COMMUNITY DEVELOPMENT
333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

Staff Report

Conditional Use Review

CU-01-20 **June 4, 2020**

HEARING BODY:	Hearings Board (Type III process)
HEARING DATE:	Thursday, June 11, 2020
HEARING TIME:	4:00 p.m.
HEARING LOCATION:	Due to Governor Brown's Executive Orders limiting public gatherings during the COVID-19 pandemic, this meeting is accessible to the public via phone and video connection. Join the meeting from your computer, tablet, or smartphone by entering the link below: https://global.gotomeeting.com/join/766287781 You can use your microphone or dial in using your phone: Phone: 571-317-3122 Access Code: 766-287-781

Summary

The proposed use is an expansion to the existing Jackson Street Youth Shelter (JSYS), in the Community Commercial (CC) zoning district at 1240 Seventh Avenue SE, Albany (Attachments A and B).

In 2015, the JSYS received Conditional User Review approval to operate within an existing 2,700 square-foot structure originally built for single-family residential use. Currently, the 24-hour residential shelter can house up to 10, supervised, homeless youth ages 10 to 18. A copy of that notice of decision under planning file CU-01-15 is included as Attachment C.

The proposal would add 446 square feet to the back of the existing house, construct a rear yard covered patio, a covered porch over the front entrance and bike racks, and modify one of the existing on-site parking spaces to meet ADA accessible parking space standards. The proposed addition could accommodate up to six more youth and one additional staff person. With the proposed addition at the back of the existing house, the JSYS would continue its current operations, but with increased capacity. The intensity of the use would increase from the existing 10 beds with two staff to a maximum of 16 beds for teens and three staff. The proposed building elevations, floor plan, and site plan are included as Attachments F-H.

Application Information

Proposal:	Conditional Use Review to expand the existing Jackson Street Youth Shelter's (JSYS) building with an additional bedroom, office, and restrooms.
Staff Report Prepared By:	Melissa Anderson, Project Planner
Property Owner:	Jackson Street Youth Shelter Attn: Ann Craig PO Box 285 Corvallis, Oregon 97339
Applicant:	Lori Stephens Broadleaf Architecture 534 NW 4th Street Corvallis, Oregon 97330
Address/Location:	1240 Seventh Avenue SE, Albany
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-08BB; Tax Lot 1700
Zoning:	Community Commercial (CC) District
Total Land Area	11,916 Square Feet
Existing Land Use:	Currently used as the Jackson Street Youth Shelter
Neighborhood:	Willamette Neighborhood
Surrounding Zoning:	North: RM (Residential Medium Density) South: CC (Community Commercial) East: CC West: CC
Surrounding Uses:	North: Public park (Eleanor Hackleman Park) South: Storefront with tanning business and insurance offices East: Partially developed parking lot for Begg's Tires West: Parking lot for American Legion
Prior History:	CU-01-15: Conditional Use approval to operate a 24-hour youth shelter. SP-21-11: God Gear Inc. Shepherd Fellowship: Site Plan Review approval for change of use to establish nonprofit residential home for men, eight residents paying subsidized rent (based on need). SP-35-03 Salvation Army: Site Plan Review approval to establish a teen drop-in center in an existing building previously used as a single-family residence.

Notice Information

A Notice of Public Hearing was mailed to property owners located within 300 feet of the subject property on May 21, 2020. The Notice of Public Hearing was posted on the subject property by June 3, 2020. The Conditional Use staff report was posted on the City's website June 4, 2020. At the time this staff report was completed, no comments had been received.

Appeals

Within five days of the Hearings Board's final decision on this application, 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 Hearings Board to the City Council by filing a Notice of Appeal and associated filing fee within ten days from the date the City mails the Notice of Decision.

Staff Analysis

The Albany Development Code (ADC) includes the following review criteria for a conditional use review, which must be met for the applications to be approved. Code criteria are written in ***bold italics*** and are followed by findings and conclusions.

Conditional Use Review Criteria (ADC 2.250)

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 an expansion to the existing Jackson Street Youth Shelter (JSYS), in the Community Commercial (CC) zoning district at 1240 Seventh Avenue SE, Albany (Attachments A and B).

In 2015, the JSYS received Conditional Use Review approval to operate within an existing 2,700 square-foot structure originally built for single-family residential use. Currently, the 24-hour residential shelter can house up to 10 supervised homeless youth ages 10 to 18. A copy of that notice of decision under planning file CU-01-15 is included as Attachment C.

The proposal would add 446 square feet to the back of the existing house, construct a rear yard covered patio, a covered porch over the front entrance and the bike racks, and modify one of the existing on-site parking spaces to meet ADA accessible parking space standards. The proposed addition could accommodate up to six more youth and one additional staff person for a total of 16 youth and three staff. The proposed building elevations, floor plan, and site plan are included as Attachments F-H.

1.2 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.*"

ADC 4.060(15) states that "Community Services" uses that may have significant off-site impacts, such as public swimming pools, public safety facilities, and homeless shelters, may be considered through the Conditional Use Review process. The proposed expansion to the Jackson Street Youth Shelter is considered a "Community Service" land use that may be considered through this Conditional Use

Review process. Satisfaction of the Conditional Use Review criteria ensures the proposed use will be consistent with the intended character of the CC zoning district.

1.3 Intended Character of the Base Zoning District. The subject site and abutting properties are located in the CC Community Commercial zoning district. According to ADC 4.020(3), the CC zoning district was established for the following purpose: "*The CC district recognizes the diversity of small to medium-scale businesses, services and sites mostly located on arterial streets and highways. Design guidelines, building location and front-yard landscaping will provide a coordinated and enhanced community image along these major transportation corridors as they develop or redevelop. Sound and visual buffers should be used to mitigate impacts on nearby residential areas.*"

1.4 Operating Characteristics of the Neighborhood. The subject site is located in a block at the northern edge of a commercial area adjacent to a residential area. The city block immediately north of the subject site across Seventh Avenue is developed with a public park (Eleanor-Hackleman Park) serving surrounding residential areas. To the south of the subject site is a storefront with a tanning business and insurance offices. To the east is a partially developed parking lot that appears to serve Begg's Tire Service and to the west is the parking lot used by the American Legion. All of the business located on the block, as well as the American Legion, are oriented toward Pacific Boulevard. The only properties within the block that are oriented toward Seventh Avenue and cross streets are the subject site and two vacant properties in the northeast corner of the block at the intersection of Seventh Avenue and Pine Street. Both vacant properties appear to have been originally developed for single-family residential use.

The American Legion has been reported to operate from 10:00 a.m. to 10:30 p.m., and as late as 1:30 a.m. on Friday and Saturday. Apart from Begg's Tire Service, surrounding business activities mainly occur inside buildings during core weekday working hours. The operating characteristics of these uses include employee and patron parking and circulation, deliveries, and general through traffic. The park is used primarily during the daytime, with occasional large gatherings.

1.5 Operating Characteristics of the Proposed Development. With the proposed addition at the back of the house, the JSYS would continue its current operations, but with increased capacity. The intensity of the use would increase from the existing 10 beds with two staff to a maximum of 16 beds and three staff.

Currently, the JSYS is staffed and provides shelter to homeless youth, ages 10 to 18, 24 hours a day. The youth shelter provided basic needs, case management services, educational support, tools and resources, and referrals for services in partnership with other community agencies. The tenure of youth at the shelter is expected to average two weeks but can extend to a year or more. A maximum of three staff members will be on site for a given shift. The caseworker shift staff is responsible for monitoring the facility and youth at all hours, with oversight by the Shelter Supervisor and Program Director. Shelter activity occurs primarily within the building, but youth may spend some free activity time gardening or participating in other supervised outdoor activities, which mostly occurs in the fenced backyard in order to protect their privacy and confidentiality. The shelter staff are responsible for regular perimeter checks at least once a shift to ensure the property is free of controlled substances, weapons, and litter. Intake of youth may occur at any time of day, but youth and their families or other caregivers generally meet with staff during business hours (9:00 a.m. to 5:00 p.m., Monday through Friday) to complete the shelter intake process. Business hours or times when members of the public

or other agencies will be visiting the shelter administrative offices will be from 9:00 a.m. to 5:00 p.m. each weekday.

Conclusions

1.1 The site is located midblock in a CC zoning district characterized by a variety of businesses that generally operate during the day and inside existing buildings and is buffered from surrounding residential uses by abutting uses and the city park to the north.

1.2 The conditional use process provides an opportunity to review projects for potential impacts and impose conditions to address any identified concerns. No operating characteristics of the proposed addition to the existing use have been identified that would warrant mitigation by conditions.

1.3 The proposal will not have an impact on the operating characteristics of the neighborhood because the primary use of the property is consistent with surrounding areas.

1.4 As proposed, the use is consistent with the intended character of the base zones and the operating characteristics of the neighborhood.

1.5 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 described in Finding 1.1 above; those findings are included here by reference.

2.3 Existing and Anticipated Uses. The operating characteristics of the surrounding neighborhood are described in Finding 1.4 above; those findings are included here by reference. Staff is not aware of any anticipated uses on abutting properties.

