

NOTICE OF PUBLIC HEARING

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

AGENDA

1. CALL TO ORDER (Chair Faller)
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
 - a. Introduction of New Commissioner Roger Phillips
4. COMMENTS FROM THE PUBLIC
5. APPROVAL OF 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
6. QUASI-JUDICIAL PUBLIC HEARING

CU-01-13 AND SP-03-13 – Grace Point Church

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.

7. ACTIVITY UPDATE
8. NEXT PLANNING COMMISSION MEETING DATES: T/B/D
9. 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.

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.

This Page
Intentionally
Left Blank



CITY OF ALBANY
PLANNING COMMISSION
City Hall Council Chambers, 333 Broadalbin Street
Monday February 25, 2013
5:15 p.m.

MINUTES

Planning Commissioners present:

David Faller; Dala Rouse; Dan Sullivan, Danon Kroessin; Larry Tomlin; Lolly Gibbs; Cordell Post; Kristin Richardson

Planning Commissioners absent:

Staff present:

David Martineau, Lead Current Planner, Mike Leopard, Infrastructure Analyst, Kate Porsche, Urban Renewal Manager; Ron Irish, Transportation Systems Analyst, Jim Delapoer, City Attorney, Tari Hayes, Administrative Assistant

Others present:

12 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 two new Planning Commissioners; Daniel (Dan) Sullivan, and Danon Kroessin.

COMMENTS FROM THE PUBLIC: None.

APPROVAL OF THE MINUTES:

- November 27, 2012 Planning Commission Meeting

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

CONSOLIDATED QUASI-JUDICIAL PUBLIC HEARING: VC-02-12 & VC-03-12, PD-01-12; SD-01-12; and WG-01-12

Chair Faller opened the public hearing at 5:20 p.m.

DECLARATIONS: Gibbs and Rouse have been to the area on several occasions, the Community Garden is there. In past years Post was on the Central Area Revitalization Agency (CARA). Projects on this property had come before him, but not this project, with these applicants.

Delapoer and Martineau summarized the meeting procedures.

STAFF REPORT:

Martineau explained the cases to the audience. Staff is presenting Edgewater Village, a 58-unit single-family residential planned development located just east of downtown on the south bank of the Willamette River.

Overview - Kate Porsche, Urban Renewal Manager

Porsche explained how the proposal originated and how it evolved over time as it underwent review by design consultants and the Central Albany Revitalization Agency (CARA) board. The board is comprised of agency members, Council, and lay members appointed by each Councilor. The east waterfront area was considered one of the most blighted in the district. This property first came before CARA in 2007 when the applicant purchased the property and applied to CARA for development funding. Numerous public meetings with strong citizen participation were held and there was unanimous support for the project by CARA. At that time the project was estimated to cost \$16 million. Money was provided for debris clearing, site planning and get the property ready for development. Then the economy crashed and in March 2010 the deal was restructured to provide the applicants with an extension. The City became the lien holder.

Porsche highlighted the vision and the importance of the project to the area. The Urban Renewal district has more stringent guidelines than the City and any significant changes from tonight's meetings would need to go back through CARA and the design process.

VC-02-12 & VC-03-12, Mike Leopard, Infrastructure Analyst

The vacation applications propose to vacate portions of the Madison Street and Main Street right-of-way north of Water Avenue to provide additional land for the proposed Edgewater Village development.

VC Review Criterion #1 Response - the developers have applied for a Planned Development on adjacent property and have incorporated these sections of right-of-way (r-o-w) into their development layout. There are 3 separate sections of r-o-w being considered for vacation.

VC Review Criterion #2 Response - Madison Street and Main Street are 66-foot wide rights-of-way that were initially dedicated in the 1880s. They are not improved to city standards north of Water Avenue, and the r-o-w dead-end at the river. The only portion of the streets currently being used by vehicles is the portion of Main Street south of Front Avenue, where no vacation is proposed.

VC Review Criterion #3 Response - the two northern sections proposed for vacations are 36-foot wide areas north of Front Avenue. Vacation of these areas would leave 30-foot wide public r-o-w that would provide for pedestrian and bike access to the riverfront path, as well as allowing for vehicular access to the path and public sewer main for maintenance, and access for emergency vehicles. It is not expected that any public vehicle access to the path would be provided through these areas. The Transportation System Plan does not anticipate any future extension of the public street improvements within these sections of r-o-w.

The southern portion of the Madison Street vacation is a 12-foot wide strip along the west boundary of the right-of-way. The remaining r-o-w would be 54-feet wide, which would meet the City's standard width for local streets. Therefore, vacation of this portion of r-o-w would not preclude the construction of a city-standard street along this section of Madison. No parcels will lose access to public rights-of-way as a result of the proposed vacations.

There is an interesting issue associated with the Main Street Vacation concerning the allocation of the property if the Vacation is approved. Vacated property typically reverts back to the property from which it was originally dedicated. Main Street (in this area) was dedicated as part of the Hackleman's 3rd Addition subdivision plat in 1887. The west boundary of this subdivision was the west boundary of Main Street, therefore all of the Main Street right-of-way would revert to the property on the east side of Main Street. So, if the Vacation is approved, the Main Street area would, at least initially, be city-owned property connected to the Community Gardens parcel

No public utilities exist near the Main Street vacation area. There is a public storm drainage main in Madison Street from Water Avenue to the river, but this main has adequate clearance from the vacation areas. The public sanitary sewer mains along the river are covered by public utility easements where the mains run through private property. The only utility conflict with respect to the vacation proposals is in the northern section in Madison Street, where the public sewer main runs through the area proposed for vacation. In order to match the existing

adjacent public utility easements over this main, a 30-foot wide easement would be retained over the main running through this portion of the vacation area.

Staff believes that the findings show that the first three criteria pertaining to streets, connectivity, utilities, and access are met.

VC Review Criterion #4 Response - Criterion 4 is related to complying with Code sections pertaining to landscaping, driveways, and fire access. Because these areas are undeveloped, this criterion doesn't apply immediately, but upon development of the property, all pertinent Code requirements must be met.

VC Review Criterion # 5 Response - the final review criterion for Vacations states: The public interest, present and future, will be best served by approval of the proposed vacation. The purpose for initiating these Vacation applications was to provide additional property for the proposed Edgewater Village development that is represented by the map shown.

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.

PD-01-12; SD-01-12; and WG-01-12, David Martineau, Lead Current Planner

The proposed development is a 58-unit residential community featuring single family detached and attached units with open space areas. It is situated north of Water Avenue up to the southern bank of the Willamette River, bordered on the east by Main Street, and to the west by the railroad trestle within the Lafayette Street right-of-way. The planned development will occur in six phases with construction on the first phase beginning in summer 2013. The property where Edgewater Village is proposed is currently zoned Waterfront (WF), a Village Center zoning designation together with a Willamette River Greenway (/WG) overlay.

The owners of the property are George Diamond and Randy Myers, and their representative is Rich Catlin, Reece & Associates. The property is located at 1055 Water Avenue NE, 240 Hill Street NE, and 200 Madison Street NE. Three land use applications are considered in this report: a Planned Development (PD-01-12); a 58-lot residential subdivision (SD-01-12); and a Willamette River Greenway Review (WG-01-12). Together they are being processed as a Type III review.

The proposed Edgewater Village site does not include the southerly parcel in the second block. That property is owned by Burlington Northern-Santa Fe Railroad (BNSFR). Future development associated with Edgewater Village may occur on this site if the applicants are able to acquire the property.

PD-01-12 - a Planned Development (PD) was reviewed in three steps:

1. The first step is a Preliminary application which generally describes the Planned Development that is proposed. A preliminary application for 60 residential single-family lots at Edgewater Village was reviewed and approved on August 6, 2012.
2. The second step in the PD review process is the Interim application. The Interim application is the one that is being reviewed tonight. The Interim application for Edgewater Village proposes 58 residential single-family lots and open space on about 6.37 acres.
3. The third step is the Final approval. The ultimate location of sewer and water services, together with detailed building and landscaping plans are required to obtain Final approval. When a subdivision is proposed as part of the PD, as is the case with Edgewater Village, this information is provided with a subdivision application concurrent with the Interim submittal. The Final submittals are reviewed by planning staff to make sure they comply with conditions of approval of the Interim submittal.

PD Review Criterion #1 Response - the development code allows certain regulations to be modified for planned developments such as minimum lot area, width and frontage, height and yard requirements. For residential planned developments, all types of dwelling units ranging from single-family detached to multi-family units are permitted. In exchange for open space protections and higher quality development, the developers are seeking flexibility on

standards relating to the provision of indoor recreation, outdoor living area, and setback reductions on certain lots. The staff report contains their full analysis of each area the developers are seeking flexibility on. Following review, staff concluded that Edgewater Village will result in an improved development for the city, the surrounding area, and users of the development as compared to strict compliance with Code provisions.

PD Review Criterion #2 Response - the Willamette River, including its view shed and vegetated river bank, is the only significant natural feature on the site. Proposed development will not adversely affect this natural feature. More information on the feature was presented later in the meeting, during the Willamette Greenway presentation.

PD Review Criterion #3 Response - the project will utilize the existing Dave Clark Riverfront Path and public access will be assured in the development design. If approved, two partial street vacations along Madison and one partial street vacation along Main will add developable land to lots within Edgewater Village while allowing sufficient width to accommodate developed streets together with parking, landscaping, and sidewalks on both sides. Therefore, staff concluded that the project design results in a more efficient utilization of materials and public resources including streets, utilities and energy supplies.

PD Review Criterion #4 Response - provisions for continued maintenance of common areas are not required because there are no private common areas to maintain. Therefore this criterion does not apply.

PD Review Criterion #5 Response - the applicant pointed out several recreational amenities that are either adjacent to or close by the site. In exchange for utilizing these amenities toward meeting their obligation for indoor and outdoor recreation, enhancements to the Dave Clark Riverfront Path are proposed in the areas around trailheads where public access paths through the development intersect. Staff concluded that more usable and suitable recreational facilities and other common areas will be provided in Edgewater Village than would usually be provided under conventional development standards.

In addition to Interim Planned Development review criteria, site plan review criteria must be considered as well, according to ADC Section 11.310. There are five review criteria for Site Plan Review.

Site Plan Review Criterion #1 Response - public sanitary sewer, water, and storm drainage facilities must be constructed within the proposed development to provide individual service connections (for sewer and water) to each proposed lot. Adequate area for maintenance and replacement of public utilities is required for all new public sewer, water, and storm drainage mains and accessory components.

Trains obstructing access to the site may prevent response to a fire emergency. Therefore fire sprinklers will be installed in all homes and four hydrants will be placed on site as the development progresses until a point in time when the rail line no longer carries trains. Several conditions of approval are proposed relating to utilities and fire access (staff report on pages 2 – 5).

Site Plan Review Criterion #2 Response - This criterion was addressed during the review of the subdivision plat later in the meeting.

Site Plan Review Criterion #3 Response -Each residential lot will be designed to accommodate two off-street parking spaces, according to the applicant. Additionally, the applicant proposes to add about 12 spaces of head-in (90° angled) parking along the west side of Hill Street, within the right-of-way from about 60 feet north of Water Avenue to Front Avenue, for the benefit of the development. Staff concluded that parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.

Site Plan Review Criterion #4 Response - the proposed development is detached, single family residential units on 58 lots. The development will be sensitive to the existing street layout in the area and will provide landscaped public access links to the Dave Clark Path at three separate points. Properties abutting the Dave Clark Path will be set back far enough from the edge of the Path to allow for maintenance and shy distance for users.

The operations of the railroad have posed compatibility issues for decades. Not only does this affect future property owners of Edgewater Village, but other homes in the neighborhood districts to the east. With a condition requiring submittal of landscape plans at each phase of the development, this review criterion is met.

Site Plan Review Criterion #5 Response - The property is partially located within the Airport Conical Surface Area, the Special Flood Hazard Area, and the Willamette River Greenway District. Development of the site will not exceed the maximum allowable building height in the Waterfront district. All proposed streets and lots will be located outside the Floodplain Overlay District. Therefore, this criterion is met.

SD-01-12 - the proposed Planned Development includes residential single-family subdivision lots and open space tracts. A Subdivision application is required to divide the property into lots and tracts.

The property is partially located within the Airport Conical Surface Area, the Special Flood Hazard Area, and the Willamette River Greenway District. Development of the site will not exceed the maximum allowable building height in the Waterfront district. All proposed streets and lots will be located outside the Floodplain Overlay District. Therefore, this criterion is met.

SD Review Criterion #1 Response- there will be a small remainder of property measuring 6,557 square feet, labeled "Tract D" on the southwest corner of Hill Street and Front Avenue, which could be developed at the time the adjacent Burlington Northern-Santa Fe property, is developed. The developers envision a mixed use development as one alternative for the site. Development of the remainder for various residential uses is feasible given minimum lot size requirements in the zoning district, therefore this criterion is met.

SD Review Criterion #2 Response - only one parcel, the BNSF parcel, adjoins the subject property. It has frontage on unimproved Hill Street and Madison Street right-of-ways and the north side of Water Avenue. The parcel can be developed and provided access in accordance with the Code, therefore this criterion is met.

SD Review Criterion #3 Response - when Edgewater Village is developed, the new lots will add about 522 new vehicle trips per day (ADT) to the existing street system. Of those trips, 53 would occur during the p.m. peak traffic hour. The development's internal street system consists of public local streets and alleys. With the exception of Hill Street, all internal streets have 54 foot right-of-way and 30 foot curb to curb widths, and conform to the minor local street design standards contained in the Code. The development's internal alleys will have widths that vary between 14 and 20 feet, and conform to the alley design standards.

Albany has adopted a Streetscape Design Plan for Water Avenue. Along the frontage of this development, the streetscape plan would maintain the existing Main Street rail crossing, close the Hill Street rail crossing, and reconfigure the Madison Street rail crossing to shift the crossing farther from the rail line and add rail crossing improvements. The development plan submitted by the applicant conforms to the adopted streetscape plan. Albany's Transportation System Plan (TSP) does not identify any congestion or level of service problems adjacent to the proposed development. Street and alley improvements together with rail crossing improvements will take place as each phase develops. Conditions of approval spell out which improvements will be required with each phase.

SD Review Criterion #4 Response - the subject of public utilities was discussed earlier in the meeting. Several conditions of approval are proposed relating to utilities and fire access.

SD Review Criterion #5 Response - special purpose districts such as airport approach zones and floodplain areas were also discussed earlier in the meeting. In summary, development of the site will not adversely affect a special purpose district, and staff finds this criterion is met.

WG-01-12 - the Willamette River Greenway overlay district guides development along the Willamette River in order to preserve the existing scenic, use and natural features. Normally, an application for Willamette River Greenway Use is reviewed at the staff level, but the design elements associated with the Greenway review are

inseparable from the design elements of the Interim Planned Development. Therefore, review of the Greenway application is consolidated with the Interim Planned Development and Tentative Subdivision applications. There are ten review criteria for development within the Willamette River Greenway. For brevity, only criteria that are relevant to this specific project were presented.

WG Review Criterion #2 Response - the property where the development is proposed contained extensive industrial uses historically. Portions of property lying north of the Dave Clark Riverfront Path contain a steep and heavily vegetated river bank. The only work proposed in this area is the removal of invasive species together with planting native species on the riverbank in cooperation with local stewardship groups and the City. Significant air, water and land resources including but not limited to natural and scenic areas, viewpoints, vistas, fish and wildlife habitats, etc. in, and adjacent to, the Greenway will be protected, preserved, restored, or enhanced to the maximum extent possible.

WG Review Criterion #6 Response - the proposed development will be compatible with existing uses on the site and the surrounding area by providing pedestrian corridors with enhanced landscaping between the development and the Dave Clark Riverfront Path. Staff concludes this criterion is met without conditions.

WG Review Criterion #8 Response - there will be no new public recreational facilities on site associated with Edgewater Village, according to the applicant. The existing Dave Clark Riverfront Path located north of the proposed development is a City recreational facility that will be set aside in undevelopable tracts. In order to maintain privacy and security, lot owners may fence their rear yards where they abut the path, however they will provide a setback of at least 3 feet from the edge of path.

WG Review Criterion #9 Response - the floodway line completely lies to the north of the Dave Clark Riverfront Trail, where no development is being proposed. Setbacks for buildings abutting the south side of the river bank shall be 35 feet for two stories or less, according to the Development Code. The applicant's site plans show compliance with this standard.

WG Review Criterion #10 Response - the applicant's site plans depicts three access corridors to the Willamette River. Multi-use paths each 10 feet wide will connect Front Avenue to the Dave Clark Riverfront Path along three existing right-of-ways: Madison Street, Hill Street and Main Street. No vehicular access to the Willamette River is proposed with this development.

The site was posted and notice of the public hearings was sent to all property owners within 300 feet of the property.

Staff's recommended conditions of approval for the proposal, each condition is listed in the staff report on pages 2 – 5. These conditions relate to successful acquisition of vacated portions of streets, timing and installation of recreation amenities, phasing plans for utilities and fire access, landscaping, street and sidewalk phasing and installation, and requirements to ensure compatibility with the Willamette River Greenway.

Delapoer added that the City has been in conversations with the railroad on a variety of issues, including the parcel owned by Burlington Northern railroad. An agreement has been reached, now it's a matter of getting all the wording fixed. The City will acquire ownership at no charge, no conversations have happened in City Council as to what will happen with that property. City staff is also working on the track abandonment on Water Ave. They would like to get rid of that track as well.

Commissioner comments and questions on the staff report:

Rouse pointed out a typo on pg. 32, Section 3.11, "The development will close the Hill Street crossings..." it should be Madison.

PUBLIC TESTIMONY:

Rich Catlin, Reece & Associates 321 1st Ave., Albany, - Catlin introduced property owners Randy Myers and George Diamond and designer Jennifer Meyers. Staff has been great to work with. David and Mike did great on the staff report.

The homes will be single family home, either attached or detached. The market demand currently is for single family, entry level, homes. With that market in mind, the first phase will be 5 single family detached homes with constructions to begin in the late fall. At that point, the applicants would pause to see what the market looked like. Although plans have been submitted for Phases C-E, the applicants would pause after the first 5 houses are built to see what the market looked like. The plans were created with the railroad property not included.

Jennifer Meyers, J. Meyers and Associates, 2155 NW Sheffield Ave, Beaverton, - Meyers shared exterior and interior color boards with material, appliance and color palette options. There are packages to choose from with upgrades available.

Planning Commission Discussion:

Rouse – is having a hard time deciding about the vacation on Main Street. The Community Garden lot could be a buildable lot in the future. By closing that part of Main Street, the only access would be on Front Street. She asked if there wasn't some alternative. (Porsche clarified that the Community Garden lot is owned by the City and that it will always be a park of some description, either as a garden or park.)

The Commission and Catlin discussed various street sizes.

Gibbs also expressed concern about the vacation of Main Street because of the existing Community Garden. Catlin explained that parking and access to the garden is in the planned development.

Gibbs was concerned about the set back and fencing along the Dave Clark Path, it could create an unpleasant wall, something she would like to see prevented. Catlin pointed out an existing 10' easement on the path. They originally planned to go up to the easement but decided not to place fences directly on the path. Potential residents would like to see the river and also have security from the path.

No other public testimony.

STAFF RESPONSE: -None

Chair Faller closed the public hearing at 6:35 pm.

PLANNING COMMISSION DISCUSSION: None

MOTION:

Regarding the VC-02-12 & VC-03-12

Approval with Conditions as summarized in the staff report – Post made the motion, Tomlin seconded. 7 ayes, 1 no (Rouse)

Regarding the PD-01-12, SD-01-12 & WG-01-13

Approve with Conditions as summarized in the staff report - Post made motion, Tomlin seconded. 7 ayes, 1 no (Rouse)

ACTIVITY UPDATE:

The Commission voted to re-appoint Post to the Hearings Board and confirmed Tomlin as the alternate.

NEXT MEETING:

Monday, March 4, 2013 - Joint Work Session with Business Ready Task Force and City Council.

ADJOURNMENT:

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

Submitted by

Reviewed by

Tari Hayes
Administrative Assistant

David Martineau
Lead Current Planner

MAYOR'S BUSINESS READY TASK FORCE (BRTF) MINUTES

March 4, 2013

4:00 - 6:00 PM, Council Chambers

Albany City Hall, 333 Broadalbin St. SW, Albany

Members: Sharon Konopa, Jeff Christman, Oscar Hult, Arthur Meeker, John Pascone, Dave Reece, Rob Richards, Dala Rouse, Janet Steele, Mark Spence

Members Absent: Ron Reimers

Planning Commissioners: David Faller, Lolly Gibbs, Danon Kroessin, Cordell Post, Dan Sullivan, Larry Tomlin

City Council: Dick Olsen, Floyd Collins, Ray Kopczynski, Bill Coburn, Bessie Johnson, Rich Kellum

Staff: Wes Hare, Heather Hansen, Anne Catlin, Tari Hayes

1. Business from the Public - None
2. Approval of Minutes
 - (a) October 23, 2012 - Steele made a motion to accept as written, Pascone seconded, passed unanimously.
3. Discussion of detailed summary of proposed code amendments in the BRTF Issue Matrix.

The groups discussed, in detail, the summary of the proposed Albany Development Code (ADC) revisions in the BRTF Issue Matrix provided. There will be about 65-75 pages of "bold & strike" revisions to review and it was agreed that the BRTF would review the "bold and strike" first.

A. and B. Change of use in mixed use, commercial and industrial zones.

These revisions add definitions and differentiation in the code for compatible uses. They also address small scale manufacturing in the mixed use and commercial zones

The group discussed compatibility criteria. There is neighborhood involvement during the site plan review. Frequently, the use request has a small retail aspect (artesian goods or specialty foods, etc) so they don't wish to be too far out of town. The group agreed with the proposed amendments in A. and B.

C. Nonconforming uses.

The nonconforming section of the code is rarely used because the section is confusing and it's difficult to understand the applicability. Many vacant properties have lost their nonconforming status, and the required improvements are confusing and cost-prohibitive. The proposed ADC

revisions to this section will reorganize the entire section, prioritize the requirements, revise the review process, and allow for lesser administrative reviews when appropriate. The group agreed with staff's proposal that a smaller sub-group review this section, with considerations to site plan and conditional use review and A. & B. above. The group generally agreed with the proposed amendments in C.

ACTION ITEM: Smaller group to meet

D. Infill & redevelopment – challenging standards and inflexibility.

Sometimes the smaller lot sizes (< 1) struggle to meet today's site design standards. The proposed revisions modify some of the mixed use zoning districts to encourage infill. They would allow some adjustment to design standards, and add flexibility in orientation and traffic aisle locations. The group agreed with the proposed amendments.

E. Infill & reuse - specifically for downtown.

Recreation and open space requirements can be challenging to meet downtown. Since many properties are in close proximity to paths, parks, and other open spaces, it makes sense to exempt some new, multi-family uses from these requirements. Historic design standards will not change. The group agreed with the proposed amendments.

F. Tree felling.

This is a short term solution for one particular issue. This will allow the Director, in consultation with the City Forester, to grant exceptions to some tree cutting standards on undeveloped industrial properties. Tree regulations will be revisited in their entirety within the next year. The group agreed that a comprehensive review is needed and agrees with the proposed amendments.

G. Parking requirements – standards consolidation, adding some standards, reducing others.

After staff review, some Albany requirements are relatively high compared to surrounding cities. These revisions relax some parking requirements by changing the basis from gross to new square footage. They will reduce requirements for off and on-street parking and promote alternative parking standards, such as for multi-tenant developments, employee carpooling, tree preservation, etc. The group agreed with the revisions.

H. Overflow requirements and temporary parking needs.

Surfacing and paving can be cost prohibitive and the code does not have a provision for temporary parking needs. With occasional overflow, the revisions allow unpaved parking up to 15,000 sq. ft with some improvements such as buffering and screening still being required to mitigate impacts to adjacent uses. The group agreed with the proposed changes.

ACTION ITEM: Have Jim review the ADA impact of this section.

I. Temporary signs, allowances, regulation, permits.

The group discussed size limits and clear vision standards. Hansen shared that enforcement of sign code violations is more of a focus now, not just complaint driven as in the past. She's proposing that consolidated enforcement be addressed by all the departments at an upcoming Director's meeting. The City Council will work with individuals in the community to educate the public. These proposals increase the number of signs from 1 to 2 per business as well as increasing the days allowed for some types of signs (banners, pennants, etc). The revisions will allow A-frame and Sandwich Board signs year round city wide. The signs will need to be secured in place or portable. And all temporary signs will still meet setback and right-of-way requirements.

J. Sign allowances – definitions, allowances, and the need to “open” the sign code up for review.

All agreed that it may be time to open the entire sign code up for review. Today's small proposed revisions include additional definitions, and updates to portable signs. They combine and reorganize standards so that sign allowances can be determined by type rather than confusing calculations.

During this process, staff made a lot of headway on the sign sections of the ADC. But they found that whenever they tried to reorganize, clarify, streamline, or amend portions of it, there were "ripple effects" that required them to delve into new sections. There are also significant sections of the code that are unenforceable because they regulate content.

They have noticed a trend in recent requests for wall signs that haven't been addressed by the revisions being worked on – businesses that request a large main wall sign and multiple smaller signs that indicate the types of products they sell or services they provide. These requests cannot be approved because they exceed both the total square footage and the number of allowed signs. A recent example is Sportsman's Warehouse (Attachment B). The task force is exploring a new approach that would enable "scaling" the sign size based on the percent of building façade, up to a particular size limit. Staff need time and assistance from sign companies to help flesh out this concept.

The group discussed individual opinions of the right size and quantity. What may bother one person doesn't necessarily bother the next.

The group agreed with the revisions presented and asked staff to form a committee to look at comprehensive revisions to the sign code. Tomlin and Collins would like to be on that committee. Konopa would like to see Meeker and some local architects and sign companies on the committee as well.

Action Item: Move forward with sign committee.

K. Neighborhood meetings – coordination and notifications.

These revisions would clarify that meetings should be held when the most amount of neighbors can attend (business hours for commercial, evening meetings for residential). While it would still require the applicant to notify, the revisions would allow for the City to produce the mailing list and add the requirement for the City to review the list if produced by the developer. The group agreed with these revisions.

L. Site Plan Review - level of review, procedures and definitions.

Some site plan review seems unwarranted when staff can apply clear and objective standards. These proposals will be combined with the non-conforming situations review (See C. above).

M. Planned developments – process, phasing, and standards.

The proposed revisions will combine the preliminary and interim reviews. A new section is added that allows planned developments to be phased with flexibility, such as where amenities are located, so that each phase provides a suitable share of facilities and amenities.

