



## 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-02-20

September 17, 2020

### Summary

The proposal is an application for Conditional Use Review to place a three-classroom modular building on the property and construct six new parking spaces to accommodate the additional building area. The subject property is located at 425 Columbus Street SE and is zoned Residential Single Family, RS-6.5 (Attachment A). The additional building space will be utilized for school activities inside normal school hours.

Per ADC 22.210, the proposed use is classified as an “educational institution.” ADC 3.080 (13) stipulates that any expansion of an education institution in the RS-6.5 zoning district requires a Type II conditional use review. The Conditional Use review criteria contained in ADC 2.250 is addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application.

In summary, the proposed development application satisfies applicable review criteria; therefore, the staff recommendation is APPROVAL with CONDITIONS of the Conditional Use application.

### Application Information

|                           |   |
|---------------------------|---|
| Review Body:              | Staff (Type II review)  |
| Staff Report Prepared By: | Travis North, Project Planner   |
| Proposal:                 | Conditional Use to locate a three-classroom modular building (2,660 square feet) on the site and associated parking lot improvements. |
| Property Owner:           | Russ Allen; Greater Albany Public School District<br>718 Seventh Avenue SW, Albany, OR 97321  |
| Applicant:                | Trace A. Ward, GLAS Architects, LLC.<br>115 W Eighth, Suite 285, Eugene, OR 97401   |
| Address/Location:         | 425 Columbus Street SE, Albany, OR 97322  |
| Map/Tax Lot:              | Linn County Assessor’s Map No.; 11S-03W-05DC Tax Lot 8300   |
| Zoning:                   | RS-6.5 (Residential Single Family) District   |
| Total Land Area           | 5.33 Acres  |
| Existing Land Use:        | Waverly Elementary School   |
| Neighborhood:             | Willamette  |

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|                     |  |
|---------------------|--|
| Surrounding Zoning: | To the west and north, RS-6.5 (Residential Single Family); to the east and south, CC (Community Commercial).   |
| Surrounding Uses:   | North: Single-family residential<br>East: Multi-family residential; Domino's Pizza<br>South: Multi-tenant commercial, Highway 99.<br>West: Single-family residential |
| Prior History:      | There is no prior land use history associated with this property.  |

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## Staff Decision

The application for a Conditional Use referenced above is **Approved with Conditions** as described in this staff report.

## Notice Information

A Notice of Filing was mailed to property owners located within 300 feet of the subject property on June 23, 2020. Property owners were given 14 days to respond to the notice. No comments were received during this 14-day window.

## Analysis of Development Code Criteria

The Albany Development Code (ADC) includes the following review criteria for a Conditional Use Review (ADC 2.250), which must be met for these applications to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

### Conditional Use Review 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 proposal is to locate a three-classroom modular building on the property and construct six new parking spaces to accommodate the additional building space. The building will be utilized for school activities and classroom instruction during typical school hours.
- 1.2 Intended character of the base zones. The property where the proposed playground is located is zoned RS-6.5 (Residential Single Family). ADC 3.020(3) states that the RS-6.5 district is intended primarily for low-density urban single-family residential development.
- 1.3 Conditional uses. The proposed use is classified as "Educational Institutions" in ADC 22.210 and is allowed in the RS-6.5 zoning district with conditional use approval. ADC 3.080(13) further stipulates that an expansion to an educational institution in the RS-6.5 zoning district is reviewed through a Type II conditional use process. 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.” The conditional use process provides an opportunity to review projects for potential impacts and impose conditions to address any identified concerns.

- 1.4 Operating characteristics of the neighborhood. There are single family residences to the west and north of the site. A Salvation Army is also located north of the site at the corner of Fourth Avenue and Columbus Street. There are multi-family residences to the east and commercial establishments to the east and south. Typical residential activities in the neighborhood include pedestrian and vehicle traffic and outdoor property maintenance and recreation, with minimal noise or air pollution. The commercial businesses have hours of operation from approximately 8:00 a.m. to 12:00 p.m. The new building addition will accommodate school activities during the existing, regular school hours. No impacts are anticipated to the operating characteristics of the neighborhood.

## Conclusions

- 1.1 The proposed development is allowed with Conditional Use Type II review approval in the RS-6.5 zoning district per ADC 3.080(13).
- 1.2 The site is surrounded by a mix of residential, institutional, and commercial uses including single-family and multi-family residences, professional offices, and restaurants.
- 1.3 The proposal will not have an impact on the operating characteristics of the neighborhood because the primary use of the property will be consistent with surrounding area.
- 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 proposal is to place a three-classroom modular building on the property and construct six new parking spaces to accommodate the additional building area. The additional building space will be utilized for activities that are typical of the existing school operation.
- 2.3 Existing and anticipated uses. The subject site is developed with the existing Waverly Elementary School. According to Linn County Tax Assessment records, the existing building is 42,480 square feet.

Additional improvements include a parking lot along the west side of the property and various play structures and outdoor recreation areas. The proposed single-story building is 2,660 square feet and is located on the north side of the property. The building will be utilized for existing school activities. The proposed parking lot provides six additional parking spaces to accommodate the additional building area. The existing parking lot and the proposed addition is located on the west side of the property. No adverse impacts are anticipated from either improvement.

- 2.4 Building Size, Scale, and Style. ADC 3.190, Table 1, shows that the maximum building height in RS-6.5 zoning district is 30 feet. According to the applicant's elevation drawing (Attachment B.2), the proposed building is 15 feet tall at the peak of the roof. At 2,660 square feet, the building is comparable to other buildings in the area. The style is typical of manufactured buildings utilized for commercial or institutional operations. There is no maximum building size in the RS-6.5 zoning district.
- 2.5 Intensity and Lot Coverage of the Proposed Development. The maximum lot coverage in the RS-6.5 zoning district is 60 percent. According to Linn County Assessor's records, the subject site is approximately 232,178 square feet (5.33 acres) in size. According to the applicant's conditional use checklist (Attachment B.4), the proposed lot coverage after the building is placed on the property is 22%. However, those calculations do not appear to include the impervious surface areas of the various recreation areas. A condition of approval will require that the applicant submit updated information that includes all impervious surface areas on the property. The proposed building will be utilized for normal school activities and is not anticipated to appreciably increase the intensity of the use.
- 2.6 Building and Parking Lot Setbacks. ADC 3.190, Table 1, shows that buildings and parking lots in RS-6.5 zoning districts must be set back at least 15 feet from front property lines. The setback from side and back (interior) property lines is five feet for a single-story building, and eight feet for a building with two or more stories. ADC 3.330 further states that any new construction of an education institution must be setback 25 feet from any property line adjacent to a residential district. Therefore, the new building must be setback 25 feet from the north property line. The applicant's site plan (Attachment B.1) indicates the new building is set back the required 25 feet from the north property line. The proposed building is not located near any interior property line.
- The proposed parking is located along the west side of the property and is proposed as an extension to the existing parking lot. The applicant originally submitted a site plan that showed the parking lot 10 feet from the west property line. Upon notification that the parking lot did not meet the required front setback of 15 feet, the applicant provided two parking lot layouts (Attachment B.3). Both parking lots meet the required front setback and parking lot standards of ADC 9.120. Therefore, either proposal meets ADC standards. However, the applicant shall incorporate only one plan into the final approved site plan.
- 2.7 Platted Lot Lines. The property contains platted lot lines in the location of the proposed building. Because buildings cannot cross lot lines without meeting certain building code requirements, these lot lines must be removed prior to placement of the building on the property. A condition of approval will require the lot lines to be removed through a replat process prior to placement of the building on the property.
- 2.8 Vehicle parking – Required number of spaces. ADC 9.020, Table 1, states that the parking requirement for elementary schools is one parking space per classroom plus one space per employee. The proposal is to place a 3-classroom building on the property. Each classroom will be monitored by one school

employee. Therefore, six parking spaces are required. The applicant has proposed six additional parking spaces. This standard is met.

2.9 Lighting. No additional site lighting is proposed. The building will have minor exterior lights around the doorways for egress. No impacts are anticipated.

2.10 Landscaping. ADC 9.140(2) says all required front and interior setback yards, exclusive of access ways and other permitted intrusions, must be landscaped before an occupancy permit will be issued. 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.*

The front setback in the RS-6.5 zoning district is 15 feet. Only those areas where improvements are made must be landscaped in accordance with ADC 9.140(2). The proposed building is 64 feet long, resulting in a total setback area of 960 square feet. Therefore, the landscaping requirements associated with the proposed building along Fourth Avenue are as follows: 3 trees at least six feet tall at time of planting and spaced no more than 30 feet apart, 5 five-gallon shrubs or 8 one-gallon shrubs, and the remaining area treated with an attractive groundcover. The applicant's site plan indicates the appropriate plant quantities have been provided in this area. However, a detailed landscape plan that shows the plant species was not provided. A condition of approval will require a detailed landscape plan to be submitted prior to issuance of a building permit.

2.11 Parking Lot Landscaping. Landscaping in parking lots is required to provide shade, reduce stormwater runoff, and direct traffic. Per ADC 9.150, parking lots must be landscaped in accordance with the following minimum standards:

- a) Planter Bays. *Parking areas shall be divided into bays of not more than 12 parking spaces. At both ends of each parking bay there shall be curbed planters at least five feet wide, excluding the curb. Each planter shall contain one canopy tree at least ten feet high and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Neither planter bays nor their contents may impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.*
- b) Entryway Landscaping. *Both sides of a parking lot entrance shall be bordered by a minimum five-foot-wide landscape planter strip meeting the same landscaping provisions as planter bays, except that no sight-obscuring trees or shrubs are permitted.*
- c) Parking Space Buffers. *Parking areas shall be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping materials.*
- d) Alternate Plan. *An alternate plan may be submitted that provides landscaping of at least five percent of the total parking area exclusive of required landscaped yard areas and that separates parking areas of more than 100 spaces into clusters divided by landscape strips. Each planter area shall contain one tree at least ten feet tall and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Landscaping may not impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.*

Parking and access to the subject site is from Columbus Street via the existing parking lot entrance. The applicant provided two parking lot plans (Attachment B.3). Both plans meet the parking lot landscape standards of ADC 9.150. A detailed landscape plan will need to be provided prior to issuance of a building permit to ensure clear vision standards are met.

