CITY OF ALBANY
PLANNING COMMISSION
City Hall Council Chambers, 333 Broadalbin Street
Monday May 6, 2013
5:15 p.m.

MINUTES

Planning Commissioners present:	David Faller; Dala Rouse; Larry Tomlin; Lolly Gibbs; Cordell Post; Kristin Richardson; Roger Phillips
Planning Commissioners absent:	Dan Sullivan, Danon Kroessin
Staff present:	David Martineau, Lead Current Planner, Tari Hayes, Administrative Assistant
Others present:	7 others in audience

CALL TO ORDER

Chair Faller called the meeting to order at 5:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Faller introduced new Planning Commissioner Roger Phillips.

COMMENTS FROM THE PUBLIC: None.

APPROVAL OF THE MINUTES:

a. February 25, 2013 Planning Commission Meeting
b. March 4, 2013 Joint BRTF/Planning Commission/City Council Meeting
c. April 4, 2013 Joint Planning Commission/City Council/Budget Committee Meeting

MOTION: Post moved to approve minutes. Tomlin seconded it. Motion **passed** unanimously.

CONSOLIDATED QUASI-JUDICIAL PUBLIC HEARING: CU-01-13 AND SP-03-13

CU-01-13 - is a Type III—Conditional Use for new construction of a 38,000 square foot church, office and bus garage built in three phases together with 198 new parking spaces.

SP-03-13 is a Site Plan Review-Tree Felling processed concurrently with a Type III Conditional Use for new construction of a church. The applicant is Grace Point – A Church of the Nazarene. The location is 210-250 Cover Ridge NE.

Chair Faller opened the public hearing at 5:21 p.m.

DECLARATIONS: Phillips, Gibbs, and Rouse did site visits.

Delapoer and Martineau summarized the meeting procedures.

STAFF REPORT:

Martineau explained the cases to the audience.

According to the applicant, there are about 340 current members taking part in church activities. About 20% of the membership is senior adults and about another third are families with young children. The church holds numerous activities throughout the week including Sunday worship, weekly bible studies, children's activities, mid-week services and prayer meetings. Current Sunday service attendance ranges from 150-200 people. Up to now, services have been held at various locations around town such as the Albany Boys & Girls Club, other churches, local restaurants, the Fairgrounds, and in private homes.

CU Review Criterion #1 Response - The church will be located in the RM District. Schools, churches, and community centers are allowed by conditional use. A religious institution may be consistent with the RM zoning district if all of the review criteria for a conditional use are met. Staff concludes that the proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood. This criterion is met without conditions.

CU Review Criterion #2 Response - Martineau reviewed the size of the building, the style and the landscaping plans. The church building complies with the set back requirements and the bus garage will maintain a 10-foot setback from the south and west property line. Sufficient, paved, off-street parking will be provided at each phase of development. Upon completion, the project may have up to 198 paved parking spaces. The setback exceeds the minimum requirement of 5 feet for detached structures with walls greater than 8 feet tall. The project will require buffering and screening along all sides, except the east side facing Clover Ridge Road. The timing and installation of required landscaping, buffering and screening will be tied to each phase of development through conditions of approval.

CU Review Criterion # 3 Response - Albany's Transportation System Plan (TSP) does not identify any capacity or congestion issues occurring along the development's frontage on Clover Ridge Road, but does include one transportation project along the west boundary of the site. According to Ron Irish, the City's Traffic Analyst, Clover Ridge Road is a minor collector street and is constructed to city standards. Dunlap Avenue is a private street that does not meet city standards. The road lacks curb, gutter, or sidewalk.

CU Review Criterion #4 Response - The church will connect to public sewer, storm water and water service, and will be required to submit a signed and notarized Petition for Improvements and Waiver of Remonstrance for public sanitary sewer, water, and storm drainage improvements in the Dunlap Avenue and Timber Street rights-of-way along the property's boundaries. An existing well on site will be used for irrigation purposes. Police and fire protection are adequate and can serve the use as well.

CU Review Criterion # 5 Response - Church activities will take place mostly indoors. The main sources of noise would be motor vehicles in the parking lot (such as motors starting), doors opening and closing, and people talking. Glare and heat are not expected to be generated by the use; however the parking lot will have lighting. There will be no activities that create offensive odors, according to the applicant. The site plan shows a bus garage near the southwest corner of the property and a trash enclosure along the south side of the church. The opening for the bus garage faces to the north, away from the abutting apartment units to the south; and the trash enclosure will be screened from view. Hours of operation range from morning to evening time, however there will be no external noise or light perceptible by nearby residences between 10:30 p.m. and 8:00 a.m. A combination of buffering, screening and setbacks described earlier will significantly mitigate these impacts, therefore this criterion is met.