In order to make the requirements proportional to the development, the standards for common open space (reduced), indoor recreation (removed), density transfer (amended) and compatibility (addition) will be revised. The group agreed with the proposed revisions.

N. Expiration of land use approvals.

Most approvals expire within 3 years. Sometimes economic or other conditions may warrant an extension. These proposed revisions will allow a 1 year extension, as long as there are not changes to any local, state or federal standards. The group discussed the number of years and agreed with the proposed revisions.

Future revisions will include:

- (a) Landscaping requirements – delayed until spring, packaged with Public Works stormwater regulation updates
- (b) Tree Standards – delayed until 2013 when tree regulations are reviewed in their entirety
- (c) Home Occupations and Vacant building upkeep – requires costly Measure 56 notices. Hold off and bundle with more Measure items.

4. Next steps:

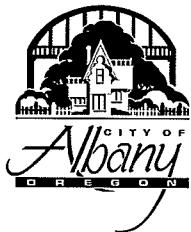
- (a) Form a sign committee
- (b) Form a non-conforming site (C)/site plan review (L) workgroup
- (c) Schedule a BRTF to go over the “bold & strike” revisions
- (d) Complete staff report and ordinance for adopting code amendments

5. Adjourn 6:00 pm

Planning Commission approval: _____

Budget Committee approval: _____

City Council approval: _____



CITY OF ALBANY

CAPITAL IMPROVEMENT PROGRAM (CIP) JOINT WORK SESSION

CITY COUNCIL – PLANNING COMMISSION – BUDGET COMMITTEE

City Hall, Council Chambers
333 Broadalbin SW

Thursday, April 4, 2013
6:30 p.m.

MINUTES

City Council: Sharon Konopa, Mayor; Rich Kellum, Floyd Collins, Ray Kopczynski, Bill Coburn, Bessie Johnson

Budget Committee: Dick Conolly, Sue Folden, Jeff Christman, Neil Michael, Will Summers, Michael Thomson

Planning Commission: David Faller, Danon Kroessin, Cordell Post, Dala Rouse, Larry Tomlin

Staff Present: Mark Shepard, Public Works Director; Jeff Blaine, Assistant Public Works Director/City Engineer; Chris Bailey, Operations Manager; Jeff Babbitt, Senior Accountant; Jeff Kinney, Utility Superintendent; Jon Goldman, Utility Superintendent; Heather Hansen, Community Development Director; Lisa Bennett, Disability Access Coordinator; Ed Hodney, Parks & Recreation Director; John Bradner, Fire Chief; Kate Porsche, Urban Renewal Manager; Marilyn Smith, Public Information Officer; Anne Baker, Senior Accountant

CALL TO ORDER / INTRODUCTION

Mark Shepard called the meeting to order at 6:30 p.m. and gave an introduction to the Capital Improvement Program (CIP).

COMMUNITY NEEDS

Heather Hansen gave an overview of the Community Needs section.

ACCESSIBILITY

Lisa Bennett gave an overview of the Accessibility section and discussed how the projects in the current CIP are being driven by complaints received.

Ray Kopczynski asked if there are any mandated priorities. Bennett noted there are, but complaints are addressed first to keep the City's liability down.

Bessie Johnson asked if the Madison Street project would only be improving curb ramps or sidewalks as well. Bennett noted the estimated project costs included repairs to portions of the sidewalks as well as curb ramps.

Bill Coburn asked if there are ever situations where a property owner is liable to fix the sidewalk. Bennett noted if the tree is located on the owner's side of the property they would be liable to make the sidewalk improvements.

PARKS

Ed Hodney gave an overview of the Parks section, and explained all parks capital projects are driven by the Parks Master Plan. Hodney added the Master Plan is due to be updated in the coming fiscal year.

Hodney noted the only project in the Parks portion of the CIP is East Thornton Lake Natural Area (ETLNA). The engineering and planning for the project should take place in 2013 and construction most likely will occur in 2014.

Ray Kopczynski asked if there are any playgrounds with equipment that has safety or liability issues. Hodney stated if any equipment is deemed unsafe it is removed from the park and replaced if funds are available.

Bessie Johnson asked how much private funding has been received for the ETLNA project. Hodney reported \$60,850 had been received, which is short of the \$100,000 shown for the project.

Floyd Collins asked when and where the potential dog parks would be located. Hodney noted the Parks Department is working with Benton County for a location at North Albany Park and another potential location is Timber Linn Park.

PUBLIC FACILITIES

John Bradner gave an overview of the Public Facilities section. He noted the downtown fire station is 63 years old and has significant seismic concerns. He also mentioned two fire stations had water leaks this winter, creating mold issues.

Ray Kopczynski asked what the estimate to replace the roof at fire station 14 is. Bradner stated it will be roughly \$14,000 to replace the roof. Floyd Collins noted for future building designs the City should have standards to make sure flat roofs are not allowed on city buildings.

Floyd Collins asked if there are any funds available to update the radios. Bradner stated there may possibly be local funds available for a portion of the project costs.

Sue Folden asked how much land was needed to replace the downtown fire station. Bradner stated it would take approximately a 1 – 1 ¼ acre site in the immediate downtown area.

REVITALIZATION

Kate Porsche gave an overview of the Revitalization section and mentioned all the original projects of the Urban Renewal Plan are included in the unfunded projects listing.

Dala Rouse asked if the Water Avenue project would include funding to repair the streets. Porsche stated it could be an option at the time of funding the project.

STORMWATER

Mark Shepard gave an overview of the Stormwater section and noted the City does not have a dedicated funding source for stormwater projects.

Floyd Collins asked if we have our National Pollutant Discharge Elimination System (NPDES) permit. Shepard stated we have not received our permit, but it will most likely be required by the Department of Environmental Quality (DEQ) in the next year.

Capital Improvement Program Joint Work Session

Page 3

April 4, 2013

Will Summers asked if the creation of the MPO caused the City to have any additional stormwater compliance or regulations. Shepard mentioned the additional regulations are already in place due to the City's TMDL.

Dala Rouse asked if stormwater will need to be treated in the future. Shepard stated the City currently is not required to treat stormwater, but it could be possible in the future.

TRANSPORTATION

Shepard gave an overview of the Transportation section and mentioned the projects targeted are high traffic areas, such as arterial and collector streets.

Rich Kellum asked how safety could be improved on Goldfish Farm Road. Sharon Konopa stated the City doesn't typically update County roads outside the city. Shepard stated in order to fund the Goldfish Farm Road project a change in the Transportation System Plan (TSP) would be needed to fund it with System Development Charges (SDCs).

Konopa asked if the Hill Street project could be moved up a year or two as a funded project. Shepard stated SDC funding was being accumulated to build the project, as well as timing the project to coincide with the water line replacement in the same area.

WASTEWATER

Shepard gave an overview of the Wastewater section and mentioned the focus was on making a significant investment in the collections system. Shepard also mentioned significant projects, such as the Riverfront Interceptor are not included in this CIP.

WATER

Shepard gave an overview of the Water section and mentioned the CIP was based on the five-year rate plan proposed to Council in January.

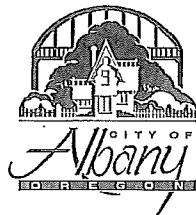
ADJOURNMENT

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Jeff Babbitt
Senior Accountant

JMB:ms



Community Development Department

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

Phone: 541-917-7550 Facsimile: 541-917-7598
www.cityofalbany.net

STAFF REPORT

Conditional Use (CU-01-13) and Site Plan Review-Tree Felling (SP-03-13) New Construction of a 38,000 square foot Church, Multipurpose Building, Bus Garage and Parking built in Three Phases

HEARING BODY

Planning Commission

HEARING DATE

Monday, May 6, 2013

HEARING TIME

5:15 p.m.

HEARING LOCATION

Albany City Hall Council Chambers, 333 Broadalbin Street SW

EXECUTIVE SUMMARY

The proposed project is a Conditional Use application for construction of a 38,000 square foot church, located at 210 and 250 Clover Ridge Road, together with education wings, gymnasium, and a separate 1,944 square foot bus garage and up to 198 parking spaces built over three phases. According to the applicant, uses will include Sunday church service along with other programs during the week for the benefit of its membership and the community. A concurrent Site Plan Review application for the removal of seven trees from Tax Lot 703 is also under review.

The building structures will be constructed over three phases. In Phase 1, a 19,220 square foot church together with a worship center, foyer, nursery and restroom will be completed. In addition, the bus garage will be built. Phase 1 assumes up to 250 attendees, according to the applicant. A total of 62 parking spaces will be provided together with a paved access driveway east of the church, along the south side of the building, and in the vicinity of the bus garage. Buffering, screening and front yard landscaping will be installed to mitigate impacts offsite. Finally, a detention basin and water quality grassy swale will be constructed to address stormwater runoff. Phase 1 is estimated to be completed by early 2014.

Construction of a 3,765 square foot education wing west of the church building will occur in Phase 2 along with installation of buffering and screening between the education wing and residential development to the north. Paved parking spaces will increase another 41 spaces for a total of 103. According to the applicant, attendance by this phase may reach 350 people. Phase 2 is expected to be finished by 2016.

The final phase of construction will take place in Phase 3, and will consist of a multipurpose building and an additional education wing together totaling 15,060 square feet. The church plans a maximum attendance of 450 members at the completion of this phase. A multipurpose building will be constructed immediately to the west of the existing church and south of the education wing. This facility will include a gymnasium, kitchen, storage area, and meeting rooms. At this point, 146 paved parking spaces will be required for all uses combined. The applicant proposes 181. Any remaining landscape buffering and screening requirements tied to Phase 3 improvements will be installed. The existing home used as a church office at 210 Clover Ridge may be removed. If it is, the applicant is proposing to develop an additional 17 spaces for an overall total of 198. Construction on Phase 3 is anticipated to begin in 2020.

P. 2

Offsite impacts will be minimized through a combination of landscaping; buffering and screening; building setbacks; stormwater detention and treatment; lighting directed downwards; and sensitivity given to building size, scale, and design to promote compatibility with the neighborhood.

These applications were deemed complete on February 21, 2013 (Attachment I). The applicant is Pastor Dan Bergland and the location of the proposed development is west of Clover Ridge Road at Edgewater Drive, north of Burkhardt Creek (Attachment II). The six Conditional Use review criteria and four Tree Felling criteria are addressed in detail in the staff report below.

Staff Recommendation: APPROVAL with the FOLLOWING CONDITIONS:

- 2.1 Overall parking for the project shall be provided in the required amount for each phase. Phase 1 shall have at least 55 spaces developed as a condition of occupancy; Phase 2 shall have at least 81 spaces available onsite as a condition of occupancy; and Phase 3 shall have at least 146 spaces available onsite as a condition of occupancy. The applicant intends to provide 62, 103, and 181 parking spaces respectively. At the applicant's option, an additional 17 paved spaces may be provided following the removal of the former residence used as a church office. Upon completion, the project may have up to 198 paved parking spaces.
- 2.2 The applicant shall record a reciprocal access and parking lot agreement between the two individual parcels on site signed and approved by the property owners. A copy of the recorded agreement shall be provided to the Community Development Department prior to building permit issuance for the first phase of development. Alternatively, this condition may be met by submitting a copy of an approved and recorded final plat at the time of building permit application that combines the two parcels into one parcel.
- 2.3 A loading space shall be provided in addition to the required vehicle parking spaces. For buildings totaling 20,000 to 50,000 square feet of gross floor area, the minimum required loading area is 500 square feet, and shall have an unobstructed height of 14 feet. The loading space shall be shown on a revised site plan for the first phase of development prior to issuance of a building permit.
- 2.4 A planter bay is required at the northeast corner of the westerly parking lot. Planter bays will also be required on the east side of two rows of parking that may be installed if the existing church office is removed. These planter bays shall be shown on a revised site plan for the first phase of development prior to issuance of a building permit.
- 2.5 Prior to receiving a certificate of occupancy, landscaped planter bays meeting the minimum requirements of ADC 9.150 shall be installed in locations shown on the Site Construction Phasing Plan (Sheet 5 of Attachment V), as revised per condition 2.4 above, as each phase develops.
- 2.6 A detailed landscaping and irrigation plan, including species composition, for the parking lot planter bays landscaping must be submitted for review and approval before installation begins or at the time of permit application for parking lot improvements, whichever comes first.
- 2.7 A final landscaping and irrigation plan must be submitted for review and approval prior to issuance of a building permit per phase. The final landscape plan shall indicate the number, size, spacing, and names of all proposed plants. Said landscaping and irrigation shall be installed and improved prior to issuance of an occupancy permit
- 2.8 The site shall be limited to one freestanding sign and one wall sign, as shown on approved site plans (Sheets 7 and 9 of Attachment V). No sign may be larger than 32 square feet per face. If one or more sign(s) will be illuminated, only indirect lighting shall be used. Signage shall be subject to all other standards and requirements of the Albany Development Code, such as orientation and spacing.

- 2.9 The outside refuse disposal area must be screened to at least 6 feet high. This shall be shown on the final revised site plan.
- 3.1 Prior to issuance of a building permit for Phase One improvements, the applicant shall dedicate 27 feet of public right-of-way for the extension of Dunlap Avenue along the north boundary of the site. The dedication shall include a 10-foot property line radius at intersections.
- 3.2 Prior to issuance of a building permit for Phase One improvements, the applicant shall dedicate public right-of-way along the west boundary of the site for the future extension of Timber Street. The location of the right of way shall conform to the "Timber Street Dedication" attached to this decision.
- 3.3 Prior to issuance of a building permit, provide a Petition for Improvement/Waiver of Remonstrance for the construction of street improvements on both Dunlap Avenue and Timber Street.
- 3.4 The onsite portion of the "Permanent Emergency Vehicle Access" connection to Dunlap Avenue shown on the site plan shall be constructed as a full two-way travel aisle with a minimum width of 24 feet. Prior to the improvement of Dunlap Avenue, the access may be restricted to use by emergency vehicles through placement of bollards, a gate, or other method acceptable to the Fire Department.
- 4.1 Before the City will issue building permits for this project, the applicant must 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.
- 6.1 Placement of the 10-foot vegetated landscape buffer within the Riparian Corridor Overlay shall use plants solely from the approved City of Albany native plant list.
- TF a.1 In the event proposed construction does not take place, these trees shall not be removed without separate approval for tree felling not associated with development, using criteria listed in ADC 9.208(3).

Expiration of Approval: After the approval is final, it is valid for three years from the date of final approval unless: (a) The applicant has installed all of the required public infrastructure related to the development and the infrastructure has been accepted by the city, or the applicant has provided financial assurance for all required public infrastructure per Section 12.600, or the first phase, if the development was approved for phased construction; or (b) A valid building permit exists for new construction or improvements, and work has commenced. If (a) or (b) has been done, then the project may continue to completion.

APPLICATION INFORMATION

DATE OF REPORT: April 29, 2013

STAFF REPORT PREPARED BY: David Martineau, Planner III

PROPERTY OWNERS: 1) Michael D. and Roberta D. Newman, Fee Title Owners; 3747 Dunlap Avenue NE; Albany, OR 97322; (541) 928-2970; and
2) Grace Point – A Church of the Nazarene; 210 Clover Ridge Road NE; Albany, OR 97322; (541) 928-8655

APPLICANT: Don Bergland, Pastor; Grace Point – A Church of the Nazarene; 210 Clover Ridge Road NE; Albany, OR 97322; (541) 928-8655

APPLICANT REP.: Dan Watson, P.E.; K&D Engineering; PO Box 725; Albany, OR 97321; (541) 928-2583

PROPERTY LOCATION: 210 and 250 Clover Ridge Road NE

MAP/TAX LOT: Linn County Assessor's Map No. 11S-03W-04AC; Tax Lots 600 & 703

ZONING: Residential Medium Density (RM) District; Riparian Corridor Overlay (RC) District (southeast corner of Lot 703)

TOTAL LAND AREA: Approximately 6.54 acres

EXISTING LAND USE: Tax Lot 600 has a single family residence; Tax Lot 703 has a church office in a former residence.

NEIGHBORHOOD: East Albany

SURROUNDING ZONING: North: RS-5 (Residential Single Family)
South: RM (Residential Medium Density) and Linn Co. UGM-20
East: RS-6.5 (Residential Single Family)
West: RM (Residential Medium Density) and Linn Co. UGM-20

SURROUNDING USES: North: Single family dwellings
South: Single family dwellings and apartments
East: Single family dwellings
West: Single family dwellings, agricultural uses

PRIOR HISTORY: A demolition permit was issued for the removal of a barn at 250 Clover Ridge Road NE (Tax Lot 600) on August 8, 2011.

The 1.27 acre property at 210 Clover Ridge Road NE (Tax Lot 703) was annexed June 27, 2012 (AN-01-11, Ordinance No. 5782), and subsequently zoned RM (ZC-02-11). The property at 250 Clover Ridge Road NE was annexed June 11, 2008 (AN-01-07, Ordinance No. 5696), and subsequently zoned RM (ZC-06-07).

NOTICE INFORMATION

On April 16, 2013, a Notice of Public Hearing (Attachment III) was mailed to surrounding property owners and residents entitled to notice in accordance with ADC 1.360. The site was posted by April 29, 2013, in accordance with Section 1.410 of the Albany Development Code.

APPEAL

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

Any person who submitted written comments during a comment period or testified at the public hearing has standing to appeal the Type III decision of the Planning Commission to the City Council by filing a Notice of Appeal and associated filing fee within 10 days from the date the City mails the Notice of Decision.

STAFF ANALYSIS**Conditional Use**

File CU-01-13

Section 2.250 of 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, conclusions and conditions where needed to meet the criteria.

Criterion (1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

FINDINGS OF FACT

- 1.1 **Proposed use.** The proposed use is for construction of a 38,000 square foot church together with education wings, gymnasium, and a separate 1,944 square foot bus garage and 198 parking spaces built over four phases. According to the applicant, uses will include Sunday church service along with other programs during the week for the benefit of its membership and the community.
- 1.2 **Intended character of the base zones.** The property is zoned RM (Residential Medium Density). ADC 3.020 states that this district is intended primarily for medium-density residential urban development. The Grace Point Church of the Nazarene is considered a Religious Institution. ADC 22.250 defines religious institutions as meeting areas for religious worship and activities. A religious institution may be consistent with the RM zoning district if all of the review criteria for a conditional use are met. This staff report reviews the applicant's proposal against the review criteria. According to the Schedule of Permitted Uses in ADC 3.050, in the RM zoning district, Religious Institutions are allowed through Type III Conditional Use approval.
- 1.3 **Conditional Uses.** According to ADC 2.230, "Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these proposed uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use process provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved."
- 1.4 **Operating Characteristics of the Neighborhood.** The subject property is located in an area with large lots and fields to the west averaging about 2 to 4 acres, and single family residential uses to the north and east. Lot sizes for nearby single family residential uses average about 5,500 square feet. A multifamily development containing about 88 apartment units is located on a 5.07 acre lot southwest of this site. Access to the apartments is from Knox Butte Road. Burkhardt Creek flows east to west just south of the church property. A parcel directly to the south of Lot 703 remains in the county (Tax Lot 2000). Another parcel just to the west is also in the county, but at the time of the writing of this staff report, there is a pending annexation application, which, if approved, may allow for the expansion of the Knox Butte RV Park (Tax Lots 701 and 702).

While there are variables associated with individual homes, the typical single-family household is "active" between 6:00 a.m. and 11:00 p.m. Households are composed of one or more residents of various ages, with or without pets, and with one to three vehicles. Vehicle trips generally are related to work, school, recreation and shopping activities. Residential properties also have private outdoor spaces on the sides, front and rear portions of the property that are used for recreation, landscaping, storage buildings, and parking. The immediate neighborhood and the subject properties are served by Clover Ridge Road NE (a minor collector street) and Dunlap Avenue (a private street). Knox Butte Road, a minor arterial, is

located about 750 feet south of the subject property. The applicant adds that the use is consistent with the operating characteristics of the neighborhood and that the development code allows churches with this in mind.

- 1.5 Operating Characteristics of the Proposed Church. According to the applicant, there will be "Sunday church service along with various programs throughout the week intended to enhance the membership and the community." These programs will eventually include Sunday school for youth, counseling services, adult and youth groups, and activities such as sports, club meetings, dinners and conferences. Church leaders estimate about 340 current users of weekly events. Lately, Sunday church services have about 150 to 200 attendees; however church officials estimate average attendance for the new facility to be 380 people. The facility will be designed to ultimately seat 450 people.

By project completion, the site will have a 19,200 square foot building housing the sanctuary, fellowship, education and administrative areas; 198 parking spaces; a 3,765 square foot education wing; a 15,060 square foot multi-purpose area housing a gym, bleachers, kitchen, storage, and meeting rooms; and about 2.36 acres of open space on the property, according to the applicant. A 1,944 square foot bus garage and storage building will be placed 10 feet from the southwestern corner of Tax Lot 703.

- 1.6 A neighborhood meeting was encouraged for this application. Churches are institutional, not commercial or industrial uses, so the requirement to have a neighborhood meeting is by discretion of the Community Development Director. The applicant held a neighborhood meeting on Tuesday, October 18, 2011, at 6:00 p.m., in the Willamette Events Center Building at the Linn County Fair and Expo, in Albany. According to a meeting report, 10 people attended. A summary of their concerns, issues and problems included traffic impacts, storm drainage impacts, the time line of phasing, emergency access, wetlands, and parking spaces facing Clover Ridge Road. The applicant provided responses to each issue (see Appendix "E" of Attachment IV).

CONCLUSIONS

- 1.1 The proposed use is consistent with the intended character of the RM zoning district and the operating characteristics of the neighborhood.
- 1.2 The conditional use process provides an opportunity to review projects for potential impacts and impose conditions to address any identified concerns.
- 1.3 The hours of operation of the church are similar to the hours of operation of a residential neighborhood.
- 1.4 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.

Criterion (2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal calls for mitigation of differences in appearance or scale through such means as setbacks, screening, landscaping or other design features.

FINDINGS OF FACT

- 2.1 Definition of Compatible. "Compatible" does not mean "the same." *Merriam Webster's Collegiate Dictionary*, Eleventh Edition, defines "compatible" as: "(1) capable of existing together in harmony."
- 2.2 Proposed Use. The proposed use is for construction of a 38,000 square foot church together with education wings, gymnasium, and a separate 1,944 square foot bus garage and 198 parking spaces built

over three phases. According to the applicant, uses will include Sunday church service along with other programs during the week for the benefit of its membership and the community.

- 2.3 Existing and Anticipated Uses. Presently, there are two structures on the property. The first was a former residence at 210 Clover Ridge Road (Tax Lot 703) built around 1945 that has been converted to administrative offices for the church. Once Phase 1 of the church is completed, some of the administrative functions will move to the new church building. The structure may be put to other church uses that support its mission and vision; however the former residence may be removed at the time Phase 3 is completed in order to make room for additional parking. The second structure is located at 250 Clover Ridge Road (Tax Lot 600), and is being used as a residence by an associate pastor. The applicant states the church intends to retain this building as a residence for several years into the future. The Church may use it as an administrative or ministry center and could be open to the public and neighborhood use.

The area surrounding the proposed development consists of single family residences on lots averaging 6,000 square feet to the east. Of five dwellings located directly across Clover Ridge Road from the proposed church, two are two-story, and three are one-story. There is a mixture of single family, one-story homes on larger lots to the north of the proposed development. The Albany Comprehensive Plan classifies the areas to the north and east of the site as low-density residential; land to the south and west, including the subject property, is designated medium-density residential.

- 2.4 Scale of Single-Family Homes – Height and Width. Two-story homes in the neighborhood (east of Clover Ridge Road in the vicinity of Edgewater Drive) are typically 22-24 feet high to the ridge of the roof, with an average width of around 28 feet and a length of 54 feet, including the garage. Single-story homes in this area have an average height of 14 feet to the ridge line, 36-foot widths, and 48-foot lengths, including the garage. The zoning district east of Clover Ridge is RS-6.5 (Single Family Residential). North and west of Dunlap Avenue and Clover Ridge, the zoning is RS-5. Both zones have a height limit of 30 feet, and maximum allowable lot coverage of 60%. In contrast, the RM zoning district west of Clover Ridge has a height limit of 45 feet, with maximum lot coverage of 70%.

- 2.5 Scale of the Church and Bus Garage – Height and Width. ADC Section 3.190, Table 1, shows that the maximum building height allowed in the RM zoning district is 45 feet. Elevation drawings submitted with the application show that the building is 35 feet at its highest point along the roof ridge line. The eaves of both buildings do not exceed 23.25 feet. Additionally, the proposed bus garage will be 25 feet high at the ridge and 18 feet high at the eave, according to the applicant. At full build-out (the conclusion of Phase 3), the combined church and multi-purpose building will measure 251.5 feet in length (east/west) and 150 feet in width (north/south). The bus garage will measure 54 feet in length (east/west) and 36 feet in width (north/south). The church will be oriented so that its front entrance faces Clover Ridge Road. The bus garage will face the north and be oriented so that access to it comes from parking lot aisles.

The applicant contends that the size of the proposed church and accessory structures is consistent with church buildings located in other residential neighborhoods. Due to the nature of the use, church facilities are larger in size and scale than surrounding single family residential dwellings. The proposed church at this site is similar in size and scale to the apartment uses on one of the abutting properties to the south.

- 2.6 Size of Proposed Church. According to Sheet 6 of Attachment V, the footprint of the proposed church, which includes the sanctuary with area for fellowship, education and administration, totals 19,220 square feet. The northerly education wing proposed in Phase 2 totals 3,765 square feet. The multi-purpose building planned for Phase 3 includes a gym with bleachers, kitchen, storage area and a meeting room. The footprint for the multi-purpose building is 15,060 square feet. It will be connected to the church by a corridor. Combined, the building project, not including the bus garage, is 38,045 square feet.

- 2.7 Intensity-Lot Coverage of the Church Development. Maximum lot coverage allowed in the RM zone is 70%. Lot coverage for single-family detached development only includes areas of the lot covered by buildings or structures. For other uses, lot coverage includes buildings, structures, pavement, and other areas not vegetated or in a naturally permeable state. Total lot area of Tax Lots 600 and 703 equals 285,322 square feet (6.55 acres). Existing and proposed buildings and structures will cover 42,940 square feet (0.99 acre) of the site; parking, sidewalks and driveways will cover another 103,116 square feet (2.37 acres). Area reserved for future Timber Street and Dunlap Avenue total 33,018 square feet (0.84 acre). Together, these total 63% of the lot (4.11 acres). The remaining 37% (2.44 acres) will be maintained as “open space,” which includes a grassy storm water swale, landscaping, and undeveloped fields for outdoor activities.
- 2.8 Setbacks. ADC Section 3.190 shows that setbacks in the RM zoning district are 15 feet in front yards and 5 to 8 feet in the interior yards for single-family homes, and 10 feet for other uses depending on the number of stories. Section 3.330 of the Development Code has special setbacks for church buildings: “Any new construction of an educational institution, religious institution, or public or semi-public building shall be set back at least 25 feet from any property line adjoining or directly across public right-of-way from any residential district. No required front or interior yard of the lot on which such building or use is located shall be used for stockpiling or storage of materials or equipment. All other setbacks of the district within the property is located continue to apply.” Table 1 below provides the required versus actual setbacks for the proposed church building.

