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

Staff Report

Land Division – Tentative Partition Plat

PA-03-20 May 12, 2020

Application Information

Proposal:	Tentative Partition Plat to divide one parcel into three parcels
Review Body:	Staff (Type I-L review)
Property Owner:	Clear Path Home Buyers PO Box 548, Corvallis, Oregon 97339
Applicant:	Noah Thompson, MSS Engineering 215 NW 4th Street, Corvallis, Oregon 97330
Engineer:	Peter Seaders, MSS Engineering 215 NW 4th Street Corvallis, Oregon 97330
Address/Location	510 19th Avenue SW, Albany, Oregon 97322
Map/Tax Lot:	Linn Tax Assessor's Map No(s).: 11S-03W-07CC; Tax Lot 02900
Zoning:	Medium Density Residential (RM) District
Existing Land Use:	Residential Single-Family
Parcel Size:	13,200 square feet
Neighborhood:	Sunrise
Surrounding Zoning:	North: Light Industrial (LI) East: Residential Medium Density (RM) South RM West RM
Surrounding Uses:	North: Single-Family Residence East: Quad Plex (Middle Housing) South Single-Family Residence West Two Detached Single-Family Residences
Prior History:	Prior land use history could not be located

Summary

A Tentative Partition Plat is proposed for the property addressed 510 19th Avenue SW and identified as Linn County Tax Assessor's Map No. 11S-03W-07CC; Tax Lot 2900. The property is located on the southwest corner of Nineteenth Avenue and Washington Street. The proposal will divide a 0.33-acre (13,200 square feet) parcel of land into three parcels. As shown on the applicant's Tentative Partition Plat (Attachment B), Parcel One will be 3,595 square feet and is developed with an existing single-family structure. Parcel Two (4,800 square feet) and Parcel Three (4,826 square feet) will each be developed with a duplex.

Land Division criteria contained in Albany Development Code (ADC) 11.180 and 11.090 are addressed in this report. The criteria must be met to grant approval of the application.

Staff Decision

The tentative partition plat application referenced above is **APPROVED with CONDITIONS** as described in this staff report.

Notice Information

A Notice of Filing was mailed to property owners identified within 100 feet of the subject properties on April 3, 2020, in accordance with ADC 1.330. At the time the comment period ended on April 17, 2020, the Albany Planning Division received no written comments.

Analysis of Development Code Criteria

The ADC includes the following review criteria for a Tentative Plat (ADC 11.180), 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.

Tentative Plat Review Criteria

Criterion 1

The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.

Findings of Fact

1.1 A Tentative Partition Plat is proposed for the property addressed 510 19th Avenue SW and identified as Linn County Tax Assessor's Map No. 11S-03W-07CC; Tax Lot 2900 (Attachment A).

1.2 The subject lot is located in the Residential Medium Density (RM) zoning district. The RM district is intended primarily for medium- to high-density urban residential development. Development may not exceed 25 units per gross acre.

1.3 The proposal will divide a 0.33-acre (13,200 square feet) parcel into three parcels. As proposed, Parcel One will be 3,595 square feet, Parcel Two will be 4,800 square feet, and Parcel Three will be 4,826 square feet. The existing single-family residential structure will be retained on Parcel One. Parcel Two and Three will be developed with a duplex.

1.4 The minimum lot size in the RM zone for a single-family, detached structure is 3,500 square feet. Minimum lot size for a duplex is 4,800 square feet. Therefore, all three parcels meet the minimum lot size as proposed.

1.5 The minimum lot width for the RM zone is 30 feet for detached units and 20 feet for attached units. The minimum lot depth is 60 feet. Parcel 1 has a minimum width of 35.08 feet and a minimum depth of 81.77 feet. Parcel 2 has a width of 50.20 feet and a minimum depth of 103.34 feet. Parcel 3 has a width of 50.01 feet and a minimum depth of 88.98 feet. Therefore, as proposed all lots meet the minimum lot width and depth requirements.

1.6 The minimum front setback in the RM zone is 15 feet. The existing house on Parcel 1 is located within the 15-foot front setback. Because the house is existing and the proposed partition does not create or increase the structure's nonconformance, its encroachment into the front setback is permitted. Setback requirements for the duplex units will be assessed at time of building permit. As shown in the Tentative Partition Plat (Attachment B), the proposed duplex units on Parcel 1 and 2 are each set back 20 feet from the front lot line. This standard is met.

