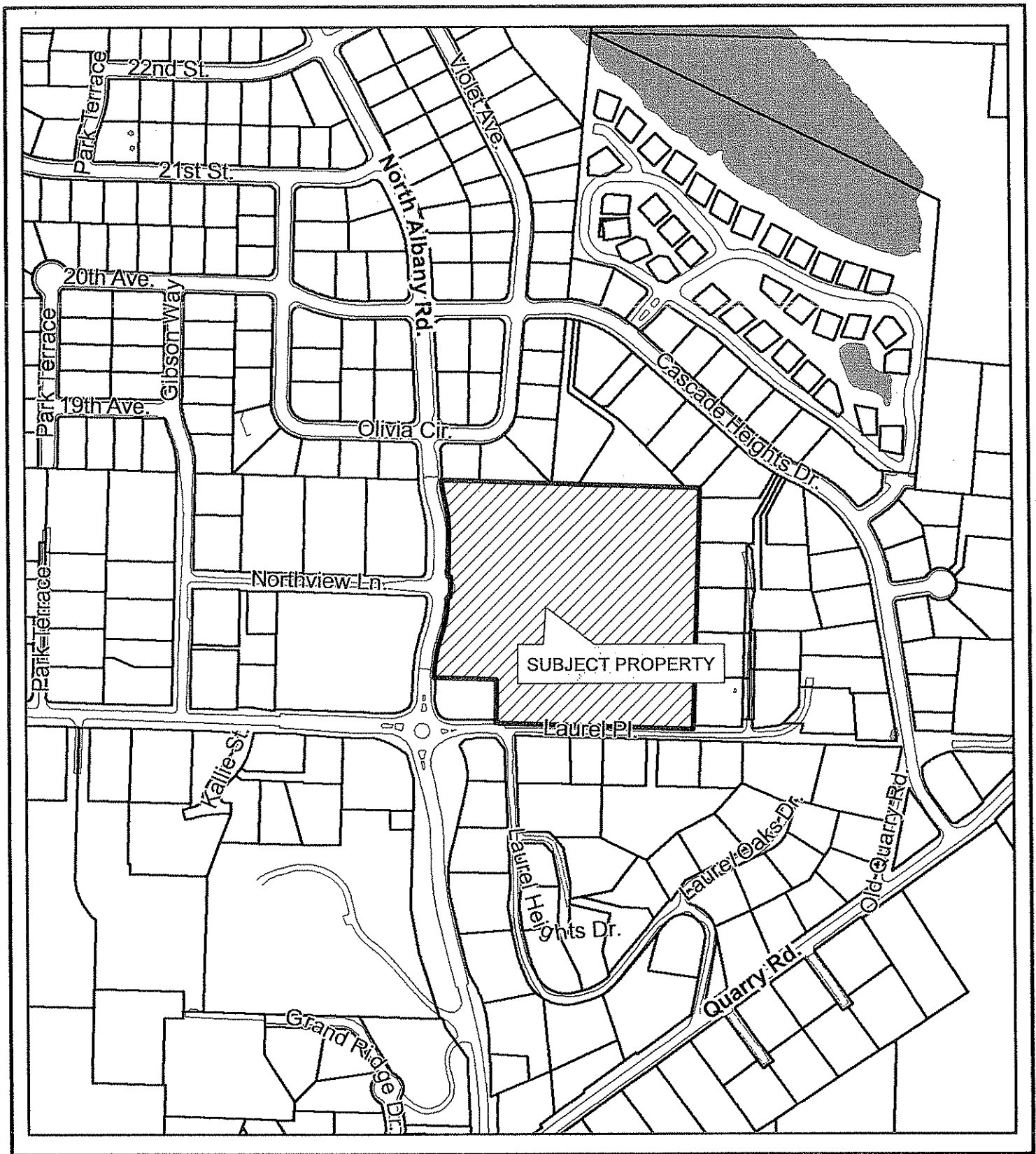
- 5.13 *Comprehensive Plan Plate 9: Historic Districts* shows the property is not in a historic district. There are no known archaeological sites on the property.