2.4 CC Zoning District Development Standards. ADC 4.090, Table 2, establishes development standards and the CC zoning district. As shown on the building elevation and site plan (Attachments F & H), the proposed addition to the existing building meet the required development standards, as described below:

Setbacks: In the CC zoning district, the minimum front setback is 10 feet and there is no minimum interior setback to the non-residential uses to the south, east and west. The existing building on the site is set back approximately 32 feet from the front property line, with sufficient area for new front entry porch to be outside of the front yard setback. Although there is no setback required on the interior yards, the proposed addition will not encroach any further to the west than the existing house, which is now more than seven feet from the western property line. The existing house is approximately

28 feet from the southern property line and the new bike covering will be setback 24 feet from the eastern property line.

Lot Coverage: In the CC zoning district, the maximum lot coverage is 90 percent. The existing lot coverage is 26 percent of the 11,916 square foot lot. The proposal would increase the lot coverage to 35 percent. As shown on the site plan (Attachment F), the existing building and paved areas are 2,273 and 806 square feet, respectively, for a total of 3,079 square feet. The proposed addition is 446 square feet and the proposed paving with covered porches is 590 square feet for a total of 1,036 square feet of additional lot coverage. The total lot coverage with the proposal is 4,115 square feet, or 35 percent of the 11,916 square foot lot.

Building Height and Scale: As shown on the building elevations (Attachment F), the building is approximately 25 feet high at the peak of the roof, which is well under the applicable 50-foot maximum height limit. The tallest point of the addition will match the existing 25-foot roof line. The addition to the existing structure will not be seen from the street, so the addition would continue the same building scale and style as the original.

Building Color and Materials: The proposed materials for the new addition is cement fiberboard siding with color to match the existing structure. The new covered entry will have cement fiberboard shakes painted to match the existing color. The roof shingles will match the existing house roof materials.

2.5 Commercial and Institutional Design Standards: Due to the location and extent of the proposed addition to the existing structure, the commercial and institutional design standards are not applicable. The new porch covering the front entrance adds architectural interest and an additional pedestrian amenity (per ADC 8.360), where none is required. In addition, the expansion to the rear of the existing building will not be seen from the street. The proposed addition to the existing home will be constructed to maintain consistency with the existing building's scale, design, and color.

2.6 Vehicle Parking – Required Number of Spaces. The JSYS currently has two on-site parking spaces that serve the 10 residents and two staff. With the previous Conditional Use Review approval (under file CU-01-15), the standard parking code ratio required two parking spaces in addition to the two existing on-site parking spaces for a total of four spaces (based on two employees and 10 beds). However, ADC 9.030(1) does not require new parking spaces to be installed when there is a change of use in an existing structure and the new use requires no more than two additional vehicle parking spaces. Therefore, the existing youth shelter currently meets the parking requirements with the two on-site parking spaces.

The proposed addition to the youth shelter would allow up to six more teens and one more staff person, for a total of 16 teens and three staff persons. The proposal would also modify one of the two existing on-site parking spaces into an ADA parking space with an access aisle, as shown on the site plan (Attachment H).

ADC 9.020(4) allows the Director to approve alternative parking standards if there is evidence to support the alternative. The applicant proposes to use the alternative parking standards, because the teens residing at the youth shelter do not have personal vehicles and therefore this land use does not require as much parking as the standard parking ratio for "residential care homes." The parking ratio for "residential care homes" under ADC 9.020, Table 9-1, is one space per employee and one space per every five beds. Based on this ratio, the youth shelter would be required to provide six parking spaces; however, parking spaces are not needed for the teens residing at the youth shelter.

Operations at the JSYS only need vehicle parking for the staff, which would be one parking space for staff persons on-site at any one time. With the proposed addition to the youth shelter, only three parking spaces will be required for staff, and this can be accommodated with the existing two on-site parking spaces and one on-street parallel parking space in front of the property. On-street parking can be counted toward up to 25 percent of the required parking (per ADC 9.025(5). There are two parallel, 25-foot long, on-street parking spaces in front of the JSYS property. Of these, only one is being counted toward meeting the three required parking spaces. In addition to these vehicle parking spaces, the JSYS has access to three more parking spaces on a neighboring property through an agreement with the American Legion Post 10 (see Attachment E). Therefore, the minimum vehicle parking requirements can be met as proposed.

2.7 Bicycle Parking. According to ADC 9.120(13), commercial or office developments are to provide at least two bicycle parking spaces, plus one space that meets the City's standards for every ten required vehicle parking spaces. At least half of the required bicycle parking spaces must be covered. Therefore, two bicycle spaces are required, one of which must be covered.

Currently, there is an existing uncovered bike rack in front of the parking spaces at the front of the building. There is also existing covered bike storage in the rear of the property for staff and residents. The proposal relocates and increases the number of bike racks near the front entrance; six covered bicycle parking spaces are proposed on the east side of the building, as shown on the site plan (Attachment H). The existing covered bike storage in the rear of the property will also remain. Therefore, the minimum bicycle parking requirements can be met as proposed.

2.8 Buffering and Screening. ADC 9.210 requires buffering and screening in order to reduce the impacts on adjacent uses which are of a different type. Staff finds no additional screening or buffering is required in this instance given that the uses abutting the shelter site do not abut an arterial street and the abutting properties are commercial.

2.9 Parking Lot Landscaping. The parking lot landscaping provisions under ADC 9.150 are not applicable in this instance because additional on-site parking spaces are neither proposed nor required.

2.10 Landscaping required. ADC 9.140(2) provides that all front setbacks, exclusive of accessways and other permitted intrusions, shall be landscaped. The applicable minimum landscaping acceptable for every 1,000 square feet of required setback yards in all commercial and industrial districts is as follows:

(a) One tree at least six feet tall for every 30 feet of street frontage.

(b) Five five-gallon or eight one-gallon shrubs, trees, or accent plants.

(c) The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.

With 104 feet of lineal feet along Seventh Avenue SE, and a 10-foot front setback in the CC zoning district, the site has a front setback yard area of roughly 1,040 square feet. Accounting for allowable intrusions (i.e. driveway and ADA pad), the front yard landscaping area is 790 square feet. With 790 square feet of yard area, two trees are required and either four five-gallon or six one-gallon shrubs, trees, or accent plants. The remaining area must be treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover. This landscaping was a requirement of the previous Conditional Use Review approval under file CU-01-15. The landscaping currently meets the standards with front yard, grassy lawn, with at least two trees over six feet high and at least six one-gallon established shrubs; therefore, additional landscaping is not proposed or required.

2.11 Irrigation System. 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. The landscaping is already established; therefore, additional irrigation or certification from a nurseryman are not required.

2.12 Screening of Refuse Containers. ADC 4.300 require that refuse containers and disposal areas are screened from view by placement of a sight-obscuring fence, wall, or hedge at least six feet tall. Refuse disposal areas may not be located in the required setback areas or buffer yards and may not be placed within 15 feet of a dwelling window. The existing refuse containers are already screened with fencing in accordance with this standard and a previous condition of approval under file CU-01-15; therefore, no change in the refuse container screening is required.

Conclusions

2.1 The proposed addition to the building meets the development standards for setbacks, lot coverage, and building height. The proposed scale, color, and design of the addition will be consistent with the existing home.

2.2 The commercial and institutional design standards do not apply to the proposal.

2.3 The proposal meets the standards for vehicular parking spaces. Using the alternative parking standards, three required parking spaces will be provided with two existing on-site spaces and one on-street space in front of the JSYS property.

2.4 The proposal meets the standards for required bicycle parking. The three required bicycle parking spaces will be provided with six covered spaces near the front entrance.

2.5 The buffering and screening standards under 9.210 and the parking lot landscaping standards under ADC 9.150 do not apply to this proposal.

2.6 The existing landscaping currently meets the standards with front yard grassy lawn, at least two trees over six feet high, and at least six one-gallon established shrubs. Because the landscaping is already established, additional irrigation or certification from a nurseryman is not required.

2.7 The existing refuse containers are already screened with fencing in accordance with code standards.

2.8 As proposed, the use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping.

2.9 This criterion is met without conditions.

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 is for a 446-square-foot addition to an existing youth shelter and the construction of an ADA-compliant parking space. The site is located on the south side of the road at 1240 Seventh Avenue.

3.2 Seventh Avenue is classified as a local 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 parking. The speed limit is 25 miles per hour.

3.3 The applicant did not submit a trip generation estimate for the project. The proposed addition will allow the site to house up to six additional youth and allow for one additional staff person. Because most served youth will not have access to a vehicle, staff does not anticipate that this project will result in an appreciable increase in vehicle trip generation or impacts on the transportation system.

3.4 The applicant does not propose making any changes to the site's existing driveway approach to Seventh Avenue. The design and location of the driveway will comply with the standards contained in ADC 12.100.

3.5 Albany's Transportation System Plan (TSP) does not identify any level of service or safety problems along the frontage of the site.

Conclusions

3.1 The public street adjoining the development is constructed to City standards.

3.2 The development is not expected to result in a substantial increase in vehicle trip generation from the site.

3.3 No new driveway access points are proposed with the development.

3.4 Albany's TSP does not identify any capacity or safety issues along the frontage of the site.

3.5 This criterion is met without conditions.

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 eight-inch public sanitary sewer main running north-south through the east portion of the subject property, and an eight-inch main along the south boundary of the property. The existing building on the subject property is currently connected to the public sewer system through a service lateral tapped from the main along the south property boundary.

4.2 ADC 12.370 requires the dedication of public utility easements of at least 20 feet in width, centered over the main, for all public sanitary sewers and appurtenances. Permanent structures are not allowed to encroach on a public utility easement or be placed over a public sewer main.