1.7 The RM zone requires a minimum interior setback of three feet for single-story structures and a minimum of five feet for two or more stories. The existing building on Parcel 1 and the proposed structures on Parcels 2 and 3 are set back a minimum of five feet from the interior lot lines. This standard is met.

1.8 Maximum lot coverage in the RM zone is 70 percent. According to Linn County records, the footprint of the existing residence and associated garage on Parcel 1 totals 900 square feet. The proposed lot is 3,595 square feet. Therefore, lot coverage for Parcel 1 is approximately 25 percent, well below maximum threshold. Lot coverage for Parcel 2 and 3 will be assessed at time of building permit.

1.9 Lot and block standards of ADC 11.090 are listed below, along with findings related to each standard.

1.10 ADC 11.090(1) states that "lot arrangement must be such that there will be no foreseeable difficulties, for reason of topography or other condition, in securing building permits to build on all lots in compliance with the requirements of this Code with the exception of lots designated Open Space." The properties are mostly flat and do not contain other environmental impediments that would create difficulties in securing building permits. The Tentative Partition Plat demonstrates the lots can accommodate residential buildings.

1.11 ADC 11.090(2) states that "lot dimensions must comply with the minimum standards of this Code. When lots are more than double the minimum area designated by the zoning district, those lots must be arranged so as to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat." As discussed above, the proposed lot dimensions comply with the minimum standards of this Code. Likewise, the proposed lots are less than double the minimum lot area of the RM zoning district. Therefore, an urban conversion plan is not required.

1.12 ADC 11.090(3) regards standards related to double frontage lots and access to arterial streets. The proposal does not create double frontage lots and none of the lots are served by an arterial street. This standard is not applicable.

1.13 ADC 11.090(4) states that side yards of a lot shall run at right angles to the street the property faces. The side yards of the proposed lots run at a right angle to Nineteenth Avenue and Washington Street. Therefore, this standard is met.

1.14 ADC 11.090(5) relates to block dimensions associated with the construction of new streets. The partition will result in three lots that utilize existing streets. Likewise, the partition will not alter the existing block dimension. Therefore, this standard is not applicable.

1.15 ADC 11.090(6) relates to pedestrian and bicycle access where a public street connection is not feasible. All three parcels will be connected to, and have frontage on, a public street. Therefore, this standard is not applicable.

1.16 ADC 11.090(7) relates to the minimum distance between arterial street intersections. The proposed partition will not result in new streets, including arterial streets. Therefore, this standard is not applicable.

1.17 ADC 11.090(8) relates to street frontage along a cul-de-sac. None of the parcels have frontage along a cul-de-sac. Therefore, this standard is not applicable.

1.18 ADC 11.090(9) relates to flag lots. The proposed partition will not result in flag lots. Therefore, this standard is not applicable.

1.19 ADC 11.090(10) relates to the construction of street intersections. No new streets are proposed or required. Therefore, this standard is not applicable.

Conclusions

1.1 With the exception of the front setback for the existing structure on Parcel 1, the proposal meets the standards of the underlying zoning district.

1.2 Because the structure on Parcel 1 is existing and the proposed partition does not create or increase the structure's nonconformance, its encroachment into the front setback is permitted.

1.3 As proposed, lot and block length standards have been met.

1.4 This criterion is met without conditions.

Criterion 2

Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Findings of Fact

2.1 The subject property is owned by Clear Path Home Buyers in its entirety. There is no other remainder of property under the same ownership to consider with this application.

Conclusions

2.1 The site is currently owned by a single property owner. There is no other remainder of property under the same ownership to consider with this application.

2.2 This criterion is met without conditions.

Criterion 3

Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

Findings of Fact

3.1 This review criterion has been interpreted by the City Council to require only that adjoining land either have access, or be provided access, to public streets.

3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic. As shown on Attachment B, all three parcels will have access to, and frontage along, a public street currently open to traffic.

3.3 Adjoining properties have access to public streets through the existing transportation system and the proposed partition will not remove that access.

Conclusions

3.1 The subject property has adequate access to and from the existing street system.

3.2 Adjoining lands currently have direct access to public streets and the proposed partition will not impact that access.

3.3 This criterion is met without conditions.

Criterion 4

The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.

Findings of Fact

4.1 The development will divide a 13,200 square-foot parcel of land into three parcels, one of which is currently developed with a single-family home. All three parcels have access to a public street.

4.2 The development is located on the southwest corner of the intersection of Nineteenth Avenue SW and Washington Street SW.

4.3 Nineteenth Avenue is a short dead-end street, is classified as a local street, and is not fully constructed to City standards across the site's frontage. Portions of the site's frontage lack curb, gutter, and sidewalk.