Table 1: Setbacks

DIRECTION	ZONING DISTRICT	CHURCH SETBACK REQUIRED	CHURCH SETBACK ACTUAL
North	RS-5	25'	25'
East	RS-6.5	25'	175' +/-
South	RM, URR (Linn Co.)	25'	64'*
West	RM, URR (Linn Co.)	25'	238' +/-

* = At its closest point, the church/multi-use building is set back 64 feet from the adjacent parcel to the south and west that is not in the city limits. The proposed bus garage will maintain a 10-foot setback from the adjacent RM-zoned parcel containing a multi-family residential development to the south.

- 2.9 Style of Existing Houses. The houses in the vicinity are a mix of single level and two-story units typically with composition shingle roofing and vertical lap siding.
- 2.10 Style of Proposed Church and Bus Garage. According to the applicant, the church building is designed with architectural features consistent with residential homes. The roof will have a 4:12 pitch, with four distinct roof lines. The higher gable measures 35 feet high at the ridge. It will extend over the multi-purpose building and the worship center with dormers over windows. The mid-level gable will be 25 feet high at the ridge, and will be situated above the foyer entrance into the church. A lower-level “shed” roof will be placed over the perimeter education wings and will be 19 feet high at its peak. Finally, a gabled roof 19 feet high will extend over the “porte cochere” structure from the building entrance over the driveway drop-off. The height of the steeple located on the roof above the foyer is about 37½ feet from finished floor elevation. Exterior building materials will consist of stucco finish, cultured stone wainscot and painted lap siding, fascia and soffit. Roofing will consist of architectural-grade composition shingles (see Sheet 9 of Attachment V). The exterior of the bus garage will have a stucco finish with painted lap siding, fascia and soffit. The roof will be covered with asphalt shingles. (see Sheet 10 of Attachment V).
- 2.11 Vehicle Parking – Required Number and Phasing. The Development Code requires churches to provide one parking space for each six seats or 12 feet of bench length (ADC 4.250). According to the applicant’s plans, there will be 450 seats at the conclusion of the three-phased project, together with classrooms and multipurpose area; therefore the minimum required number of parking spaces will be 181. The applicant proposes to develop parking in stages as each phase of the development is completed:

Table 2: Parking Requirement

Phase	Spaces Required by Code	Spaces Provided by Applicant
Phase 1, based on 250 seats; 9 classrooms; 9 teachers	55	62 paved
Phase 2, based on 350 seats; 6 additional classrooms and teachers	81	103 paved
Phase 3, based on 450 seats; 6 additional classrooms and teachers; multipurpose area	146	181 paved
Phase 3, removal of former residence used as church office, at applicant's option	146	198 paved

Parking lots must be paved, landscaped and provided with approved drainage. ADC 9.120(3) says that all areas of a parking lot shall have a durable, dust-free surface of asphalt, cement concrete, or other materials approved by the Director of Public Works. Graveled parking lots do not meet the City's development standards. All parking spaces required and provided must be paved, in accordance with ADC 9.120(3). A condition of approval will list required parking by phase. Overall parking for the project shall be provided in the required amount for each phase. Phase 1 shall have at least 55 spaces developed as a condition of occupancy; Phase 2 shall have at least 81 spaces available onsite as a condition of occupancy; and Phase 3 shall have at least 146 spaces available onsite as a condition of occupancy. The applicant intends to provide 62, 103, and 181 parking spaces respectively. At the applicant's option, an additional 17 paved spaces may be provided following the removal of the former residence used as a church office. Upon completion, the project may have up to 198 paved parking spaces.

In addition, according to the applicant, the church's "company vehicles" will consist of three buses. Parking and storage of these buses will be accommodated within the proposed 1,944 square-foot bus garage, which will be built in Phase 1.

- 2.12 **Parking Lot Design and Construction.** All parking areas and driveways must be paved, have an approved drainage system, perimeter curb and proper space dimensions in accordance with Table 1 of Section 9.130. Paved parking for Phases 1 and 2 will be located on the east side of the property between the church building and Clover Ridge Road, and along the south side of the church. One-way aisle widths will meet or exceed 16 feet; and two-way aisles will be at least 26 feet wide in these lots. Paved parking for Phase 3 will total 181 spaces, according to the applicant. At the applicant's option, an additional 17 paved spaces may be provided following the removal of the former residence used as a church office. Upon completion, the project may have up to 198 paved parking spaces. Parking lot development associated with each phase is shown on submitted site plans (see Sheet 5 of Attachment XX). The size and location of parking lot planter bays shown on site plans appears consistent with ADC 9.150(1).

The subject property consists of two separate parcels; therefore a reciprocal parking lot agreement between the properties will be required as a condition of approval. Alternatively, the two separate parcels could be combined into one through a replat process if the church acquires ownership of Tax Lot 600 prior to initiating development.

- 2.13 **Loading Standards.** According to ADC Section 4.260, loading spaces for all uses except office and residential uses shall be off the street. Loading spaces shall be provided in addition to the required vehicle parking spaces. For buildings totaling 20,000 to 50,000 square feet of gross floor area, the minimum required loading area is 500 square feet, and shall have an unobstructed height of 14 feet. A loading area (other than the passenger drop-off area) is not shown on the site plans. Delineation of a loading area on a revised site plan will be required as a condition of approval.
- 2.14 **Bicycle Parking.** While institutional uses are not explicitly required to provide a secure place to park bicycles, it is reasonable to expect that this church will have some employees or members who bicycle to

church, particularly from the surrounding residential neighborhoods. The applicant proposes to provide 8 sheltered bicycle spaces to the right of the staff parking area near the northeast corner of the property during Phase 1 (see Sheet 1 of Attachment V). Their installation is encouraged, and would no doubt be appreciated by the cycling public.

- 2.15 **Lighting.** ADC Section 9.120(14) requires that any lights provided to illuminate any public or private parking area must be arranged to reflect the light away from any abutting or adjacent residential district.

The applicant has submitted a lighting plan that shows this standard is generally met. The height of the light fixtures (measured from the ground level) will not exceed 20 feet. The applicant states that all lighting, whether on buildings or in parking areas, will be designed to reflect downward and away from adjacent properties. Proposed parking lot lighting along the west side of the parking lot just north of the entrance is only about 40 feet from the easterly property line. Lights will need to be arranged to reflect the light away from Clover Ridge Road.

- 2.16 **Outside Storage.** ADC Section 3.390 states that any refuse container or refuse disposal area which would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area, shall be screened from view by placement of a sight-obscuring fence, wall or hedge at least 6 feet in height. All refuse materials shall be contained within the screened area. No refuse container or refuse disposal area shall be placed within 15 feet of a dwelling window. Site plans submitted with the application show a trash enclosure located on the south side of the church, however plans show it is only 4 feet 8 inches high (see Sheets 1 and 11 of Attachment V). A condition of approval will require outside storage to be screened to at least 6 feet high. This shall be shown on the final revised site plan.

- 2.17 **Buffering and Screening.** ADC Section 9.210 requires buffering and screening in order to reduce the impacts on adjacent uses which are of a different type, buffering and screening is required in accordance with a matrix contained within the section. Parking lots containing at least five (5) spaces require 10 feet of screening from abutting single-family uses. The Director may waive the buffering/screening requirements of this section where such has been provided on the adjoining property in conformance with this Code. Where a use would be abutting another use except for separation by right-of-way, buffering (but not screening) shall be required as specified in the matrix. Where a proposed use abuts undeveloped property, only one half of the buffer width shall be required.

According to ADC 9.240, the minimum improvements within a buffer area consist of the following:

- (1) At least one row of trees. These trees will be not less than 10 feet high at time of planting for deciduous trees and spaced not more than 30 feet apart and 5 feet high at time of planting for evergreen trees and spaced not more than 15 feet apart. This requirement may be waived by the Director when it can be demonstrated that such trees would conflict with other purposes of this Code (e.g. solar access).
- (2) At least five 5-gallon shrubs or ten 1-gallon shrubs for each 1,000 square feet of required buffer area.
- (3) The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, evergreen shrubs).

According to ADC 9.250, where screening is required or provided, the following standards apply in addition to conditions (1) and (3) above:

- (1) One row of evergreen shrubs that will grow to form a continuous hedge at least 4 feet tall within two years of planting, or

(2) A fence or masonry wall at least 5 feet tall constructed to provide a uniform sight-obscuring screen, or

(3) An earth berm combined with evergreen plantings or a fence that forms a sight and noise buffer at least 6 feet tall within two years of installation.

Property to the north and east of the proposed development is zoned RS-5 and RS-6.5, and is presently characterized by residential uses. To the south and west, land is either zoned RM or remains in Linn County's jurisdiction as urban residential reserve. The use of the subject property will change from rural residential to a developed church, multi-purpose building, and bus garage together with parking. Therefore a 10-foot buffering and screening requirement is appropriate to separate the new use from the abutting residential uses. The applicant's conceptual landscape plan dated April 10, 2013 shows compliance with all buffer and screening requirements, with contingency plans in place in the event Dunlap Avenue and Timber Streets become developed public right-of-ways prior to completion of Phases 2 or 3. In that instance, buffering, but not screening, will be provided. This is allowed and consistent with ADC Section 9.210. A summary of code requirements and what is being provided by the applicant is shown in Table 3.

Table 3: Buffering & Screening Requirements

Side	Buffering & Screening Area	Buffering & Screening Required	Buffering & Screening Provided
North – Dunlap Avenue (private street) & dwellings	10-foot buffer landscaping <u>and screening</u> of building and parking lot; 6,865 sq. ft. area	23 deciduous 10' high or 45 evergreen trees 5' high; ground cover; evergreen hedge 4' high in 2 years <u>or</u> 5' fence/wall <u>or</u> 6' earth berm	<u>Phase 1:</u> 294 lineal feet (LF)/2,940 sq. ft. – 10 deciduous trees 10' high; ground cover; evergreen hedge 4' high. <u>Phase 2:</u> 131 LF/1,310 sq. ft. – 4 deciduous trees 10' high; ground cover; evergreen hedge 4' high. <u>Phase 3:</u> 261 LF/2,610 sq. ft. – 10 deciduous trees 10' high; ground cover; 6' fence either cedar or chain link with slats. MEETS/EXCEEDS
East – Clover Ridge Road & dwellings	10-foot buffer landscaping of parking lot; 3,150 sq. ft. area	10 deciduous 10' high or 21 evergreen trees 5' high; 25 5-gallon or 47 1-gallon shrubs; ground cover	<u>Phase 1:</u> 3,150 sq. ft. – 10 deciduous trees (includes 2 existing trees) 10' high; >34 1-gallon shrubs; ground cover; and evergreen hedge 4' high to mitigate headlights in parking area. MEETS/EXCEEDS
South – Single family dwelling (Linn Co.), apartments	10-foot buffer landscaping <u>and screening</u> of parking lot; 2,700 sq. ft. area	9 deciduous 10' high or 18 evergreen trees 5' high; ground cover; evergreen hedge 4' high in 2 years <u>or</u> 5' fence/wall <u>or</u> 6' earth berm	<u>Phase 1*</u> : 2,700 sq. ft. – 9 deciduous trees 10' high; 13 1-gallong shrubs; ground cover; 6' fence either cedar or chain link with slats. *Site plan shows installation at Phase 2; however a condition of approval will require installation at Phase 1. MEETS/EXCEEDS
South – Apartments	10-foot buffer landscaping <u>and screening</u> of parking lot; 1,760 sq. ft. area	6 deciduous 10' high or 12 evergreen trees 5' high; ground cover; evergreen hedge 4' high in 2 years <u>or</u> 5' fence/wall <u>or</u> 6' earth berm	<u>Phase 1:</u> 1,760 sq. ft. – 6 deciduous trees 10' high; ground cover; use of existing 6' high chain link fence with vinyl slats. MEETS/EXCEEDS

Side	Buffering & Screening Area	Buffering & Screening Required	Buffering & Screening Provided
West – RV Park & dwelling	10-foot buffer landscaping and screening of parking lot; 6,290 sq. ft. area	21 deciduous 10' high or 42 evergreen trees 5' high; ground cover; evergreen hedge 4' high in 2 years or 5' fence/wall or 6' earth berm	<p><u>Phase 1:</u> 1,000 sq. ft. – 5 deciduous trees 10' high; 13 1-gallon shrubs; ground cover; 6' fence either cedar or chain link with slats.</p> <p><u>Phase 3:</u> 5,290 sq. ft. – 19 deciduous trees 10' high; 54 1-gallon shrubs; 6' fence either cedar or chain link with slats.</p> <p>MEETS/EXCEEDS</p>

Dunlap Avenue is a private street; however the applicant is proposing to provide a 27-foot right-of-way reservation along the project's northern boundary. Additionally, a future right-of-way dedication along the west side of the property for future Timber Street is also proposed. Although both streets are expected to become public right-of-ways, there is no timeframe when these might be dedicated and developed. In large part, future residential development of the area will influence the timing. Therefore, it is staff's recommendation that both buffering and screening be provided in the required amounts along the north side of the parking lot fronting on Dunlap Avenue, and the west side of both Tax Lots 600 and 703, fronting on future Timber Street.

In the event one or both streets are developed and dedicated to the public prior to completing Phases 2 or 3, the screening requirement along the affected street(s) will be dropped. What would remain is a buffer and front setback landscaping requirement. Front setbacks in the RM district are 15 feet. According to ADC 9.140(1), for every 50 lineal feet of street frontage, one tree at least 6 feet tall, four 1-gallon shrubs or accent plants, and attractive ground cover is required. When front setback landscaping is compared with buffering standards, the buffering standards are stricter; therefore compliance with buffering standards will also satisfy the front setback landscape requirement provided it is spread over the 15-foot front setback rather than the 10-foot buffer width. A portion of the southern property line borders an apartment complex. There is an existing 6-foot chain-link fence with vinyl slats used for screening purposes about 16 feet south of the common property line. The applicant requests, and staff agrees, that this serves as effective screening and further screening at this location may be waived.

Where fencing is required for screening, the applicant plans to provide a cedar fence about 6 feet tall along the southern property line closest to Clover Ridge Road. The fence height shall be reduced to 4 feet in the required front yard setback abutting Clover Ridge Road. A 6-foot high cyclone fence containing a black vinyl coating with site-obscuring slats colored forest green will be installed along the southern portion of property from a point beginning behind the bus garage and ending at the area proposed for the future Timber Street extension, according to the applicant (see Sheet 7 of Attachment V). This meets the screening requirements for fences used for screening contained in ADC 9.250. Conditions of approval will tie installation of required buffering and screening to specific phases of the development.

2.18 Landscaping. All front setbacks (exclusive of accessways and other permitted intrusions) are required to be landscaped before an occupancy permit will be issued or final building permit approved. In all residential districts except Rural Residential (RR), the minimum landscaping acceptable for every 50 lineal feet of street frontage (or portion thereof, deducting the width of the driveway) is:

- (a) One tree at least 6 feet tall.
- (b) Four 1-gallon shrubs or accent plants.
- (c) The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs).

The property is located in the RM zoning district. ADC 3.190, Table 1, shows that the minimum front yard setback in RM is 15 feet. Any new construction of religious institutions requires a 25-foot building

setback from any property line adjoining or directly across the right-of-way from any residential district. However, for the purposes of required landscaping, only front yard setback counts. Presently, the only public street the church and parking lot have frontage on is Clover Ridge Road. The frontage requires a 15-foot landscaped yard. The frontage along Clover Ridge measures 412 lineal feet. Deductions for access ways and other permitted intrusions total 97 feet and include a 27-foot future right-of-way dedication for Dunlap Avenue, two existing driveways measuring 24 feet and 18 feet respectively, and a proposed driveway and walkway to serve the main entrance that totals 28 feet. A total of 315 lineal feet therefore remains for a front yard landscape area requirement of 4,725 square feet. Specific amounts are: 6 trees at least 6 feet tall; 19 1-gallon shrubs or accent plants; and attractive ground cover as described in ADC 9.140(1)(c). According to the conceptual landscape plan, which includes a buffer requirement along this frontage, the applicant provides 10 deciduous trees at least 10 feet tall; at least 34 1-gallon shrubs in addition to a minimum of 15 evergreen shrubs intended to form a hedge at least 4 feet high within two years of installation, and suitable living ground cover for 100% of the setback area (as described in page 37 of applicant's narrative), in an area measuring at least 4,725 square feet. Buffering requirements along the Clover Ridge frontage can be counted toward the landscaping requirement (see Finding 2.17, above). Therefore the applicant meets or exceeds this requirement. All required front yard landscaping shall be installed and inspected prior to issuance of an occupancy permit associated with Phase 1.

2.19 Parking Lot Landscaping. ADC 9.150 requires the following:

- (1) Planter Bays. Parking areas shall be divided into bays of not more than 12 parking spaces. Between or at the end of each parking bay there shall be curbed planters at least 5 feet wide. Each planter shall contain one tree at least 10 feet high and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area.
- (2) Entryway Landscaping. Entryways into parking lots shall be bordered by a minimum 5 foot wide landscape planter strip meeting the same landscaping provisions as for planter bays, except that no sight-obscuring trees or shrubs are permitted.
- (3) Parking Space Buffers. Parking areas shall be separated from the exterior wall of a structure by pedestrian entrance ways or loading areas or by a 5 foot strip of landscaping materials.

The conceptual landscaping plan submitted with the application shows compliance with these standards with three minor exceptions-a planter bay is required at the northeast corner of the westerly parking lot at the time it is developed, and planter bays will be required on the east side of two rows of parking that might be installed if the existing former residence/current church office is removed. These will be made a condition of approval.

2.20 Landscaping and Vision Clearance Areas. No trees, shrubs, fences, or signs may be located within any vision clearance area which prohibits structures or planting that would impede visibility between the heights of two feet and eight feet. A clear vision area consists of a triangular area, two sides of which are lot lines or a driveway, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the two sides. For this use, the measurement along the lot line and drive edge shall be 15 feet [ADC 12.180]. Landscaping that would impede visibility is not located in the vision clearance areas.

2.21 ADC 9.160 requires that all required landscape areas be provided with a piped underground irrigation system, unless a licensed landscape architect or certified nurseryman submits written verification that the proposed plant materials do not require irrigation. Irrigation systems installed in the public right-of-way require an encroachment permit. A final landscape and irrigation plan must be submitted for review and approval prior to issuance of a building permit per phase. The final landscape plan shall indicate the number, size, spacing, and names of all proposed plants. Said landscaping shall be installed and approved prior to issuance of an occupancy permit.

P. 14

- 2.22 ADC 9.200 requires that all required landscaped areas must be maintained in an attractive manner free of weeds and noxious vegetation. The minimum amount of required living landscape materials shall be maintained.
- 2.23 Signs – Residential Conditional Use. The Development Code states in Section 13.620 that when an institutional conditional use is allowed in a residential zone, the size and placement (of signage) may be further restricted as part of the Conditional Use review but shall not exceed 32 square feet per face. Maximum sign height shall not exceed 12 feet. Signs are permitted under separate permit. The applicant's narrative does not specifically address signage for the proposal; however site plans show a lighted entrance sign just to the north of the proposed entryway and a second sign for the office located about 100 feet to the south (Sheet 7 of Attachment V). Both signs face Clover Ridge Road. No dimensions are provided for either sign and it is unclear if the office sign will be lighted. In addition, plans show a third sign along the church building's east elevation, "Grace Point Church of the Nazarene," consisting of channel letters approximately 10 feet wide (Sheet 9 of Attachment V). This sign also faces, and is parallel to, Clover Ridge Road. Conditions of approval will limit signage to one freestanding sign and one wall sign. Neither sign may exceed 32 square feet in area per face. If illuminated, only indirect lighting will be used. No other sign will be permitted for this use without a modified conditional use approval.

CONCLUSIONS

- 2.1 The size of the proposed church and accessory structures is consistent with church buildings located in other residential neighborhoods. Due to the nature of the use, church facilities are larger in size and scale than surrounding single family residential dwellings.
- 2.2 The proposed church and related uses comply with lot coverage, setback and building height standards of the RM zoning district.
- 2.3 The applicant demonstrates that required parking can be met. By the third phase of development, the applicant will provide 181 spaces, with another 17 possible if the existing church office is removed.
- 2.4 Buses used by the church will park inside the proposed 1,944 square foot bus garage that will be built during Phase 1.
- 2.5 A loading area is not shown on the site plans. The proposed refuse disposal area does not meet screening requirements. Both items can be made conditions of approval.
- 2.6 Any adverse impacts associated with the institutional use of the property can be mitigated through such means as increased setbacks, buffering and screening and landscaping. Required landscaping will be installed as each phase develops.

CONDITIONS

- 2.1 Overall parking for the project shall be provided in the required amount for each phase. Phase 1 shall have at least 55 spaces developed as a condition of occupancy; Phase 2 shall have at least 81 spaces available onsite as a condition of occupancy; and Phase 3 shall have at least 146 spaces available onsite as a condition of occupancy. The applicant intends to provide 62, 103, and 181 parking spaces respectively. At the applicant's option, an additional 17 paved spaces may be provided following the removal of the former residence used as a church office. Upon completion, the project may have up to 198 paved parking spaces.
- 2.2 The applicant shall record a reciprocal access and parking lot agreement between the two individual parcels on site signed and approved by the property owners. A copy of the recorded agreement shall be

provided to the Community Development Department prior to building permit issuance for the first phase of development. Alternatively, this condition may be met by submitting a copy of an approved and recorded final plat at the time of building permit application that combines the two parcels into one parcel.

- 2.3 A loading space shall be provided in addition to the required vehicle parking spaces. For buildings totaling 20,000 to 50,000 square feet of gross floor area, the minimum required loading area is 500 square feet, and shall have an unobstructed height of 14 feet. The loading space shall be shown on a revised site plan for the first phase of development prior to issuance of a building permit.
- 2.4 A planter bay is required at the northeast corner of the westerly parking lot. Planter bays will also be required on the east side of two rows of parking that may be installed if the existing church office is removed. These planter bays shall be shown on a revised site plan for the first phase of development prior to issuance of a building permit.
- 2.5 Prior to receiving a certificate of occupancy, landscaped planter bays meeting the minimum requirements of ADC 9.150 shall be installed in locations shown on the Site Construction Phasing Plan (Sheet 5 of Attachment V), as revised per condition 2.4 above, as each phase develops.
- 2.6 A detailed landscaping and irrigation plan, including species composition, for the parking lot planter bays landscaping must be submitted for review and approval before installation begins or at the time of permit application for parking lot improvements, whichever comes first.
- 2.7 A final landscaping and irrigation plan must be submitted for review and approval prior to issuance of a building permit per phase. The final landscape plan shall indicate the number, size, spacing, and names of all proposed plants. Said landscaping and irrigation shall be installed and improved prior to issuance of an occupancy permit
- 2.8 The site shall be limited to one freestanding sign and one wall sign, as shown on approved site plans (Sheets 7 and 9 of Attachment V). No sign may be larger than 32 square feet per face. If one or more sign(s) will be illuminated, only indirect lighting shall be used. Signage shall be subject to all other standards and requirements of the Albany Development Code, such as orientation and spacing.
- 2.9 The outside refuse disposal area must be screened to at least 6 feet high. This shall be shown on the final revised site plan.

Criterion (3) The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.

FINDINGS OF FACT

- 3.1 The proposed development will construct a 38,000 square foot church in three phases. The development is located at the southwest corner of Clover Ridge Road and Dunlap Avenue.
- 3.2 Clover Ridge Road is classified as a minor collector street and is constructed to city standards. Improvements include: curb, gutter, and sidewalk along both sides of the road; a travel lane in each direction; and on-street bike lanes.
- 3.3 Dunlap Avenue is a private street that does not meet city standards. The road lacks curb, gutter, or sidewalk. The road is located on a 25-foot wide strip of land, extends west of Clover Ridge Road by about 1,175 feet, and provides access to 6 single family homes. Most of the existing homes are on lots

sufficiently large to be further subdivided and developed.

- 3.4 ADC 12.090 limits the number of parcels that can share an access easement to two. The City has previously interpreted this code section to mean that one parcel can own the access and two additional parcels can share in an easement. The number of parcels sharing private access to Dunlap Avenue already exceeds this limit. The eventual conversion of Dunlap Avenue to a public street is needed to resolve this issue and allow for the orderly development of adjoining parcels. The minimum right-of-way width for a local street is 54 feet.
- 3.5 The applicant did not provide a trip generation estimate with the application. Based on ITE trip generation rates for a church, at full build out the project is estimated to generate 364 trips average weekday trips, of which 22 would occur during the peak pm traffic hour. On Sundays the church would generate 1,453 trips, of which 470 would occur during the site's peak hour of trip generation.
- 3.6 ADC 12.060 requires that all existing and planned public streets abutting new development dedicate right of way and be improved to city standards. The City can accept a petition and waiver in lieu of the improvement if the City Engineer determines that construction of improvements is not timely.
- 3.7 ADC 12.040 requires that all new public improvements be designed to comply with adopted master plans.
- 3.8 Albany's Transportation System Plan (TSP) does not identify any capacity issues occurring along the development's frontage on Clover Ridge Road, but does include one transportation project along the west boundary of the site. Project L18 extends Timber Street as a two-lane minor collector street from Knox Butte Road north across this site and up to Cameron Street. The minimum right-of-way needed to accommodate that section in accordance with city standards is 60 feet.
- 3.9 The applicant has proposed providing a right-of-way reservation of 27 feet along the site's north boundary for Dunlap Avenue, and indicated future right-of-way dedication along the site's west boundary for Timber Street. It is unclear in the application about how and when the applicant envisions that the reservations would ultimately be converted to public right-of-way. ADC 12.040 and 12.060, however, require that right-of-way dedications for adjoining planned and existing public streets be provided with development.
- 3.10 ADC 12.100(6) allows the City to require that corner lots take access from the more minor of the two fronting street. This site has two street frontages; Clover Ridge Road and Dunlap Avenue. Dunlap is the more minor of the two streets and preferable connection point, but will not have fully dedicated right-of-way or street improvements with this project. The site plan does show an emergency vehicle connection at the west end of the development between a parking area and Dunlap Avenue.