4.3 No recorded public utility easement appears to exist over either of the public sewer mains that lie within or adjacent to the subject property.

4.4 In order to protect the public sanitary sewer mains, to prohibit locating permanent structures over the mains, and to allow for access to the mains for City personnel, public utility easements must be provided on the subject property. The easement along the rear (south) boundary must be the southernmost 10 feet of the site, and the easement over the north-south running sewer main must be 20 feet wide centered over the main.

4.5 The construction of additional plumbing fixtures associated with the proposed expansion may result in sanitary sewer system development charges due at the time of building permit issuance.

Water

4.6 City utility maps show a 10-inch public water main in Seventh Avenue. The existing building on the subject property is currently connected to the public water system.

Storm Drainage

4.7 City utility maps show a 24-inch public storm drainage main in Seventh Avenue.

4.8 The applicant is proposing to widen the existing driveway by nine feet. This would result in a driveway approximately the size of a typical residential two-car garage driveway.

Stormwater Quality

4.9 AMC 12.45.030 requires a post-construction stormwater quality permit for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development. (Ord. 5841 § 3, 2014).

4.10 The subject property is less than one acre in size. Because the site is smaller than one acre, a stormwater quality permit will not be required for this project.

Police Protection

4.11 The JSYS is served by the City of Albany Police Department.

4.12 No comments or concerns were provided by the Albany Police Department.

Fire Safety

4.13 The proposed development is served by the City of Albany Fire Department.

4.14 No comments or concerns were provided by the Albany Fire Department.

Conclusions

4.1 Public utilities (sanitary sewer, water, and storm drainage) are adequate to serve the proposed use.

4.2 Because the subject property is less than one acre, no stormwater quality facilities will be required for this project.

4.3 There appear to be no recorded public utility easements over the existing public sanitary sewer mains on the site. The property owner must dedicate public utility easements over the existing public sewer mains in, and adjacent to, the site.

4.4 The construction of additional plumbing fixtures associated with the proposed expansion may result in sanitary sewer system development charges due at the time of building permit issuance.

4.5 Police and fire services are available to serve the development.

4.6 This criterion can be met with the following condition.

Condition

Condition 1 Before the City will issue building permits for the proposed expansion, the applicant must dedicate public utility easements over the existing public sewer mains on the site. The City will create the legal descriptions for the easements and provide the appropriate forms for the property owner to sign.

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 The JSYS site is located in the middle of a block that is entirely within the CC Community Commercial zoning district and primarily developed with commercial uses. The nearest residentially zoned land is the block to the north, which is across Seventh Avenue and fully developed with a public park. The blocks to the east and west of the park are zoned RM (Medium Density Residential) and are located over 250 feet away from the subject site and buffered by the streets and development abutting the subject site.

The layout of the existing youth shelter in relation to surrounding uses further minimizes the potential for adverse impacts in that it is located to the rear of the businesses to the south, adjacent to the parking areas of businesses to the east and west, and across Seventh Avenue from the park to the north. Further, these surrounding non-residential uses effectively buffer the shelter site from residential areas beyond abutting commercial and park uses. Thus, the general location of the shelter use effectively mitigates any potential impacts of the shelter use on the livability of nearby residential areas

5.2 The addition to the youth shelter use itself will have minimal off-site impacts. The proposed expansion of the youth shelter will house a maximum of 16 supervised youth on a site that was developed for single-family residential use and generally conforms to the development standards for the CC zoning district. Operationally, the shelter will function similar to a residential use, where activity is largely confined to the building.

5.3 Noise. The JSYS use is not a noise-generating activity. Youth will not be allowed to loiter or be involved in disruptive, overly loud activities at the site.

5.4 Glare. The applicant's written states that any new on-site lighting will be reflected away from adjoining properties. Lighting examples are included Attachment I.

5.5 Odor. The nature of the use is not associated with odors of note.

5.6 Litter. The applicant indicates that shelter staff are responsible for regular monitoring of the yard to ensure the site is maintained and litter free during their shift.

5.7 Hours of Operation. The shelter is in operation 24 hours a day, Monday through Friday. The shelter is similar to a residential use in that the supervised youth residing at the shelter sleep at night, go to work or school during weekdays, and spend the afternoon and evening attending to other business and visitor time.

5.8 Privacy and Safety. The use will not impact the privacy of surrounding residential areas since most activity will occur in the building or within a large fenced yard area that is isolated from nearby residential areas. Shelter staff are responsible for regular monitoring of the yard to ensure the site is maintained, safe, and free of items that are prohibited or potentially harmful. The applicant indicates

that security cameras will be in use on the site as an added measure for safety. This safety measure will be of little consequence on privacy given the nature of abutting commercial uses.

5.9 With consideration of the similarities between the proposed use and residential development in terms of functional nature, intensity, and site development, as well as the distance between the proposed use and residentially zoned land and uses abutting the subject, the proposed addition to the JSYS poses no significant adverse impacts livability in the context of this criterion.

Conclusion

5.1 As proposed, this criterion is met without conditions.

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. Article 4 Airport Approach shows that the subject property is located at the outermost extent of Airport Conical Surface area. The applicant is not proposing new development that would penetrate the elevation of the Airport Conical Surface.

6.2 Natural Resources. The subject property is not located within any Natural Resource areas. Article 6 Steep Slopes, Comprehensive Plan Plate 7, shows that there are no areas of steep slopes on the property. Article 6 Floodplains, Comprehensive Plan Plate 5, does not show the subject site in a 100-year floodplain. Article 6 Wetlands, Comprehensive Plan Plate 6, does not show any wetlands on the subject site; the National Wetlands Inventory also does not show any wetlands on the property.

6.3 Historic. Article 7 Historic Districts, Comprehensive Plan Plate 9: shows the subject property is not in any historic district. There are no known archaeological sites on the property.

Conclusions

6.1 There are no special purpose districts impacted or associated with the subject property.

6.2 This criterion is met without conditions.

Overall Conclusion

As proposed and conditioned, the application for the Conditional Use Review to expand the existing Jackson Street Youth Shelter satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

Utilities

Condition 1 Before the City will issue building permits for the proposed expansion, the applicant must dedicate public utility easements over the existing public sewer mains on the site. The City will create the legal descriptions for the easements and provide the appropriate forms for the property owner to sign.

Options for the Hearings Board

The Hearings Board has three options with respect to the proposed development:

Option 1: Approve the request as proposed and conditioned; or

Option 2: Approve the request with amendments; or

Option 3: Deny the request.

Staff Recommendation

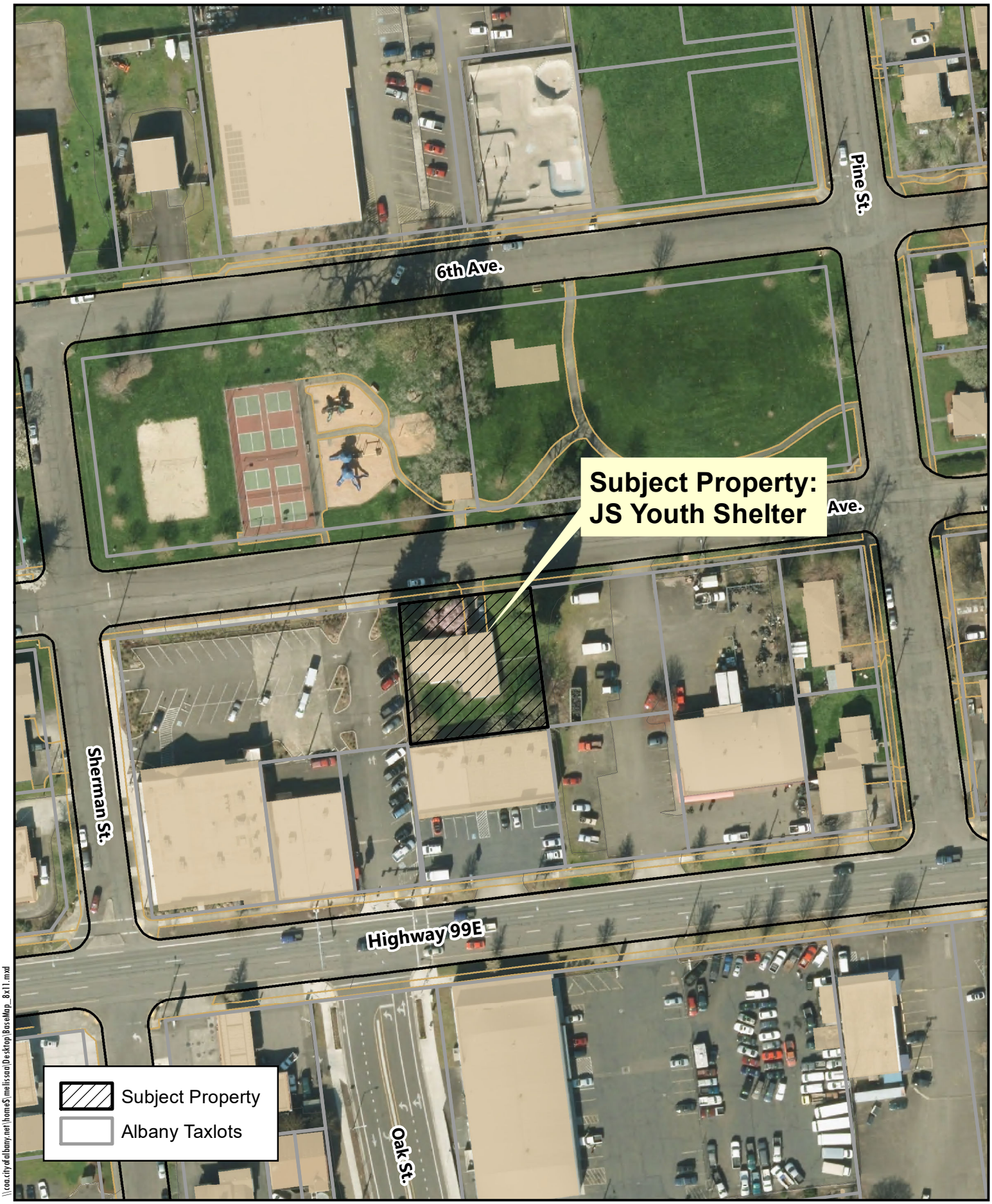
Based on the analysis provided in this report, staff recommends the Hearings Board pursue Option 1 and approve the proposed expansion of the Jackson Street Youth Shelter.

