



## COMMUNITY DEVELOPMENT DEPARTMENT

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

Ph: 541-917-7550 Fax: 541-917-7598  
[www.cityofalbany.net](http://www.cityofalbany.net)

### NOTICE OF FILING

DATE OF NOTICE: February 7, 2018

FILE: CU-01-18 (Modification to file SP-02-17 / SP-03-17)

TYPE OF APPLICATION: Request to modify a condition of approval in order to remove an existing maple tree and replace it with a new Maple Tree and two Alaska Cedars.

REVIEW BODY: Staff (Type I-L process)

PROPERTY OWNER: Hickory Hollow, LLC; P.O. Box 2717, Salem, OR 97308; 971-444-5762; [hickoryhollowalbany@gmail.com](mailto:hickoryhollowalbany@gmail.com)

APPLICANT: ORREO, LLC; 1865 Church Street SE, Salem, OR 97302; 971-444-5762; [orreoproperties@gmail.com](mailto:orreoproperties@gmail.com)

APPLICANT'S ENGINEER: Mark Grenz, Multi/Tech Engineering; 1155 SE 13th Street, Salem, OR 97308; 503-363-9227; [MGrenz@mtengineering.net](mailto:MGrenz@mtengineering.net)

ADDRESS/LOCATION: 705, 725, 745, and 765 Hickory Street NW

MAP/TAX LOT: Benton County Assessor's Map No. 11S-04W-01AC; Tax Lots 400

ZONING: RM - Residential Medium Density and MUC – Mixed Use Commercial District

The City of Albany has received the application referenced above. We are mailing notice of the application to property owners within 300 feet of the development. We invite your written comments on this application to be considered when staff decides on this application. Comments must relate to the approval standards listed below. Issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing and with sufficient detail to allow the City to respond. The deadline for submission of written comments is 5:00 p.m. on **February 21, 2018**, 14 days from the date the City mails the Notice of Filing.

All application materials are available at the Planning Division, and copies can be obtained for a minimal charge. Should you wish to discuss this case with a planner, please visit our office or call **Melissa Anderson, Project Planner**, at 541-704-2319, ([melissa.anderson@cityofalbany.net](mailto:melissa.anderson@cityofalbany.net)). Submit any written comments to the Planning Division; P.O. Box 490; Albany, OR 97321. Any person submitting written comments will receive a copy of the Notice of Decision.

#### REVIEW CRITERIA FOR THIS REQUEST:

Albany Development Code (ADC)

#### TREE FELLING

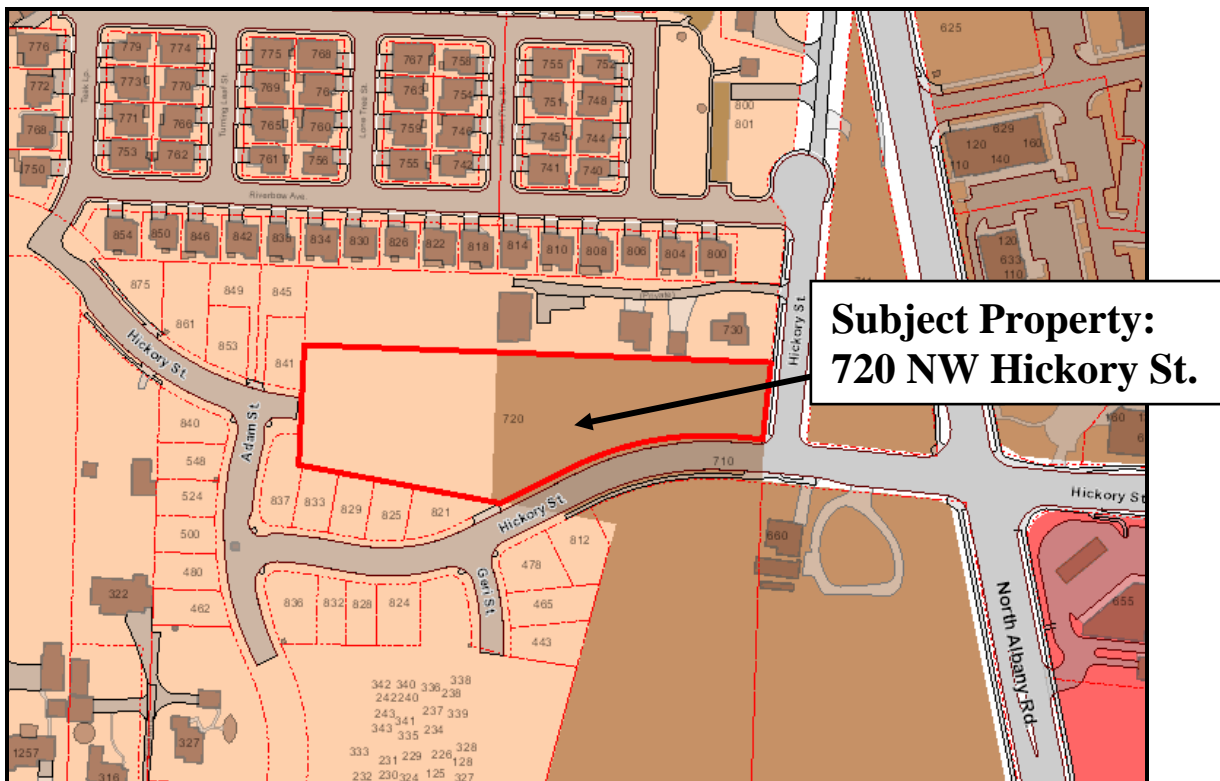
9.208 Tree Felling Criteria. The following review criteria replace the Site Plan Review criteria found elsewhere in this code for reviewing tree felling. A Site Plan Review for tree felling will be processed as a Type I-L land use decision.