- 2.12 Irrigation: 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 plans were not submitted with this application. Submittal of final irrigation plan for review and approval by the Community Development Department is required as a condition of approval to ensure the standards of ADC 9.160 are met.
- 2.13 Fences. ADC 9.360 – 9.390 lists the requirements for fences. No fences are proposed.
- 2.14 Outside Storage. No outside storage is proposed with this project.
- 2.15 Signs. No new signage visible from the right-of-way or adjacent properties is proposed.

## Conclusions

- 2.1 The proposal shows that the proposed development will meet the minimum development standards of the zoning district. However, lot coverage calculations must be provided prior to issuance of a building permit.
- 2.2 Any adverse impacts associated with the use of the property can be mitigated through such means as landscaping, full cutoff lighting, and the increased building setback of 25 feet.
- 2.3 The applicant's site plan indicates landscaping will be provided at the appropriate locations; however, a detailed landscape and irrigation plan will need to be submitted and approved prior to the issuance of a building permit.
- 2.4 Based on the observations above, the proposed development will be compatible with existing or anticipated uses in terms of size, intensity, setbacks, lighting, and landscaping when the following conditions are met.

## Conditions

- Condition 1 Lot Coverage Calculations.** Prior to issuance of a building permit, the applicant shall provide a site plan that indicates the total area of all impervious surface areas on the property and the corresponding lot coverage calculation.
- Condition 2 Parking Lot Plan.** The applicant shall provide an updated site plan that incorporates the final parking lot plan.
- Condition 3 Platted Lot Lines.** Prior to placement of the building, the existing platted lot lines shall be moved or removed through the replat process to ensure they do not interfere with the proposed building location.
- Condition 4 Final Landscape and Irrigation Plan.** Prior to issuance of a building permit, a final landscape and irrigation plan shall be submitted for review and approval by the Community Development Department. The plan must be consistent with the landscaping and irrigation standards of ADC

9.140, 9.150, and 9.160.

**Condition 5 Site Improvements.** Prior to occupancy of the proposed building, all proposed and required site improvements shall be constructed and completed in accordance with approved plans. Landscaping may be financially secured through a completion guarantee, per ADC 9.190.

### 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 to place a three-classroom, 2,660-square-foot modular building on the property and construct six new parking spaces on a developed site located at 425 Columbus Street SE. Each new classroom is anticipated to be able to accommodate up to 30 new students.
- 3.2 The site has frontage on Pacific Boulevard, Columbus Street, and Fourth Avenue. ADC 12.060 requires that all street frontages adjoining new development will be improved to city standards.
- 3.3 Columbus Street and Fourth Avenue are classified as local streets and are constructed to City standards. Improvements to both streets include curb, gutter, sidewalks, and a vehicle travel lane in each direction with unmarked parking on both sides of the street. The posted speed limit is 25 miles per hour.
- 3.4 Pacific Boulevard is classified as a principal arterial and is constructed to City standards. Improvements along the frontage of the site include curb, gutter, and sidewalks; two vehicle travel lanes in each direction; a two-way center left-turn lane; and on-street bike lanes. No access is provided directly from Pacific Boulevard and no direct access to Pacific Boulevard is proposed.
- 3.5 The applicant did not provide a traffic study or trip generation estimates for the development. Based on ITE trip generation rates for elementary schools, the project is expected to generate an additional 170 vehicle trips on the public transportation system, of which 15 will occur during the peak PM traffic hour.
- 3.6 Albany's traffic impact study guidelines do not require trip generation data or traffic analysis for developments generating less than 50 peak hour trips.
- 3.7 Access to the parking lot is from Columbus Street. The proposal includes construction of six parking spaces at the south end of the existing parking lot and access. The existing access will be widened slightly to allow for safe ingress and egress.
- 3.8 Pedestrian access is provided via several connections to the public sidewalk. No changes are proposed to the public sidewalk or the existing connections.
- 3.9 Albany's Transportation System Plan does not identify level of service or congestion problems occurring along the site's frontages.

### Conclusions

- 3.1 The subject property is a developed site with frontage on three streets. The streets are improved to City standards.
- 3.2 The development is expected to generate an additional 170 vehicle trips per day on the public street

system. Fifteen of those trips will occur during the peak PM traffic hour. The development is not projected to generate enough new vehicle trips to have required submittal of trip generation information or a traffic impact analysis.

- 3.3 Albany's TSP does not anticipate any safety or congestion issues occurring along the frontage of the site.
- 3.4 The development will widen an existing driveway approach to Columbus Street in order to provide adequate access to a new parking lot expansion.
- 3.5 The public street system can accommodate the proposed development.

## Conditions

**Condition 6 Encroachment Permit.** The applicant shall obtain an encroachment permit from the Public Works Department prior to widening the site's driveway to Columbus Street. The design and size of the driveway shall be as shown on the approved site plan.

## 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 a 54-inch public sanitary sewer main along the east side of the site where a portion of Davidson Street was vacated. The existing school buildings on the subject property are currently connected to the public sewer system.
- 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 ADC 12.470 requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line.
- 4.4 The applicant is proposing to connect the new structures to the existing on-site private wastewater plumbing if the buildings are plumbed. If additional wastewater plumbing fixtures are installed in the proposed buildings, then sewer system development charges will be due at the time of building permit issuance.

### *Water*

- 4.5 City utility maps show an 8-inch public water main in Fourth Avenue. The existing school buildings on the subject property are currently connected to the public water system.
- 4.6 The applicant is proposing to connect the new structures to existing on-site private water plumbing.

### *Storm Drainage*

- 4.7 City utility maps show a 12-inch public storm drainage main in Fourth Avenue, and a 12-inch public storm drainage main in Columbus Street adjacent to the proposed parking lot improvements.

- 4.8 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. Private drainage systems crossing multiple lots will require reciprocal use and maintenance easements and must be shown on the final plat. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany's Engineering Division.
- 4.9 The applicant has submitted a preliminary storm drainage plan for the project and the City's Public Works Department has determined that the plan is generally acceptable.

### *Stormwater Quality*

- 4.10 AMC 12.45.030 Permit required. A post-construction stormwater quality permit shall be obtained 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).
- 4.11 AMC 12.45.040 Permit exemptions.
- (1) A development may be exempted from the requirement of AMC 12.45.030 when one or more of the following conditions exist:
- (a) The development is for the construction of not more than three single-family or duplex dwelling(s) on an existing lot(s) of record.
- (b) The development creates and/or replaces less than 8,100 square feet of impervious surface, cumulatively.
- (c) The Director has determined that physical characteristics of the site (including current development) make effective on-site construction of the facilities impractical; and that an off-site post-construction stormwater quality fee has been paid per AMC 12.45.100.
- (d) The Director has determined that the site topography or soils makes it impractical or ineffective to construct the facilities on site or within planned improvements in the public right-of-way; and that an off-site post-construction stormwater quality fee has been paid per AMC 12.45.100.
- 4.12 Because less than 8,100 square feet of new/replacement impervious surface is proposed (exemption (b)), a stormwater quality permit will not be required for this project.

### **Conclusions**

- 4.1 Public utilities (sanitary sewer, water, and storm drainage) are available and adequate to serve the proposed use.
- 4.2 If new wastewater plumbing fixtures are to be installed with the proposed classrooms, then additional sewer system development charges may be due at the time of building permit issuance.
- 4.3 No stormwater quality facilities are required for this project.
- 4.4 This criterion is met without conditions.

### **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 properties located to the west and north are zoned RS-6.5; properties to the east and south are zoned community commercial. Adjoining uses include single-family and multi-family residential units, commercial uses, and institutional uses.
- 5.2 Noise. The buildings will be used for school operations that occur within normal school business hours. Noise impacts are not anticipated.
- 5.3 Glare. Outdoor lighting is not proposed. Neither the proposed building, nor the proposed parking lot extension is anticipated to produce glare that would impact adjacent uses.
- 5.4 Odors. The proposed building and parking lot are not expected to generate odors, and no new odor-generating facilities or activities are proposed.
- 5.5 Litter. No new trash facilities or changes to trash collection are proposed in conjunction with this request. Available evidence does not indicate the need for additional measures with respect to litter collection.
- 5.6 Hours of operation. The building and associated parking area will be used for school activities during the normal hours of operation. No appreciable impact is anticipated.
- 5.7 Privacy/Safety. Both the building and parking lot include landscaping that will ensure privacy. No safety concerns are anticipated.
- 5.8 Fencing. Fencing is not proposed as part of this proposal

## Conclusion

- 5.1 The impacts due to glare, litter, noise, odors, hours of operation, and safety are not expected to be significant compared to the existing operations of the school.
- 5.2 The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands.
- 5.3 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 Article 6 Significant Natural Vegetation and Wildlife Habitat: *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat*, does not show any areas of vegetation or wildlife habitat on the property.
- 6.2 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains*, does not show a 100-year floodplain on this property. FEMA/FIRM Community Panel No. 41043C0214H, dated December 8, 2016, shows that this property is in Zone X, an area determined to be outside the 500-year floodplain.
- 6.3 Article 6: Wetlands. *Comprehensive Plan Plate 6: Wetland Sites*, does not show any wetlands on the subject property. The National Wetlands Inventory does not show any wetlands on the property.
- 6.4 Article 6: Topography: *Comprehensive Plan, Plate 7: Slopes*, does not show any steep slopes on this property.

- 6.5 Article 7: Historic and Archaeological Resources. *Comprehensive Plan, Plate 9: Historic Districts*, shows the property is not located in a historic district. There are no known archaeological sites on the property.

## Conclusions

- 6.1 There are no special purpose districts associated with the subject property; therefore, this criterion is not applicable.

## Overall Conclusion

As proposed and conditioned, the application for Conditional Use Review satisfies all applicable review criteria as outlined in this report.

## Conditions of Approval

- Condition 1 Lot Coverage Calculations.** Prior to issuance of a building permit, the applicant shall provide a site plan that indicates the total area of all impervious surface areas on the property and the corresponding lot coverage calculation.
- Condition 2 Parking Lot Plan.** The applicant shall provided an updated site plan that incorporates the final parking lot plan.
- Condition 3 Platted Lot Lines.** Prior to placement of the building, the existing platted lot lines shall be moved or removed through the replat process to ensure they do not interfere with the proposed building location.
- Condition 4 Final Landscape and Irrigation Plan.** Prior to issuance of a building permit, a final landscape and irrigation plan shall be submitted for review and approval by the Community Development Department. The plan must be consistent with the landscaping and irrigation standards of ADC 9.140, 9.150, and 9.160.
- Condition 5 Site Improvements.** Prior to occupancy of the proposed building, all proposed and required site improvements shall be constructed and completed in accordance with approved plans. Landscaping may be financially secured through a completion guarantee, per ADC 9.190.
- Condition 6 Encroachment Permit.** The applicant shall obtain an encroachment permit from the Public Works Department prior to widening the site's driveway to Columbus Street. The design and size of the driveway shall be as shown on the approved site plan.