If the Hearing Board follows this recommendation, the following motion is suggested:

I move to approve the proposed expansion of the Jackson Street Youth Shelter as conditioned under planning file CU-01-20. This motion is based on the findings and conclusions in the staff report, and the findings in support of the application made by the Hearings Board during deliberations on this matter.

Attachments

A. Location Map
B. Zoning Map
C. Notice of Decision, Planning File CU-01-15
D. Applicant's Finding Narrative
E. Off-Site Parking Authorization
F. Building Elevations
G. Building Floor Plans
H. Site Plan
I. Lighting examples



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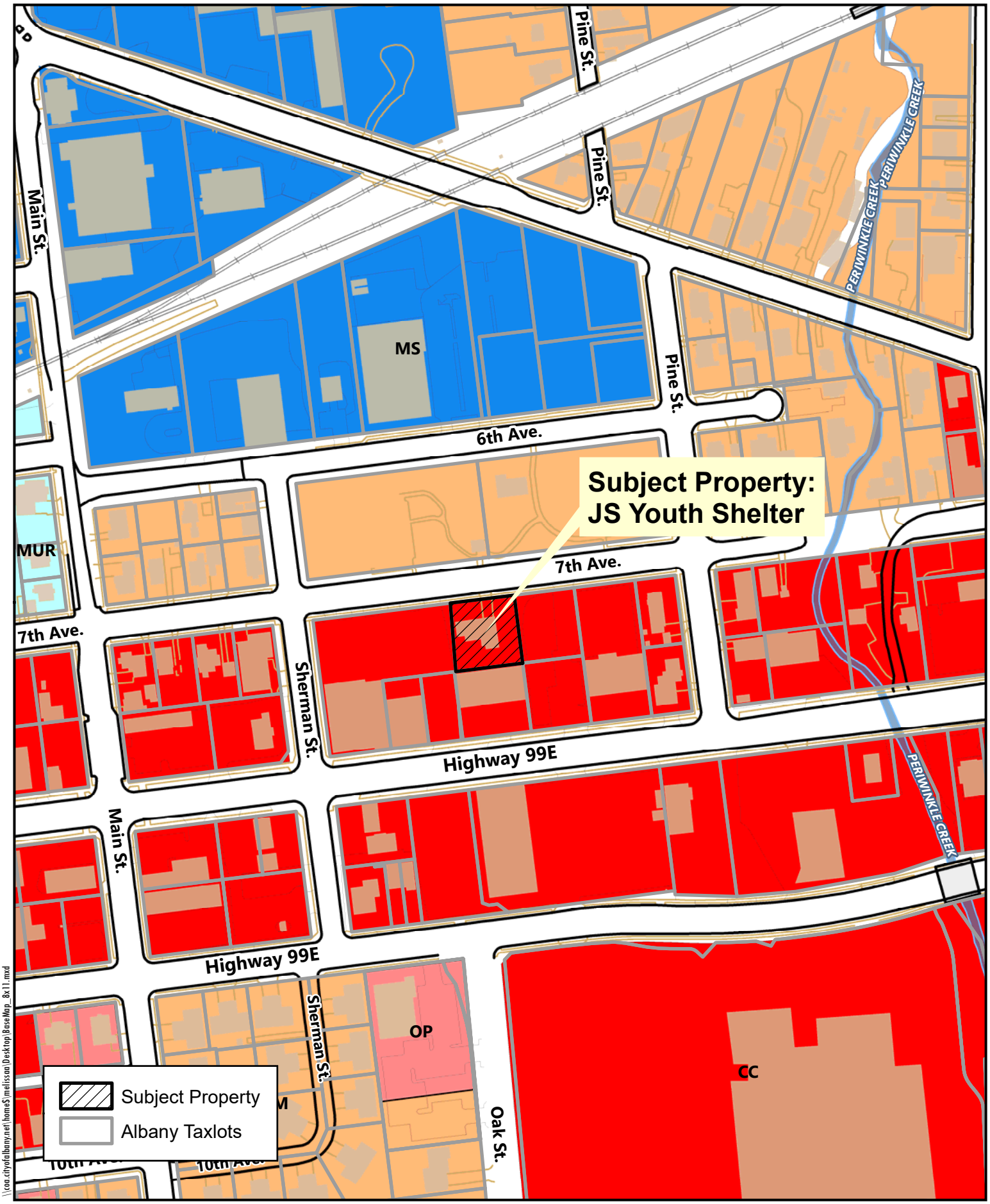
N 0 12.25 25 50 Feet

Location Map: 1240 7th Avenue SE

Date: 3/13/2020 Map Source: City of Albany

City of Albany, OR



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N 0 225 50 Feet

Location Map: 1240 7th Avenue SE

Date: 3/13/2020 Map Source: City of Albany

City of Albany, OR

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

NOTICE OF DECISION

DATE OF NOTICE:	April 28, 2015
FILE:	CU-01-15
TYPE OF APPLICATION:	Conditional Use-Type III: Staffed and licensed overnight youth shelter in existing building.
PROPERTY OWNER:	Klickitat Investments LLC; 116 Echo Glen Road; White Salmon, WA 98672
APPLICANT:	Jackson Street Youth Shelter, Andrea Myhre (541) 286-4580
PROPERTY LOCATION:	1240 7th Avenue SE; Albany; OR 97321
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-03W-08BB; Tax Lot 1700
ZONING:	CC (Community Commercial) District

On April 27, 2015, the City of Albany Planning Commission granted **APPROVAL WITH CONDITIONS** of the application referenced above. The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. Conditions of approval are attached to this notice. For more information, please contact Project Planner Shawna Adams at 541-917-0176, or Bob Richardson, Planning Division Manager, at 541-917-7555.

The City's decision may be appealed to the City Council, if a person with standing files a completed Notice to Appeal application and the associated filing fee no later than 10 days from the date the City mails the Notice of Decision. The applicant may proceed, at his own risk, prior to the end of the appeal period, provided he or she signs a Release and Indemnity Agreement with the City. This approval expires in three years, unless the applicant has installed and/or bonded for all public improvements related to the development or a valid building permit exists for the building approved as part of the development.

Signature on File
Planning Commission Chair

Attachments: Location Map, Conditions of Approval, Information for Applicant, Site Plan

CONDITIONS OF APPROVAL
FILE: CU-01-15

Licensed Overnight Youth Shelter in Existing Building

Conditional Use CU-01-15:

2.1 Within 30 days of the Conditional Use approval effective date, the applicant shall submit a revised site plan that shows details for bicycle parking, screening of refuse containers, and front yard landscaping for review and approval by the Planning Division.

2.2 Within six months of the Conditional Use approval effective date, the applicant shall provide bicycle parking spaces in accordance with ADC 9.120(13).

2.3 Within six months of the Conditional Use approval effective date, the applicant shall provide screening for refuse containers in accordance with ADC 4.300.

2.4 Within six months of the Conditional Use approval effective date, the applicant shall provide front yard landscaping in accordance with ADC 9.140(7) and ADC 9.160.

INFORMATION FOR THE APPLICANT
FILE: CU-01-15

Please read through the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code or Albany Development Code regulations or administrative policies of the Planning, Engineering, Fire, and/or Building Departments that you must meet as part of the development process.

PLANNING

Planning staff must review any changes to the plans or to the scope of uses to verify consistency with the Conditional Use approval.

Land use approval does not constitute Building or Public Works permit approvals.

BUILDING DIVISION

It is understood that this facility will house a maximum of 10 occupants.

The **Oregon Residential Specialty Code (ORSC)** allows a maximum of 10 occupants, so no change of occupancy is required by the building department at this time as the building will remain an R3 occupancy regulated by the **ORSC**.

Any future alteration to house more than 10 occupants will trigger a change to an occupancy based on the **Oregon Structural Specialty Code (OSSC)** that includes all building modifications required to meet that occupancy.

Building Division comments are provided by Joel Heenan, Plans Examiner. 541-917-7559.

ENGINEERING

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

ENVIRONMENTAL SERVICES

Public Works Environmental Services comments:

Defer comments to plumbing inspector about interpretation under Oregon Specialty Code (208.0) to see if this falls under a food service establishment definition for grease control.

Questions can be directed to Bruce Gaskey, City of Albany Industrial Pretreatment, (541) 497-6222.