4.4 Washington Street is classified as a local street and is not fully constructed to City standards across the site's frontage. Improvements include curb and gutter. However, the site's frontage lacks sidewalk.

4.5 The zoning on the site allows for multifamily residential development. The proposed partition will not result in an increase in the potential intensity of development and associated transportation impact that can occur on the site.

4.6 Section 12.060 of the Development Code requires that public streets within and adjacent to a development be improved to City standards. When the City Engineer determines that improvement of the street is not timely, the City may accept a Petition for Improvement/Waiver of Remonstrance for participation in a future assessment district.

Conclusions

4.1 The proposed partition will not result in an increase in the intensity of development that can occur on the site or its resulting impact on the transportation system.

4.2 Albany's TSP does not identify any level of service or congestion issues adjacent to the proposed development.

4.3 The development has frontage on existing streets not constructed to City standards. Because of its short length and the limited number of parcels served, the City Engineer determined that it is not timely for this development to improve its street frontage along Nineteenth Avenue and that an improvement assurance should instead be provided.

4.4 This criterion can be met with the following conditions.

Condition

Condition 1 Prior to recordation of the partition plat, the applicant shall provide a Petition for Improvement – Waiver of Remonstrance for participation in an assessment district for the construction of public street improvements along the development's frontage on Nineteenth Avenue.

Condition 2 Prior to recordation of the partition plat, the applicant shall install public sidewalk to City standards along the development's frontage on Washington Street. The improvement shall include installation of a curb return, accessible ramps, and other appurtenances on the southwest corner of Washington Street and Nineteenth Avenue.

Criterion 5

The location and design allow development to be conveniently served by various public utilities.

Findings of Fact

Sanitary Sewer

5.1 City utility maps show a 24-inch public sanitary sewer main in Washington Street and an 8-inch main in Nineteenth Avenue. The existing dwelling on the subject property is currently connected to the public sewer system through a service lateral tapped from the main in Nineteenth Avenue.

5.2 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.

5.3 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.

5.4 Each of the proposed lots will have direct access to an existing public sewer main in the street adjacent to the lot. Upon development of the lots, each lot will be required to make a separate connection to the public sanitary sewer system and pay all applicable fees and charges.

Water

5.5 City utility maps show a six-inch public water main in Washington Street. No public main exists in Nineteenth Avenue adjacent to the subject property. The existing dwelling on the subject property is not connected to the public water system but is served by a private well.

5.6 ADC 12.420 states that no new development is allowed on private well systems, except for construction of one single-family dwelling on an existing lot of record.

5.7 ADC 12.410 requires all new development to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main.

5.8 ADC 12.450 requires that all new development within the City, where appropriate, provide for the extension of existing water lines serving surrounding areas.

5.9 AMC 11.01.120 (2)(e) states that all required public water main extensions must extend to the furthest property line(s) of the development or parcel. Main extensions may be required through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide current or future looping of water mains, or to provide current or future service to adjacent properties. When the owner of a property is required to connect to the public water system, the water main must be extended across the property's entire frontage and/or through the interior of the property. Extension of the water across the property's frontage and through the interior of the property makes the system available to adjacent properties. Then, when the adjoining property connects, that property owner must extend the water mains in a similar manner, making the water available to the next properties. In this way, each property owner shares proportionately in the cost of extending water mains.

5.10 AMC 11.01.120 (2)(c) states that the City shall have the sole right to determine size, location, and type of facility to be constructed. All engineering of public water facilities shall be based on both domestic and fire protection design criteria, and in accordance with the City's water facility plan. All public water system improvements to be built under a private contract require that the developer obtain a Permit for Private Construction of Public Improvements.

5.11 AMC 11.01.120 (2)(h) states that all public main extensions must include fire hydrants and other appurtenances in a manner consistent with the recommendations of the water system facility plan, the Standard Construction Specifications, and/or the fire marshal.

5.12 AMC 11.01.120(2)(b) states that all public water system improvements must be installed in public rights-of-way or public utility easements. The normal location for the public water main extensions will be in a dedicated street right-of-way.

5.13 Because no public water main exists in Nineteenth Avenue, the applicant must construct a public water main extension along the full length of the property's Nineteenth Avenue frontage before the final plat will be approved by the City. Final design details for this public water main extension will be determined as part of the required Site Improvement permit the applicant must obtain through the City's Public Works Department.