- (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 the following review criteria are met:
- (a) It is necessary to fell tree(s) 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 City Council, or a logging permit issued by the Oregon Department of Forestry.
  - (b) The proposed felling is consistent with State standards and 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 REVIEW STANDARDS FOR THIS APPLICATION ARE FOUND IN ALBANY DEVELOPMENT CODE ARTICLES 1, AND 2

**COMMENTS:** *Comments must relate to the above approval standards and be supported by findings of fact. Attach additional sheets if necessary; please sign and date. Thank You!*

Attachment: (A) Arborists Statement, (B) Location of Tree to be Removed, and (C) Proposed Landscape Plan



# *Elwood's* TREE SERVICE

December 11, 2017

Charles Weathers  
720 Nw Hickory St  
Albany, OR

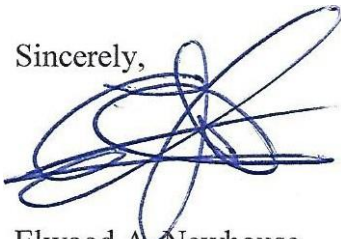
Re: Big Leaf Maple  
(*Acer macrophyllum*)

I was called out to visit the site listed above to give my opinion on the overall health of a Big Leaf Maple. The tree is approximately 12" in diameter. The stem of the tree has a roughly 40 degree angle lean. This lean is a natural lean called phototropism. The lean is a result of the trees that were previously growing on the North side of the tree. The stem will always have this lean

While I was originally called upon to give an opinion of the lean of the Maple, that isn't my ultimate concern. My concern is that of the canopy. The canopy will continue to get larger with the newly created open space. The Maple's canopy continued growth will create more wood weight. The excess weight can pose a risk of failure.