BROADLEAF ARCHITECTURE PC

Lori Stephens, AIA
534 NW 4th St
Corvallis, Oregon 97330
541-753-2900

April 9, 2020

Conditional Use Permit Modification - Type III.
Jackson Street Youth Shelter
1240 7th Ave SE,
Albany, Oregon 97321.

Review Criteria and Development Standard Responses :

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

Facts : The proposed use has not changed with this application, and is consistent with the base zone of the Community Commercial zone. It remains a residential use. It fits in with the operating characteristics of the neighborhood. It is still a two-story house across from Hackleman Park, and looks out toward other residential houses. On all sides of the residence are (and have been) business operations.

Conclusion : The proposed use is consistent with the characteristics of the neighborhood and base zoning.

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 mitigates difference in appearance or scale through such means as setbacks, screening, landscaping, or other design features.

Facts : The proposed use remains residential. There is an addition to the back of the house that is not seen from the street. The addition continues the same building scale and style as the original structure. The size of the addition in relation to lot size is an increase of 3.5% (((2,705sf/11,916sf) - (2,288sf/11,916sf)) X 100), and is well within the allowable for the site. The intensity of the use increases (existing: 10 beds with 2 staff to a maximum 16 beds and 3 staff), but is still a low intensity use for the neighborhood. Setbacks, other design features, and landscaping will not change with this addition.

Conclusion : The proposed use will be compatible with the current use and varies little in size and scale compared to the existing building. Intensity of use will increase, but remains low intensity for the neighborhood. No other site changes are anticipated.

Criterion3 :
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.

Facts : With this development, there will be an addition of six teens and one staff person, which in reality will not require any new parking spaces because the teens do not have automobiles. Although this scenario would normally require six parking spaces per ADC (one space per each staff member and one space per every five residents), Per ADC 9.020(4), the Director may approve an alternative parking standard if there is evidence to support the alternative.

JSYS proposes an alternative parking standard of no change to the current number of parking spaces. JSYS will have only three staff people on-site at any one time, so only three parking spaces will be required for staff. The residents are all teens who do not own automobiles, and therefore do not need parking spaces. We therefore propose an alternative parking standard which removes the residence count from the equation. Currently, there are two on-site parking spaces and two on-street parking spaces in front of the shelter. With this development, one of the two on-site spaces will be converted into an ADA parking space with an access aisle.

With the previous development, although code directed for two additional parking spaces for a total of four (requiring four spaces due to calculating two staff and no more than ten residents (all teens) calculating two parking spaces for them), no new parking spaces were added because at that time an increase of two parking spaces didn't require changes to parking. Since we are proposing only three required space (one fewer than previous), we are proposing no changes to the number of parking spaces on-site, and per ADC 9.025(5), only 25% of required parking can be on the street. So, this alone would cover the three spaces we propose as an alternative parking standard. However, if three spaces beyond the ADA space are required we do propose in the alternate standard to use two on-street parking spaces in front of the JSYS to fill this need. In addition, there are many vacant parking spaces on both sides of 7th Ave, partly because the north side abuts Eleanor Hackleman park, and the JSYS has access to three more parking spaces on a neighboring property through an agreement with the American Legion Post 10.

There will be a curb on the outer sides of the on-site stall parking bay to separate the parking from the existing required planter areas. Each planter area already is over five feet in width, has at least one tree, two shrubs, and decorative ground cover.

Because we are proposing no increase in parking, the street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian safety will not be effected.

Conclusion : The transportation system is capable of supporting the proposed use in addition to the existing uses in the area.

Criterion 4 :
Public services for water, sanitary, and storm sewer, water management, and for fire and police protection can serve the proposed use.

Facts : The proposed use has been established and is currently served by water, sanitary, storm sewer, water management, and fire and police. The change will be that the building will now have a sprinkler system.

Conclusion : Public services for water, sanitary, and storm sewer, water management, and for fire and police protection have and will serve the proposed use.

Criterion 5 :
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.

Facts : The project is in an overlay zone is Airport. Since the nature of the activity remains the same, no interference with airport activity will take place.

Conclusion : Activities and developments within the Airport Overlay special purpose district will comply with the regulations of the district.

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

Criterion 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.

Facts : The addition meets development standards of the Community Commercial zone. The addition will not encroach into the setbacks, total lot coverage with the addition is 36% of the lot (max 90%), is not over 50' in height, and has proposed alternative parking standards as described above. Landscaping currently meets the standards with front yard, grassy lawn; at least seven trees over six feet high (three required); and at least eight - one gallon established shrubs.

Conclusion : The proposed project will meet applicable development standards of the appropriate Community Commercial zone.

Criterion 2 :

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

Facts : As discussed above, the project will meet parking standards through a proposed alternative and landscaping standards will be met as well. There will be only one tree removed. This tree has a trunk diameter under 8". Since the use is commercial, so buffering or screening are required between properties. The previous use was approved with no adverse environmental impacts. Since the use is not changing, there will be no adverse environmental effects because of this development.

Conclusion : The proposed project will meet applicable off-street parking, landscaping, tree felling, buffering and screening, and environmental standards found in Article 9.

Criterion 3 :

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

Facts : Since the proposed addition is to an established development, Article 12 doesn't apply.

Conclusion : Criterion 3 is not applicable since Article 12 doesn't apply.

Design Standards - Findings of Fact :

Criterion : The proposed development must meet all applicable design standards of Article 8.

Facts : For a commercial building, the design criteria of Article 8 addresses new building, buildings in zones other than CC, or facades facing the street. The addition is to an existing building, in the CC zone, and not seen from the street so is not effected by Article 8. There is an addition of a front entry cover which meets 8.345. 2(c). Since the size of the improvement is less than 5,000sf, only one amenity is required per 8.360 (1) and the front entry cover complies with 8.360 (2)(g) - Weather Protection. Also, any new on-site lighting will be reflected away from adjoining properties.

Conclusion : Most of the Design Standards do not apply to our site, but the covered entry addition will meet design standard pedestrian amenities.

Thank you.

Sincerely,

Lori Stephens
Architect, AIA
Broadleaf Architecture PC
534 NW 4th St,
Corvallis, OR 97330

David Solomon - Commander
American Legion Post 10
1215 Pacific Blvd
Albany, OR 97321
541 926-0127

December 5, 2019

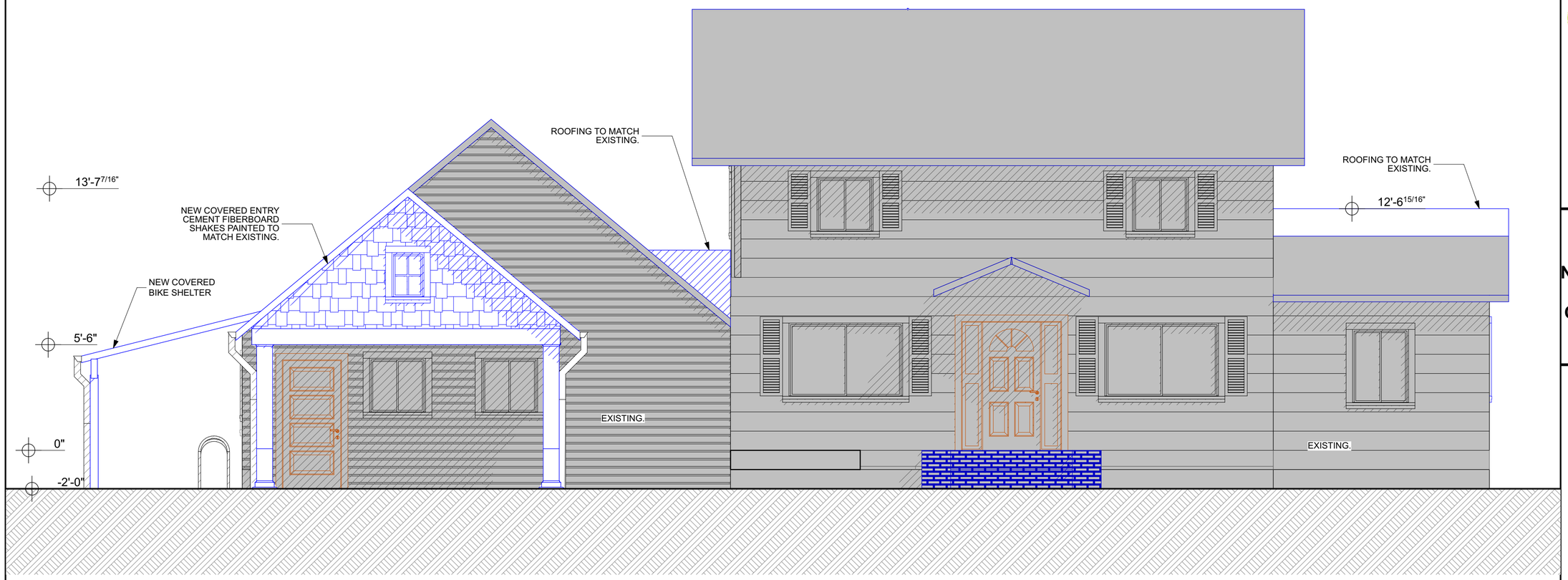
We the owners of the parking area East of the American Legion Post 10 building do hereby give permission to Jackson Street Youth Services rights for their employees to utilize 3 parking spots at anytime Monday to Friday from 6:00 am until closing.