5.14 A Connection Charge shall be due and payable when accessing the City's water distribution facilities from or for the benefit of any real property against which no assessment has previously been levied or for which the cost of constructing the water facilities has not been paid by the property owner or predecessor thereof (AMC 15.30.010).

5.15 If the water distribution facility is to be utilized pursuant to any activity involving a land division, the amount of the applicable connection charge shall be paid, in full, prior to the signing of the final plat. (Ord. 5565 § 4, 2003).

5.16 Because the subject property has never been connected to the public water system and has never paid an assessment toward the existing public water system facilities adjacent to the property, a connection charge will be due before the final plat will be approved by the City.

5.17 Upon development of the lots, each lot will be required to make a separate connection to the public water system and pay all applicable fees and charges.

Storm Drainage

5.18 City utility maps show a 10-inch public storm drainage main in Washington Street. Washington Street is improved to City standards with curb and gutter. Nineteenth Avenue is not improved to City standards, as it lacks curb and gutter and any public storm drainage facilities.

5.19 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.

5.20 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer and/or the Building Official. Also, no stormwater may be discharged to the public sanitary sewer system.

5.21 ADC 12.580 states that all new development within the City must, where appropriate, provide for the extension of existing storm sewer lines or drainageways serving surrounding areas. Extensions may be required along all frontages and/or through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide service to upstream properties.

5.22 Because Nineteenth Avenue is unimproved and does not have storm drainage facilities available to accommodate roof drainage and other stormwater runoff produced on the proposed properties when they are developed, it will be necessary for the applicant to construct storm drainage facilities in Nineteenth Avenue. The final design of these facilities will be determined at the time of plan review associated with the Site Improvement permit required for the public water improvements and public drainage improvements.

Storm Water Quality

5.23 According to AMC 12.45.030, 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).

5.24 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.

Conclusions

5.1 Public utilities (sanitary sewer, water, and storm drainage) are adequate or can be made adequate to serve the proposed use.

5.2 A public water main extension is required for the property's frontage on Nineteenth Avenue.

5.3 Public storm drainage facility improvements will be required along the property's Nineteenth Avenue frontage.

5.4 Public improvements required for this partition must be done under a Site Improvement permit obtained from the City's Public Works Department. Final design details must be approved by the City Engineer before beginning work on the improvements.

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

5.6 This Criterion is met with the following conditions.

Conditions

Condition 3 Before the City will sign the final partition plat, the applicant must construct a public water main extension along the subject property's Nineteenth Avenue frontage. Final design details for this public improvement will be reviewed as part of the required Site Improvement permit.

Condition 4 Before the City will sign the final partition plat, the applicant must construct public storm drainage improvements along the subject property's Nineteenth Avenue frontage. Final design details for this public improvement will be reviewed as part of the required Site Improvement permit.

Condition 5 Before the City will sign the final partition plat, the applicant must pay a water connection charge for the existing public water main in Washington Street.

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 4: Airport Approach*. Figure 4-1 of ADC Article 4 shows that the subject property is not located in the Airport Approach District.

6.2 *Article 6 Steep Slopes, Comprehensive Plan Plate 7:* According to *Plate 7 of the Comprehensive Plan*, the subject property is not located in the Hillside Development district.

6.3 *Article 6 Floodplains, Comprehensive Plan Plate 5:* FEMA/FIRM Community Panel No. 41043C0526G dated September 29, 2010, shows that the entirety of the subject property is located outside the 100-year floodplain.

6.4 *Article 6 Wetlands, Comprehensive Plan Plate 6*: does not show any wetlands on the subject site. The National Wetlands Inventory Map does not show wetlands on the subject site.

6.5 *Article 6:* The subject property is not located in the Willamette River Greenway, Open Space Zoning, Riparian or Habitat overlay district.

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

Conclusions

6.1 The site is not located in the Airport Approach District, Historic District, or a Natural Resource District.

6.2 This Criterion is not applicable.

Overall Conclusion

As proposed and conditioned, the application for Tentative Partition Plat for a three-lot partition satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

Condition 1 Prior to recordation of the partition plat, the applicant shall provide a Petition for Improvement – Waiver of Remonstrance for participation in an assessment district for the construction of public street improvements along the development's frontage on Nineteenth Avenue.

Condition 2 Prior to recordation of the partition plat, the applicant shall install public sidewalk to City standards along the development's frontage on Washington Street. The improvement shall include installation of a curb return, accessible ramps, and other appurtenances on the southwest corner of Washington Street and Nineteenth Avenue.