CONCLUSIONS

- 5.1 Comprehensive Plan Plate 7 shows that the property where the subdivision is proposed has steep slopes on it. The Hillside Development standards apply to the subdivision.
- 5.2 ADC 6.200 requires a geotechnical report. The applicant submitted a "Geotechnical Investigation." The report concludes that the lots in the subdivision are suitable for the proposed development.
- 5.3 The Geotechnical Investigation includes recommendations for subdivision construction. A condition of approval of the subdivision will be that the recommendations be followed.
- 5.4 A grading permit must be obtained from the City's Engineering Division for subdivision construction.
- 5.5 There are no floodplains or wetlands on the subdivision property.
- 5.6 There are some large trees on the property. Precautions are necessary to protect remaining trees.
- 5.7 This review criterion will be met when the following conditions are met.

CONDITIONS

- 5.1 All of the recommendations of the "Geotechnical Investigation," prepared by OGD Consulting, Inc., dated June 26, 2009, must be followed during all phases of subdivision construction.
- 5.2 Driveways for houses in the subdivision must have a grade of 15 percent or less, unless the Public Works Director approves a greater slope.
- 5.3 A grading permit must be obtained from the City's Engineering Division before construction of the subdivision.
- 5.4 Precautions shall be made to protect existing trees and tree roots from damaging agents during and after the construction process. ADC 9.208(5) lists the following tree protection specifications that should be followed to the maximum extent feasible for all projects with protected existing trees.
 - (a) Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
 - (b) Prior to and during construction, barriers shall be erected around all protected existing trees with such barriers to be of orange fencing a minimum of 4 feet tall, secured with metal T-posts, no closer than 6 feet from the trunk or ½ of the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone.
 - (c) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
 - (d) No damaging attachment, wires, signs or permits may be fastened to any protected tree.
 - (e) Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be "ribboned off," rather than erecting protective fencing around each tree as required in subsection (5)(b) above. This may be accomplished by placing metal t-post stakes a maximum of 50 feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
 - (f) The installation of utilities, irrigation lines or any underground fixture requiring excavation deeper than 6 inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of 24 inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the chart below. [Ord. 5445, 4/12/2000]