The only condition proposed by staff is the retention of a 30-foot wide public utility easement over the public sewer main that lies within the northern section of the Madison Street vacation.

CU Review Criterion #6 Response – The site is located within the Airport Horizontal Surface Area; however it is far enough away that building height is not an issue. City maps also show areas of wetland and a small portion of riparian overlay affecting the property.

The Oregon Department of State Lands (DSL) was notified of the proposed development on March 6, 2013, consistent with state law. Wetland delineation and a fill permit were both approved by DSL. The DSL removal/fill permit authorizes the placement of 5,664 cubic yards and removal of up to 10 cubic yards of material on Tax Lots 600 and 703. According to DSL, wetland mitigation for the unavoidable loss of 0.9 acres of wetlands has been accomplished via purchase of 0.9 credits from the Long Tom Wetland Mitigation Bank. The only work being proposed within the overlay is the installation of a 10-foot vegetated landscape buffer strip, which will abut land that lays to the south, outside the city limits. The applicant will utilize plantings from the approved City of Albany native plant list within the Riparian Corridor Overlay area

Site Plan Review (TF) Criterion #2(a) Response - This Site Plan Review application for tree felling proposes to remove 7 out of 8 trees on Tax Lot 703; 6 of which have trunk diameters greater than 8 inches. According to the applicant, "Removal of trees as proposed is required to construct the proposed improvements as presented in the Conditional Use Application." Staff finds that this review criterion is met unless the proposed church construction does not occur. If construction does not occur and the applicant wishes to remove the trees anyway, a new Site Plan Review for Tree Felling not associated with development will be required.

Site Plan Review (TF) Criterion #2(b) Response – According to the applicant, "All of the trees proposed for removal are locally common trees and therefore presumed not to be heritage, rare, threatened or endangered trees as defined or designated under state or federal law." None of the trees proposed for removal are listed as heritage trees, according to City records. None of the trees on site have been designated as possessing historic value or other unique characteristics.

Because the conditions of approval are in the staff report, Martineau asked the Commission if they'd like them read out loud. The Commission did not feel the need to have them presented again.

Notice was sent out, site was posted. Planning received on written comment from Bob Scheler.

COMMISSIONER QUESTION ON STAFF REPORT:

Post asked for more clarification on the water line for the neighbor. Martineau said it's a conversation between the property owners as private parties. The City has no conditions of approval on the waterline for the neighbor.

Gibbs asked about the hours of lighting for the parking lot, the applicant clarified the lighting plans.

Both Rouse and Richardson had question about the storm drainage and bio-swells. The applicant clarified.

PUBLIC TESTIMONY:

Jack Burrell, K & D Engineering P.O. Box 725, Albany - Burrel introduced the pastor, the design and the construction team. Burrell presented a complete (through phase 3) drawing of the facility, and the landscaping plan, highlighting the buffering and screening. The church is eager to get going.

Drainage – is designed to pick up all the water on the site. They developed swales to help move the water. The water is run through grassy swale and then into the public system.

Lights – unusual that anything would go to 10:30, but while there are activities and cars are parked, the lights would be on for security. All of the lights will be shut down overnight. The applicant intends to not let the light get off site.

Rouse asked if the proposed 19 parking spaces, even though they are facing a different direction, will have buffering and screening. Yes, at the point they are needed.

Post asked if the conditions of approval cover the water questions Rouse asked. Yes they do according to Martineau He also asked if the applicant agrees with the conditions of approval. Yes they do, according to Burrell.

Tomlin was surprised that there is only one entrance and exit. Burrell explained that because, or until, the road to the north is developed they will have one access point. Burrell said the parking lot, etc, is designed for maximum flow.

TESTIMONY FOR/AGAINST/NEUTRAL

Bob Scheler, 215 Expo Parkway, Albany – He is the former owner of Lot 703 and is in favor of the development. He expressed concern with the placement of the fire hydrants. It was also his understanding that it was a City requirement to extend public water, etc to the next property owner. These concerns center on keeping water pressure for the fire hydrants, in light of future development.

Chair Faller closed the public hearing at 6:32 pm.

PLANNING COMMISSION DISCUSSION: None

MOTION:

Post moved for approval of the application with the conditions stated. Rouse seconded.

ACTIVITY UPDATE: None

NEXT MEETING: T/B/D

ADJOURNMENT:

Hearing no further business, Commission Chair Faller adjourned the meeting at 6:45 p.m.

Submitted by	Reviewed by
Signature on File	Signature on File
Tari Hayes Administrative Assistant	David Martineau Lead Current Planner