CONCLUSIONS

- 3.1 The development is expected to generate about 364 weekday vehicle trips per day. Of those, about 22 will occur during the peak pm traffic hour. On Sundays the church would generate 1,453 trips, of which 470 would occur during the site's peak hour of trip generation.
- 3.2 Albany's TSP does not identify any congestion problems occurring next to this site, but does include one transportation project that will adjoin the west boundary of this site; an extension of Timber Street as a minor collector street.
- 3.3 ADC 12.060 requires that all public streets abutting new development be improved to city standards, and allows acceptance of a petition and waiver if the City Engineer determines that construction of the improvements is not timely. The City Engineer has determined that construction of improvements on Timber Street and Dunlap Avenue is not timely because the street is not currently improved on either side

of this development.

- 3.4 ADC 12.100(6) allows the City to require that corner lots take access from the more minor of the two fronting street. The site plan proposes construction of an emergency vehicle connection at the west end of the development between a parking area and Dunlap Avenue. Construction of the on-site portion of the connection as a full two-way travel aisle would allow the development to utilize Dunlap Avenue as a second access point for the site when the road is improved in the future.
- 3.5 The public street system can accommodate the proposed development.

CONDITIONS

- 3.1 Prior to issuance of a building permit for Phase One improvements, the applicant shall dedicate 27 feet of public right-of-way for the extension of Dunlap Avenue along the north boundary of the site. The dedication shall include a 10-foot property line radius at intersections.
- 3.2 Prior to issuance of a building permit for Phase One improvements, the applicant shall dedicate public right-of-way along the west boundary of the site for the future extension of Timber Street. The location of the right of way shall conform to the "Timber Street Dedication" attached to this decision.
- 3.3 Prior to issuance of a building permit, provide a Petition for Improvement/Waiver of Remonstrance for the construction of street improvements on both Dunlap Avenue and Timber Street.
- 3.4 The onsite portion of the "Permanent Emergency Vehicle Access" connection to Dunlap Avenue shown on the site plan shall be constructed as a full two-way travel aisle with a minimum width of 24 feet. Prior to the improvement of Dunlap Avenue, the access may be restricted to use by emergency vehicles through placement of bollards, a gate, or other method acceptable to the Fire Department.

Criterion (4) Public services for water, sanitary and storm sewer, water management and for fire and police protection are capable of servicing the proposed use.

FINDINGS OF FACT

Sanitary Sewer

- 4.1 City utility maps show an 8-inch public sanitary sewer main in Clover Ridge Road, with 8-inch sewer mains stubbed to the west near the northeast and southeast corners of Tax Lot 600. Sewer service laterals were installed for the existing houses on each of the subject parcels at the time that street improvements were completed along Clover Ridge Road. Neither of the existing structures on the subject properties are currently connected to the public sewer system; both are served by separate private septic systems.
- 4.2 AMC 10.01.010 (1) states that the objective of the Albany Municipal Code requirements pertaining to public sanitary sewers is to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system.
- 4.3 All property with buildings or structures normally used or inhabited by people, where the property is located within 300 feet of a public sanitary sewer main will be required to have or make a connection to the public sewer system (AMC 10.01.100 (1)).
- 4.4 ADC 12.490 states that 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 12.510 requires main extensions 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. 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.

- 4.5 Where a property abuts more than one street or right-of-way, sewer mains shall be extended for the full length of the property frontages along the rights-of-way for all frontages, unless it is determined that the extensions on the frontages from which service is not being taken are not currently needed to provide service to other properties, and that those sewer mains may be completed at a future time. If the City Engineer authorizes a delay in construction of sewer mains, the property owner(s) must sign a Petition for Improvements and Waiver of Remonstrance that commits the property to participate in a future local improvement district (AMC 10.01.100(5)(d)).
- 4.6 The proposed church must be connected to the public sewer system. In addition, the applicant's submittal (page 15) states that the existing home at 250 Clover Ridge Road NE is presently being used as housing for an associate pastor, and this use is expected to continue "for several years into the future." The findings also indicate that the existing structure at 210 Clover Ridge Road NE has been converted into the Church's administrative offices. Further, the applicant's findings (page 22) state that the structure at 250 Clover Ridge Road will be connected to the public sewer as part of Phase 1 of the project; and (page 23) that the structure at 210 Clover Ridge Road NE will also be connected to the public sewer system as part of Phase 1. Connection of the two structures as proposed by the applicant will require that the on-site private septic systems be abandoned according to State and County regulations, and all associated fees and charges for the connections be paid at the time of building permit issuance.
- 4.7 The applicant will be required to dedicate public right-of-way along the north property boundary for a future improvement of Dunlap Avenue, and along the west property boundary for a future extension of Timber Street. Because there is not adequate right-of-way to make the necessary street and utility improvements, the City Engineer will defer the sewer improvements if the applicant signs a Petition for Improvements and Waiver of Remonstrance for future construction of public sanitary sewer facilities within these future streets.

Water

- 4.8 City utility maps show a 12-inch public water main in Clover Ridge Road, with 8-inch public water mains stubbed to the west near the northeast and southeast corners of Tax Lot 600. Water services were installed for the existing houses on each of the subject parcels at the time that street improvements were completed along Clover Ridge Road.
- 4.9 ADC 12.410 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.
- 4.10 ADC 12.420 states that no new development is allowed on private well systems, except for construction of one single-family dwelling on an existing lot of record.
- 4.11 ADC 12.450 requires that all new development within the City, where appropriate, provide for the extension of existing water lines serving surrounding areas.
- 4.12 AMC 11.01.120 (2)(c) states that the City shall have the sole right to determine size, location, and type of facility to be constructed. All engineering of public water facilities shall be based on both domestic and fire protection design criteria, and in accordance with the City's water facility plan. All public water

system improvements to be built under a private contract require that the developer obtain a Permit for Private Construction of Public Improvements.

- 4.13 The proposed church must be connected to the public water system. The applicant's findings (page 23) state that the structures at 250 and 210 Clover Ridge Road will be connected to the public water system as part of Phase 1 of the project. If the existing private wells are to remain on either of the subject properties, appropriate backflow protection must be provided at the water meter(s).
- 4.14 The applicant will be required to dedicate public right-of-way along the north property boundary for a future improvement of Dunlap Avenue, and along the west property boundary for a future extension of Timber Street. Because the there is not adequate right-of-way to make the necessary street and utility improvements, the City Engineer will defer the water system improvements if the applicant signs a Petition for Improvements and Waiver of Remonstrance for future construction of public water facilities within these future streets.

Storm Drainage

- 4.15 City utility maps show a 15-inch public storm drainage main in Clover Ridge Road. This main collects runoff from Clover Ridge Road and adjacent properties and routes the runoff to Burkhardt Creek south of the subject properties.
- 4.16 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer and/or the Building Official. Also, no storm water may be discharged to the public sanitary sewer system.
- 4.17 ADC 12.580 states that all new development within the City must, where appropriate, provide for the extension of existing storm sewer lines or drainage ways 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.
- 4.18 ADC 12.560 states that where it is anticipated by the City Engineer that the additional run-off resulting from the development will overload an existing drainage facility, the review body will not approve the development until provisions have been made for improvement of the potential problem.
- 4.19 ADC 12.570 states that development must use drainage management practices approved by the City Engineer to minimize the amount and rate of surface water run-off into receiving streams or drainage facilities or onto adjoining properties. The applicant is required to submit a drainage plan, including support calculations, as defined in the City's Engineering Standards. The applicant is responsible for making provisions to control and/or convey storm drainage runoff originating from, and/or draining to, any proposed development in accordance with all City standards and policies as described in the City's Engineering Standards. In most circumstances, detention will be required unless it can be satisfactorily demonstrated by the applicant that there is no adverse impact.
- 4.20 The applicant submitted a storm drainage plan which included data pertaining to the proposed on-site detention facility. The City's Public Works Department personnel have reviewed this plan and have determined that it is generally acceptable.
- 4.21 The applicant will be required to dedicate public right-of-way along the north property boundary for a future improvement of Dunlap Avenue, and along the west property boundary for a future extension of Timber Street. Because the there is not adequate right-of-way to make the necessary street and utility improvements, the City Engineer will defer the storm drainage improvements if the applicant signs a

Petition for Improvements and Waiver of Remonstrance for future construction of public storm drainage facilities within these future streets.

Police Protection

- 4.22 Police Chief Ed Boyd confirmed in an email dated March 14, 2013 that the Albany Police Department had no issues concerning police protection service for this proposal.

Fire Services

- 4.23 The existing public fire hydrants on Clover Ridge Road NE at the 300 block and at Edgewater Drive NE provide sufficient coverage to meet the required 250-foot hydrant spacing requirements to serve this new development. The two new private fire hydrants proposed are acceptable to meet fire department requirements provided they are both installed as part of Phase I construction. All required fire hydrants shall be installed and accepted prior to beginning combustible construction.

CONCLUSIONS

- 4.1 The existing public utilities are capable of accommodating the proposed use.
- 4.2 The applicant's findings indicate that they are proposing to connect the new church building as well as the existing associate pastor's home (250 Clover Ridge Road NE) and the existing church office (210 Clover Ridge Road NE) to the public sanitary sewer and water systems as part of the Phase 1 work.
- 4.3 The City Engineer has determined that it is not timely to construct utility improvements along the future Dunlap Avenue and Timber Street frontages. The applicant must sign a Petition for Improvements and Waiver of Remonstrance in lieu of constructing the necessary public infrastructure along the Dunlap Avenue and Timber Street rights-of-way.

CONDITION

- 4.1 Before the City will issue building permits for this project, the applicant must 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.

'Criterion (5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) Noise, glare, odor, litter, and hours of operation; (b) Privacy and safety issues.

FINDINGS OF FACT

- 5.1 Noise. The parking lot will generate noise from the vehicles themselves (motors starting and stopping, opening and closing doors) and from people talking in the parking lot. The nearest residences will be at least 110 feet to the east of the front parking lot. Houses north of the subject property range between 96 and 190 feet from the church building and parking lot, and will be afforded landscaped buffering and screening. The apartment complex south of the property is about 84 feet from the southerly parking lot, and further separated by a stormwater detention basin as well as buffering and screening. The nearest development to the west lies more than 300 feet from the proposed westerly parking lot.
- 5.2 Glare. The applicant states that the church building will have interior lighting and windows. Glare is not expected from the use. All outside building and parking lot lighting will be directed downward. The applicant's site plans indicate that outdoor pole lighting will not exceed 20 feet in height, nor cast light farther than 50 feet in any direction (see Sheet 11 of Attachment V).

- 5.3 Odor/Litter. 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.
- 5.4 Hours of Operation. Primary activity at the church will take place on Sunday mornings. The church has administrative office uses that will likely be in operation almost every day. During the week, activity and outreach groups meet during the day and in the evening. The applicant states there will be no external noise or light perceptible by nearby residents between the hours of 10:30 p.m. and 8:00 a.m.
- 5.5 Privacy and safety issues. The applicant has submitted a detailed landscape plan which shows considerable landscaping within the parking lot and around the building and the parking lot perimeter. The parking lot will be lighted. Buffering and screening is proposed that will help mitigate any adverse impacts on the livability of nearby residences. In particular, the applicant will install a vegetative hedge along the easterly perimeter parking lot that faces Clover Ridge Road in order to screen headlights from residences to the east. Conditions of approval (see "Conditions" in Criterion No. 2 above) will ensure that all required buffering and screening meets minimum Code requirements.

CONCLUSION

- 5.1 With mitigation, the proposed use will not negatively impact the livability, privacy or safety of neighboring residential properties due to noise, glare, odor, litter, or hours of operation.
- 5.2 This criterion will be met if the conditions of approval listed for Review Criterion (2) above are met.

Criterion (6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

FINDINGS OF FACT

- 6.1 Airport Approach. This property is located within the Airport Horizontal Surface area. The highest elevation on the property is 222 feet. The horizontal surface has an elevation of 372 feet. The elevation drawings (Sheet 9 of Attachment V) show the highest point of the church (the steeple) will be 37½ feet, for an overall maximum elevation on site of 259.5 feet. The highest point of the proposed bus garage is 25 feet. Neither structure will penetrate the elevation of the Airport Horizontal Surface area.
- 6.2 Natural Resources. *Comprehensive Plan, Plate 5: Floodplains*, does not show a 100-year floodplain on the property. FEMA/FIRM Community Panel Number 41043C0218G, dated September 29, 2010, shows the property is in Zone X, an area determined to be outside the 0.2% annual chance floodplain.

Comprehensive Plan, Plate 6: Wetland Sites, shows wetlands appearing on the Local Wetlands Inventory about 160 feet wide encompassing the middle third of Lot 600. The Oregon Department of State Lands (DSL) was notified of the proposed development on March 6, 2013, consistent with state law. Wetland Delineation (WD2010-0219) and Removal/Fill Permit (50159-RF) were both approved by DSL. The wetland delineation was approved on August 12, 2010, and expires August 12, 2015. The removal/fill permit was approved on December 13, 2012, and is valid until December 13, 2013. 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.

Comprehensive Plan, Plate 4: Streams, Rivers and Lakes, shows Burkhart Creek lies just south of Tax Lot 703 on property located outside the city limits. The Riparian Corridor Overlay extends upland 50 feet measured horizontally from the Ordinary High Water mark, according to ADC 6.280(A). According to the applicant, the Ordinary High Water mark was confirmed by survey (Sheet 1 of Attachment V). Portions of a 50-foot Riparian Corridor Overlay associated with Burkhart Creek ranging up to 17 feet at its widest point is located at the southeast corner of Lot 703. From east to west, the portion located on the subject property measures about 120 feet long. This area is characterized by grass and weeds along with an existing gravel driveway and parking area that was installed prior to the property's annexation into the city limits. The only work being proposed within the Riparian Corridor Overlay is the installation of a 10-foot vegetated landscape buffer strip, which will abut undeveloped land that lies 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. According to ADC 6.290(9)(d), removal of live vegetation in order to plant native vegetation on the City's native plant list is an activity exempt from Natural Resource Impact Review.

- 6.3 Historic. *Comprehensive Plan, Plate 9: Historic Districts*, shows the property is not located in a Historic District.

CONCLUSIONS

- 6.1 The subject property is located within Airport Approach and Natural Resource special purpose districts. Portions of the property contain Riparian Corridor Overlay area and a wetland appearing on the Local Wetlands Inventory.
- 6.2 Wetland Delineation was approved by Department of State Lands (DSL) on August 12, 2010, and expires August 12, 2015.
- 6.3 The applicant has received approval from DSL for the placement of 5,664 cubic yards of fill and removal of up to 10 cubic yards of material. The removal/fill permit is valid until December 13, 2013.
- 6.4 The southeast portion of Tax Lot 703 contains a portion of Riparian Corridor Overlay associated with Burkhart Creek. No development is proposed within the Overlay except for the placement of a 10-foot vegetated landscape buffer consisting of plants from the approved City of Albany native plant list. This will be made a condition of approval.
- 6.5 There are no other special purpose districts to consider on this site.

CONDITION

- 6.1 Placement of the 10-foot vegetated landscape buffer within the Riparian Corridor Overlay shall use plants solely from the approved City of Albany native plant list.

STAFF ANALYSIS

Site Plan Review – Tree Felling Concurrent with Development

File: SP-03-13

ADC 9.207 says that Site Plan Review approval is required for the felling of 5 or more trees larger than 25 inches in circumference (approximately 8 inches in diameter) on a lot or property in contiguous single ownership in excess of 20,000 square feet in any zone. The property where the tree felling is proposed is about 64,500 square feet (1.48 acre) under the ownership of Grace Point Church. According to Albany Development Code (ADC) Section 9.208, Tree Felling criteria replace the Site Plan Review criteria found in Article 2 of the Code for the purpose of reviewing tree felling. This application is for tree felling with concurrent development; therefore the

criteria listed in ADC 9.208(2) apply to this proposal. Code criteria are written in ***bold italics*** and are followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Criterion 2(a) It is necessary to fell tree(s) in order to construct proposed improvements in accordance with an approved site plan review or conditional use review, or to otherwise utilize the applicant's property in a manner consistent with its zoning, this code, applicable plans adopted by the City Council, or a logging permit issued by the Oregon Department of Forestry.

FINDINGS OF FACT

- TF a.1 The applicant submitted a Conditional Use application for new construction of church, office and bus garage together with 198 new parking spaces. The consolidated Conditional Use staff report recommends approval of the proposed development with conditions.
- TF a.2 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. These 6 include one "deciduous," one maple, one cedar, two apple, and one cherry tree. The 7th tree is labeled "deciduous" and is 5 inches in diameter. The site plan submitted with this application (Sheet 2 of Attachment V) also shows removal of one tree (maple) with a trunk diameter of 12 inches on Tax Lot 600, however Tax Lot 600 is under different ownership and the removal of one tree is exempt from Site Plan Review approval according to ADC 9.207.
- TF a.3 The applicant states, "Removal of trees as proposed is required to construct the proposed improvements as presented in the Conditional Use Application."
- TF a.4 In the event proposed construction does not take place, these trees shall not be removed without separate approval for tree felling not associated with development, using criteria listed in ADC 9.208(3).

CONCLUSIONS

- TF a.1 It is necessary to fell 7 of the 8 trees shown on the site plan to construct the proposed church and other improvements in accordance with the plans submitted with the Conditional Use application.
- TF a.2 No trees will be removed from the portion of property located within the Riparian Corridor Overlay or wetland.
- TF a.3 This review criterion is met with the following condition:

CONDITION

- TF a.1 In the event proposed construction does not take place, these trees shall not be removed without separate approval for tree felling not associated with development, using criteria listed in ADC 9.208(3).

Criterion 2 (b) The proposed felling is consistent with State standards, City ordinances, and the proposed felling does not negatively impact the environmental quality of the area, including but not limited to: the protection of nearby trees and windbreaks; wildlife; erosion; soil retention and stability; volume of surface runoff and water quality of streams; scenic quality, and geological sites.

FINDINGS OF FACT

- TF b.1 State permits are required if a commercial use of the forest product will occur such as logs or firewood that is sold. Local ordinances regulating tree felling include Albany Development Code (ADC) Sections

9.205 through 9.208, and Albany Municipal Code Chapter 7.98. 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.

- TF b.2 According to the applicant, "None of the trees proposed for removal have been designated as significant by the City Tree Commission." None of the trees proposed for removal are street trees or trees exceeding 6½ feet in circumference, therefore, a permit from the City Forester is not required.
- TF b.3 None of the trees proposed for removal are located within a Significant Natural Resource Overlay district.
- TF b.4 The applicant states that the trees being removed form their own cluster and that the cluster is not needed by other trees for a windbreak. A site visit confirmed there are no other trees in the vicinity of the ones being proposed for removal.
- TF b.5. Stormwater will be treated with a vegetated bioswale in lieu of stormwater detention facilities to ensure water quality will not be impacted, according to the applicant.

CONCLUSIONS

- TF b.1 The proposed felling will be consistent with State standards if any required logging permit is obtained from the Department of Forestry.
- TF b.2 Consistency with City standards is determined by this review.
- TF b.3 There will be no significant trees remaining in the tree removal area that could be adversely affected by wind loads.
- TF b.4 The proposed felling will not negatively impact the environmental quality of the area.
- TF b.5 Soil retention and stability and water quality will be managed by erosion control during construction.
- TF b.6 Surface runoff will be treated on site by the proposed storm drainage swale.
- TF b.7 This review criterion is met.

Criterion 2 (c) The uniqueness, size, maturity, structure, and historic value of the trees have been considered and all other options for tree preservation have been exhausted. The Director may require that trees determined to be unique in species, size, maturity, structure, or historic values are preserved.

FINDINGS OF FACT

- TF c.1 The applicant has submitted a tree inventory showing species, location and diameter of trees that are to be removed.
- TF c.2 Trees proposed to be removed include two "deciduous," one maple, one cedar, two apple, and one cherry tree. According to the Tree Table in the applicant's submittal, trunk diameters range from 5 inches to 16 inches.
- TF c.3 None of the trees on site have been designated as possessing historic value or other unique characteristics.

- TF c.4 According to the applicant, "All of the trees proposed for removal except for the 10 inch diameter maple conflict with the alignment of the proposed driveway access. Moving the access point is not considered to be approvable for this project and site access is required for the project." The applicant adds, "The driveway access point is aligned across from the alignment of Edgewater Drive. This is the safest point of access for the site traffic. Removal of the 10 inch diameter maple is required for the 11 space parking bay required in the final phase of the project."
- TF c.5 ADC 9.208(1) states that the Community Development Director or his/her designee shall approve a Site Plan Review for tree felling when the applicant demonstrates that the felling of the tree(s) is warranted because of the condition of the tree(s) with respect to disease, hazardous or unsafe conditions, danger of falling, proximity to existing structures or proposed construction, or interference with utility services or pedestrian or vehicular safety.

CONCLUSIONS

- TF c.1 The applicant states that tree removal is necessary in order to eliminate conflict with the alignment of the proposed driveway access and a future parking lot.
- TF c.2 None of the trees on site have been designated as possessing historic value or other unique characteristics.
- TF c.3 This review criterion is met.

Criterion 2 (d) Tree felling in Significant Natural Resource Overlay Districts meets the applicable requirements in Article 6.

FINDING OF FACT

- TF d.1. No tree felling is proposed within the Significant Natural Resource Overlay District.

CONCLUSION

- TF d.2. This criterion is not applicable.

ATTACHMENTS

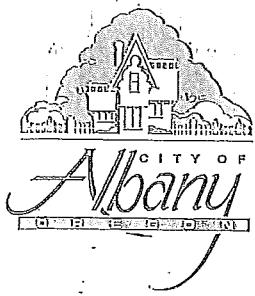
- I Determination of Completeness Letter
- II Location Map
- III Notice of Public Hearing
- IV Applicant Narrative (47 pages) & Appendix "E"—Neighborhood Meeting
- V Site Plans (11 sheets):

Sheet 1—Cover Sheet
Sheet 2—Existing Conditions and Tree Removal Plan
Sheet 3—Engineering Site Plan
Sheet 4—Cross Sections
Sheet 5—Site Construction Phasing Plan
Sheet 6—Church Building Phasing Plan and Uses

Sheet 7—Conceptual Lighting and Landscaping
Sheet 8—Floor Plans
Sheet 9—Building Elevations
Sheet 10—Bus Garage
Sheet 11—Details-Trash Enclosure and Parking Lot Lighting

VI Public Comments

This Page
Intentionally
Left Blank



CITY HALL
333 Broadalbin SW
P.O. Box 490
Albany, OR 97321-0144
www.cityofalbany.net

(541) 917-7500

ADMINISTRATIVE SERVICES
City Manager's Office
(541) 917-7500
FAX (541) 917-7511

Finance/Recorder
(541) 917-7500
FAX (541) 917-7511

Municipal Court
(541) 917-7740
FAX (541) 917-7748

COMMUNITY
DEVELOPMENT
Planning
(541) 917-7550
FAX (541) 917-7598

Building Division
(541) 917-7553
FAX (541) 917-7598

ECONOMIC DEVELOPMENT
(541) 917-7500
FAX (541) 917-7511

Call-A-Ride
(541) 917-7770
FAX (541) 917-7573
TDD (541) 917-7762

Transit
(541) 917-7667
FAX (541) 917-7573
TDD (541) 917-7678

FIRE ADMINISTRATION
(541) 917-7700
FAX (541) 917-7716

HUMAN RESOURCES
(541) 917-7500
FAX (541) 704-2324

INFORMATION TECHNOLOGY
221 Third Avenue SW
(541) 917-7500
FAX (541) 917-7511

PARKS & RECREATION
ADMINISTRATION
(541) 917-7777
FAX (541) 917-7776

Urban Forestry/
Building Maintenance
(541) 917-7679
FAX (541) 917-7776

PUBLIC WORKS
Engineering
(541) 917-7676
FAX (541) 917-7573

Water/Sewer Billing
(541) 917-7647
FAX (541) 917-7511

Determination of Completeness

March 5, 2013

Dan Watson
K&D Engineering
276 Hickory Street NW
Albany, OR 97321

File Number: SP-03-13, Grace Point Church Tree Felling Concurrent with Development

Dear Dan,

As of March 5, 2013, the above application has been deemed complete. By state law, the City has 120 days from the date the application is deemed complete to issue a final decision, including all appeals.

Now that the application is deemed complete, the City will process it with the information submitted. If at any time you submit revised materials, the 120-day processing time may reset to a new date. If additional applications or plan revisions are submitted after the date of this letter, additional fees and public notice may be necessary. We will combine our review of the Tree Felling application together with the Conditional Use. Once a public hearing date has been set, a Notice of Public Hearing will provide the opportunity to comment on both applications.

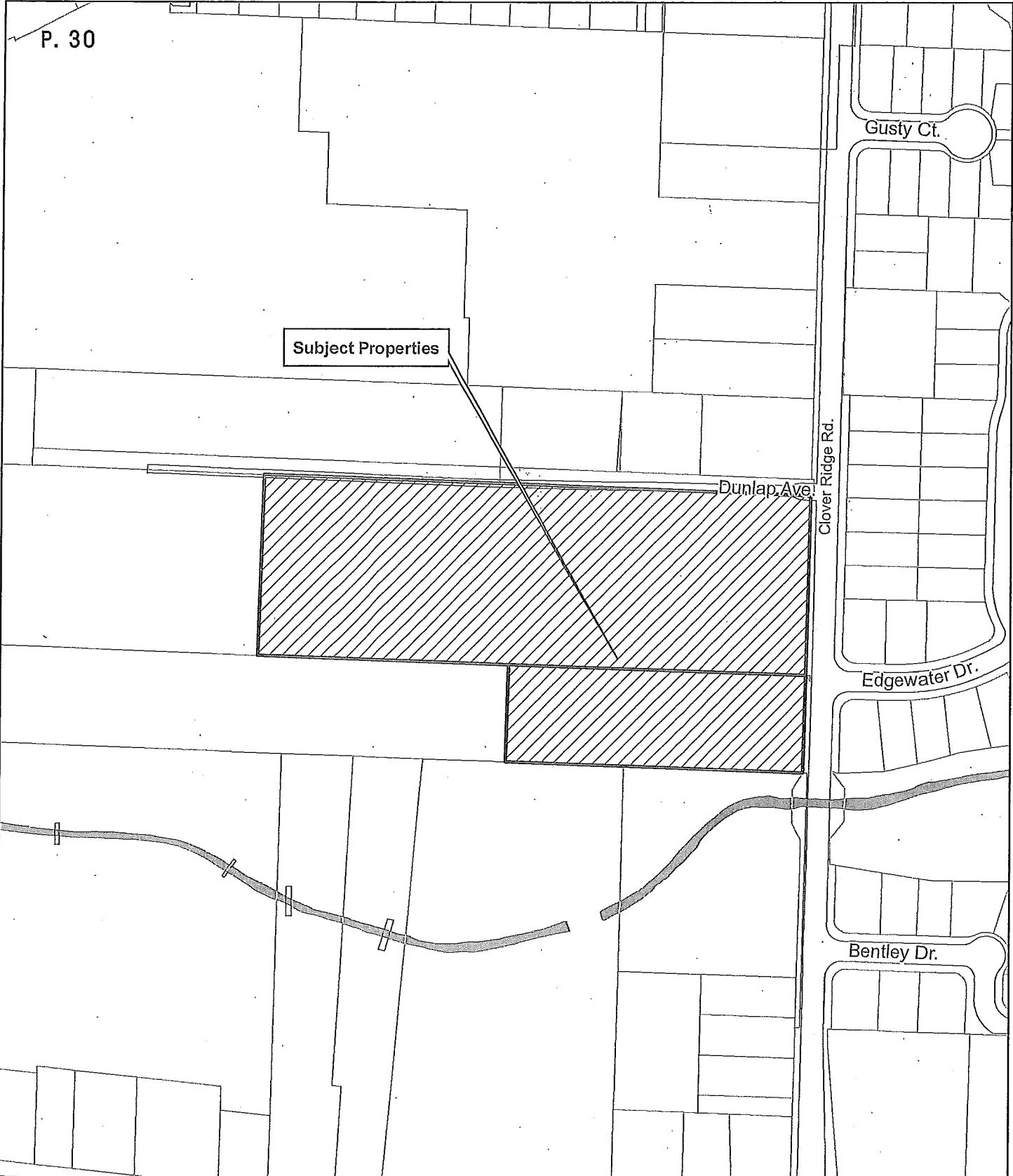
Please understand that nothing in this letter constitutes an approval of your application or a finding of compliance with any city policy or standard. With this letter, the staff is declaring only that the application materials are sufficient for the city to begin review of the application for compliance.