PROPOSED SUBDIVISION



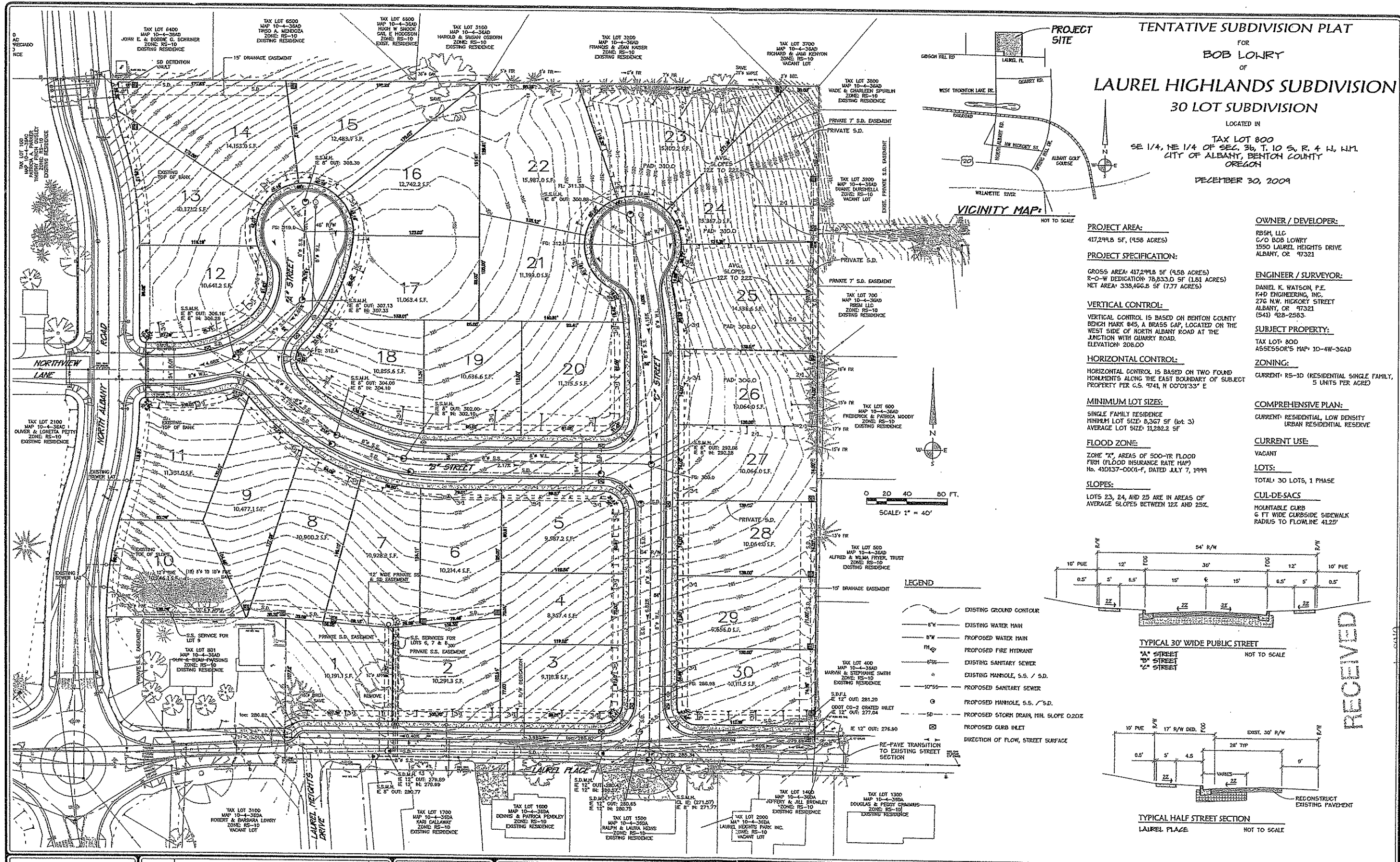
The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All of the data provided represents current information in a readily available format. While the data provided is generally believed to be accurate, occasionally it proves to be incorrect; thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the material provided, it is specifically advised that you independently field verify the



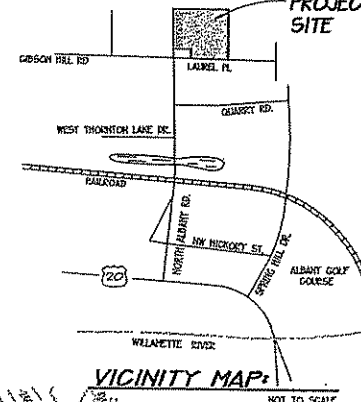
May 3, 2010

Planning Division

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7676



TENTATIVE SUBDIVISION PLAT
 FOR
BOB LOWRY
 OF
LAUREL HIGHLANDS SUBDIVISION
 30 LOT SUBDIVISION
 LOCATED IN
 TAX LOT 800
 SE 1/4, NE 1/4 OF SEC. 36, T. 10 S., R. 4 W., N.M.
 CITY OF ALBANY, BENTON COUNTY
 OREGON
 DECEMBER 30, 2009



PROJECT AREA:
 417,294.8 SF, (9.58 ACRES)

PROJECT SPECIFICATION:
 GROSS AREA: 417,294.8 SF (9.58 ACRES)
 R-O-W DEDICATION: 78,833.0 SF (1.81 ACRES)
 NET AREA: 338,461.8 SF (7.77 ACRES)

VERTICAL CONTROL:
 VERTICAL CONTROL IS BASED ON BENTON COUNTY
 BENCH MARK #45, A BRASS CAP, LOCATED ON THE
 WEST SIDE OF NORTH ALBANY ROAD AT THE
 JUNCTION WITH QUARRY ROAD.
 ELEVATION: 208.00

HORIZONTAL CONTROL:
 HORIZONTAL CONTROL IS BASED ON TWO FOUND
 MONUMENTS ALONG THE EAST BOUNDARY OF SUBJECT
 PROPERTY PER C.S. 9741, N 00°01'33" E