## Attachments

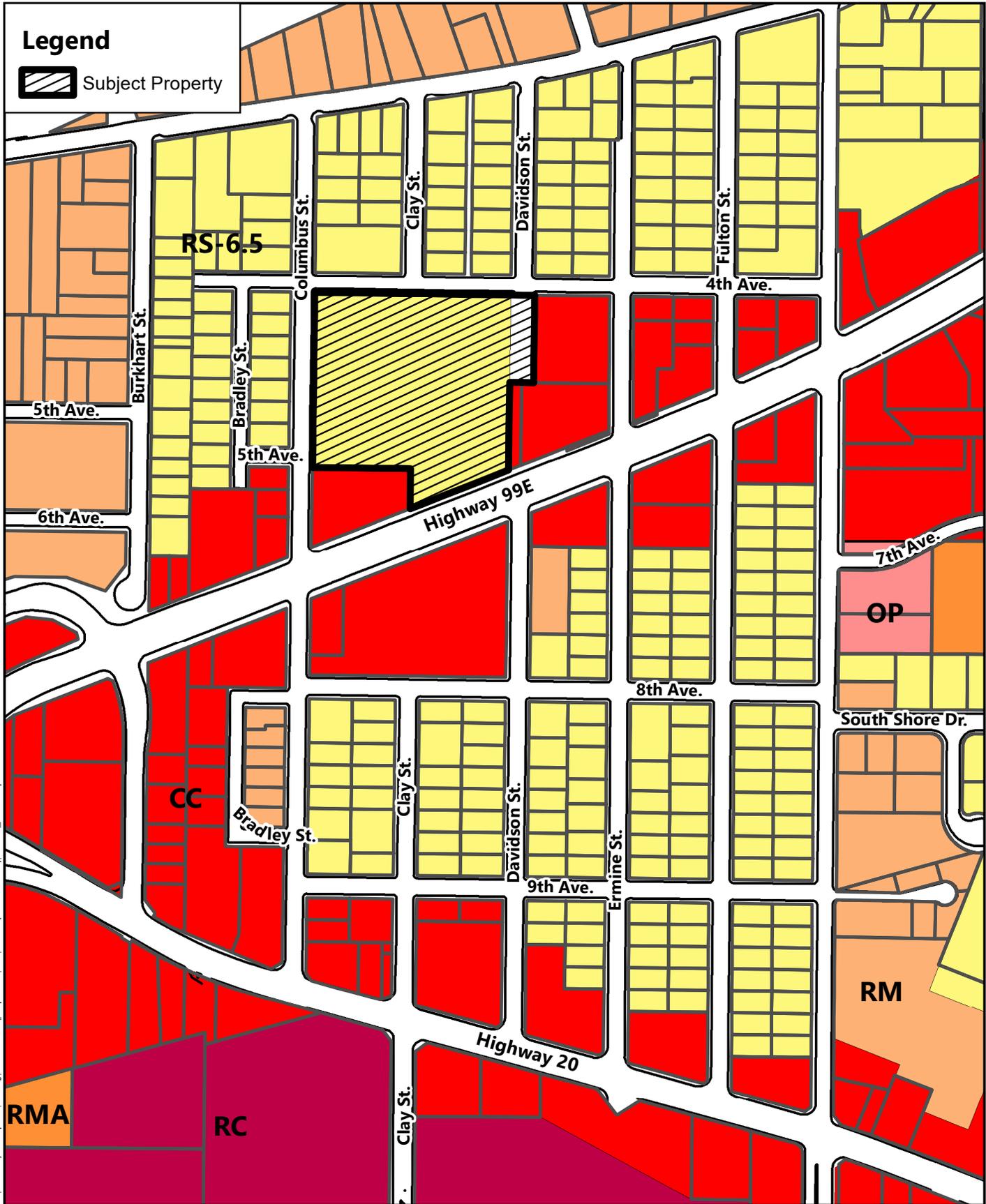
- A. Location Map
- B. Applicant's Submittal
  - 1. Site Plan
  - 2. Building Elevations
  - 3. Parking Lot Plans
  - 4. Findings & Checklist

## Acronyms

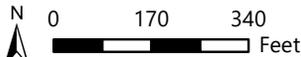
|        |   |
|--------|---|
| ADC    | Albany Development Code                   |
| CC     | Community Commercial Zoning District      |
| CU     | Conditional Use (Review)                  |
| FEMA   | Federal Emergency Management Agency       |
| FIRM   | Floodplain Insurance Rate Map             |
| RS-6.5 | Residential Single-Family Zoning District |
| TSP    | Transportation Systems Plan               |

### Legend

 Subject Property



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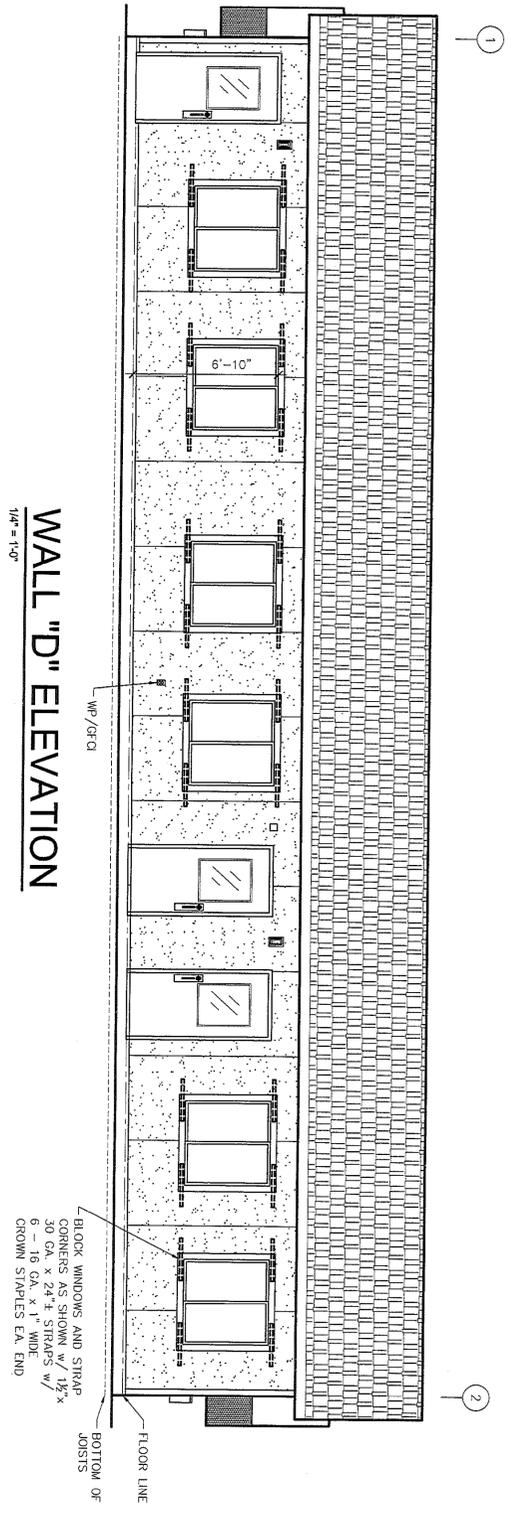