The responsibility of keeping it clean will be taken care of by the Jackson Street Youth Services as used and Manager Salvador Maciel.

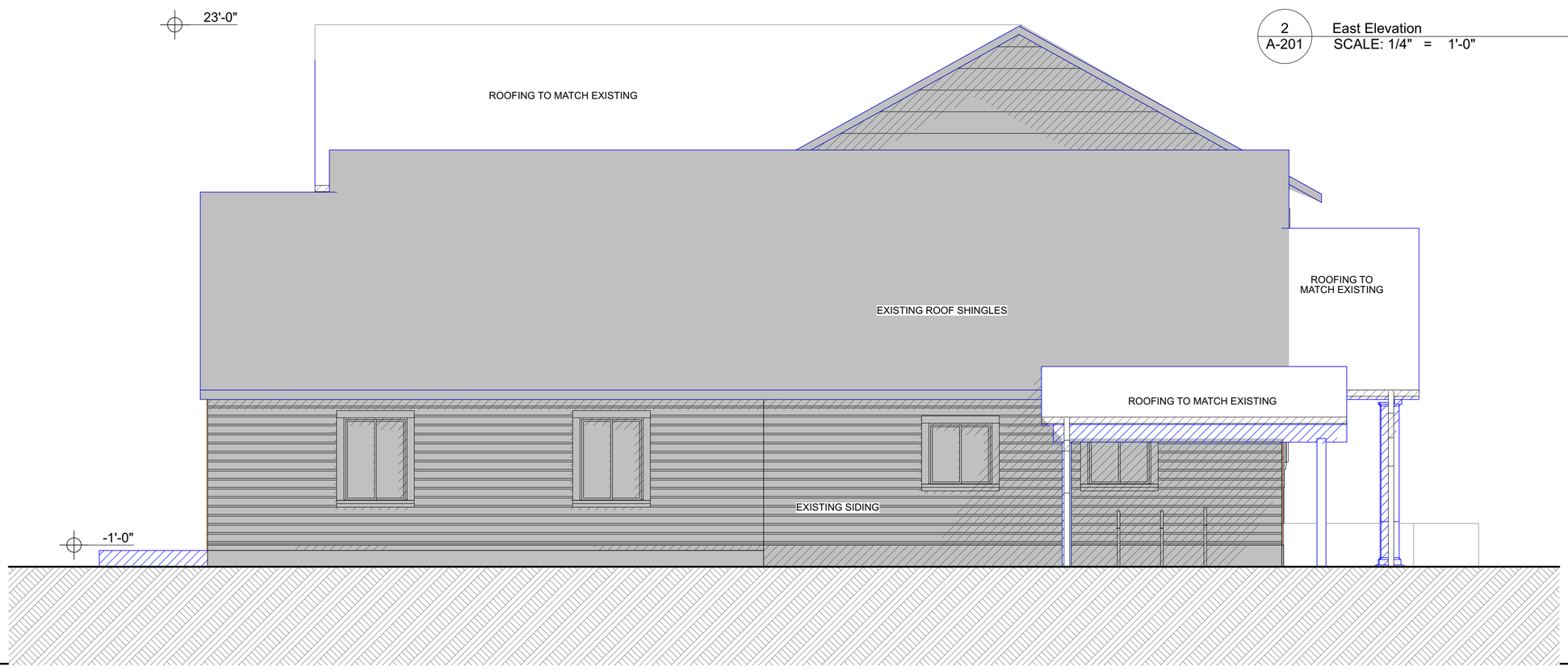
Respectfully,

David Solomon
Commander Post 10

1
A-201
North Elevation
SCALE: 1/4" = 1'-0"



2
A-201
East Elevation
SCALE: 1/4" = 1'-0"



BROADLEAF ARCHITECTURE PC

LORI STEPHENS ARCHITECT

534 NW 4TH ST
CORVALLIS, OREGON 97330
TEL - (541) - 753-2900
email - info@broadleafarchitecture.com
http://www.broadleafarchitecture.com

PRELIMINARY - NOT TO BE USED FOR CONSTRUCTION

JSYS - Albany Addition/Remodel

1240 7th Ave SE
Albany, OR, 97321
CONTACT: 541-360-0867

REVISIONS:

MARK	DATE	DESC.
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DATE OF ISSUE:
Monday, February 10, 2020

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DRAWN BY:	#CAD Technician Full Na
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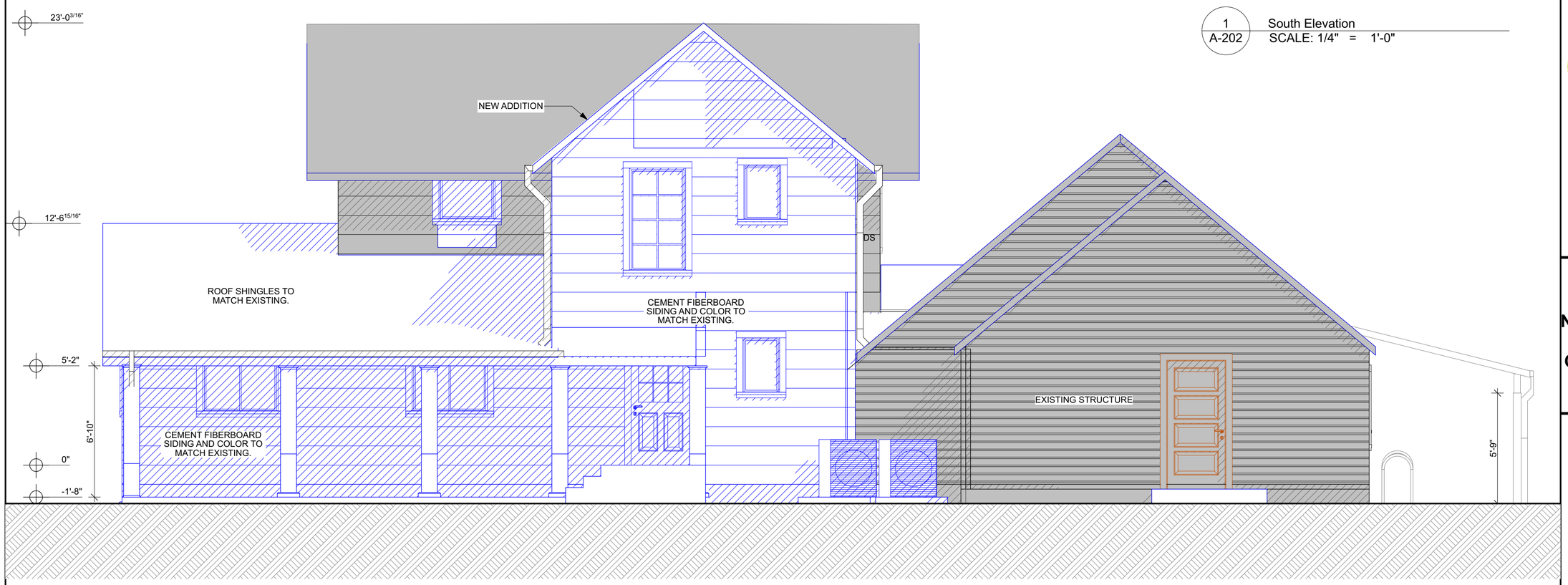
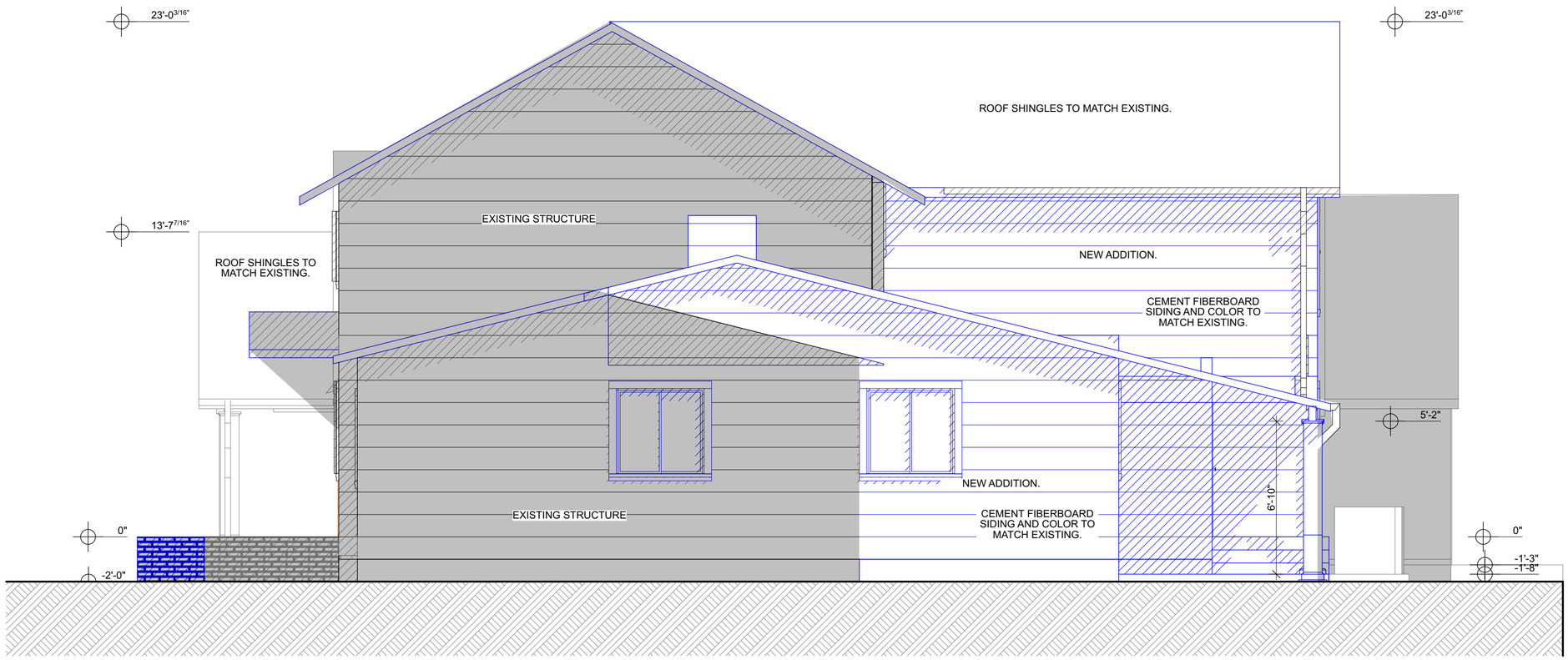
SHEET TITLE