If you have any questions, please contact me at (541) 917-7550.

Sincerely,

David Martineau, Project Planner

cc: File: CU-01-13 and SP-03-13



LOCATION MAP: 210 & 250 Clover Ridge Road NE



The City of Albany's infrastructure records, maps, plats, 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 fact on past upon the material provided, it is specifically advised that you independently verify the

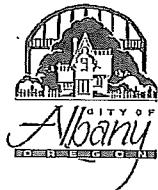


January 29, 2013

Planning

ATTACHMENT II – LOCATION MAP

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7550



COMMUNITY DEVELOPMENT DEPARTMENT

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

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

NOTICE OF PUBLIC HEARING

HEARING BODY

Planning Commission

HEARING DATE

Monday, May 6, 2013

HEARING TIME

5:15 p.m.

HEARING LOCATION

Albany City Hall Council Chambers, 333 Broadalbin Street SW

GENERAL INFORMATION

DATE OF NOTICE:	April 16, 2013
FILES:	CU-01-13 and SP-03-13
TYPE OF APPLICATION:	Type III—Conditional Use for new construction of a 38,000 square foot church/multipurpose building and bus garage together with 198 new parking spaces built over three phases; and a concurrent Site Plan Review for the removal of 7 trees.
PROPERTY OWNERS:	1) Michael D. and Roberta D. Newman, Fee Title Owners; 3747 Dunlap Avenue NE; Albany, OR 97322; and 2) Grace Point – A Church of the Nazarene; 210 Clover Ridge Road NE; Albany, OR 97322
APPLICANT:	Don Bergland, Pastor; Grace Point – A Church of the Nazarene; 210 Clover Ridge Road NE; Albany, OR 97322
APPLICANT REP.:	Dan Watson, P.E.; K&D Engineering; PO Box 725; Albany, OR 97321; (541) 928-2583
PROPERTY LOCATION:	210 and 250 Clover Ridge Road NE
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-03W-04AC; Tax Lots 600 & 703
ZONING:	Residential Medium Density (RM) District; Riparian Corridor Overlay (/RC) District (southeast corner of Lot 703)

The Planning Division has received the application referenced above and has scheduled a public hearing before the Planning Commission. We are mailing notice of this public hearing to residents and owners of property located within 300 feet of the subject site. We invite your comments, either in writing before the day of the public hearing, or in person at the hearing. Your comments will be taken into account when the Planning Commission makes a decision on the application.

The proposed project is a Conditional Use approval to permit development of a 38,000 square foot church and multi-purpose building, office and bus garage built in three phases together with 198 new parking spaces by the conclusion of construction. A Site Plan Review for the removal of seven (7) trees on Tax Lot 703 is being reviewed concurrent with the Conditional Use application.

ATTACHMENT III – NOTICE OF PUBLIC HEARING

We have attached a location map of the subject property and a site plan showing the location of the proposed parking. A copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria, are available for inspection at no cost at the Albany Community Development Department, Planning Division. The staff report will be available at the Planning Division located in City Hall by 5:00 p.m. on Monday, April 29, 2013. A copy will be available April 29, 2013, on the City's web site at the following link: <http://www.cityofalbany.net/departments/community-development/current-planning-projects>. All of this information is available for inspection at no cost, and copies will be provided upon request at a reasonable cost. For more information, please contact David Martineau, Project Planner, or Heather Hansen, Planning Manager, at 541-917-7550. Submit any written comments to the Planning Division; P.O. Box 490; Albany, OR 97321. Any person who submits written comments or testifies at a public hearing will receive a copy of the Notice of Decision.

If additional documents or evidence are provided by any party, the City may allow a continuance, or leave the record open, to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time limitations of ORS 227.178.

YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards for the application listed in this notice. Failure to raise an issue by letter, or in person, before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the Planning Commission an adequate opportunity to respond to each raised issue, precludes an appeal based on that issue.

PUBLIC HEARING PROCEDURE

The public hearing will begin with a declaration of any *ex parte* contacts (contacts which occurred outside of the public hearing) or any conflict of interest by the decision makers. This will be followed by the staff report from the Planning staff. Then the applicant will testify, followed by testimony by other people in support of the application. After the people who are in favor of the application are finished, testimony from opponents will begin. This will be followed by testimony from people who neither favor nor oppose the application. The applicant will then be given the opportunity for rebuttal. The decision makers are free to ask questions of any person who has testified, or of staff, at any point during the hearing.

If the hearing is continued or the record is left open, the chairperson will announce the date, time, and place for resumption of the hearing, and/or what limitations exist on further testimony or submittal of written materials. If the hearing and record are closed, the decision makers will begin deliberations and/or will announce the time, date, and place when the decision will be made.

APPROVAL STANDARDS FOR THIS REQUEST

CONDITIONAL USE

- (1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.
- (2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal mitigates difference in appearance or scale through such means as setbacks, screening, landscaping, or other design features.
- (3) The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian safety.
- (4) Public services for water, sanitary and storm sewer, water management, and for fire and police protection can serve the proposed use.

- (5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) noise, glare, odor, litter, and hours of operation, (b) privacy and safety issues.
- (6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

TREE FELLING CRITERIA CONCURRENT WITH CONDITIONAL USE REVIEW – (ADC 9.208(2))

- (1) The Community Development Director or his/her designee shall approve a Site Plan Review for tree felling when the applicant demonstrates that the felling of the tree(s) is warranted because of the condition of the tree(s) with respect to disease, hazardous or unsafe conditions, danger of falling, proximity to existing structures or proposed construction, or interference with utility services or pedestrian or vehicular safety. The Director may require the applicant to provide a Certified Arborist's report. [Ord. 5767, 12/7/11]
- (2) For property where a site plan review, conditional use or land division application has been approved or is currently under review, the Community Development Director, City Forester, or his/her designee shall approve site plan review when the applicant demonstrates that all of the following review criteria are met:
 - (a) It is necessary to fell tree(s) in order to construct proposed improvements in accordance with an approved site plan review or conditional use review, or to otherwise utilize the applicant's property in a manner consistent with its zoning, this code, applicable plans adopted by the City Council, or a logging permit issued by the Oregon Department of Forestry.
 - (b) The proposed felling is consistent with State standards, City ordinances, and the proposed felling does not negatively impact the environmental quality of the area, including but not limited to: the protection of nearby trees and windbreaks; wildlife; erosion; soil retention and stability; volume of surface runoff and water quality of streams; scenic quality, and geological sites.
 - (c) The uniqueness, size, maturity, structure, and historic value of the trees have been considered and all other options for tree preservation have been exhausted. The Director may require that trees determined to be unique in species, size, maturity, structure, or historic values are preserved.
 - (d) Tree felling in Significant Natural Resource Overlay Districts meets the applicable requirements in Article 6.

Additional approval standards for this application are found in Albany Development Code Articles 1, 3, 6, and 9.

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.

Attachments: Location Map, Site Plan, Landscaping Plan, Building Elevations (2 Sheets)

Distribution

Property Owner	1
Applicant	1
Applicant Reps.	1
Affected Property Owners	38
File CU-01-13 & SP-03-13	1

This Page
Intentionally
Left Blank

NARRATIVE

For

Grace Point Church of the Nazarene

210 and 250 Clover Ridge Road NE; Albany, OR 97322

Assessor's Map No. 11-3W-4AC, Tax Lot 600 and 703

CONDITIONAL USE (TYPE III) APPLICATION

January 21, 2013



Table of Contents:

NARRATIVE AND Findings of Fact
Conditional Use Application
Page 1 of 47

ATTACHMENT IV – APPLICANT NARRATIVE

Topic	Page
BRIEF CHURCH BACKGROUND	4
LIMITATIONS TO THE EXPANSION OF THE EXISTING MULTIPLE FACILITIES	4
NEED FOR A NEW SITE AND FACILITIES	5
GRACE POINT CHURCH VISION FOR GROWTH AND REQUIREMENTS OF NEW SITE	7
PROJECT PHASING	10
SITE CONSTRAINTS	13
WETLANDS	14
FINDINGS FOR CONDITIONAL USE REVIEW CRITERIA ---- DETAILED WRITTEN RESPONSES	15-47
<u>Article 2-Review Criteria</u> —compatibility with zone and neighborhood; transportation / public facilities capacities; special features of the site (e.g. wetlands and topography)	15-28
<u>ADC 3.190</u> —Development Standards of RM Zone	29
<u>Article 9</u> —Off-street parking, landscaping, tree felling, buffering and screening, and environmental standards	30-45
<u>Article 12</u> —Public facilities standards: streets, sidewalks, trees, utilities	45-47

APPENDIX

APPENDIX "A"

CONDITIONAL USE PLANS, MAPS AND DETAILS

- Set of 11 Sheets

APPENDIX "B"SITE CONSTRAINTS AND CONDITIONSAPPENDIX "C"WETLAND APPLICATIONS AND PERMITS

- Joint Permit Application
- DSL Approval of Fill/Removal Application

APPENDIX "D"STORM WATER

- Storm Water Quality Study and Post Construction Management Plan
- Stormwater Operations and Maintenance Plan
- Engineering Plans Accompanying Study—Set of 4 sheets

APPENDIX "E"NEIGHBORHOOD MEETING SUMMARY

- Meeting Report Summary
- Letter of Invitation and Map
- List of Attendees
- Communications to and from attendees before and after meeting

1. BRIEF CHURCH BACKGROUND

- a. The current number of users by members and attendees of Grace Point Church of the Nazarene:
 - i. Grace Point is an actively growing church and offers a variety of ministries and programs:
 1. Sunday worship
 2. Children and Middle School Sunday School
 3. Counseling
 4. Adult and Youth Group
 5. Church Activities throughout the week
 6. Multi-purpose facilities for sports, kids clubs, dinner, conferences
 - ii. 340 is good estimate of number of current users for all of the weekly events. Out of those users, currently 68 are senior adults (20% of total congregation) and 107 are families with young children (31% of total congregation).
 - iii. Attendance numbers for events that happen on a weekly basis. There is some overlap as the same people attend multiple events:
 1. Sunday Worship-200
 2. Weekly bible studies, at numerous locations-180
 3. Children's activities, weekly-75
 4. Mid Week Service-130
 5. Prayer meetings-35
 - iv. The to Sunday service attendance ranges from 150 to 200 people. The attendance peaked at about 200 in the late 1990's and in 2010. Approximately 80% of the attendees are adults. The remaining 20% are children and youth from newborn to high school age.

2. LIMITATIONS TO THE EXPANSION OF THE EXISTING MULTIPLE FACILITIES:

- a. The "existing facility" is actually "multiple facilities". Early in the life of the Church, it could function in one building. It is now necessary to operate in multiple facilities situated on various locations scattered around the City of Albany.

- b. The existing facilities consist of the following:
- i. Albany Boy's and Girl's Club,
 - ii. Calvary Chapel Albany,
 - iii. Pop's Branding Iron,
 - iv. Denny's,
 - v. Starbucks,
 - vi. Linn County Fairgrounds,
 - vii. Hotel conference rooms,
 - viii. Personal homes.
- c. Each of these facilities is used because the church does not own and have access to a singular building and site.
- d. The Albany Boys & Girls Club and Calvary Chapel are temporary facilities with expiring leases. The restaurants, coffee shops and homes are used for re-occurring weekly meetings primarily including bible study and prayer. There are a total of about 20 sites that are used on a regular basis.
- e. Remodeling and new construction has started at the Albany Boy's and Girl's Club where the church meets for Sunday Morning Worship, Sunday school, and Prayer. This construction includes addition of a new building and extensive remodeling of the space that is used by the church on Sundays. The new construction has further disrupted our ability to minister to our people impacting parking, building use, and other activities. This negative impact will multiply as construction continues over the next 12-16 months. The remodeling plans will require changes to all of our activities at the Club.
- f. While the Church uses all of the above mentioned facilities, none of them provide our ministries the full freedom that we need to function to our ecclesiastical standard. For example: the space at the Boys & Girls Club used for worship services is not fully conducive or does not allow for the rites of our faith, such as seasonal services(i.e. Ash Wednesday Service, Good Friday Service and Advent Services), baptism services, or the seasonal use of candles. Public spaces that are used for bible study are another example as they do not allow for intimate prayer time.

3. NEED FOR A NEW SITE AND FACILITIES:

- a. Grace Point Church of the Nazarene needs to have all of these satellite facilities in our own facility.
- b. One of the most pressing concerns of the Church as we function in

these many locations is the safety and security of our people, especially our elderly, children, and handicapped. With our own facilities we are able to enact security and safety measures to ensure the safety of our most vulnerable. Many of these are placed into our care for the length of a service or activity by absent caregivers or parents. Many of the current locations that are in use are not designed to provide the security that we desire to provide. Security that is assumed by caregivers be they parents, spouses, or friend. Our elderly are subjected to many hardships that would not be present in up to date facilities designed for their needs. In many cases our current facilities lack ADA standards for handicapped and challenged members.

- c. Efficient and well planned parking is another critical need of all of our people, be they challenged or fit. Presently, the people of our congregation that would benefit most from the designs and standards of new construction, both in and out of the building, are frustrated by our current use of loaned or leased facilities.
- d. Leased space does not permit students to display their work for others to see, impromptu meetings and/or gatherings are not possible for large groups.
- e. Weddings and funerals are other examples of ministries that are challenged or prevented without our own facilities. These are just a few of the examples that demonstrate the inability of the Church to function effectively, efficiently, and safely without a facility dedicated to these purposes.

GRACE POINT CHURCH VISION FOR GROWTH

AND

REQUIREMENTS OF NEW SITE

The Church's vision is to build a worship facility that will seat 450 people with space for educational classrooms, meeting places and an activity center. Church attendance statistics indicated that average church attendance will reach 80% of full capacity and then even out. The additional capacity allows for special church celebrations that typically peak at Easter and Christmas. **The average attendance for the new facility is expected to be 380 people.**

General church building guidelines have been utilized for planning the building size of facility, parking requirements, and size of the land for development. Following are references to documents and data source used by the Church:

- Steve Anderson is a church building consultant and author of the eBook “Preparing to Build: Practical Tips & Experience Advice to Prepare Your Church for a Building Program”. This publication has assisted Grace Point as it has planned for its expansion.
- Gwenn E. McCormick, Planning and Building Church Facilities (Boardman Press, 1992).
- Lance Moore, D.Min. and Daniel Michal, N.C.A.R.B. Firm Foundations, An Architect and a Pastor Guide to Your Church Construction (Lima, OH: CSS Publishing Company, Inc., 1999).
- General Church Building Guidelines at Frugalmom.net
- Georgia Baptist Church Building “Rules of Thumb”.
- Church Building 101 Rules of Thumb from churchconstruction.com.

Mr. Anderson's guiding principles are consistent with other research materials reviewed by the church. These "rules of thumb" have helped to determine Grace Point's needs as summarized below:

<u>Activity</u>	<u>Guideline</u> (based on 450 people)	<u>Parameters for Suitable Sites</u>	<u>Proposed with this application</u>
Site Area	1 acre per 100 people	4.5 acres	<u>5.15 ac.</u> (based on 5.71 net ac. less 0.56 ac. for area of uncertainty for future Timber St. location)
Parking	1 space per 2.25 people	200 spaces	198 spaces
Area of Parking and Driveways	1 acre per 100 paring spaces	2.0 ac	2.37 ac
Amount of "Open Space"	City Requirement: 30%	(4.5 ac.)(0.3) = 1.35 ac	<u>2.36 ac.</u> Based on net acreage of 5.71 acres
Multi-purpose Area (Gym, Bleachers, kitchen, storage and meeting room)	Up to local church	12,000 s.f. = <u>0.26 ac</u>	10,260 sf = <u>0.24 ac</u>
Building Size - (sanctuary, fellowship, education, administration)- (Does NOT include Multi-purpose Area.)	55 sf per person, based on full activities	24,750 sf = <u>0.57 ac</u>	27,752 gross sf (less corridor between Phase 1 building and Multipurpose Building) = <u>26,027 net sf = 0.60 ac</u>

Following are statements from source material that have guided Grace Point Nazarene Church in the designing of the facility on the subject site:

- Lance Moore, D.Min. and Daniel Michal, N.C.A.R.B. Firm Foundations, An Architect and a Pastor Guide to Your Church Construction (Lima, OH: CSS Publishing Company, Inc., 1999).
 - p.29 "If you have any ambition to be more than a mere "family-reunion" church, you need a minimum of five acres."
 - p.29 "Building codes and an aging population make single-story structures very desirable, and that takes space."
 - p.29 "larger parking lots are needed in this era of three- and four-car families, where each member of the family may arrive at a

different time in a separate car.”; p.34 “The quickest way to stunt church growth is to provide less than ample parking.”

- p.34 “One acre= 140 cars maximum. For landscaped parking areas with islands or reasonable access drives, figure 100 to 120 cars per acre as a safer guideline.”
- **Gwenn E. McCormick, Planning and Building Church Facilities (Broadman Press, 1992).**
 - p.36 “a key to selecting a location is visibility.” p.36 “Church facilities should not only be visible they should also be accessible. In some instances, accessibility is more important than high visibility.”
 - p.37 “A good church site is one that has real capability for development and does not create severe limitations to the process.”
 - p.37 “A new church needs significant exposure to the community and the first unit should provide this. (a problem to avoid is placing a building at the back of a lot.)”
 - p.38 Listed as a common problem, property features to avoid: “Parking often must be located inconveniently at one end of the property because the property width is not adequate for drives, building, and parking.”
 - p.39 “A church needs one acre for every 100-125 people it expects to reach. This rule of thumb assumes the site has no extreme length to width proportions, no odd angles, no severe setback requirements, no limiting easements, no wetlands, and no restrictive slopes. Churches that want to develop recreational ministries or weekday schools need more property.”
 - p.103 “space should be arranged in an orderly manner with ample and clearly defined circulation areas. Site access and parking are important design considerations.”
 - p.103 “other spaces should be designed for the greatest possible flexibility in usage.”
 - p.103 “Flexibility also allows for future program changes or building expansion.”
 - p.112 “The church has a responsibility to provide for the safety of those who enter its buildings.”

Project Phasing

- The project will be constructed in 4 phases. The building as shown on the attached **"CONDITIONAL USE SITE PLAN"** –SHEET 1 depicts the entire build out of the church buildings and site work at the conclusion of the 4TH phase.
- The building structures include the main church building and a separate Bus and Storage Garage. The main church building will be constructed in 3 phases as shown on **"CHURCH BUILDING STRUCTURE PHASING PLAN"** –SHEET 6. The building will require 3 phases to complete.
- The site work (parking lots and infrastructure) will also be constructed in phases that coincide with the timing for the building additions to the main church. The site work will require an additional 4th phase to complete the paving of the accessory parking consisting of the graveled parking stalls in excess of the required parking. The 4 Phases are shown on **"SITE WORK PHASING PLAN"**—SHEET 5
- The construction of the phases will occur over a number of years commencing in 2013 and ending in 2024. The time period of construction for each phase will depend on the growth and needs of the congregation and availability of financial resources.
 - Phase 1: It is anticipated that construction on Phase 1 will be completed by the spring of 2014.
 - Phase 2 is anticipated to be completed prior to the end of 2016.
 - Phase 3 is anticipated to begin construction in 2020.
 - Phase 4 is anticipated to be completed in 2024
- The phases will involve the completion of the following:
 - **PHASE 1**
 - The construction shown on Sheets 5 and 6 will require filling of the wetland to provide for parking and emergency egress vehicle access to the site. The land will be filled as soon as the fill permit is issued and the ground condition is favorable. A rocked pad for temporary overflow parking will be completed as part of the filling and site work for Phase 1.

- **Phase 1-Improvements:**

- **Building Structures:**

- The easterly (approximately one half) of the church building.
 - The center portion, that contains the worship center, foyer, nursery and restroom, will be completed immediately.
 - The remainder of the space in the Phase 1 building shell contains rooms for the nursery expansion, future offices and the education wings. This work will start upon completion of the Worship Center, nursery and foyer and is planned to be completed by the 18th month after receiving the initial building permit.
 - The Bus Garage and Storage Building.

- **Site Work:**

- The parking and driveway east of the building and immediately south of the building.
 - The storm water detention and bio-swale along the south of the property.
 - Also, the temporary overflow parking pad immediately west of the Phase 1 structure.
 - The single row of parking stalls and the driveway immediately south of the Phase 1 Church Building and temporary graveled parking pad.
 - The driveway leading to the Bus Garage and Storage Building.

- **PHASE 2—**

- **Phase 2 Improvements:**

- Construction of Education Wing.
 - Placement of graveled overflow parking area north of the detention and bio-swale area.

- PHASE 3—

- Phase 3 Improvements:

- Construction of Activity Center and Education Wing.
 - Placement of graveled overflow parking area west of the Phase 3 building.

- PHASE 4—

- Phase 4 Improvements:

- Paving the graveled parking area in Phases 2 and 3.
 - Placement of graveled overflow parking area west of the Phase 3 building.

SITE CONSTRAINTS

As part of the Wetlands Application to the Army Corp of Engineers, it was necessary to prepare a narrative listing the site constraints for the two tax lots. The following factors were analyzed:

1. Ownership Issues affecting property lines
2. Access Issues
3. Physical Location of Wetland Issues
4. Limitation Caused by Future Street Reservation Issues
5. Limitation caused by Detention Facility and Bio-Swale

A narrative provided to the Army COE is attached in Appendix "B".

WETLANDS

1. The Plans show the wetlands.
2. The Division of State Lands (DSL) have approved the mitigation plan
3. The Army Corp of Engineer (COE) is reviewing the permit application and mitigation plan.

A copy of the Joint Application is attached as Appendix "C".

CONDITIONAL USE REVIEW CRITERIA

WRITTEN RESPONSES

The following narrative will demonstrate compliance with the review criteria as specified in the Albany Land Development Code. The relevant code criteria will be cited and followed with responsive findings and a conclusion.

The following findings of fact will address the review criteria listed in ADC 2.250:

1. ADC 2.250(1) the proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

Finding No. 1—

There are two structures on the property that are being utilized as follows:

- o The former residence on Tax Lot 703 (210 Clover Ridge Road) has been converted to the Church's administrative offices. This administrative use is temporary until the Phase 1 of the Church is completed. At that time, the administrative functions will be moved to the new church building. After the offices are moved, the building may be utilized for other uses in support of the vision and mission of the church. The building will be removed at the time Phase 3 is completed to make room for the planned 17 stall future parking lot.
- o The structure on Tax Lot 600 (250 Clover Ridge Road) presently provides housing for an associate pastor. The Church plans to use this building as a residence for several years into the future. The Church's vision for the best use of the building is to become an administrative or ministry center supporting the mission of the church. The Church envisions offices and/or meetings rooms that will be open to public and neighborhood use.

Finding No. 2—

The site will become the home of Grace Point Church of the Nazarene with a mission of service to the community. Use will include Sunday church service along with various programs throughout the week intended to enhance the membership and the community.

Finding No. 3—

Surrounding Zones and Uses:

- The subject site is zoned Residential Medium Density (RM).
- The properties to the south are zoned for residential. The existing apartments are zoned RM. The other property is vacant and not yet annexed into the City. It has a "Residential" Comprehensive Plan designation.
- The property to the west is zoned RM. It is being used for a single family residence.
- The properties to the north are zoned RS-5. One of the properties is not annexed into the City. All of these properties are being used for single family residences. The un-annexed property has a "Residential" Comprehensive Plan designation.
- The properties to the east are zoned RS 6.5 and are developed with single family residences.

Finding No. 4—

The Albany Development Code allows "Church" uses to occur in the RM and all other Residential Zones (subject to a conditional use approval). The operating characteristics of the neighborhood are entirely consistent with the underlying residential zones.

CONCLUSION:

This criterion is met.

2. ADC 2.250(2) the proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping; or the proposal calls for mitigation of difference in appearance or scale through such means as setbacks, screening, landscaping, or other design features.

Finding No. 1—

The existing two structures on the property are single story buildings.

- The structure on Tax Lot 600 is a residence.
- The structure on Tax Lot 703 was a residence and now serves as the Church's administrative offices.

The Proposed Church structure:

- Contains 38,012 square feet of building area.
- All of the interior floor space will be on one level.
- The roof over the worship center and gymnasium will be 35 feet at the peak and 23.25 feet at the eaves.
- The roof over the Education wings will be 19 feet high (where it attaches to the worship center and gymnasium) and 10.1 feet high at the eave.

The Proposed Bus Garage:

- Contains 1944 square feet of parking and storage space.
- The roof will be 25 feet high at the ridge and 18 feet high at the eave.

Finding No. 2—

The size of the proposed structures is consistent with Church buildings that are located in residential neighborhoods. The proposed Church use requires buildings of larger size and scale than surrounding single family residences. The scale of the proposed church facilities is similar to the apartment use on the abutting southerly property.