Date: 4/17/2020 Map Source: City of Albany

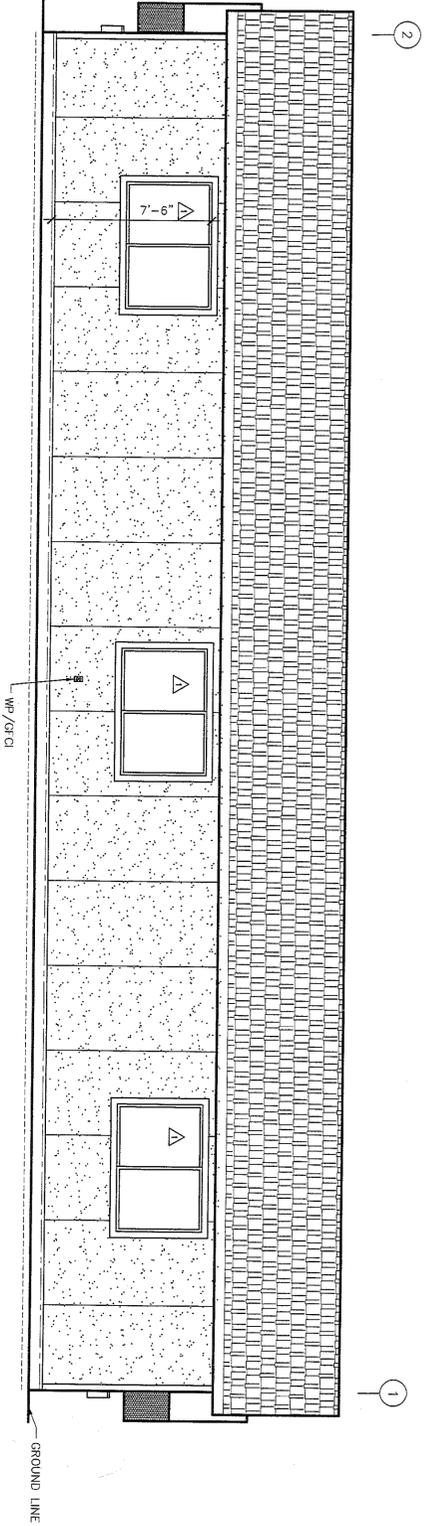
## 425 Columbus Street SE

### Location / Zoning Map

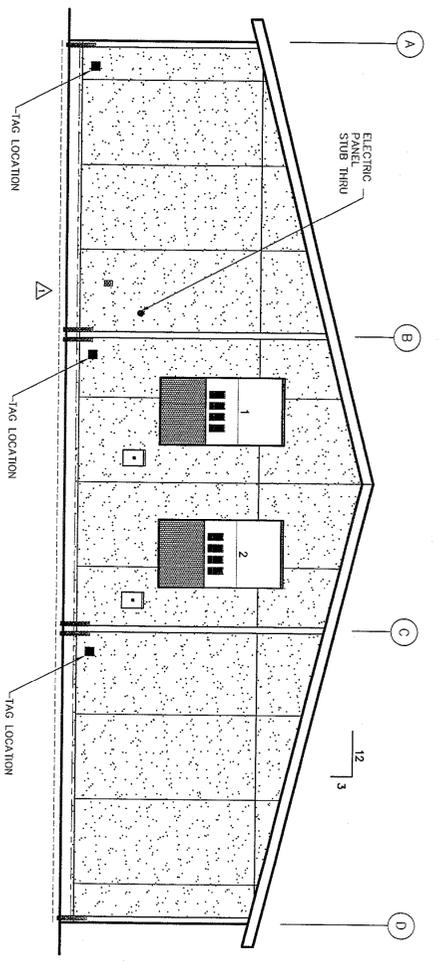




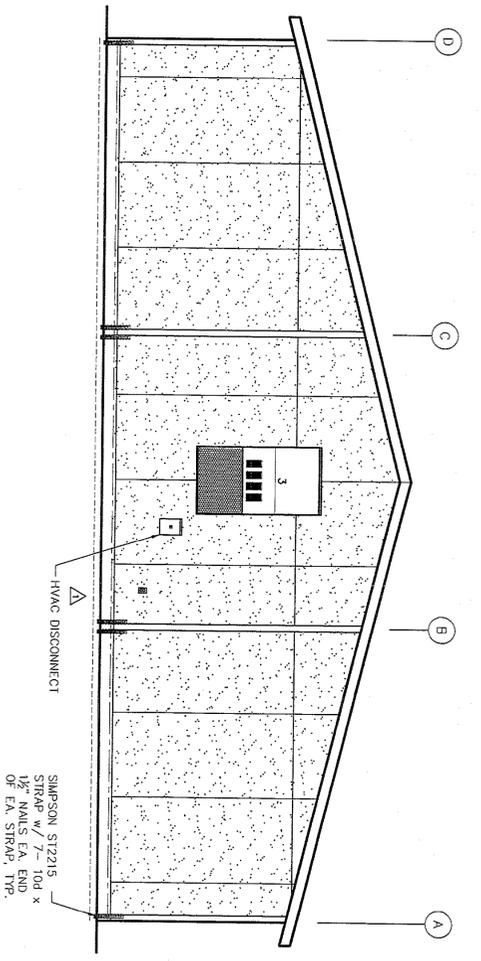
WALL "D" ELEVATION  
1/4" = 1'-0"



WALL "A" ELEVATION  
1/4" = 1'-0"



WALL "1" ELEVATION  
1/4" = 1'-0"



WALL "2" ELEVATION  
1/4" = 1'-0"

|        |          |   |      |
|--------|----------|---|------|
| 7-2-15 | ✓        | B WINDOW HDR. BELT RAIL HT. OUTLETS MOVED | AJB  |
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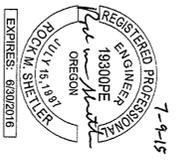
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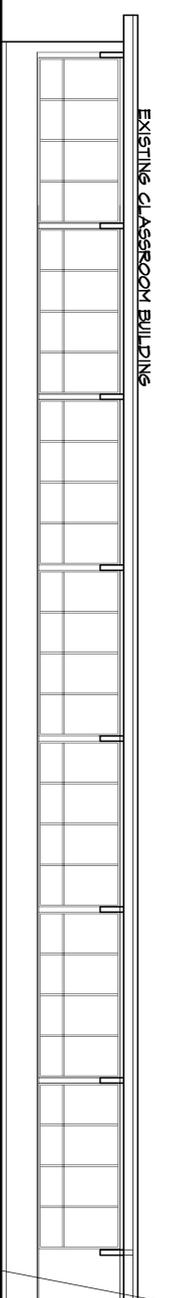
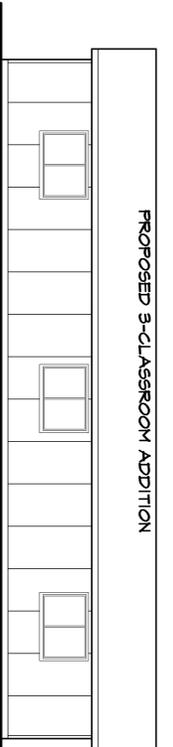
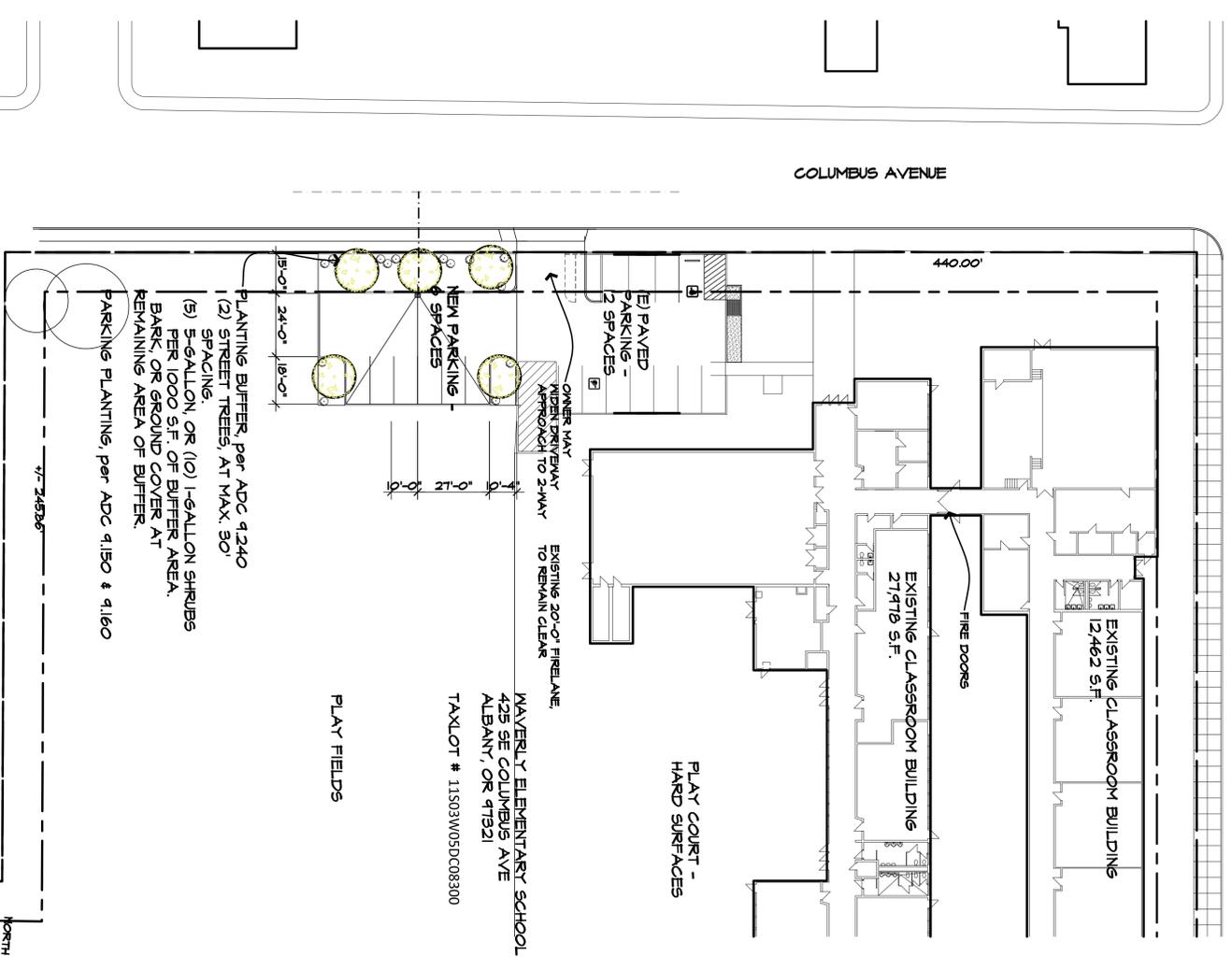
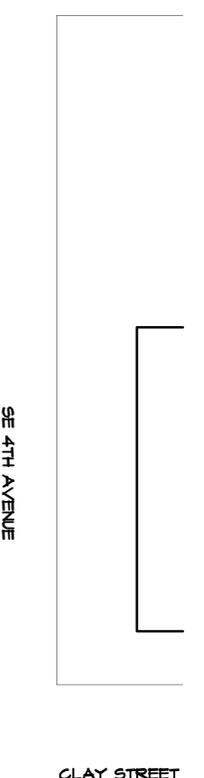
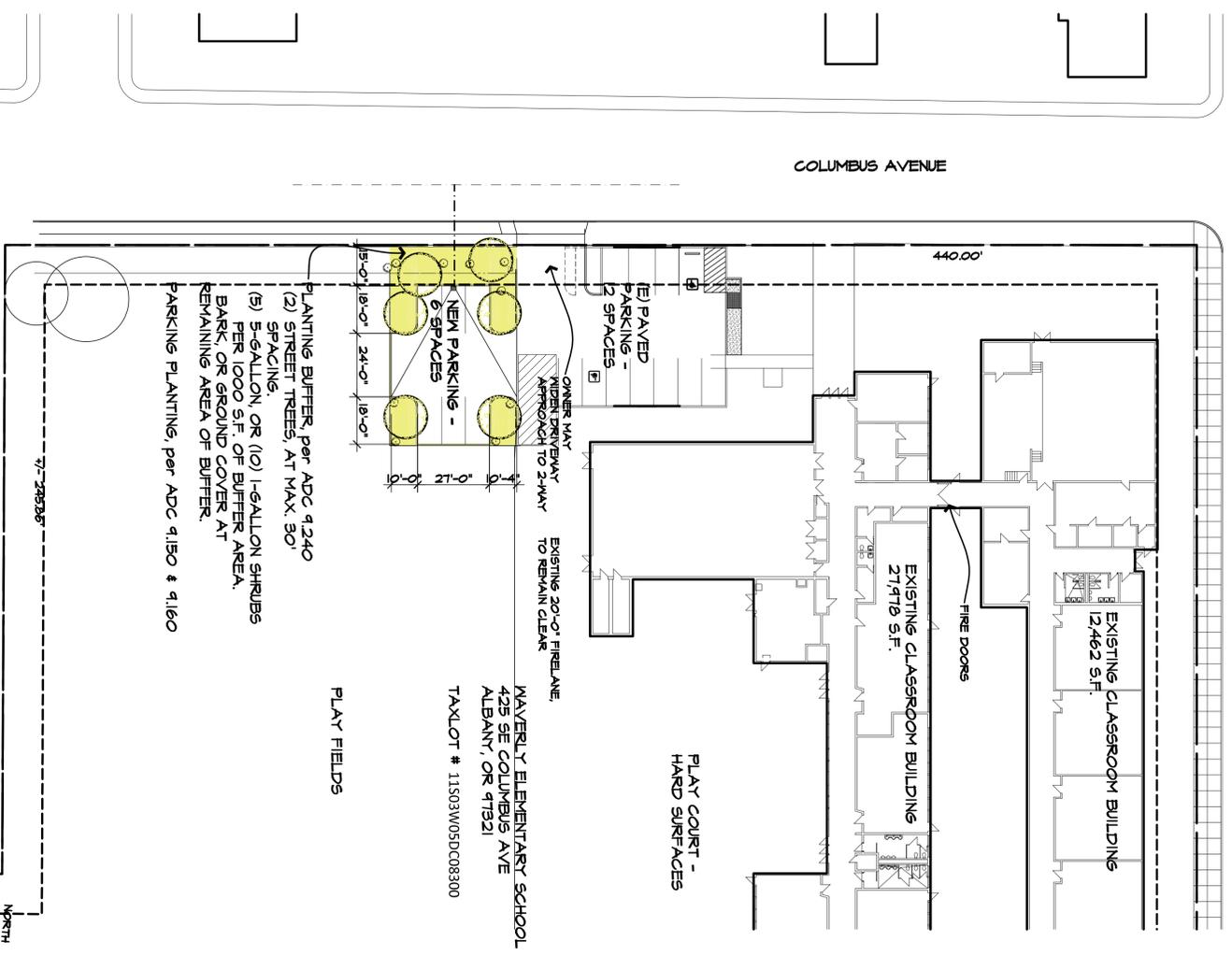
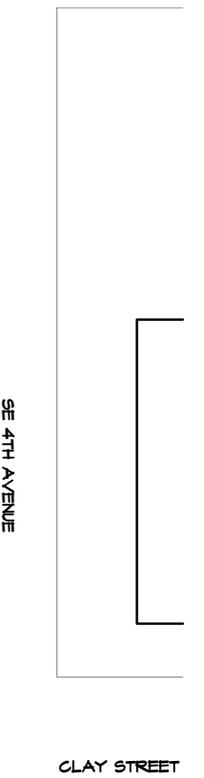
MODULAR  
 42x64  
 OR GOLD