Exterior Elevations

A-201



1 A-202 South Elevation
SCALE: 1/4" = 1'-0"



2 A-202 West Elevation
SCALE: 1/4" = 1'-0"

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email - info@broadleafarchitecture.com
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1240 7th Ave SE
Albany, OR, 97321
CONTACT: 541-360-0867

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Exterior Elevations

A-202

LEGEND

- NEW WALL CONSTRUCTION.
- EXISTING WALLS.

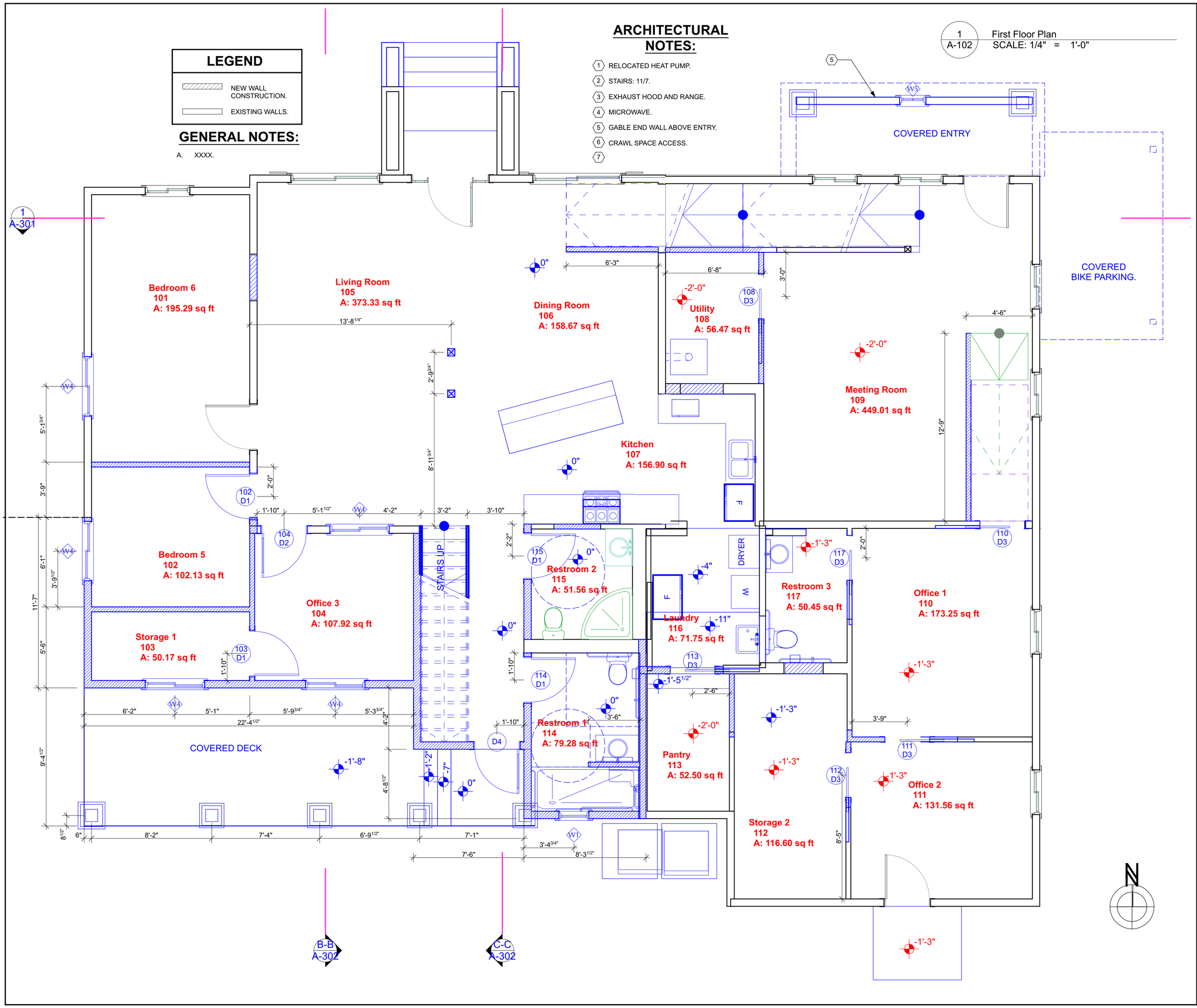
GENERAL NOTES:

A. XXXX.

ARCHITECTURAL NOTES:

1. RELOCATED HEAT PUMP.
2. STAIRS: 11/7.
3. EXHAUST HOOD AND RANGE.
4. MICROWAVE.
5. GABLE END WALL ABOVE ENTRY.
6. CRAWL SPACE ACCESS.
7.

1 A-102 First Floor Plan
SCALE: 1/4" = 1'-0"



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PRELIMINARY - NOT TO BE USED FOR CONSTRUCTION

JSYS - Albany
Addition/Remodel

1240 7th Ave SE
Albany, OR, 97321
CONTACT: 541-360-0867

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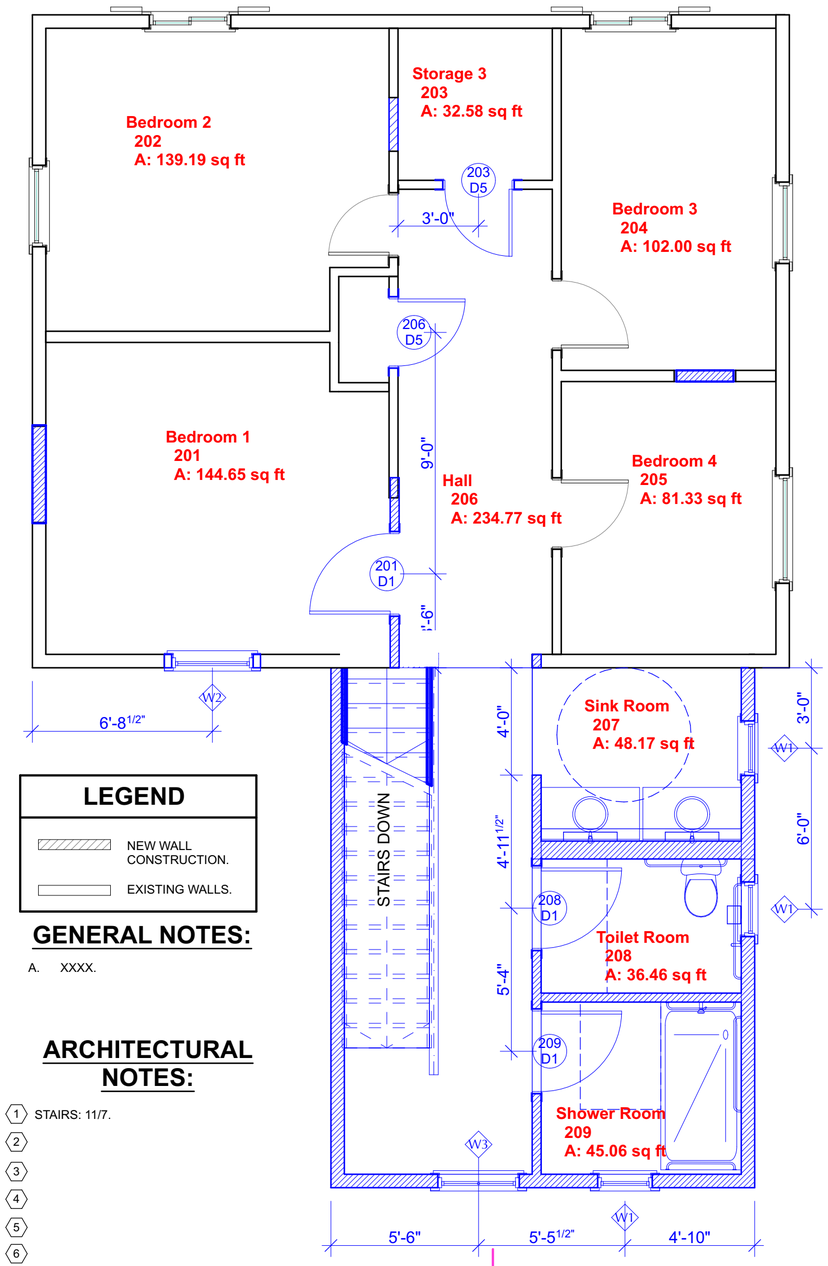
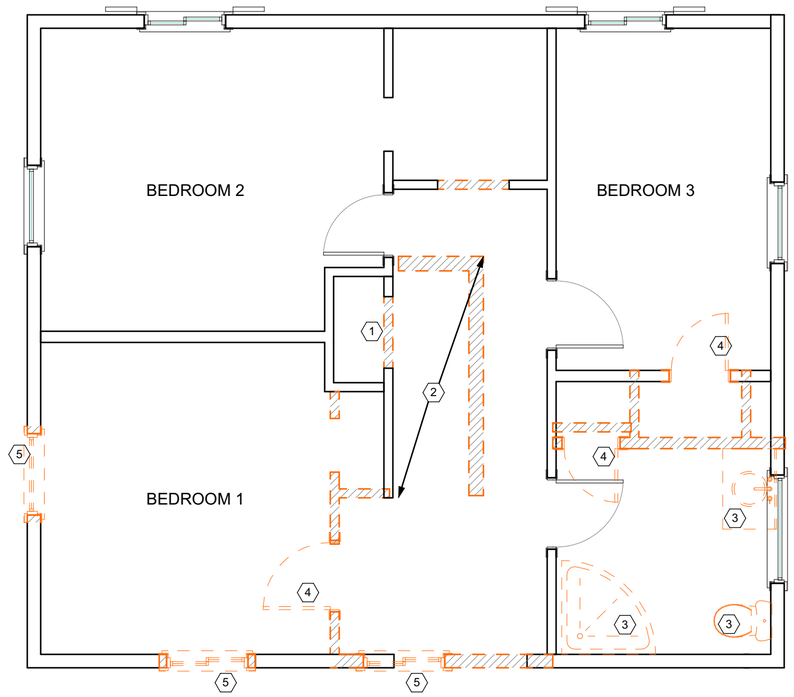
Floor Plans