Finding No. 3—

The proposed church facility and parking have been designed to mitigate the differences in the scale and size of the buildings and related parking by incorporating the following measures:

- **Setbacks and Placement of Structures:**

■ NORTH:

The church structure will be set back 25' from the future adjoining right-of-way of Dunlap Street (Private Driveway) per ADC 3.330. It is not known when Dunlap will be built to a City Standard and be dedicated to the City of Albany. Anticipating the required setback of 25 feet now results in a 52 foot setback from the existing north boundary line of the Subject Property.

■ EAST:

- The abutting parking lot on the east side of the Phase 1 church building will be located 37.8 feet from the property line / right of way line of Clover Ridge Road. (The minimum is 15 feet)
- The Church Structure will be set back from the Clover Ridge right of way by 175 feet. The minimum setback is 25 feet.

■ SOUTH:

- A Bus Garage and Storage Building will be the only structure placed along the south boundary. The setback will be 10 feet from the property line to satisfy minimum setback requirements of the RM Zone.
- A detention basin for storm water has been placed along the remainder of the south boundary. The basin will increase the buffer area width from a minimum of 10 feet to 50 feet.

■ WEST:

At sometime in the future, Timber Street will be extended northerly from Knox Butte Road and traverse through the westerly portion of the Subject Property. The Site Plan shows the portion of the site that could be affected by this future extension. It has not yet been determined where the physical location of the street will be placed. The proposed Church building and parking lot have been placed well east of the future street extension. The resulting setbacks are well in excess of the minimum required setbacks from property lines to the proposed building and parking lot. The minimum buffers from future right of ways is 15 feet for parking lots / driveways and 25 feet for building structures.

Considering the worst case of proximity of future right of way, the setback to the parking lot is approximately 127 feet and the setback to the building is approximately 238 feet.

- **Reduction in maximum building height:**

- Maximum allowed building height in the RM Zone shall not exceed 45'. The proposed building will be 35 feet high at the roof ridge and 22.25 feet high at the eaves. This is a 22% reduction from what is allowed and will mitigate the scale of the proposed church building.

- **Lot Coverage Reduction:**

- The Subject Property is in the RM Zone. Maximum Lot coverage in this zone is 70 %.
 - The Subject property abuts residential neighborhoods that are zoned RS-5 and RS-6.5. Maximum lot coverage in these zones is 60%.
 - The site layout for the Subject Property has been designed to maximize open space to be consistent with the requirements for the neighboring homes.
 - The lot coverage (consisting of buildings, parking lots, driveways and sidewalk) is 59%. This represents a 16% reduction in the requirement.

- **Building Design and Materials:**

- The Church Building is designed with architectural features that are consistent with home construction:
 - Roof pitched at (4 to 12) to be more consistent with residential home construction.
 - Four multiple roof lines-
 - Higher gabled roof (35 feet at the ridge) over the Multi-purpose Gymnasium and the Multiple Ministry Worship Center with dormers over windows.
 - Middle level gabled roof (25 feet high at the ridge) over the foyer entrance into the church.

- Lower level shed roof (19 feet high) over the perimeter education wings.
- Gabled roof (19 feet high) over the Porte Cochere structure extending from building entrance over the driveway drop off.
- Exterior of building materials consisting of stucco finish, cultured stone wainscot and painted lap siding, fascia and soffit. (See Church Building Elevations on Sheet 8 of the plans).
- Roofing will be architectural grade composition shingles.
- Landscaping, Screening and Buffering:
 - Landscape plan shows planting materials and fences that satisfy the screening and buffering requirements of the code.
 - Additionally, a vegetative hedge will be placed along the easterly perimeter parking lot (abutting Clover Ridge Road) to screen head lights from neighboring properties to the east.

CONCLUSION:

This criterion is met.

3. ADC 2.250(3) the transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian safety.

Finding No. 1— Dunlap Avenue is a private driveway. According to the City Transportation Master Plan, it is to be developed to public street standards and dedicated to the City in the future. No time table has been set and construction is not imminent. The Church membership will take no access from Dunlap Road (private driveway). The Fire Department and emergency vehicles shall have access from the Emergency Access driveway that will be constructed in Phase 1 of the project.

Finding No. 2— Timber Street will extend northerly from Knox Butte Road in the future. The City's Master Transportation does not specify the

timing. The extension is not imminent. The final location is not set and will be affected by future development plans of neighboring properties. The Site Plan shows the general area that the extension will traverse through the property

Finding No. 3—Clover Ridge Road provides existing and future access to the proposed project. This street is fully developed with two travel lanes, bicycle lanes on both sides and sidewalks on both sides of the street. Clover Ridge Road is classified as an arterial street. The City's Transportation System Plan (TSP) does not show any level of service or capacity concerns for Clover Ridge Road

Finding No. 4—Traffic generated by the Church use will primarily occur on Sunday mornings. The peak Sunday morning traffic counts will not conflict with the peak hour (morning and afternoon) traffic counts generated during the Monday thru Friday work week. There will be church traffic during the week generated by staff (approximately 10 full time and part time) during the peak hours. Other uses during the week will not significantly impact critical morning and evening traffic on Clover Ridge Road and Knox Butte Road.

Finding No. 5—there are currently 2 driveways, each providing ingress and egress for the existing structures on the site. The northerly driveway serves the residential structure at 250 Clover Ridge Road. The southerly driveway serves the existing Church Office at 210 Clover Ridge Road. The northerly driveway will remain as a part of the overall use of the property. The southerly driveway will remain until the structure is removed as part of Phase 3 of the project.

Finding No. 6—the main access for the Church is designed to align with Edgewater Drive NE.

Finding No. 7—all parking for the membership will be located on-site. The parking lots will be constructed according to the different phases of the project. The timing of these phases will be dependent on the growth of the Church. Attendance projections will trigger each phase with Phase 1 based on attendance of 250. Phases 2 and 3 will be initiated at the 350 and 450 attendance projections, respectively.

Finding No. 8—the Albany Development Code requires 1 parking space for every 6 seats. The Church Building Committee has researched Church Master Planning resources and has found that adequate parking is based on parking ratios of 1 space per 2.25 attendees. This project will contain 198 parking spaces. The proposed site plan provides ample parking for church congregants. There will be no competition for additional parking on adjoining streets and neighborhoods. For purposes of this plan, the

maximum required parking (1 stall per 6 seats) for 450 people is 75 stalls. The church will construct 198 spaces. The difference is 123 stalls which are considered "overflow" parking.

CONCLUSION:

This criterion is met.

4. **ADC 2.250(4) Public services for water, sanitary, and storm sewer and water management and for fire and police protection are capable of servicing the proposed use.**

Finding No. 1—Public Storm Drainage and Water Management:

- Clover Ridge Road right-of-way contains a public 15" storm drain line. The Project Site will make use of detention facilities to ensure that offsite runoff from the site does not increase due to development. The City of Albany Engineering staff has advised the Church that the existing public storm drainage pipe will be adequate to accommodate detained stormwater from the proposed project.
- Storm Water will be detained by the detention basin to be constructed in Phase 1. Storm water will be cleaned by the proposed grassy water quality swales constructed in Phase 1.

Finding No. 2—Public Sanitary Sewer

- Clover Ridge Road right-of-way contains an 8" sanitary sewer that will be used to serve the Subject Property. This line has sufficient capacity to serve the proposed project.
- There is an existing 8 inch sanitary sewer main line that has been extended northerly to the southwest corner of Tax Lot 703. This line will not be utilized for the proposed project.
- Existing sewer services:
 - The existing northerly structure (250 Clover Ridge Road) is not connected at this time. The service for this line has been extended to the property and will be connected to house as part of the Phase 1.
 - The existing southerly structure (210 Clover Ridge Road) is not connected at this time. The service for this line has been

extended to the property and will be connected to house as part of the Phase 1.

- The proposed church structure will be served by an existing sewer stub extended westerly from the sewer manhole at the intersection of Edgewater Drive and Clover Ridge Road. The City stub will be connected to the proposed building by a proposed 6" service line in Phase 1.

Finding No. 3—Public Water

- Clover Ridge Road right-of-way contains a 12" water line. The line will provide adequate water quantity for fire protection and normal usage consistent with public buildings and educational facilities.
- There is an 8" water main extended northerly to the southwest corner of Tax Lot 703. This line will not be utilized for the proposed project.
- Existing water services:
 - The existing northerly structure (250 Clover Ridge Road) is not connected at this time. The service for this line has been extended to the property and will be connected to house as part of the Phase 1.
 - The existing southerly structure (210 Clover Ridge Road) is not connected at this time. The service for this line has been extended to the property and will be connected to house as part of the Phase 1.
 - The proposed church structure will be served by an existing 8" water line extended westerly from the existing main line in Clover Ridge Road.

Finding No. 4—Fire and Police Protection

- The existing street and public infrastructure described above are in place to provide access to the site as may be necessary to respond to emergencies. The turning radius requirements for the City Fire Department design fire truck have been utilized to provide necessary driveway widths and turning movements.
- Water from the main is sufficient in pressure and capacity to satisfy fire fighting requirements.

CONCLUSION:

This criterion is met.

5. **ADC 2.250(5) the proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) noise, glare, odor, litter, and hours of operation; or (b) privacy and safety issues.**

Finding No. 1—Plans include a Sunday service and community outreach events during the week. Activities will take place during the day and evenings and will not be disruptive to nearby residences. There will be no external noise or light visible between the hours of 10:30 pm and 8:00 am.

Finding No. 2—the existing two structures on the property are single story buildings.

- The structure on Tax Lot 600 is a residence.
- The structure on Tax Lot 703 was a residence and now serves as the Church's administrative offices.

Finding No. 3—The Proposed Church structure:

- Contains 38,012 square feet of building area.
- All of the interior floor space will be on one level.
- The roof over the worship center and gymnasium will be 35 feet at the peak and 23.25 feet at the eaves.
- The roof over the Education wings will be 19 feet high (where it attaches to the worship center and gymnasium) and 10.1 feet high at the eave.

Finding No. 4—the Proposed Bus Garage:

- Contains 1944 square feet of parking and storage space.
- The roof will be 25 feet high at the ridge and 18 feet high at the eave.

Finding No. 5

The size of the proposed structures is consistent with Church buildings that are located in residential neighborhoods. The proposed Church use requires buildings of larger size and scale than surrounding single family residences. The scale of the proposed church facilities is similar to the apartment use on the abutting southerly property.

Finding No. 6

- The proposed church facility and parking have been designed to mitigate the differences in the scale and size of the buildings and related parking by incorporating the following measures:

Finding No. 7—Setbacks and Placement of Structures:

NORTH:

The church structure will be set back 25' from the future adjoining right-of-way of Dunlap Street (Private Driveway) per ADC 3.330. It is not known when Dunlap will be built to a City Standard and be dedicated to the City of Albany. Anticipating the required setback of 25 feet now results in a 52 foot setback from the existing north boundary line of the Subject Property.

EAST:

- The abutting parking lot will be placed 37.8 feet from the property line / right of way line of Clover Ridge Road. (The minimum is 15feet)
- The Church Structure will be set back from the Clover Ridge right of way by 175 feet. The minimum setback is 25 feet.

SOUTH:

- A Bus Garage and Storage Building will be the only structure placed along the south boundary. The setback will be 10 feet from the property line to satisfy minimum setback requirements of the RM Zone.
- A detention basin for storm water has been placed along the remainder of the south boundary. The basin will increase the buffer area width from a minimum of 10 feet to 50 feet.

WEST:

At sometime in the future, Timber Street will be extended northerly from Knox Butte Road and traverse through the westerly portion of the Subject Property. The Site Plan shows the portion of the site that could be affected by this future extension. It has not yet been determined where the physical location of the street will be placed. The proposed Church building and parking lot have been placed well east of the future street extension. The resulting setbacks are well in excess of the minimum required setbacks from property lines to the proposed building and parking lot. The minimum buffers from future right of ways is 15 feet for parking lots / driveways and 25 feet for building structures. Considering the worst case of proximity of future right of way, the setback to the parking lot is approximately 127 feet and the setback to the building is approximately 238 feet.

- **Finding No. 8—Reduction in maximum building height:**
 - Maximum allowed building height in the RM Zone shall not exceed 45'. The proposed building will be 35 feet high at the roof ridge and 22.25 feet high at the eaves. This is a 22% reduction from what is allowed and will mitigate the scale of the proposed church building.
- **Finding No. 9—Lot Coverage Reduction:**
 - The Subject Property is in the RM Zone. Maximum Lot coverage in this zone is 70 %.
 - The Subject property abuts residential neighborhoods that are zoned RS-5 and RS-6.5. Maximum lot coverage in these zones is 60%.
 - The site layout for the Subject Property has been designed to maximize open space to be consistent with the requirements for the neighboring homes.
 - The lot coverage (consisting of buildings, parking lots, driveways and sidewalk is 59%. This represents a 16% reduction in the requirement.
- **Finding No. 12—Building Design and Materials:**
 - The Church Building is designed with architectural features that are consistent with home construction:

- Roof pitched at (4 to 12) to be more consistent with residential home construction.
- Four multiple roof lines-
 - Higher gabled roof (35 feet at the ridge) over the Multi-purpose Gymnasium and the Multiple Ministry Worship Center with dormers over windows.
 - Middle level gabled roof (25 feet high at the ridge) over the foyer entrance into the church.
 - Lower level shed roof (19 feet high) over the perimeter education wings.
 - Gabled roof (19 feet high) over the Porte Cochere structure extending from building entrance over the driveway drop off.
- Exterior of building materials consisting of stucco finish, cultured stone wainscot and painted lap siding, fascia and soffit. (See Church Building Elevations on Sheet 8 of the plans).
- Roofing will be architectural grade composition shingles.

CONCLUSION:

This criterion is met.

6. ADC 2.250(6) Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and utilized

Finding No. 1—TOPOGRAPHY:

- Northerly tract (Tax Lot 600)
 - The easterly half slopes westerly from Clover Ridge Road to an existing swale that flows northerly. The slope is about 1%. This swale cuts through the property and is located in the middle of the property. The ground elevation at Clover Ridge is 223. The elevation at the swale is ranges between 219' and 220'.

- The westerly half is much flatter. The ground generally slopes northeasterly into the existing swale. The elevation of the ground varies between Elevation 221' and 220'.

Finding No. 2—FLOODPLAIN:

The site is not located in the 100-Year Flood Hazard Area (Floodplain).

Finding No. 3—WETLANDS:

- There are jurisdictional wetlands on the site. These wetlands are jointly regulated by the Oregon Division of State Lands (DSL) and the Army Corp of Engineers (COE). The Joint Permit has been approved by the DSL. The review by COE is in process. Fill Impacts to the wetlands will be mitigated by purchasing wetland credits from a wetland bank and also by creating storm drain quality features that will mimic the existing functions of the wetlands.
- The City has classified these wetlands as: "Isolated Wetlands—Not Locally Regulated"
- A copy of the Joint Permit is included in the Appendix.

Finding No. 4—VEGETATION:

- The site contains 14 large trees as shown on Plan Sheet 3—Existing Conditions Map and on Plan Sheet 7—Conceptual Landscape and Lighting Plan.
- The trees are identified in the Tree Table on Sheets 3 and 7. The table and sheets show which trees are to remain.

Finding No. 5—HISTORIC SITES:

There are no existing structures or other elements that have any historic value.

CONCLUSION:

The site features have been considered. This criterion is met.

In addition to the review criteria, the proposed development must meet applicable City standards found in the Albany Development Code. Include findings for each listed standard:

1. The proposed project meets applicable development standards of the appropriate zoning category: Article

3—Residential; Article 4—Commercial and Industrial;
or Article 5—Mixed use Village Center.

• **ADC 3.190—Development Standards:**

Finding No. 1: Table 1 in Code Section 3 specifies the following basic standards required in the RM Zone. The requirement standard is shown along with amount being proposed in this site plan.

<u>Standard</u>	<u>Requirement</u>	<u>Proposed</u>
• Minimum Lot Size	3,500 sf	285,322 sf
• Minimum Width	30'	267'
• Minimum Depth	60'	825'
• Street Setback (bldg)	25'	25'
• Street setback (parking)	15'	36' min. Phase 1 36' min. Phase 2 15' Phase 3
• Interior 2 + stories	10'	10'
• Min bldg separation	N/A	N/A to CU
• Min garage setback	20'	N/A to CU
• Max. Building Height	45'	35'
• Max. Lot Coverage	70%	59%
• Landscape Area (street)	100%	100%
• Landscape Area (buffer)	100%	100%

Finding No. 2—the project satisfies or exceeds all of the minimum building development standards of ADC 3.190.

CONCLUSION:

This criterion is met.

2. **The proposed project meets applicable development standards for uses and/or sites located in Special Purpose or Historic Districts (Articles 6 and 7).**

Finding No. 1—the project is not located in a Special or Historic District.

CONCLUSION:

This criterion does not apply.

3. **Design Standards. Multiple-family, commercial, or telecommunication facility projects must meet**

applicable design standards found in Article 8. You must address each standard with findings.

Finding No. 1—the project does not involve single family, commercial or telecommunication facilities.

CONCLUSION:

This criterion does not apply.

4. The proposed project meets applicable off-street parking, landscaping, tree felling, buffering and screening, and environmental standards found in Article 9.

CRITERION 9.020— OFF-STREET PARKING-Space Requirements:

Finding No. 1—Albany Development Code parking requirements are based number of seats inside the church.

Finding No. 2—Under the Off-Street Parking requirements of ADC 4.250, the minimum parking is classified under the “Churches and other places of religious assembly”. The requirement is:

- 1 space per 6 seats or 12 feet of bench length.

Finding No. 3—Under ADA 9.050, company vehicles must be counted as additional required parking spaces. The Church owns buses. These buses will be parked in the proposed Bus Garage.

Finding No. 4—based on the ADC requirements and the respective counts under this Conditional Use application, the parking requirements for this project are stated below by phase.

- Phase 1 (based on 250 attendees) requires = 42 (paved) spaces
- Phase 2 (based on 350 attendees) requires = 59 (paved) spaces
- Phase3 (based on 450 attendees) requires = 75 (paved) spaces

Finding No. 5—the parking spaces that will be constructed for each phase are:

- Phases 1—108 spaces with possible increase to **189 spaces consisting of:
 - 62 paved spaces
 - 46 temporary graveled spaces located on future building pad west of the Multi Ministry Worship Center. This amount will change when the Phase 2 of the church building is added.
 - **Based on need: 81 graveled spaces in proposed parking lot located north of the detention basin.
- Phase 2—177 spaces consisting of:
 - 62 paved spaces
 - 34 temporary graveled spaces located on future building pad west of the Multi Ministry Worship Center and south of the phase 2 addition of the Education Wing.
 - 81 graveled spaces in proposed parking lot located north of the detention basin
- Phase 3—198 spaces consisting of:
 - 77 paved spaces
 - No temporary parking due to the addition of the Phase 3 Multi-purpose Area and second Education Wing.
 - 81 graveled spaces in proposed parking lot located north of the detention basin
 - 23 graveled spaces west of the Phase 3 building addition.
 - 17 graveled spaces replacing the southerly office building at 210 Clover Ridge Road.

CONCLUSION:

This criterion is met.

CRITERION 9.050—OFF-STREET PARKING-

Company Vehicles:

Finding No. 1—Church vehicles consist of buses to be used for transportation in support of the Church activities. All will be parked in the proposed bus garage.

CONCLUSION:

This criterion is met.

CRITERION 9.120—OFF-STREET PARKING--

Parking Area Improvement Standards:

Finding No. 1—9.120(2) OTHER REQUIREMENTS: All parking areas shall conform to the setback, clear vision, landscaping and buffering / screening provisions of this code.

- Parking setbacks from street right of way for a church use must be a minimum of 15' from the right-of-way.
 - Along Clover Ridge Road, the parking lot is set back 37.8'.
 - Dunlap Street is a private driveway. The northerly 27 feet of the subject property is reserved for future public right of way purposes. The parking lot abutting the future right-of-way is set back a distance of 15'.
 - Timber Street is a future street extension according to the City's Transportation Plan. The location of future Timber Street is unknown. The proposed development does not have proposed parking near the future right-of-way. The westerly proposed parking lot is about 127' from the most conservative location of the future right-of-way.
- Parking lot setbacks from interior property lines. The parking lots and associated driveways cannot be developed in required buffer strips. The buffer requirement for this project is 10'. The proposed driveway is no closer than 19.4 feet from the interior property line.
- Clear vision triangles are shown on the plans. No parking or driveways encroach into these triangles.

- Landscape provisions are discussed in appropriate section below.
- Buffering and screen provisions are discussed in appropriate section below.

CONCLUSION:

This criterion is met.

Finding No. 2—91.120(3)—SURFACING: All required areas in parking lot and driveways shall be asphalt or cement concrete. We are requesting deviation of this requirement so that paving can be accomplished in phases according to need and available funds.

- The parking lots will be constructed in phases:
 - Phase 1 will have 108 stalls consisting of 62 paved spaces, 46 temporary graveled spaces and possibly an additional 81 graveled spaces in proposed parking lot located north of the detention basin.
The ADC requires that Phase 1 have a minimum of 42 paved spaces. All additional spaces are considered overflow. In this case, we are providing 62 paved stalls and up to 127 over-flow spaces.
 - Phase 2 will have 177 stalls consisting of 62 paved spaces, 34 temporary graveled spaces and 81 graveled spaces in proposed parking lot located north of the detention basin.
The ADC requires that Phase 2 have a minimum of 59 paved spaces. All additional spaces are considered overflow. In this case, we are providing 62 paved stalls and up to 115 over-flow spaces.
 - Phase 3—will have 198 spaces consisting of 77 paved spaces, 81 graveled spaces (in proposed parking lot located north of the detention basin), 23 graveled spaces (west of the Phase 3 building addition) and 17 graveled spaces (southerly office building at 210 Clover Ridge Road).
The ADC requires that Phase 3 have a minimum of 75 paved spaces. All additional spaces are

considered overflow. In this case, we are providing 62 paved stalls and up to 121 over-flow spaces.

- At the conclusion of Phase 4, all paving will be complete

CONCLUSION:

This criterion is met.

Finding No. 3—91.120(4)—DRAINAGE:

- The parking lot, driveways, sidewalk are all designed to flow into catch basins and area drains.
- All onsite drainage flows into an engineered detentions basin. Water is released from the basin into a grassy bio-swale.
- See Plan Sheet 3 for Storm Drainage design.
- See the Storm Water Quality Study and Post Construction Management Plan that is a part of the Appendix.
- See the Storm Water Operations and Maintenance Plan that is a part of the Appendix.
- The onsite Storm Water pipes, infrastructure, detention and bio-swales are the responsibility of the Church for ownership and maintenance.

CONCLUSION:

This criterion is met.

Finding No. 4—91.120(5)—PERIMETER CURB:

- The parking lots and driveways will all be curbed along the perimeter and meet the standards of the City of Albany.

CONCLUSION:

This criterion is met.

Finding No. 5—91.120(6)—WHEEL BUMPER:

- All parking stalls fronting sidewalks will not required wheel bumpers. The fronting sidewalks are 7.5 feet wide.

CONCLUSION: This criterion is met

Finding No. 6—91.120(7)—TURNAROUND:

- The parking lots are all served with driveway aisles. No backing movements or other maneuvering in a street right-of-way is required.

CONCLUSION:

This criterion is met.

Finding No. 7—91.120(8)—STRIPING:

- The parking lot will be striped to satisfy City of Albany requirements.

CONCLUSION:

This criterion is met.

Finding No. 8—91.120(10)—PARKING LOT LANDSCAPING:

- This criterion is satisfied in responses to ADC 9.150 stated later in this narrative.

CONCLUSION:

This criterion is met in ADC 9.150

Finding No. 9—91.120(11)—COMPACT CAR PARKING:

- No compact care parking is proposed. All 198 stalls will be standard parking.

CONCLUSION:

This criterion is not applicable to the proposed development.

Finding No. 10—91.120(12)—HANDICAP PARKING:

- The Oregon Specialty Code requires 8 handicap parking spaces. The proposed plan will install 10 spaces that satisfy the standards of the City and the State.

CONCLUSION:

This criterion is met.

Finding No. 11—91.120(13)—BICYCLE PARKING:

- A covered shelter for bicycle parking is provided. It is located on the north side of the parking lot that is located near the entrance to the proposed Church building.
- Phase 1 of the church is proposed for an attendance of 250 people. The required parking per the City ADC is 1 per 6 people. This equals 42 required stalls;
- The required parking increases to 75 stalls when the Phase 3 attendance projection of 450 people.
- Historical bicycle use by the attendees has never been measured. There has never been a known problem with parking of bicycles.
- The church will have 198 parking stalls to cover the ultimate parking needed. Per the Code, that number of spaces would require bike sheltering and a rack for 22 bicycles. Based on the past usage, we believe that this requirement is excessive.
- The Church requests that the number of bike racks be based on the 62 paved parking spaces that will be built in Phase 1.
 - Using 62 spaces, the number of bikes requiring sheltering and a rack will be 2 plus 6 for a total of 8 bike parking.
- The number of bicycle spaces can be adjusted upward based on empirical evidence and added at the time of Phase 2 or Phase 3, as needed.

CONCLUSION:

Assuming the City will approve our request to build sheltered area for 8 bicycles, this criterion is met.

Finding No. 12—91.120(14)—LIGHTING:

- All lighting whether on buildings or in Parking lots will be designed to reflect downward and away from abutting properties.

CONCLUSION:

This criterion is met.

Finding No. 13—91.120(15)—PEDESTRIAN ACCESS:

- Public Sidewalks are located along Clover Ridge Road.
- The Site Plan shows that the Church building is connected to the City sidewalk in Clover Ridge Road by internal private sideways into all access points in the Church.

CONCLUSION:

This criterion is met.

CRITERION 9.130—OFF-STREET PARKING LOT DESIGN**Finding No. 1**

- Table 1: Parking Lot Design in ADC 9.130 gives the diagonal and perpendicular standards for stall widths; curb widths; aisle widths; stall depths; bumper overhangs;
- The proposed parking and driveway plans meet or exceeds all of the requirements.

CONCLUSION:

This criterion is met.

CRITERION 9.140(2)—LANDSCAPING-General Requirements—Non-Residential for FRONT AND INTERIOR SETBACKS:**CLOVER RIDGE ROAD:****Finding No. 1— CALCULATIONS of FRONT YARD---COVER RIDGE ROAD: landscaping setback AND required planting area along:**

- The front yard setback is 15 feet wide. The required front yard set back area along Clover Ridge Road is 5100 square feet. The frontage length is 204 feet (excluding access ways AND vision triangles).