Classroom building for:  
**KCDA Albany School Dist.**  
 Pacific Mobile  
 Albany, OR

Approval for Change:  
 Date: 7-9-15  
 By: AJB  
 Reason: 7-7-15



**A-3**  
 18415



**2**  
ALL  
SCALE: 1/8" = 1' - 0"

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SITE PLAN  
PARKING OPTIONS

PROJECT NO. 18012  
DATE 4/15/2020

A-1.1



April 8, 2020

City of Albany  
Community Development Department  
333 Broadalbin St. SW  
Albany, OR 97321

RE: Conditional Use Application for Greater Albany Public Schools  
Waverly Elementary School  
gLAs Project No. 19012

To Whom It May Concern:

Attached is a site plan of changes we are proposing at Waverly Elementary School. Our proposal is to add a 3-classroom modular unit at the existing school just to the north and east of the existing school location. The 3 classrooms would be contained within a built-up modular building as shown in the attached drawings.

The modular classroom building location is along 4<sup>th</sup> avenue adjacent to existing buildings. The unit will occupy an area currently used as yard space, and originally identified as future building space. It will be set back from the street, aligning with the existing building.

The building will be served by the existing paved driveways and parking, and an expansion of 6 additional spaces as required for the new classrooms. We are required to provide 1 parking space per classroom and 1 space per 2 employees. The new parking expansion will connect to the existing parking lot. The curb cut will need to be widened to allow for clear 2-way traffic. There is existing bike parking provided for the school in one of the existing courtyards. The existing site has 12 parking spaces.

The proposed modular building will be around 2700 square feet in total gross area. A new pedestrian walkway connection to the existing building will be provided as well as a designated route to the public way, using new and existing sidewalks.

The new modular building will not have new toilet rooms, which will continue to be provided in the existing buildings. The new building includes the (3) new classroom spaces at approximately 900 sf each, which has a corresponding occupant load of 45 students each or 135 total (assuming the multi-purpose room is equal to two classrooms. Assuming 17 total classrooms at 1000 SF each, a total of 17 waterclosets and 17 lavatories are required. The existing buildings provide a total of 25 waterclosets, and 22 associated lavatories.

For SDC calculation purposes, a classroom occupancy of 30 is reasonable.



The modular is located such that it will only minimally impact any required building code yards of the existing main building. We are proposing to maintain a 22' yard between the modular and the existing building to the west and a 38' yard to the building on the south. The existing building was over allowable area, and had a firewall constructed in the hallway connection between the two main structures. The separation breaks the north end of the existing building into a separate section of approximately 12,500 square feet.

The new modular will be served by the existing building's utility services. Sanitary, water, power and data will be connected to the existing services. The only other utility connection will be for roof drainage, which will connect to the existing storm piping.

The site of the proposed building is nearly flat. There is a slight slope away from the existing building, which will be repeated at the new building.

New plantings will be provided in a landscape buffer strip between the new parking and the street, in compliance with City standards.

#### **Conditional Use Criterion**

The following information is provided to address the findings of fact criteria for the application:

1. **Criterion:** The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.  
**Facts:** The proposed classroom project will be similar in character to the existing building. The proposed modular to be used as classroom space is consistent with the existing use. The new modular will not have an impact on the operating characteristics of the neighborhood.  
**Conclusion:** The building form is consistent with the neighborhood character.
  
2. **Criterion:** 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 differences in appearance or scale through such means as setbacks, screening, landscaping, or other design features.  
**Facts:** The proposed classroom modular is very similar to the residential buildings that surround the school site and is compatible with the existing school. The setback from the street is similar to the existing school building. Material colors will be coordinated with the existing colors.  
**Conclusion:** The continued use as an elementary school is compatible.
  
3. **Criterion:** 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:** The proposed use of the building will have a very minimal impact on the transportation system. The parking area is being expanded to provide for 6 additional spaces, using and widening an existing curb cut. The expansion will increase off street parking to allow more room for drop-off and pick-up to occur off the main streets.

**Conclusion:** The existing transportation facilities with the 6-space expansion will accommodate the added facilities parking requirements while decreasing potential car stacking in the public street.

4. **Criterion:** Existing public services for water, sanitary, storm water and for fire and police protection can serve the proposed area.  
**Facts:** The new modular classroom building will connect to existing utilities on-site where possible. Sanitary sewer is available along the east edge of the existing building for connection serving the classroom sinks. New storm water treatment facilities are planned to be included in the project, which will discharge to existing storm water system.  
**Conclusion:** Existing public services are more than adequate.
  
5. **Criterion:** 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.  
**Facts:** The location of the classroom building is set back from adjacent neighbors and will have no impacts. Its location will generally with align the existing building and qs was identified in original construction drawings. Primary access to the modular will be through the existing building's main entry.  
**Conclusion:** The new building is set back from nearby residential uses and will not have adverse impacts to the neighborhood.
  
6. **Criterion:** 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:** There are no special features to consider at the proposed project site.  
**Conclusion:** This criterion is not applicable.

**Additional Criteria:**

1. Development Standards: No change in use is proposed for the site, and the project is appropriately zoned.
2. Special Purpose or Historic Districts: Neither of these standards apply to this site.
3. Design Standards: The proposed project is an expansion of the existing educational functions already on this site and will mimic the existing auto and pedestrian facilities. Only a small expansion of auto facilities is planned at the site. Other aspects of the design criteria of Chapter 8 such as building orientation, building design, street connectivity and pedestrian amenities are focused on commercial and institutional uses, as follows:



**Criterion:**

**8.330 Building Orientation.** Building orientation and maximum setback standards are established to help create an attractive streetscape and pleasant pedestrian environment.

(1) New buildings shall be oriented to existing or new public streets.

Building orientation is demonstrated by placing buildings and their public entrances close to streets so pedestrians have a direct and convenient route from the street sidewalk to building entrances.

*Fact: New modular is being treated as an expansion of existing school. Pedestrian traffic will be routed through main entry lobby, and then to modular, for security reasons. Main building is oriented to street.*

(a) On sites smaller than three acres, new buildings shall be oriented to the public street/sidewalk and off-street parking shall be located to the side or rear of the building(s), except where it is not feasible due to limited or no street frontage, the site is an infill site less than one acre, conservation of natural resources, or where there are access restrictions. [Ord. 5832, 4/9/14]

Albany Development Code, Article 8 8 - 8 January 1, 2015.

*Fact: Site exceeds 3 acres, at just over 5 acres total.*

(b) Buildings on sites larger than three acres may be setback from the public street and oriented to traffic aisles on private property, if the on-site circulation system is developed like a public street with pedestrian access, landscape strips and street trees.

*Fact: On-site circulation is to be expanded similar to existing, with new landscaping between the street and the parking area.*

(2) Customer entrances should be clearly defined, highly visible, using features such as canopies, porticos, arcades, arches, wing walls, and planters. [Ord. 5445, 4/12/00; Ord. 5832, 4/9/14]

**Criterion:**

**8.340 General Building Design.** New commercial buildings shall provide architectural relief and interest, with emphasis at building entrances and along sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided except when not feasible.

[Ord. 5555, 2/7/03]

*Fact: Building main entrance is fully developed.*

(1) Ground floor windows shall be provided along frontages adjacent to sidewalks. The main front elevation(s) of buildings shall provide windows or transparency at the pedestrian level in the following minimum proportions:

TABLE 8-1. Required window transparency percentages by district.