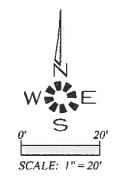
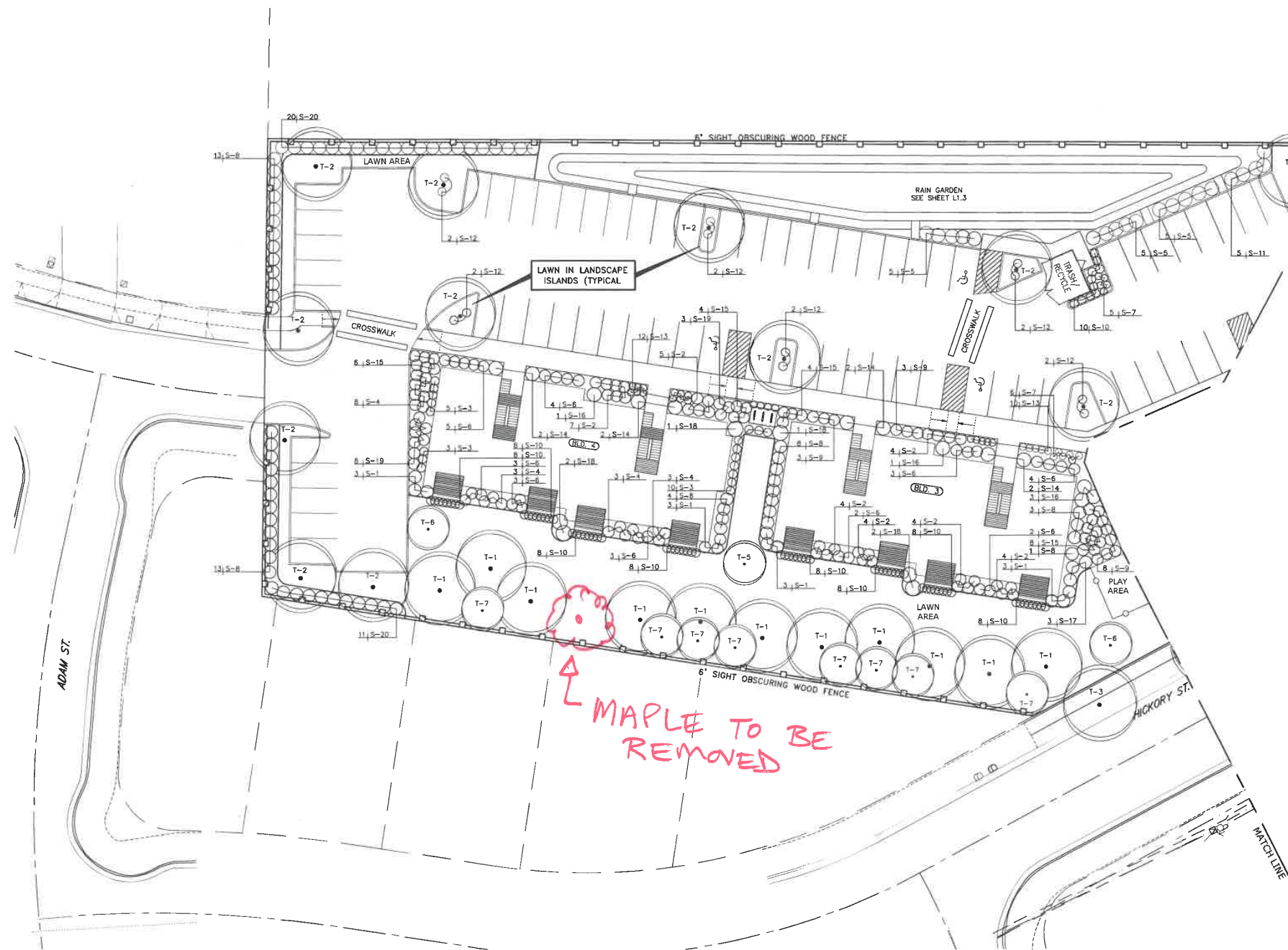
Considering the environmental changes in close proximity to the tree, it is my opinion the tree could pose a risk of failure and should be removed.

Sincerely,



Elwood A. Newhouse  
Certified Arborist  
PNW#0735





**MULTI/TECH**  
 ENGINEERING SERVICES, INC.  
 1155 13th St., S.E. Salem, OR, 97303  
 PH: (503) 363-9227 FAX: (503) 364-1260  
 www.multitechinc.com