Condition 3 Before the City will sign the final partition plat, the applicant must construct a public water main extension along the subject property's Nineteenth Avenue frontage. Final design details for this public improvement will be reviewed as part of the required Site Improvement permit.

Condition 4 Before the City will sign the final partition plat, the applicant must construct public storm drainage improvements along the subject property's Nineteenth Avenue frontage. Final design details for this public improvement will be reviewed as part of the required Site Improvement permit.

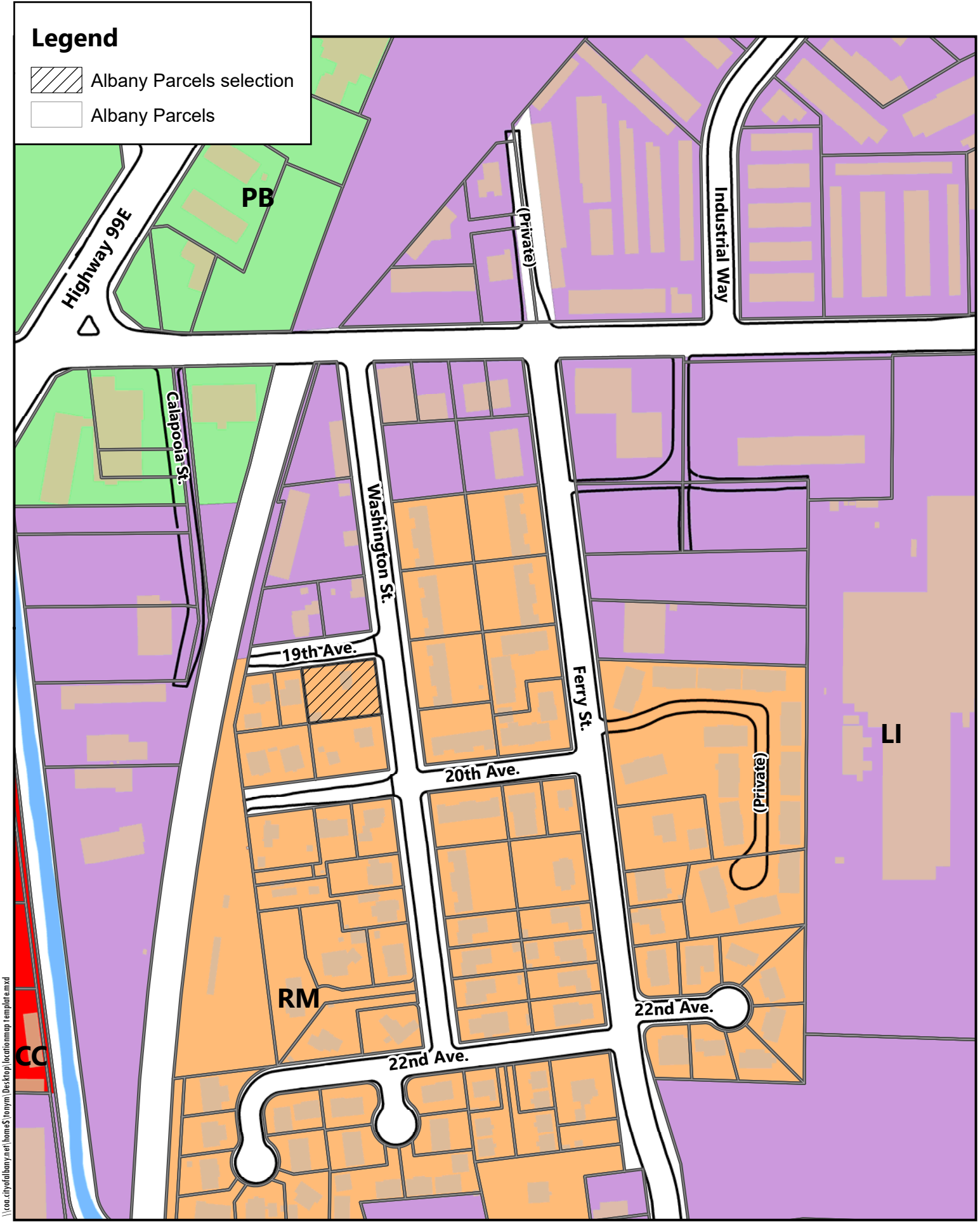
Condition 5 Before the City will sign the final partition plat, the applicant must pay a water connection charge for the existing public water main in Washington Street.