District % Transparency RC, CC, NC, OP, MUC 25% MS, LE, PB, ES, MUR, WF

50% HD, CB 75% [Ord. 5555, 2/7/03, Ord. 5556, 2/21/03]



The minimum window and door requirements are measured between 2 and 8 feet from the ground. Only the glass portion of doors may be used in the calculation. [Ord. 5555, 2/7/03]

If there are upper floor windows, they shall continue the vertical and horizontal character of the ground level windows.

*Fact: Modular is set back from sidewalks and has no direct sidewalk frontage. Windows are of residential scale and meet the 25% requirement of wall space for each of the three classrooms. Opposite side of modular has more windows and doors but is oriented toward the court for security reason.*

(2) Walls that are visible from a public street shall include a combination of architectural elements and features such as offsets, windows, entry treatments, wood siding, brick, stucco, synthetic stucco, textured concrete block, textured concrete), and landscaping. [Ord. 5445, 4/12/00]

*Fact: Modular building walls are relatively short and are finished with siding. The modular building is being relocated from another GAPS school site. Walls also include windows. Wood siding is painted in colors per district standards, as is the end of the existing building closest to the new addition.*

### Criterion

**8.350 Street Connectivity and Internal Circulation.** The following standards emphasize the importance of connections and circulation between uses and properties. The standards apply to both public and private streets.

(1) New commercial buildings may be required to provide street or driveway stubs and reciprocal access easements to promote efficient circulation between uses and properties, and to promote connectivity and dispersal of traffic.

*Fact: Existing site has fully developed traffic circulation system. The small expansion planned uses an existing drive cut. No new drive cuts are proposed.*

(2) The internal vehicle circulation system of a commercial development shall continue the adjacent public street pattern wherever possible and promote street connectivity. The vehicle circulation system shall mimic a traditional local street network and break the development into numerous smaller blocks.

Albany Development Code, Article 8 8 - 9 January 1, 2015.

*Fact: Existing site has fully developed traffic circulation system. The minor expansion planned mimics the existing system.*

(3) Traffic aisles shall not be located between the building(s) and the sidewalk(s), except as provided in (4) below, or where drive-through windows are permitted, sites are constrained by natural resources, or are infill sites less than one acre. [Ord. 5832, 4/9/14].

*Fact: Existing site has fully developed traffic circulation system. The minor expansion planned mimics the existing system.*



(4) Where drop off facilities are provided, they shall be designed to meet the requirements of the American with Disabilities Act but still provide for direct pedestrian circulation.

*Fact: Existing site has fully developed traffic circulation system. The minor expansion planned mimics the existing system.*

(5) Internal roadways shall be designed to slow traffic speeds. This can be achieved by keeping road widths to a minimum, allowing parallel parking, and planting street trees to visually narrow the road. [Ord. 5445, 4/12/00].

*Fact: Existing site has fully developed traffic circulation system. The minor expansion planned mimics the existing system.*

**Criterion:**

**8.360 Pedestrian Amenities.** Amenities such as awnings, seating, special paving and planters can have a dramatic effect on the pedestrian environment. Commercial developers should give as much thought to the pedestrian environment as they give to vehicle access, circulation and parking. The standards for pedestrian amenities are related to the scale of the development and also provide the flexibility for the developer to select the most appropriate amenities for the particular site and use.

*Fact: Existing site has fully developed pedestrian traffic circulation system.*

(1) All new commercial structures and improvements to existing sites shall provide pedestrian amenities. The number of pedestrian amenities shall comply with the following sliding scale.

Size of Structure or Improvement Number of Amenities

Less than 5,000 sf 1

5,000 – 10,000 sf 2

10,001 – 50,000 sf 3

More than 50,000 sf 4

(2) Acceptable pedestrian amenities include the following improvements. No more than two of any items may be used to fulfill the requirement:

(a) Sidewalks at least 10 feet wide with ornamental treatments (e.g., brick pavers), or sidewalks that are 50 percent wider than required by the Code.

(b) Benches or outdoor public seating for at least four people.

(c) Sidewalk planter(s) enclosing a total of 8 square feet.

(d) Pocket parks or decorative gardens (minimum usable area of 300 square feet).

(e) Plazas (minimum usable area of 300 square feet).

(f) Street trees 50 percent larger than required by the Code.

(g) Weather protection (awnings, etc.).

(h) Other pedestrian amenities that are not listed but are similar in scale and benefit. *Fact: Existing site has fully developed pedestrian amenities including sidewalks, planters, paved play areas, a covered outdoor play area, etc.*



(3) Pervious pedestrian amenities can include approved vegetated post-construction stormwater quality improvements. [Ord. 5842, 1/01/15]

(4) Pedestrian amenities shall meet the following standards:

(a) Amenities shall be located outside the building main entrance, along pedestrian corridors, or near transit stops. Amenities shall be visible and accessible to the general public from an improved public or private street. Access to pocket parks, plazas, and sidewalks must be provided by a public right-of-way or a public access easement.

(b) Amenities are not subject to setback requirements.

(c) Amenities are consistent with the character and scale of surrounding developments. For example, similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials should be suitable for outdoor use, easily maintained, and have a reasonably long-life cycle (e.g., 10 years before replacement). [Ord. 5445, 4/12/00]

Albany Development Code, Article 8 8 - 10 January 1, 2015.

*Fact: Existing site has fully developed pedestrian amenities including sidewalks, planters, paved play areas, a covered outdoor play area, etc.*

**Criterion:**

**8.370 Pedestrian Connections.**

(1) New retail, office and institutional buildings at or near existing or planned transit stops shall provide convenient pedestrian access to transit.

(2) Walkways shall be provided that connect building entrances and streets adjoining the site

*Fact: Existing site has fully developed pedestrian amenities including sidewalks, planters, paved play areas, a covered outdoor play area, etc.*

(3) Pedestrian connections to adjoining properties shall be provided except where impractical. Pedestrian connections shall connect the onsite circulation system to existing or proposed streets, walkways, and driveways that abut the property. When adjacent properties are undeveloped or have the potential to be redeveloped, streets, accessways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property.

For the purposes of this section, "impractical" means where one or more of the following conditions exists:

*Fact: Existing site has fully developed pedestrian amenities including sidewalks, planters, paved play areas, a covered outdoor play area, etc.*

(a) Physical or topographic conditions make a connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided.

*Fact: Not applicable.*



(b) Buildings or other existing development on adjacent land physically preclude a connection now or in the future considering the potential for redevelopment; or  
*Fact: Not applicable.*

(c) Where streets or accessways would violate provisions of leases, easement, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.  
*Fact: Not applicable.*

(4) On sites at major transit stops provide the following:  
*Fact: Not applicable.*

(a) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection.

(b) A reasonably direct pedestrian connection between the transit stop and building entrances on the site.

(c) A transit passenger landing pad accessible to disabled persons.

(d) An easement or dedication for a passenger shelter, if requested by the transit provider; and

(e) Lighting at the transit stop. [Ord. 5281, 3/26/97; Ord. 5445, 4/12/00]

**Criterion:**

**8.380 Large Parking Areas.** The amount of parking needed for larger commercial development can result in a large expanse of pavement. Landscaping in a parking area shall be incorporated in a manner that is both attractive and easy to maintain, minimizes the visual impact of surface parking, and improves environmental and climatic impacts (Figure 8-6). In addition to the provisions of Article 9, the following standards apply to commercial development when more than 75 parking spaces are proposed.

*Fact: The minor expansion planned mimics the existing system.*

(1) Walkways are necessary for persons who will access the site by walking, biking or transit. A continuous pedestrian walkway at least 7 feet wide shall be provided from the primary frontage sidewalk to the customer entrance for each building. This internal walkway shall incorporate a mix of landscaping, benches, drop-off bays and bicycle facilities for at least 50 percent of the length of the walkway. The walkways must be designed for access by disabled persons. If the walkway crosses a parking area or vehicle aisle, the standards in Subsection (2) below apply.

(2) For the safety of pedestrians, parking lots shall be designed to separate pedestrians from vehicles and include protected pedestrian walkways from parking areas to building entrances. Walkways shall be protected by landscaping or parking bumpers. Walkways shall be at least 7 feet wide with no car overhang or other obstruction; 9' 6" for car overhang on one side; 12 feet for car overhang on both sides. Walkways may cross a



vehicle aisle if distinguished by a color, texture or elevation different from the parking and driving areas. Walkways shall not share a vehicle aisle.

Albany Development Code, Article 8 8 - 11 January 1, 2015.

FIGURE 8-6. Sample parking area landscape design.

(3) The parking area shall be divided into pods of no more than 50 spaces each with landscape strips, peninsulas, or grade separations to reduce the visual impact of large expanses of paving, to direct vehicular traffic through the parking lot, and to provide a location for pedestrian walkways.

(4) Pods may have access at one or both ends. A pod may be U-shaped with double access at one end.

(5) Pods shall be separated with physical breaks by providing one or more of the following:

(a) Landscape strips between parallel parking rows that are at least 5 feet wide with no car overhang and 10 feet wide with a car overhang. When incorporating pedestrian walkways, the strips shall be at least 20 feet wide to accommodate vehicle overhangs, walkways, lights, posts and other appurtenances.

(b) Building pads, landscaped pedestrian walkways, interior streets or other site features.

(6) Landscaping for large parking areas shall consist of at least seven (7) percent of the total parking area plus one tree per eight parking spaces to create a canopy effect. The total parking area includes parking spaces, travel aisles, sidewalks and abutting landscaped areas. [Ord. 5445, 4/12/00]

*Fact: The minor expansion planned mimics the existing system and is provided with landscaping.*

### **Criterion**

**8.390 Compatibility Details.** Attention to detail can significantly increase the compatibility of commercial development with adjacent uses. Commercial development shall be designed to comply with the following applicable details and any other details warranted by the local conditions:

(1) On-site lighting is arranged so that light is reflected away from adjoining properties and/or streets.

*Fact: On-site lighting will be limited to an area between buildings and will not impact adjoining properties.*

(2) Any undesirable impacts produced on the site, such as noise, glare, odors, dust, or vibrations have been adequately screened from adjacent properties.

*Fact: The addition is 3 classrooms, which do not generate glare, odors, dust, or vibrations. Noise generated will be during normal school hours, and will be consistent with the rest of the existing school*

(3) The site is protected from any undesirable impacts that are generated on abutting properties.

*Fact: No undesirable impacts are expected.*



(4) Unsightly exterior improvements and items such as trash receptacles, exterior vents and mechanical devices have been adequately screened.