**LANDSCAPE PLAN**

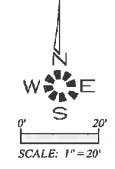
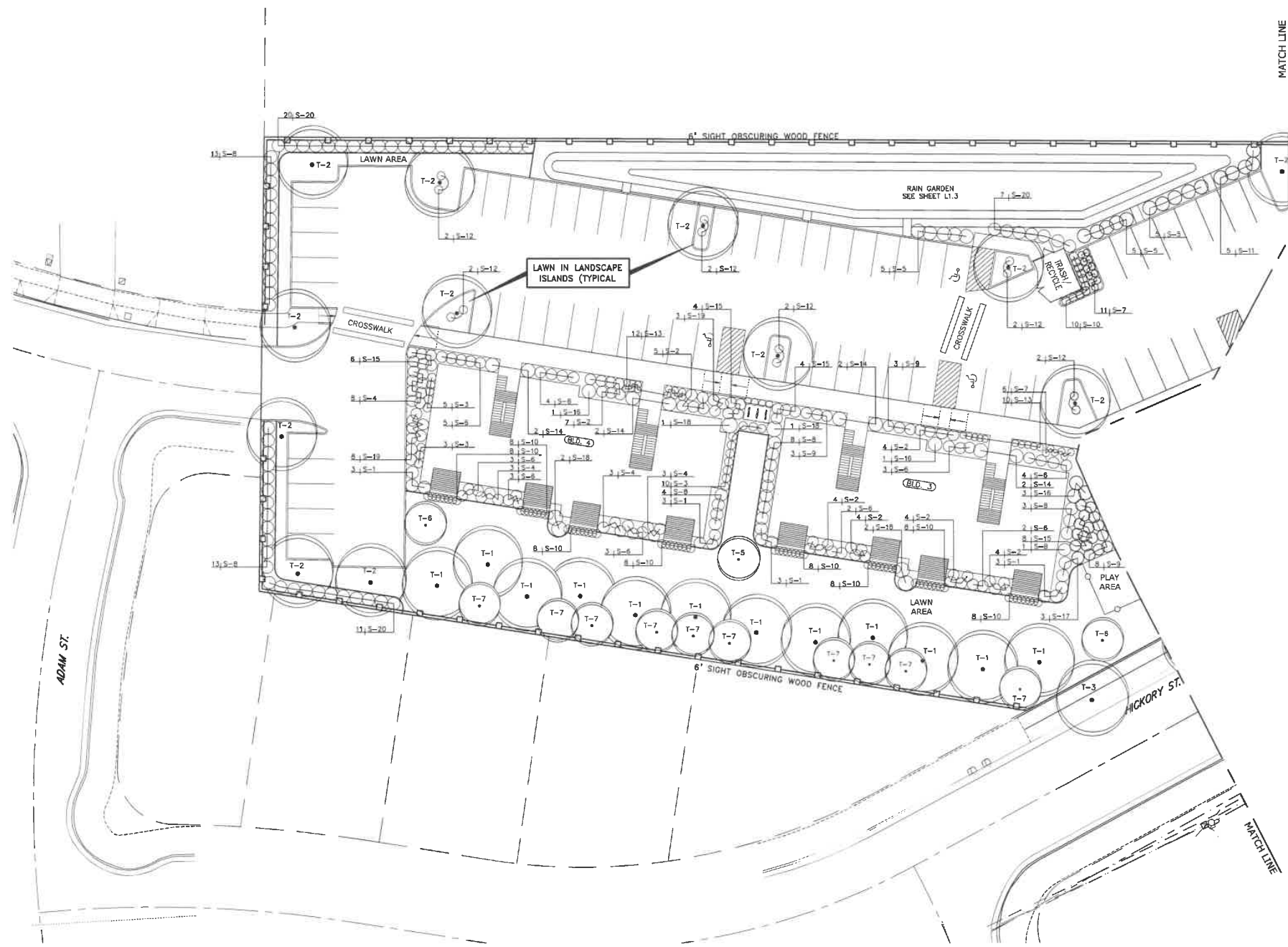
**HICKORY HOLLOW APARTMENT COMPLEX**

NO CHANGES, MODIFICATIONS OR  
 ADDITIONS TO THIS PLAN SHALL BE  
 DRAWINGS WITHOUT WRITTEN  
 AUTHORIZATION FROM DESIGN ENGINEER.  
 DIMENSIONS & NOTES TAKE PRECEDENCE  
 OVER GRAPHICAL REPRESENTATION.  
 MULTI/TECH ENGINEERING EXEMPT FROM  
 LIABILITY IF NOT STAMPED APPROVED

DESIGN: I.E.K.  
 DRAWN: S.G.S.  
 CHECKED: T.E.K.  
 DATE: AUG 2017  
 SCALE: AS SHOWN  
 AS-BUILT:

LANDSCAPE & IRRIGATION DESIGN BY:  
**LANDSCAPE DESIGN & CONSULTANTS LLC**  
 Doing business since 1985  
 620 WORKWOOD ST., SE, SALEM, OR 97306 PHONE: (503) 551-8890

JOB # 6338  
**L1.1**



**LANDSCAPE PLAN**

**HICKORY HOLLOW APARTMENT COMPLEX**

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LIABILITY IF NOT STAMPED APPROVED

Design: T.E.K.  
Drawn: S.G.S.  
Checked: T.E.K.  
Date: AUG 2017  
Scale: AS SHOWN  
As-Built:

LANDSCAPE & IRRIGATION DESIGN BY:  
**LANDSCAPE DESIGN & CONSULTANTS LLC**  
Doing business since 1965  
602 WORMWOOD ST., S.E. SALEM, OR 97338 PHONE: (503) 551-6390

JOB # 6338  
**L1.1**