MINIMUM LOT SIZES:
 SINGLE FAMILY RESIDENCE
 MINIMUM LOT SIZE: 8,367 SF (lot 3)
 AVERAGE LOT SIZE: 11,282.2 SF

FLOOD ZONE:
 ZONE "X", AREAS OF 500-YR FLOOD
 FIRM (FLOOD INSURANCE RATE MAP)
 No. 410137-0001-F, DATED JULY 7, 1999

SLOPES:
 LOTS 23, 24, AND 25 ARE IN AREAS OF
 AVERAGE SLOPES BETWEEN 12% AND 25%.

OWNER / DEVELOPER:
 RBSM, LLC
 C/O BOB LOWRY
 1550 LAUREL HEIGHTS DRIVE
 ALBANY, OR 97321

ENGINEER / SURVEYOR:
 DANIEL K. WATSON, P.E.
 K&D ENGINEERING, INC.
 276 N.W. HICKORY STREET
 ALBANY, OR 97321
 (541) 928-2583

SUBJECT PROPERTY:
 TAX LOT 800
 ASSESSOR'S MAP: 10-4W-36AD

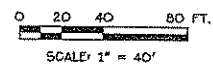
ZONING:
 CURRENT: RS-10 (RESIDENTIAL SINGLE FAMILY,
 5 UNITS PER ACRE)

COMPREHENSIVE PLAN:
 CURRENT: RESIDENTIAL LOW DENSITY
 URBAN RESIDENTIAL RESERVE

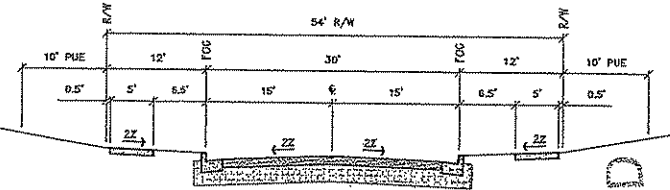
CURRENT USE:
 VACANT

LOTS:
 TOTAL: 30 LOTS, 1 PHASE

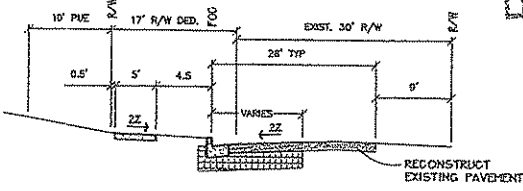
CUL-DE-SACS
 MOUNTABLE CURB
 6 FT WIDE CURBSIDE SIDEWALK
 RADIUS TO FLOWLINE 41.25'



- LEGEND**
- EXISTING GROUND CONTOUR
 - EXISTING WATER MAIN
 - PROPOSED WATER MAIN
 - PROPOSED FIRE HYDRANT
 - EXISTING SANITARY SEWER
 - EXISTING MANHOLE, S.S. / S.D.
 - PROPOSED SANITARY SEWER
 - PROPOSED MANHOLE, S.S. / S.D.
 - PROPOSED STORM DRAIN, MIN. SLOPE 0.20%
 - PROPOSED CURB INLET
 - DIRECTION OF FLOW, STREET SURFACE



TYPICAL 30' WIDE PUBLIC STREET
 NOT TO SCALE



TYPICAL HALF STREET SECTION
 LAUREL PLACE
 NOT TO SCALE

RECEIVED

BUILDING DIVISION

Date: 1/7/2010
 Scale: 1"=40'(P)
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DATE	REVISIONS	BY

K & D ENGINEERING, INC.

 276 N.W. HICKORY STREET
 P.O. BOX 725
 ALBANY, OREGON 97321
 (541) 928-2583

LAUREL HIGHLANDS
SUBDIVISION
 CITY OF ALBANY, BENTON COUNTY, OREGON

TENTATIVE SUBDIVISION
PLAT

HORIZ. SCALE: 1" = 40'	SHEET No. 1 OF 1
VERT. SCALE:	
DATE:	
DESIGN BY: DKW	
DRAWN BY: JAM	
CHECK BY: DKW	
PROJECT No: 03-14-T-A	