*Fact: No undesirable improvements are proposed. Trash for classrooms is collected and stored with the trash for the rest of the school, within secured facilities. Mechanical units for these classrooms are typical of modular units, and not large enough for separate screening.*

(5) Storage areas, trash collection facilities and noise generating equipment are located away from public streets, abutting residential districts or development, or sight obscuring fencing has been provided. Albany Development Code, Article 8 8 - 12 January 1, 2015

*Fact: No undesirable impacts are proposed. Trash collection facilities already exist for the school.*

(6) Where needed, loading facilities are provided on-site and are of sufficient size and number to adequately handle the delivery or shipping of goods or people. Where possible, loading areas should be designed so that vehicles enter and exit the site in a forward motion. [Ord. 5445, 4/12/00]

*Fact: No new loading facilities are proposed. Loading areas for the overall school already exist.*

***Conclusion: The proposed development meets the Criterion outlined in Design Standards ADC 8.330 through 8.390.***

4. Article 9 Criteria: This project is an expansion to meet special needs of the School District. The modular will be placed along a play area which is currently at the side of the school.
5. Article 10 is not applicable.
6. Article 12 is not applicable.

Sincerely,

A handwritten signature in black ink, appearing to read "Trace A. Ward", is written over a horizontal line. The signature is fluid and cursive in style.

Trace A. Ward, AIA  
Principal



## PUBLIC WORKS - COMMUNITY DEVELOPMENT

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

# Conditional Use Checklist & Review Criteria

## Information and Instructions

- ⊕ See fee schedule for filing fees (*subject to change every July 1*): staff will contact you for payment after submittal.

### Type II (staff decision with appeal option):

- Existing Building
- New Construction

*Note: If staff's decision is appealed and a public hearing is scheduled, additional fee applies.*

### Type III (public hearing):

- Existing Building
- New Construction
- Home Business
  
- Parking Lot Modification
- Additional fee if Design Standards apply
- Additional fee if Traffic Report is required

Construction Value<sup>1</sup> \_\_\_\_\_

- ⊕ All plans and drawings must be to scale, and review criteria responses should be provided as specified in this checklist.
- ⊕ Email all materials to [plans@cityofalbany.net](mailto:plans@cityofalbany.net). Please call 541-917-7550 if you need assistance.
- ⊕ Depending on the complexity of the project, paper copies of the application may be required.
- ⊕ Before submitting your application, please check the following list to verify you are not missing essential information. An incomplete application will delay the review process.

<sup>1</sup> This valuation is composed of the estimated cost of all improvements to the land related to the proposed site plan review project, but not the cost of the land itself. Building valuation is computed either from the Building Valuation Table used by the City of Albany's Building Division, or an actual construction bid submitted by the applicant. If the two valuations are different, the highest valuation will prevail. Land improvements include, but are not limited to, patios, decks, sidewalks, parking areas, and landscaping.

## Conditional Use Submittal Checklist

**Planning Application form with Authorizing Signatures**

**Neighborhood Meeting Summary** (if required)

Some types of development require the developer/applicant to hold a neighborhood meeting before submitting a development application to the City. Refer to ADC Article 1.203 to see if a neighborhood meeting is required for this development.

**If a neighborhood meeting is required**, see ADC Article 1.204 for the meeting standards to be followed.

After the meeting, prepare a report to submit with the land use application that documents the meeting results and includes the following information [ADC Article 1.207(7)]:

**Neighborhood Meeting Report:**

- a) The dates and locations of all meetings where citizens were invited to discuss the proposal;
- b) The method(s) of publicizing each meeting;
- c) The number of people who attended the meeting or otherwise contacted the applicant;
- d) A summary of the concerns, issues, and problems raised by neighbors;
- e) A discussion of how the applicant has addressed or intends to address concerns, issues, and problems; and
- f) A discussion of any concerns, issues, and problems the applicant is unable or unwilling to address and why

**Review Criteria and Development Standards Responses**

Requests for conditional uses will be approved if the review body finds that the application meets all the following criteria, either outright or with conditions that bring the proposal into compliance.

On a separate sheet of paper, prepare a detailed written response using factual statements (called findings of fact) to explain how the proposed Conditional Use complies with each of the following review criteria (ADC 2.250). Each criterion must have at least one finding of fact and conclusion statement. (See last page for example findings of fact.)

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

**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:

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.
2. The proposed project meets applicable off-street parking, landscaping, tree felling, buffering and screening, and environmental standards found in Article 9.
3. The proposed project meets applicable standards for public facilities found in Article 12.

**The approval authority may designate conditions in order to assure conformance with applicable review criteria and development standards.** Some of the most frequently imposed conditions relate to the following: uses, special yards and spaces, fences and walls, street dedications and improvement petitions (or bonds), site entry and exit, signs, building textures, colors architectural features and height, landscaping screening and buffering, noise, vibration, or other similar nuisances, hours for certain activities; time period within which the proposed use shall be developed, duration of use, and preservation of natural vegetation and open space.

- DESIGN STANDARDS.** Refer to Article 8 of the Albany Development Code (ADC). Submit detailed findings of fact that explain how the proposed development meets all of the applicable design standards.
- SITE PLAN.** The Site Plan must be labeled as such and include the following information. If any listed item below is not provided, please include a written explanation why it should not be applicable to this development.
  - Existing address (if any), section, township, range, and legal description sufficient to define the location and boundaries of the site
  - Names and addresses of the property owner(s), applicant(s), developer(s), surveyor, and engineer, as applicable
  - Date plan was drafted and a north arrow
  - Scale of the plan. (Use 1 inch = 20 feet, unless otherwise approved by Planning staff. For parcels over 100 acres, use 1 inch = 100 feet.) The plan must be clear, measurable, and fully dimensioned.
  - Total gross and net land areas of the entire site. (“Net” is minus the square footage of any land proposed for dedication to the public, not including easements.)
  - Label and show the lengths of all existing property lines of the development site.
  - Label and show the zoning designations, property boundaries, land uses, and approximate building locations of all adjacent properties.
  - Label and show the area and square footage of any land to be dedicated to the public; include its intended purpose (e.g. right-of-way, parkland, conservation easement, etc.).
  - Label and show the locations and construction type of all *existing and proposed* driveways.
  - Label and show the locations of all *existing and proposed* structures, wells, septic tanks and drain fields, the distances between them and the existing property lines and each other. Indicate what is to be removed, relocated, and/or retained. If relocated on the site, show and label the new location.
  - Label and show the locations of all public improvements to be constructed as part of the development of the site (e.g., streets, sidewalks, and utilities).
  - Label and show the locations and sizes of all *existing and proposed* public sewer and water mains and private service lines from the main to the site; culverts, ditches, and drain pipes, and electric, gas and telephone conduits, including those on site, on adjacent property, and within adjacent rights-of-way. Include invert elevations of sewer lines at points of proposed connections.
  - Label and show all existing natural drainage patterns, flow arrows showing existing and proposed drainage patterns and existing and proposed swales, ditches, or other drainage ways.
  - Location, size, type, and capacity of the existing and proposed drainage system including pipe size, slope, and detention facilities. Show existing and proposed finished grade elevations at collection points and property lines. Include the location, size, type, and capacity of the downstream drainage system that would serve the proposed development. Also provide any supporting calculations.
  - Location, size, type, and capacity of all existing and proposed post-construction stormwater quality facilities. Clearly identify all impervious surfaces and contributing areas draining to each facility.

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- Label and show the locations, widths, and names of all existing or platted adjacent public streets, alleys, sidewalks, planter strips, curbs, and other public rights-of-way or uses, railroad rights-of-way, and other important features such as City boundary lines.
- Label and show the locations, widths, names, approximate radii or curves, and the relationship of all streets to any proposed streets shown on any City approved plan or proposed with the application.
- Label and show the locations, widths, ownership, and purpose of all existing and proposed easements on the site and on adjacent properties.
- Label and show existing and proposed contour (topography) lines drawn at one-foot intervals, or at a larger interval if approved by the City Engineer. Indicate the elevations of all control points used to determine the contours. Contours must be related to City of Albany data. See the Engineering Division for data.
- Percentage of the site covered by existing and proposed structures and paved areas. Clearly identify the boundaries and total square footage of all new and/or replaced impervious surfaces.
- Show the typical cross sections at adjacent property boundaries showing pre-and post-development conditions and clearly identify any changes in elevation at the property line not captured in the typical section.
- Locations and species of trees with individual trunks, or multiple trunks that when combined, are larger than 25 inches in circumference measured at 4½ feet above mean ground level from the base of the trunk. To obtain the circumference of a tree with multiple trunks, add the individual trunks circumferences, which are greater than 6 inches in circumference. Identify any trees proposed for protection and the method of protection. Indicate which, if any, you propose to remove. (A tree felling application may also be required. See ADC 9.205 for tree felling regulations.)
- Locations and dimensions of all delivery and loading areas
- Locations and dimensions of all parking and circulation areas
- Location and dimensions of all vision clearance areas per ADC Article 12.180
- Locations and dimensions of all trash disposal areas. Include elevation drawing of trash enclosure.
- Locations of all proposed signs. (Sign permits are issued separately from this review.)
- Location, design, and illumination detail of proposed site and building lighting
- Location and type of proposed pedestrian amenities and common areas (when applicable)
- Location and design drawings of all proposed utility vaults and mailboxes

### Additional Plan Information

The following may not apply to every site. If an item does apply, show the information on the proposed site plan, and check the box. *If an item does not apply, attach a short explanation as to why it does not apply and write "NA" in the box.*

- Label and show the width, direction, and flow of all watercourses on the site.
- Label and show areas within the 100-year floodplain and other areas subject to inundation or storm water overflow, with approximate high-water elevation. State the base flood elevation (BFE); label and show the floodplain boundary on the map.
- Label and show the boundaries of all jurisdictional wetlands. Sources: Plate 6 of the Comprehensive Plan, the National Wetland Inventory, and Local Wetland Inventory maps. Land not on these maps still may contain wetlands.
- Label and show location of the following significant natural resources: 1) significant wetlands identified on the city's Local Wetlands Inventory; 2) significant riparian corridors on the city's Riparian Inventory; 3) significant wildlife habitat,

## Conditional Use

if known; 4) existing channels as shown on the most current version of the Albany Storm Water Master Plan; and 5) slopes greater than 12 percent.