Finding No. 2—FRONT YARD- COVER RIDGE ROAD--landscaping code requirements for

- Front yard setbacks (excluding access ways) are required to be landscaped. Minimum landscaping per ADC 9.140 requires trees and shrubs based on amount of set back area and length of frontage:
- One 6' high deciduous tree for ever 30 feet of street frontage per or one 5' high evergreen shrub every 15' of frontage per ADC 9.140(2)(a)
- Five 5-gallon shrubs or eight 1-gallon shrubs, trees or accent plants per ADC 9.140(2)(b)
- The remaining areas treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover including ivy, or evergreen shrubs. (Per 92.14(2) (c).

Finding No. 3—FRONT YARD--CLOVER RIDGE ROAD --Required and Proposed Landscaping:

FRONT YARD PLANTING TABLE:

Planting	Required	Proposed
6' high street trees	7	7
<u>5 five gallon shrubs</u>	26	26 five gallon shrubs
<u>OR</u>	<u>OR</u>	
10 one gallon trees, shrubs or accent plants	41	
Ground area	100% of setback area	100% of setback area

FUTURE DUNLAP AVENUE:

Finding No. 4— CALCULATIONS of FRONT YARD---DUNLAP AVENUE— Landscaping setback AND required planting area along:

- The front yard setback is 15 feet wide. When properties abutting are undeveloped, only $\frac{1}{2}$ of the buffering is required. In this case, the street is undeveloped. One of the properties on the north side of the driveway is not in the City. The other lots are single family sites.
- We understand that landscaping requirements for the front yard setbacks are not the same. We are requesting that for our

development, that the following landscaping for the front yard be relaxed as follows:

- The area be base on $\frac{1}{2}$ of the required 15' setback = 7.5'.
- The future location of the Timber Street extension is unknown. We request that we do not count the area west if the worst case location of the right-of-way not be included in frontage and area calculations.
- Based on the requested relaxed standards, the frontage (less access ways and vision triangles) equals 605 lineal feet. The required front yard set back area along Dunlap Avenue is 4540 square feet.

Finding No. 5—FRONT YARD- DUNLAP AVENUE--landscaping code requirements:

- Front yard setbacks (excluding access ways) are required to be landscaped. Minimum landscaping per ADC 9.140 requires trees and shrubs based on amount of set back area and length of frontage. Buffering per ADC 9.240 is also required in the front yard. Some of the requirements of the buffering section are more stringent than of ADC 9.140(2). For this project, the most stringent requirement will apply. The required front yard plantings for the proposed project are:
 - One 10' high deciduous tree for every 30 feet of street frontage per or one 5' high evergreen shrub every 15' of frontage per ADC 9.240.
 - Five 5-gallon shrubs or ten 1-gallon shrubs, trees or accent plants per ADC 9.240 and ADC 9.
 - The remaining areas treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover including ivy, or evergreen shrubs. (Per 92.14(2) and 92.240)

Finding No. 6—FRONT YARD—FUTURE DUNLAP AVENUE--Required and Proposed Landscaping:

- Buffering Requirements in ADC 9.240 for this proposal have a higher standard than the landscaping requirements. In this

case, the required and proposed landscaping along Dunlap Avenue is:

FRONT YARD PLANTING TABLE:

Planting	Required	Proposed
6' high street trees	20	20
<u>5 five gallon shrubs</u>	22	22 five gallon shrubs
<u>OR</u>	<u>OR</u>	
10 one gallon trees, shrubs or accent plants	37	
Ground area	100% of setback area	100% of setback area

FUTURE TIMBER STREET

Finding No. 7— There is no way of knowing when or if Timber Street will be extended. Therefore, we are requesting that not front yard setback landscaping be required.

INTERIOR YARD SETBACKS:

Finding No.8—the interior yard setback requirements of 9.140 are less stringent than the buffering requirements of 9.240. Therefore, interior yard setbacks will be discussed in the Findings under 9.240 given later in this narrative.

CONCLUSION:

Given the approval of requested relaxation and interpretations given above, this criterion is met.

CRITERION 9.150—PARKING LOT LANDSCAPING:

Finding No. 1—91.050(1)--PLANTER BAYS:

- Planter bays divide the parking areas into not more than 12 spaces.
- Planter islands are located at both ends of the parking bays
- Each Planter bays is a minimum of 5' wide. Each Planter island or bay contains a minimum of 1 ten foot high canopy tree and 2 shrubs for every 100 sf of landscape area.

CONCLUSION:

This criterion is met.

Finding No. 2—91.050(2)—ENTRYWAY LANDSCAPING:

- The entryway is off of Clover Ridge Road, opposite of Edgewater Drive.
- The landscaping on each side of the access way contains 6 shrubs on the north and 7 shrubs on the south of the entry.

CONCLUSION:

This criterion is met.

Finding No. 3—91.050(3)—PARKING SPACE BUFFERS:

- Parking spaces will be located along the west, south and portions of the east side of the Church building.
- In all cases, the buffer exceeds 5'.

CONCLUSION:

This criterion is met.

Finding No. 4—91.050(5)—LANDSCAPE PROTECTION:

- The plan calls for graveled overflow parking.
- The graveled areas will not have planter islands until the 4 phase of the project.
- There is no required landscaping in the perimeter areas next to graveled parking areas.

CONCLUSION:

This criterion is met upon completion of Phase 4. Until that time, there will be no associated planting that requires protection.

CRITERION 9.160—IRRIGATION OF REQUIRED LANDSCAPING:

Finding No. 1—

- All required landscaping will be irrigated. The irrigation system design will be provided with the final landscape plan.

CONCLUSION:

This criterion is met.

CRITERION 9.170—LANDSCAPING-Identification of Existing Trees:

Finding No. 1—the trees on the site have been located and are shown on Sheets 3 and 7 of the Plans. There are 14 existing trees on site. The proposed buildings and parking lots / driveways will require that 8 be removed.

CONCLUSION:

This criterion is met.

CRITERION 9.180—LANDSCAPE PLANS:

- The plan being submitted with the Conditional Use Plan is "Conceptual". This plan shows the location of where the required plantings for landscaping and buffering and screening are located.
- Prior to occupancy or final inspection, a "Final Landscape Plan" shall be submitted for review and approval. That plan shall indicate the number, size, spacing, and botanical and common names of all proposed plants.

CONCLUSION:

This criterion is met.

CRITERION 9.240—BUFFERING:

Finding No. 1—

- Buffering for this development applies to the interior yards along the non-street property lines. The buffering requirements adjoining undeveloped properties are reduced by one-half. Therefore, the buffer width is 10' along the developed property and 5' along the undeveloped land.
- The applicants request that there be no buffering requirements along the perimeter of the subject property that is located within the land that will be affected by the future extension of Timber Street. The statistics for the following plantings will not include the area or length contained therein.

- Because screening is required, the shrub planting requirement under ADC 9.24(2) is not required.

Finding No. 2—

- **The minimum improvements** within the buffer area consist of the following:
 - At least one row of trees.
 - If deciduous trees are planted, these trees will not be less than 10 feet high at time of planting and spaced not more than 30 feet apart.
 - If evergreen trees are planted, these trees will not be less than 5 feet high at time of planting and not more than 15' apart.
 - If screening is required, the shrub planting is waived.
 - Remaining area treated with attractive ground cover (e.g. lawn, bark, rock, ivy, evergreen shrubs).
- **Buffer Statistics for abutting DEVELOPED property:**
 - **Abutting Tax Lot 1900 (Map 11-3-4AC)** is developed land containing apartments. The buffer statistics pertaining to this tax lot are 10' wide, 175' long and contains 1750 sf.
 - Six 10' high trees are proposed; zero shrubs. Remaining area will be attractive ground cover.
- **Buffer Statistics for abutting UNDEVELOPED property**
 - **Abutting Tax Lot 2000 (Map 11-3-4AC)** is undeveloped. The buffer statistics pertaining to this tax lot are 5' wide, 270' long and contains 1350 sf.
 - Nine 10' high trees are proposed; zero shrubs. Remaining area will be attractive ground cover.
 - **Abutting Tax Lot 701 (Map 11-3-4AC)** is undeveloped. The buffer statistics pertaining to this tax lot are 5' wide, 375 long and contains 1875 sf.

- Thirteen 10' high trees are proposed; zero shrubs. Remaining area will be attractive ground cover.
- Abutting Tax Lot 500 (Map 11-3-4AC) is undeveloped and abuts the future extension of Timber Street.
 - The applicants request that there be no buffering requirements along the perimeter of the subject property that is located with in the land that will be affected by the future extension of Timber Street. The statistics for the following plantings will not include the area or length contained therein.

CONCLUSION:

This criterion is met.

CRITERION 9.250—SCREENING:

Finding No. 1— Screening is required for the non-street property lines of the proposed plan.

Finding No. 2—the screen provision will be satisfied with a 5-high cyclone fence with site obscuring slats. The slats will be forest green in color and the fencing will have a black vinyl coating.

Finding No. 3— the applicants request that there be no fencing requirements along the perimeter of the subject property that is located with in the land that will be affected by the future extension of Timber Street.

CONCLUSION:

Assuming the approval of the request stated in Finding No. 3, this criterion is met.

CRITERION 9.400-9.500 Environmental:

Finding No. 1—ADC 9.440—Noise: Activities to be done on site include church service and community events. These activities will create noise similar to that of the surrounding residential areas.

Finding No. 2—ADC 9.450—Visible Emissions: There will be no activities that will create visible emissions.

Finding No. 3—ADC 9.455—Water Quality: Stormwater will be treated in bioswales. BMP's will be utilized to ensure that stormwater leaving the site is as close to pollutant free as possible.

Finding No. 4—ADC 9.460—Vibration: There will be no activity that causes vibration.

Finding No. 5—ADC 9.470—Odors: There will be no activities that create obnoxious odors.

Finding No. 6—ADC 9.480—Glare and Heat: The nature to the activities do not create heat that would affect the ambient temperatures in the surrounding area. The church building will have interior lighting and windows. This lighting will not create glare. There will likely be outside lighting. It will be directed downward.

Finding No. 7—ADC 9.480—Hazardous Materials:

- Lawn fertilizers and herbicides will be stored in the proposed structure (weed killer, round up, weed and feed and other lawn and yard care material, etc.).
- Cleaning supplies will be stored in proposed structure.

CONCLUSION:

The environmental criteria have been reviewed and considered. All activities in the church and parking lot will not create negative impacts to the environmental elements discussed above. **This criterion is met.**

5. The proposed project meets applicable standards for public facilities found in Article 12.

CRITERION 12.060-12.280 Streets:

Finding No. 1: The proposed development involves the right-of-way dedication of a 27 foot strip of land along the northern property line to become Dunlap Avenue. The proposed development also includes a right-of-way reservation for a future Timber Street extension. At this time no right-of-way improvements are planned.

Finding No. 2: The proposed development has frontage on Clover Ridge Road, which is constructed to city standards.

Finding No. 3: The project has 2 private access driveways.

Finding No. 4: The proposed driveway will meet the clear vision area standards of A.D.C. 12.180.

CONCLUSION:

This criterion is met.

CRITERION 12.290-12.320 Sidewalks:

Finding No. 1: There are full width curbside sidewalks along the Clover Ridge Road frontage.

CONCLUSION:

This criterion is met.

CRITERION 12.330-12.350 Bikeways:

Finding No. 1: The proposed development does not create any new streets or bikeways.

CONCLUSION:

This criterion does not apply to this development.

CRITERION 12.360-12.405 Utilities-General:

Finding No. 1: Public utilities are already installed in the Clover Ridge Road right-of-way. New water, sewer, and storm drain services will be installed to service the site.

CONCLUSION:

This criterion is met.

CRITERION 12.410-12.460 Water:

Finding No. 1: WATER: Public water is available in the Clover Ridge Road right-of-way. The existing building makes use of an existing service and a new service line will be installed for the church.

Finding No. 2: FIRE HYDRANT: There is a fire hydrant in the northeast quad of the intersection of Clover Ridge Road and Edgewater Drive that will serve the site in the event of a fire.

CONCLUSION:

This criterion is not applicable to the Conditional Use application.

CRITERION 12.470-12.520 Sanitary Sewers:

Finding No. 1: SANITARY: Public Sewer is available in the Clover Ridge Road right of way. An existing sewer service line serves the existing building on site. A new service line to the proposed church will make use of this main line.

CONCLUSION:

This criterion is met.

CRITERION 12.530-12.585 Storm Drainage:

Finding No. 1: STORM DRAIN: A public storm drain line exists in the Clover Ridge Road right-of-way. BMP's will be utilized to detain and treat stormwater before it enters the city's storm drain system.

CONCLUSION:

This criterion is met.

This Page
Intentionally
Left Blank

APPENDIX "E"

NEIGHBORHOOD MEETING REPORT

Grace Point Church of the Nazarene—Conditional Use

Date of Meeting:

6:00 pm, Tuesday, October 18, 2011

Location of Meeting:

Room 1 in the Willamette Events Center Building at the Linn County Fair and Expo, Albany, Oregon

Method of Advertising Meeting:

Letter of invitation to all parties located within 300 feet of the property. List compiled from the Linn County Assessor's records. A copy of the letter of invitation and attached materials are included with this report.

Number of people who attended the meeting:

10 people attended. No other people contacted the applicant about the meeting. A copy of sign in list is included with this report.

Summary of concerns, issues, and problems raised by neighbors:

1. Traffic impacts on major roads and streets in the vicinity including:
 - a. Goldfish Farm Road traffic
 - b. Wal-Mart impacts making Gold Fish Farm Road a thoroughfare.
 - c. Increase in traffic affect timing for turning left onto Knox Butte Road
 - d. Is a traffic survey being conducted?
 - e. Is a four-way stop sign or some traffic control being proposed at intersection of Knox Butte Road / Clover Ridge Road?
2. Storm Drainage impacts on lands to the north
3. Time Line of Phasing
4. Emergency Access
5. Wetlands
6. Parking spaces facing Clover Ridge Road—night time parking may pose a light nuisance for neighbors across the street on the corner of Clover Ridge Road / Edgewater.
7. Email Correspondence from Fay Stetz-Waters (President of the Edgewater at Clover Ridge HOA expressing the parking and traffic issues reported above: A copy of the Applicant's representative was emailed to Fay the day after the neighborhood meeting. Both emails are included in this report.

Discussion and responses of how the applicant has addressed or intends to address concerns, issues, and problems:

1. **Traffic impacts** caused by the church are not occurring at the time of the week day peaks. The major church traffic will occur on Sunday when morning traffic peaks on Knox Butte Road and Gold Fish Farm Road are not a factor. Because week day impacts will be minimal, the City will not require a traffic study. No four way stop sign is necessary for intersection of Knox Butte Road / Clover Ridge Road.
2. **Storm Drainage Impacts** to north will not be increased. The project has been designed to move surface water southerly and easterly by swales, pipes, a detention basin and ultimately into City Storm Drain pipes in Clover Ridge Road. The undisturbed ground on the site (westerly portion of the site) will continue to drain in the same manner as before the proposed project. This existing drainage may impact the runoff to the north, but it will be greatly reduced by the design of the proposed improvements.
3. **Time Line of Phasing:** Phase 1 will be completed in about 2 years after construction begins. The timing for the later phases will be based on growth of the Church and could take up to 10 years to complete.
4. **Emergency Access:** It is recognized that Dunlap Avenue is a private driveway. An easement for emergency access over Dunlap Avenue will be obtained. No access for Church membership use will be allowed.
5. **Wetlands:** There are jurisdictional wetlands located on the site. These wetlands are under the regulation authority of the State and the Army Corp of Engineers. A Joint Application for development in the wetlands will be submitted to both agencies. The proposed development is contingent on receiving approval from both agencies.
6. **Parking that faces Clover Ridge Road:** The parking in the east most parking lot has 11 parking spaces that face the homes on the east side of Clover Ridge Road. This parking lot has a setback 37 feet from the right of way. The green spaces will be landscaped to minimize night time car head light impacts. This includes a vegetative screen planting behind the parking curb.

The issues raised at the meeting were addressed at the meeting to the satisfaction of the attendees. There are no other impacts or concerns that were not addressed.

This summary has been prepared by Jack Burrell of K & D Engineering.

Grace Point Church of the Nazarene
Summary of Neighborhood Meeting

Page 2 of 2

K & D ENGINEERING, Inc.

K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

September 30, 2011

K & D Project 08-129-A

Re: Notice of Neighborhood Meeting
Grace Point Nazarene Church Building
250 Clover Ridge Road
Albany, Oregon

Dear Neighbor:

You are cordially invited to an informational meeting intended to answer any questions you have relative to the proposed Grace Point Nazarene Church to be sited on property at 250 Clover Ridge Road. This site is located on the tract at the southwest corner of the intersection of Dunlap Ave. with Clover Ridge Road. Enclosed is a site map.

If you cannot attend, we encourage you to share your comments so that we may address your concerns during design of this project. Contact Dan Watson or Jack Burrell at K&D Engineering, Inc. at 276 NW Hickory, Albany. Phone: 541-928-2583 or by email: jburrell@kdeng.com.

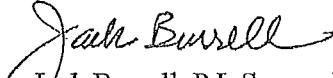
The meeting is scheduled to take place:

6:00 pm, Tuesday, October 18, 2011

Room 1 in the Willamette Events Center Building at Linn County Fair and Expo
Albany, Oregon 97322

If you have any questions please call me at (541) 928-2583.

Sincerely,


Jack Burrell, P.L.S.
Project Manager

ls

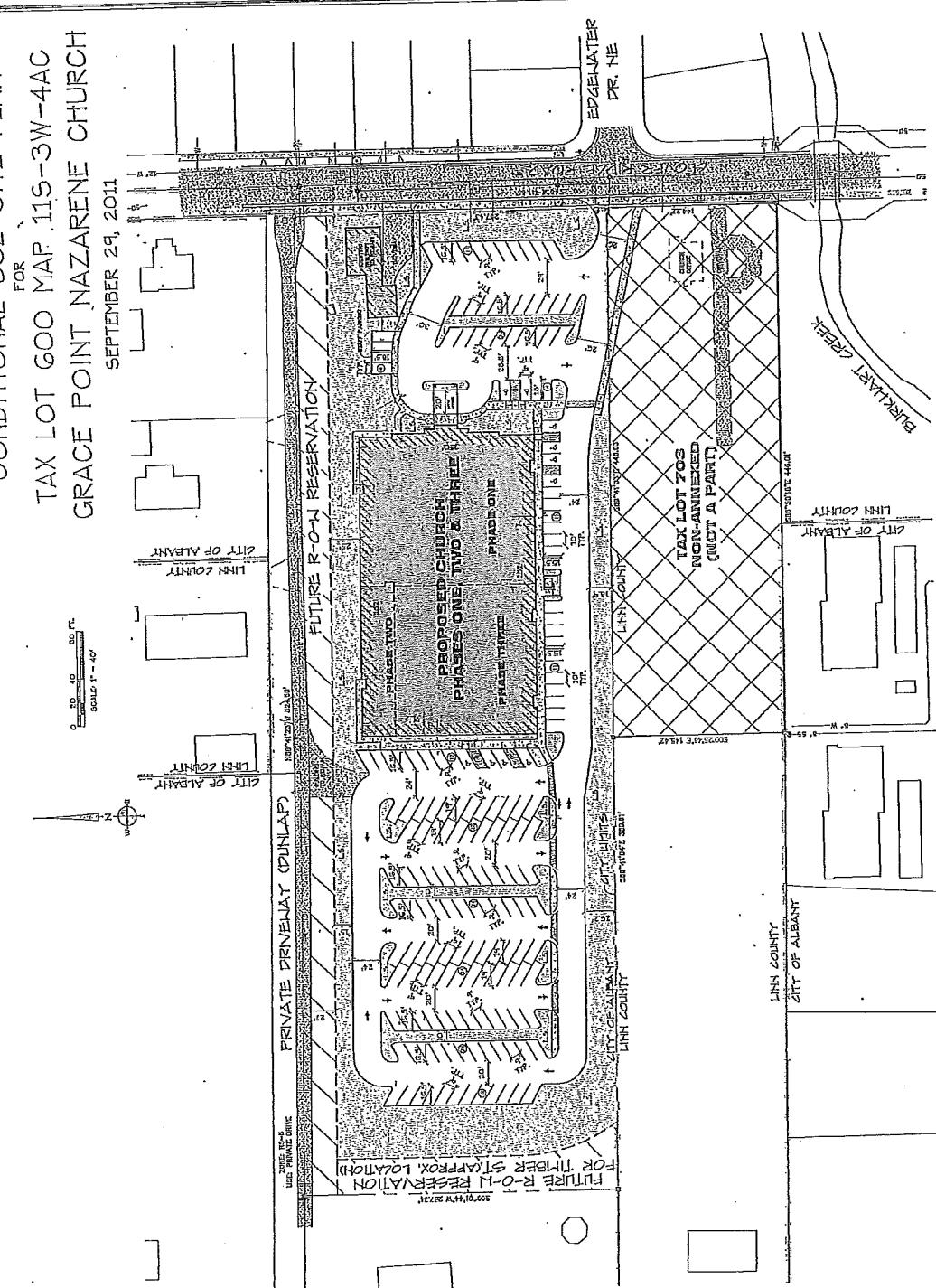
File: share/projects/2008/08129-Grace Point/surveying/documents/conditional use/Neighborhood meeting Notice.doc

CONDITIONAL USE SITE PLAN

TAX LOT 600 MAP: 115-3W-4AC
FOR GRACE POINT NAZARENE CHURCH
RECEIVED SEP 23, 2011

SEPTEMBER 29, 2011

5500 ft = 1000 m



PROJECT STATISTICS:

PROJECT STATISTICS:	
CROSS AREA	220,734 S.F.
LESS R-O-W:	-30,204 S.F.
NET AREA	190,525 S.F. (4.37

PROJECT
GROSS AREA:
LESS R-O-W:
NET AREA:

STRUCTURES:
PARKING SIDE
 ↴ DRIVEWAY
OPEN SPACE:

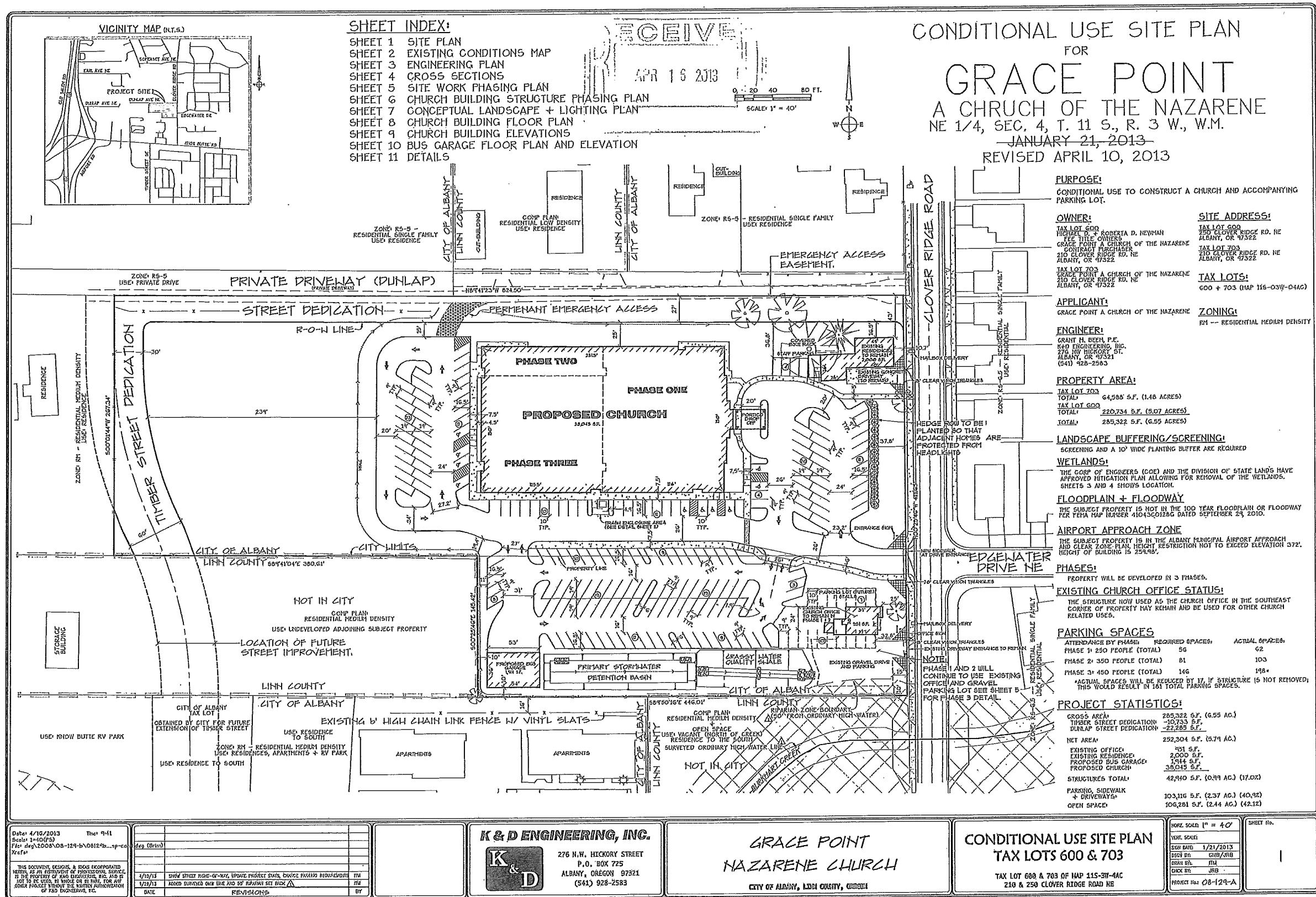
ATTENDANCE:

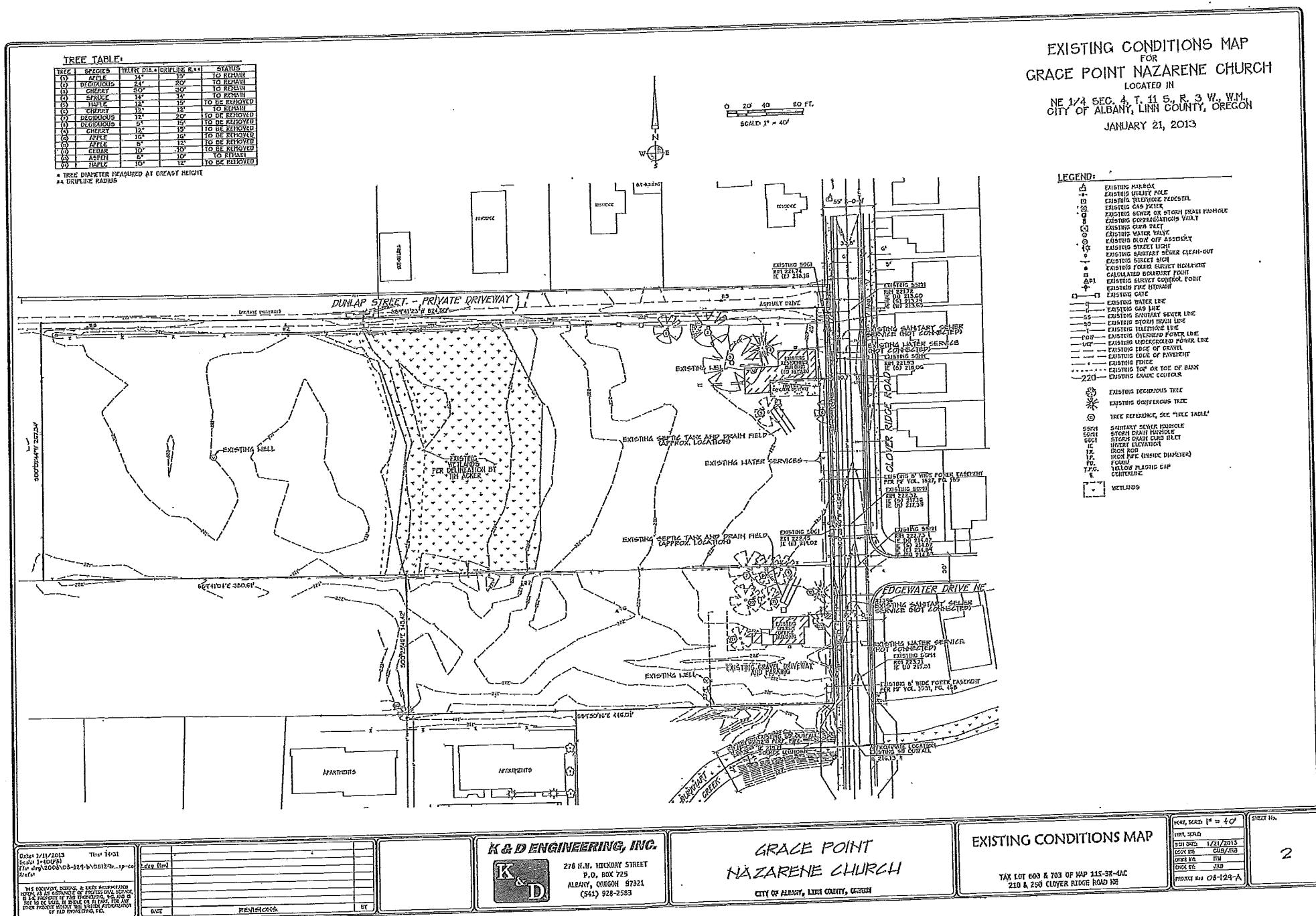
PARKING: 180 SPACES

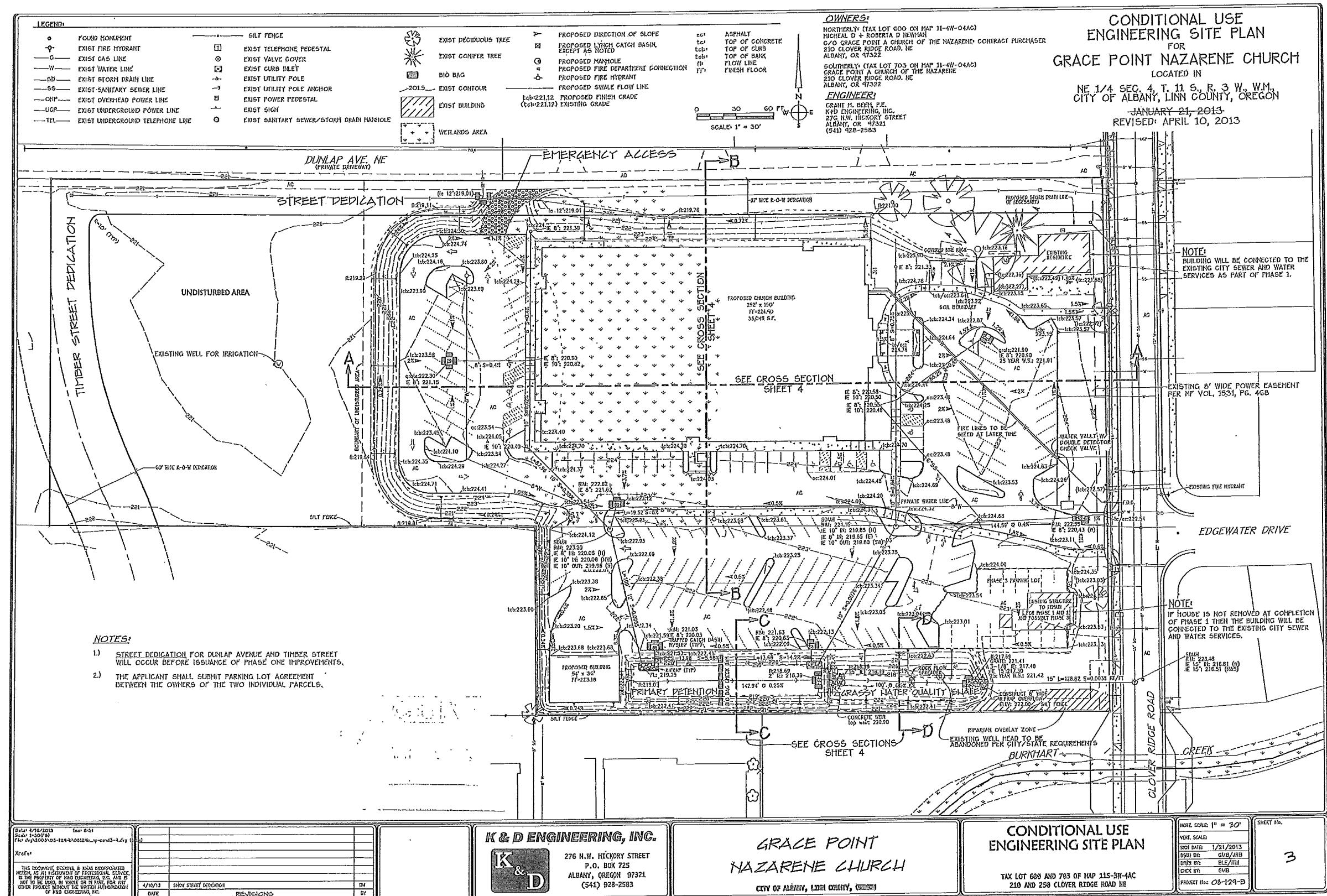
K & D ENGINEERING, INC.	
275 N.W. HICKORY STREET	
ALBION, OHIO 44401	
GPO BOX 383	
	
GRACE POINT NAZARENE CHURCH	
CITY OF ALBION, LORAIN COUNTY, OHIO	
SITE PLAN TAX LOT 600	
TAX LOT NO. 600 115-30-4AC	
220 CLOVER RIDGE RD NE	
RENDERER: [Signature]	
DATE: [Signature]	
REVISIONS:	

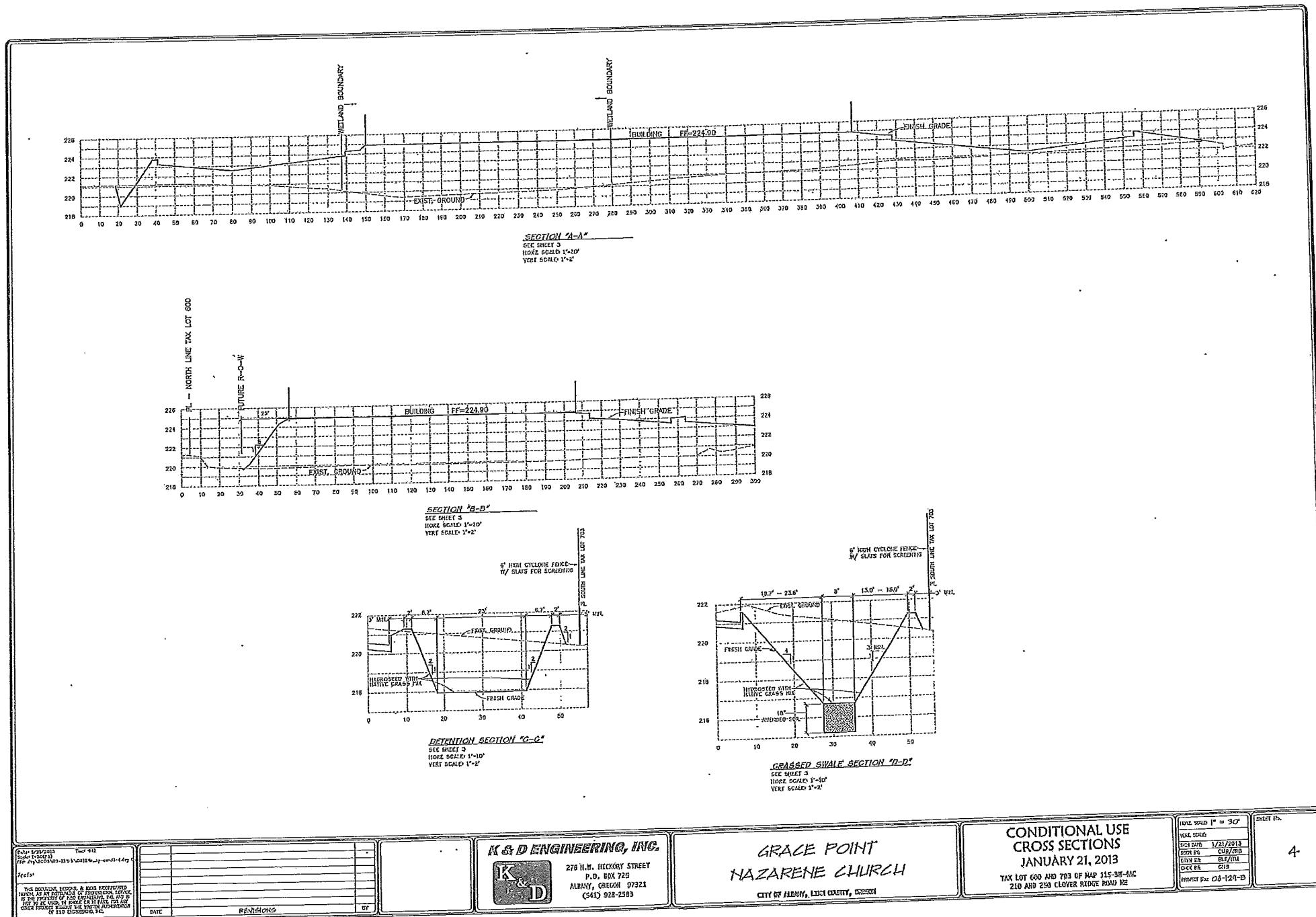
SCHLER
25 EXPO PARKWAY

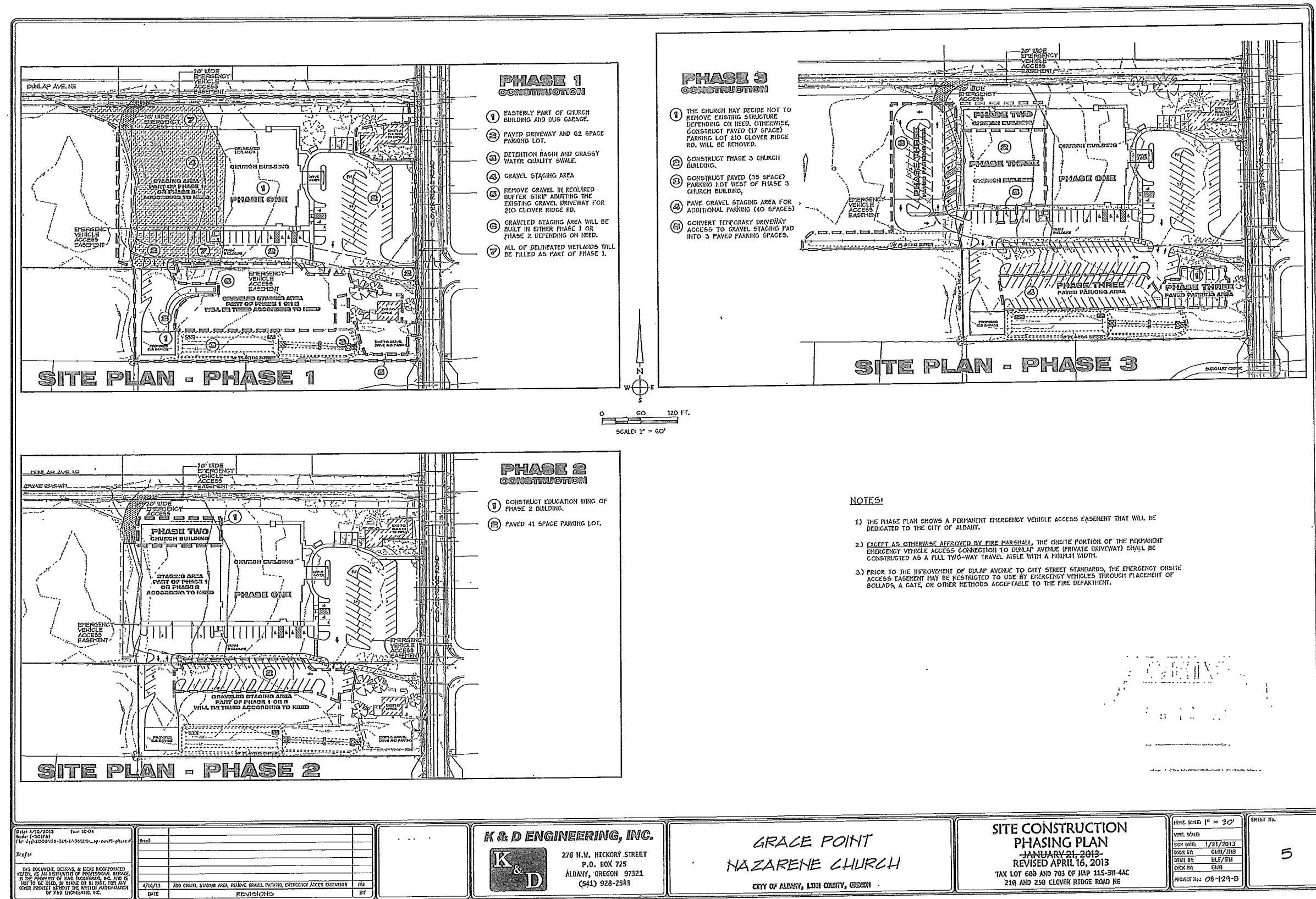
David Martineau
or
Heather Blasen
Planning Division
P.O. Box 490 OR
97321

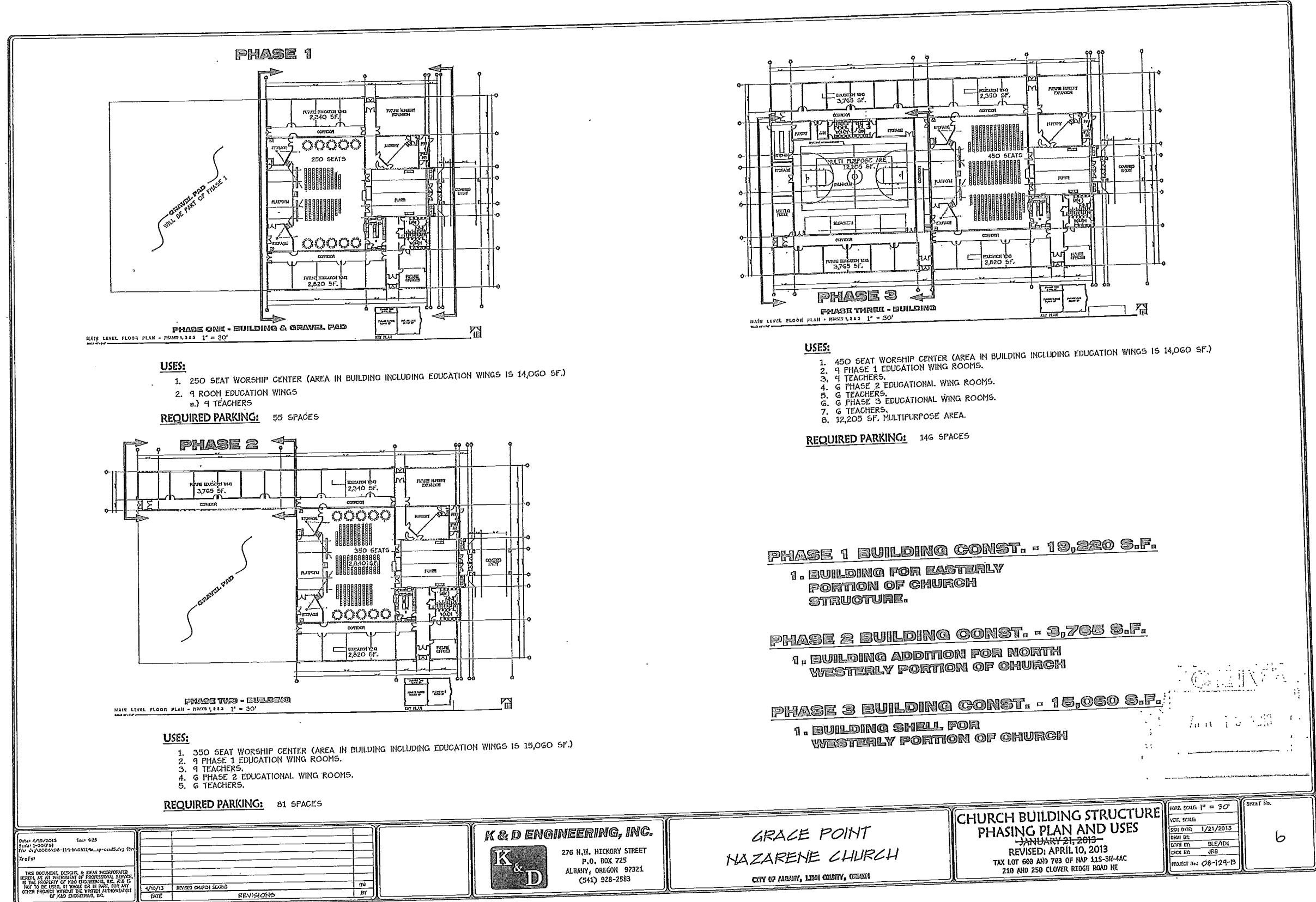


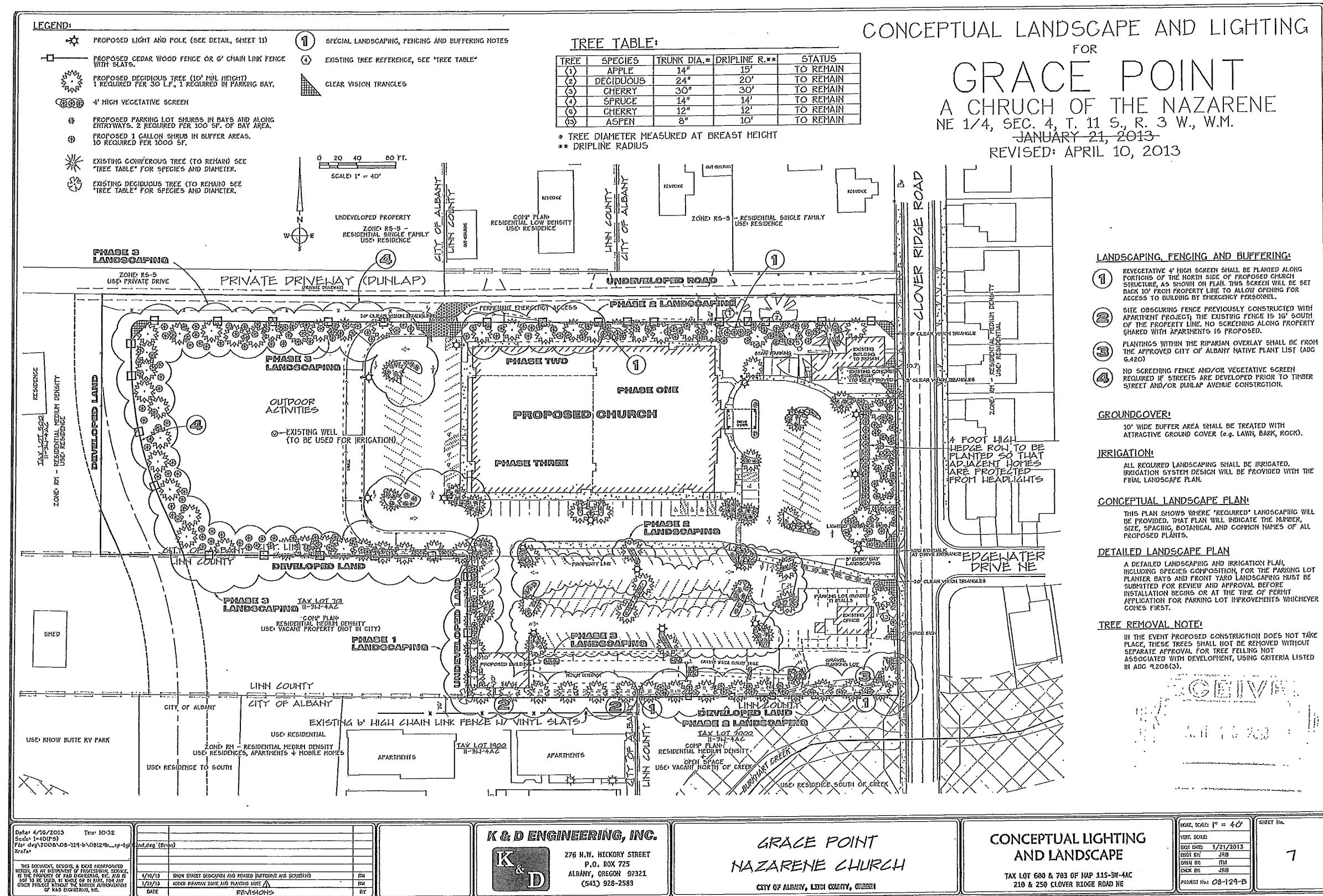


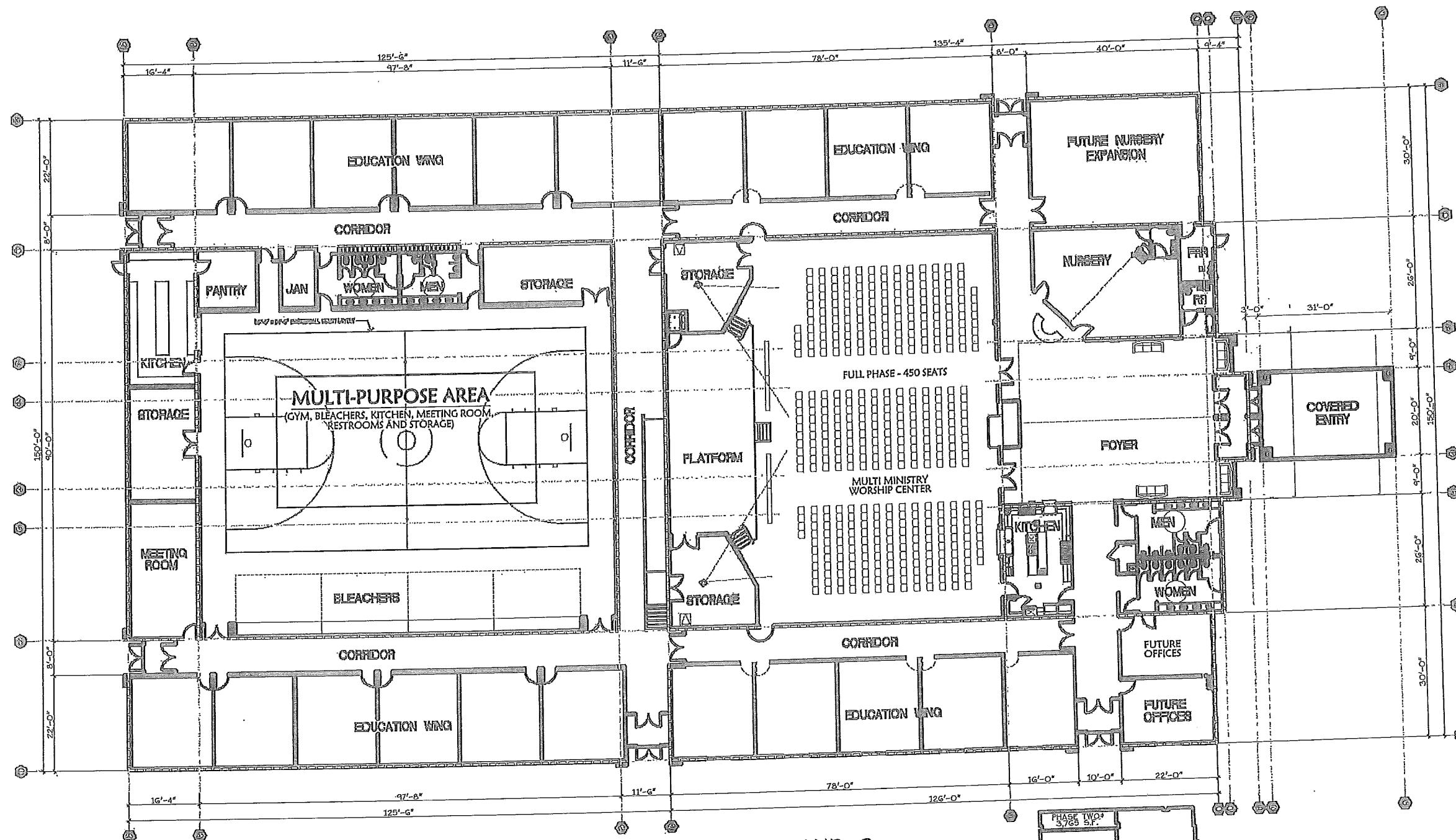












FLOOR PLAN - PHASES 1, 2 AND 3

SCALE 1" = 10'

REVISED APRIL 10, 2013 - SHOW REVISED SEATING
JANUARY 21, 2013

GRACE POINT - A CHURCH OF THE NAZARENE

Date: 4/12/2013 Time: 13:26
Scale: 1=20'(FS)
File: d:\2008\08-124-108-320\masterfloor.dwg (Mdw)

KEY PLAN

PHASE ONE: 19,220 S.F.
PHASE TWO: 3,765 S.F.
PHASE THREE: 15,060 S.F.
TOTAL: 38,045 S.F.

SHEET No.

8