A-102





LEGEND

NEW WALL CONSTRUCTION.

EXISTING WALLS.

GENERAL NOTES:

A. XXXX.

ARCHITECTURAL NOTES:

1. STAIRS: 11/7.
2.
3.
4.
5.
6.
7.

B-B
A-302

C-C
A-302

2
A-103
Second Floor Plan
SCALE: 1/4" = 1'-0"

LEGEND

WALLS TO DEMOLISH.

WALLS TO REMAIN.

GENERAL NOTES:

A. REMOVE ALL KITCHEN CABINETRY, APPLIANCES, AND FIXTURES.

B. XXXX.

ARCHITECTURAL NOTES:

1. REMOVE FIREPLACE/CHIMNEY.
2. REMOVE STAIRS TO FIRST FLOOR.
3. REMOVE PLUMBING FIXTURE.
4. REMOVE DOOR.
5. REMOVE WINDOW.
6.
7.
8.
9.
10.
11.
12.
13.

1
A-103
Second Floor Demolition Plan
SCALE: 1/4" = 1'-0"

N

BROADLEAF ARCHITECTURE PC

LORI STEPHENS
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PRELIMINARY - NOT TO BE USED FOR CONSTRUCTION

JSYS - Albany Addition/Remodel

1240 7th Ave SE
Albany, OR, 97321
CONTACT: 541-360-0867

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DATE OF ISSUE:
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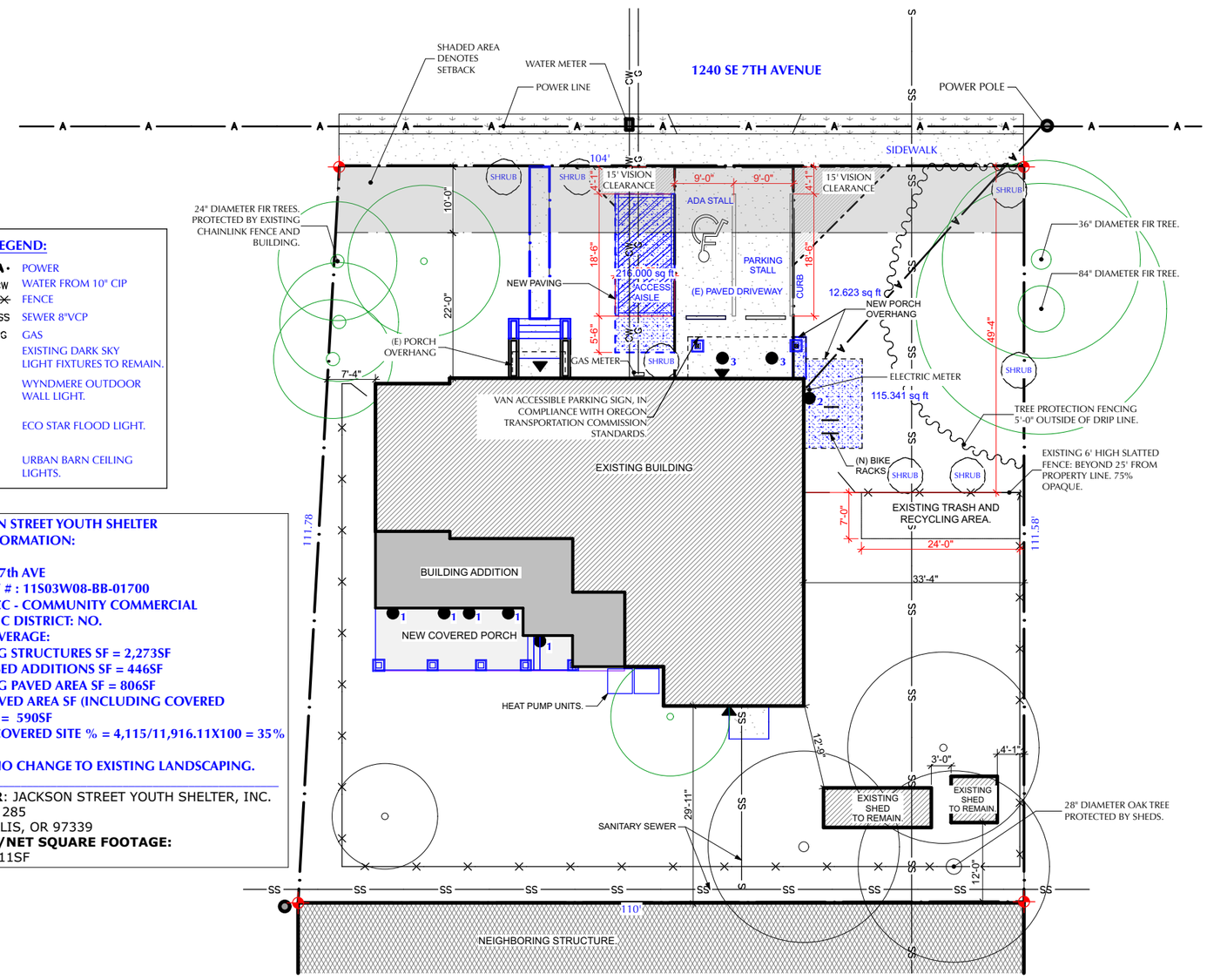
Floor Plans

A-103



SITE LEGEND:

- A POWER
- CW WATER FROM 10" CIP
- FENCE
- SS SEWER 8"VCP
- G GAS
- EXISTING DARK SKY LIGHT FIXTURES TO REMAIN.
- 1 WYNDMERE OUTDOOR WALL LIGHT.
- 2 ECO STAR FLOOD LIGHT.
- 3 URBAN BARN CEILING LIGHTS.

JACKSON STREET YOUTH SHELTER
SITE INFORMATION:

1240 SE 7th AVE
TAX LOT # : 11S03W08-BB-01700
ZONE: CC - COMMUNITY COMMERCIAL
HISTORIC DISTRICT: NO.
SITE COVERAGE:
EXISTING STRUCTURES SF = 2,273SF
PROPOSED ADDITIONS SF = 446SF
EXISTING PAVED AREA SF = 806SF
NEW PAVED AREA SF (INCLUDING COVERED PATIOS) = 590SF
TOTAL COVERED SITE % = 4,115/11,916.11X100 = 35%

NOTE: NO CHANGE TO EXISTING LANDSCAPING.

OWNER: JACKSON STREET YOUTH SHELTER, INC.
PO BOX 285
CORVALLIS, OR 97339
GROSS/NET SQUARE FOOTAGE:
11,916.11SF

1
G-003
Site Plan
SCALE: 1" = 20'

Site Plan
G-003

JSYS - Albany
1240 7th Ave SE
Corvallis, OR
PHONE# 541-360-0867

DATE OF ISSUE: Wednesday, April 8, 2020
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6 Reviews | 6 Questions, 18 Answers

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PRODUCT DETAILS

SET OF 2

2+

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Urban Barn Black Outdoor Ceiling Lights Set of 2

- Style # 73D56

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$106.00

$99.99

$76.00

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PRODUCT DETAILS

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IN STOCK – Ships in 3 to 5 Days

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Add Installation by Handy | How It Works

Check Store Availability | Questions? Ask a Store Associate

A classic design, the bulb guard, and round wall plate of this outdoor light give it an old-time feel.

MORE DETAILS >

CHAT

MORE YOU MAY LIKE

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$64.95

$531.20

$196.90

$62.35

PRODUCT DETAILS