- Label and show location of the following natural features: 1) non-significant wetlands identified on the city's Local Wetlands Inventory; 2) wooded areas with 5 or more trees over 8 inches in diameter measured 4½ feet from the ground; and 3) springs.
- Location of airport height restrictions.
- Location of Willamette Greenway.
- Location of historic districts, structures, and sites on the City's adopted Local Historic Inventory, including individually designated National Register Historic Landmarks and archaeological sites.

 **Elevation Drawings**

Fully dimensioned drawings of each elevation of each building. Include building height, materials, and colors to be used.

 **Floor Plan Drawings** (If applicable)

Floor plans shall include dimensions and square footages.

 **Conceptual Landscape and Irrigation Plans**

The Site Plan may show locations where landscaping will be provided, including any vegetated post-construction stormwater quality facilities. Before occupancy or final inspection of the development, a final landscape plan must be submitted for review and approval. That plan must include a legend that indicates the number, size, spacing, and botanical and common names of all proposed plants.

 **Public Utility Plans**

Submit full-sized copies of preliminary water, sewer and storm sewer plans and systems. These plans must provide enough information to enable the City Engineer to determine that the proposed development is feasible but are not required to be detailed construction level documents. The City's Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.

- **Preliminary Water Plans**
- **Preliminary Sanitary Sewer Plans**
- **Preliminary Storm Sewer Plans**

Include detention calculations demonstrating that the proposed detention facility is correctly sized and which show how the Storm Drain Control structure will function.

***Note:** Some properties may have covenants or restrictions, which are private contracts between neighboring landowners. These frequently relate to density, minimum setbacks, or size and heights of structures. While these covenants and restrictions do not constitute a criterion for a City land use decision, they may raise a significant issue with regard to the City's land use criteria. It is the responsibility of the applicant to investigate private covenants or restrictions.*

## Other Permits, Plans, or Reports that May Be Required

● **Floodplain Development Permit**

If any of the property is within the Floodplain Development (/FP) overlay, refer to ADC Sections 6.070-6.125 to determine if the Floodplain Development standards apply and if a Floodplain Development Permit is required.

● **Natural Resources Impact Review**

If any of the property is within one of Albany’s Significant Natural Resource (/SW, /RC, /HA) overlay districts, refer to ADC Sections 6.290-6.300 to determine if a Natural Resource Impact Review may be required.

● **Mitigation Plan**

If the project is proposed within any of Albany’s Significant Natural Resources overlay districts (/SW, /RC, /HA), a mitigation plan may be required. See ADC Sections 6.400 and 6.410 or Mitigation Supplement.

● **Geotechnical Report for Hillside Development**

If any of the property is within this Hillside Development (/HD) overlay, refer to ADC Sections 6.170-6.230 to determine if Hillside Development standards apply. If applicable, attach written findings of fact that demonstrate how this project meets these standards and provide a geotechnical report on the site.

● **Historic Review**

If any property is within a Historic Overlay District or contains a Local Historic Inventory Resource, refer to Article 7 to determine if historic review is required.

## Additional Application Information

Submit answers to the following proposal questions (separately or on this sheet)

Gross Land area of the site to be developed \_\_\_\_\_

Net land area (gross land minus land to be dedicated to the public) \_\_\_\_\_

Does the site contain any existing structures, private wells, septic tanks, or drain fields?  Yes  No

If yes, describe (Show the location of these on the site plan map indicating whether or not they will remain.)

\_\_\_\_\_

Current use of the property \_\_\_\_\_

Number and surface type of all existing driveways at the site \_\_\_\_\_

Existing uses and zoning of properties adjacent to the site (including across the street if applicable)

Current Uses

Zoning

North \_\_\_\_\_

\_\_\_\_\_

South \_\_\_\_\_

\_\_\_\_\_

East \_\_\_\_\_

\_\_\_\_\_

West \_\_\_\_\_

\_\_\_\_\_

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Is there a phasing plan?  Yes  No

If yes, indicate how many phases and clearly outline and label the boundaries of the phases on the site plan.

Number of Phases \_\_\_\_\_

Are you applying the Cluster Development overlay district provisions to this project?  Yes  No

If yes, attach written findings of fact that demonstrate how this project meets ADC Sections 11.400 through 11.530.

Lot coverage calculations are required for all applications except Change of Use and Temporary Merchant license.

Lot Coverage

Percent lot coverage allowed \_\_\_\_\_ Proposed lot coverage percent \_\_\_\_\_

Net land area of the site \_\_\_\_\_ Square footage of all building pads \_\_\_\_\_

Square footage of all parking/access areas \_\_\_\_\_

Required Parking

Indicate the square footage of each use within the proposed structure(s). Employee and/or company vehicle information may be needed as well. Refer to ADC Article 9 for commercial and industrial parking space requirements and categories. For residential use, see Article 9.020, Table 1.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of bicycle parking spaces provided [see ADC 9.120(13)] \_\_\_\_\_

Building heights (Must also be shown on all elevation drawings) \_\_\_\_\_

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Supplemental Information for Multiple Family

(Additions to Existing Development or Completely New Development)

1. **Gross land area** of the subject property \_\_\_\_\_ sq. ft.
2. **Land area** proposed for dedication to the public \_\_\_\_\_ sq. ft.
3. **Net land area** (gross land minus dedication area) \_\_\_\_\_ %
4. **Lot Coverage:** maximum allowable by the ADC for the zone is \_\_\_\_\_ % [See Article 3, Table 1.] Lot coverage includes parking, driveway, and building pad areas. It does not include patios or internal pedestrian walkways.

**Analysis for the applicant:**

Building foundation coverage is \_\_\_\_\_ sq. ft. = \_\_\_\_\_ % of total net site

Parking and driveway areas are \_\_\_\_\_ sq. ft = \_\_\_\_\_ % of total net site

5. Density calculation analysis for the \_\_\_\_\_ Zoning District.

[See Article 3.190, Table 1 for the minimum land area required per dwelling unit.]

- \_\_\_\_\_ Single-family dwelling units @ \_\_\_\_\_ sq. ft. per unit = \_\_\_\_\_ sq. ft.
\_\_\_\_\_ Duplex units @ \_\_\_\_\_ sq. ft. per duplex = \_\_\_\_\_ sq. ft.
\_\_\_\_\_ Two or more attached single-family @ \_\_\_\_\_ sq. ft. per unit = \_\_\_\_\_ sq. ft.
\_\_\_\_\_ Three or more 1-bedroom units @ \_\_\_\_\_ sq. ft. per unit = \_\_\_\_\_ sq. ft.

Total = \_\_\_\_\_ sq. ft. (should be no greater than 3 above)

If the net land area does not support the number of dwelling units, the site must either be approved for a variance (which is a separate application) or qualify for density bonus(es). [See Sections 3.200-3.220 for the bonus provisions.] On a separate sheet(s) of paper identify any bonus(es) being requested; explain how this project qualifies and submit the percentage for each and recalculated density based upon the bonus(es).

6. Proposed number of units per acre (number of units divided by net acres): \_\_\_\_\_
Regardless of any bonus provisions applicable, the maximum number of units per acre allowed by the ADC for this zone is \_\_\_\_\_ (See Article 3.020.)

7. Parking Analysis: Parking spaces must be shown and dimensioned on the site plan. [See Article 9 for design standards.] Note: There are other categories of parking for special uses. If any pertain to the application, list the use(s) and the parking requirement in the following format:

- \_\_\_\_\_ Studio and 1-bedroom units @ 1 space/unit + 1 visitor space for every 4 units = \_\_\_\_\_ spaces
\_\_\_\_\_ 2-bedroom units @ 1.5 spaces/unit + 1 visitor space for every 4 units = \_\_\_\_\_ spaces
\_\_\_\_\_ 3-4-bedroom units @ 2.25 spaces/unit + 1 visitor space for every 4 units = \_\_\_\_\_ spaces

Total required \_\_\_\_\_ spaces

Total provided per plan \_\_\_\_\_ spaces

Number of parking spaces by type: Standard \_\_\_\_\_ Disabled \_\_\_\_\_ Compact \_\_\_\_\_ Garages \_\_\_\_\_

Size of parking space by type: Standard \_\_\_\_\_ Disabled \_\_\_\_\_ Compact \_\_\_\_\_ Garages \_\_\_\_\_

Fire Department Supplementary Questionnaire

- 1. Does the Business plan to STORE hazardous materials? [ ] Yes [ ] No
2. Does the business plan to USE hazardous materials? [ ] Yes [ ] No
3. Does the business GENERATE hazardous materials or hazardous waste? [ ] Yes [ ] No
4. Is your business currently reporting hazardous substances to the State Fire Marshal's Office? [ ] Yes [ ] No

Note: Hazardous materials are materials that pose a potential threat to fire and life safety. Examples include paints, solvents, compressed gases, pesticides, poisons, gasoline, propane, and laboratory chemicals. Please call the Albany Fire Marshall if you have questions about this section. 541-917-7700.

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## Conditional Use Process and Procedure

### Procedure (ADC 2.230)

The City does not allow some uses outright, although they may have beneficial effects and serve important public interests. These uses are subject to the conditional use regulations because they may have 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 review process provides an opportunity to allow the use when it will have minimal impacts, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved.

Uses identified as requiring conditional use approval may be permitted, enlarged, or altered according to the provisions of the ADC. In addition, when a use is not authorized in any district or when it is unclear how to classify a particular use or development within the intent of this Code, the use or type of development may be established by a conditional use approval.

### Procedure (2.240)

A Conditional Use application is reviewed as either a **Type II** or a **Type III** procedure, according to the Schedule of Permitted Uses.

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## Example of Findings of Fact

### Criteria for Findings of Fact

A Conditional Use will be granted if the approval authority finds the application conforms with the criteria found in Article 2.250 of the ADC, and to applicable development standards. Before the reviewing authority can approve an application, the applicant must submit information that adequately supports the application. If the applicant submits insufficient or unclear information, the application will be denied or delayed.

### Format for Findings of Fact

Statements addressing individual criteria must be in a “finding of fact” format. A finding of fact consists of two parts:

1. Factual information such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: on-site inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

### Example

#### Criterion

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 will occur in an existing commercial building located in the Community Commercial zoning district. The existing site meets all setback and landscaping requirements of the zoning district. The proposed use will not increase the existing intensity of the site (lot coverage) because the request does include any expansion of the building or parking area.

#### Conclusion

The proposed use will be compatible with the existing uses in the area.