Attachments

A. Location Map
B. Proposed Tentative Partition Plat
C. Applicant's Findings Narrative

Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate map
RM	Residential Medium Density Zoning District
TSP	Albany's Transportation System Plan



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0 120 240 Feet

510 19th Ave

Date: 10/14/2019 Map Source: City of Albany

Location / Zoning Map

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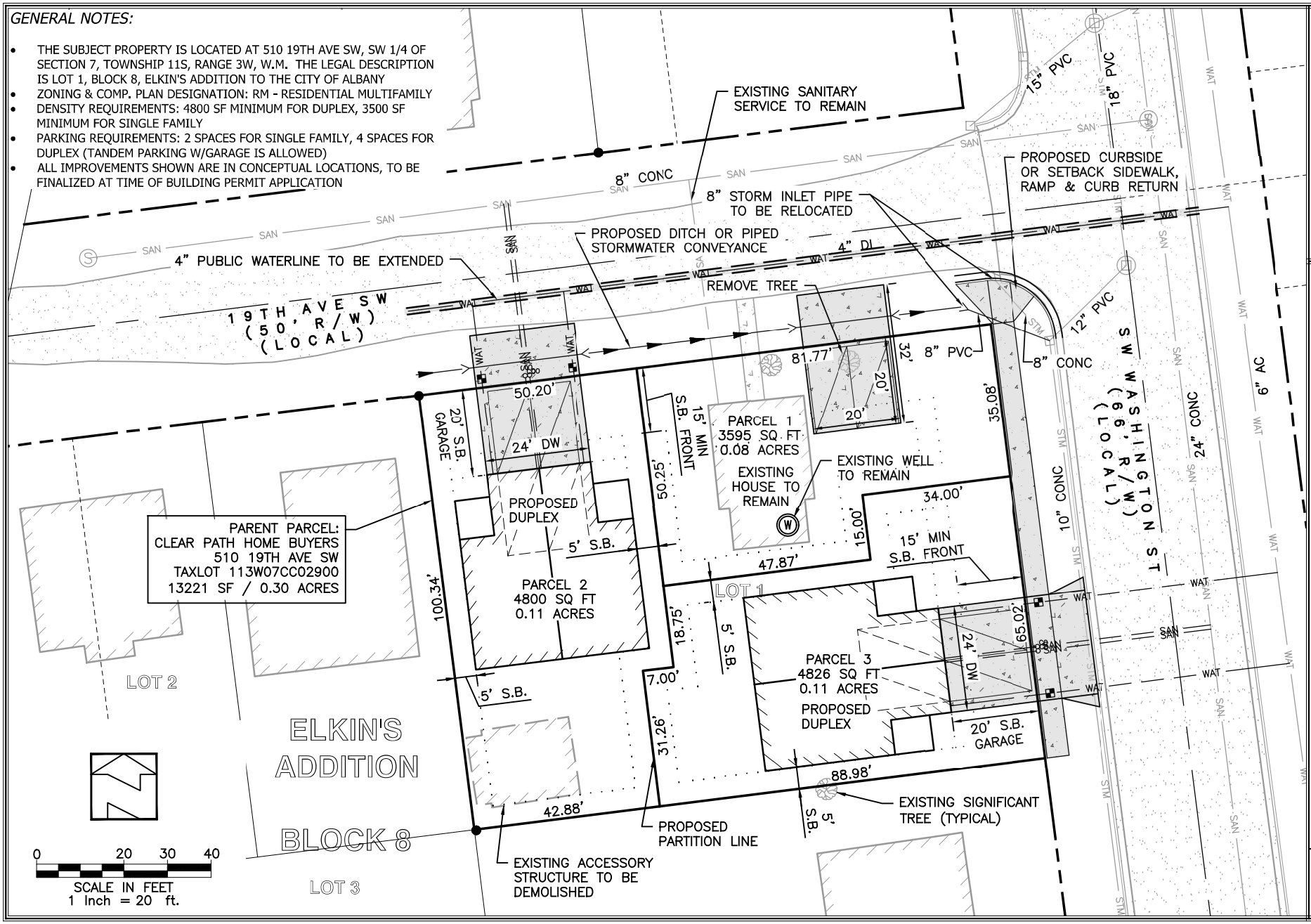
GENERAL NOTES:

- THE SUBJECT PROPERTY IS LOCATED AT 510 19TH AVE SW, SW 1/4 OF SECTION 7, TOWNSHIP 11S, RANGE 3W, W.M. THE LEGAL DESCRIPTION IS LOT 1, BLOCK 8, ELKIN'S ADDITION TO THE CITY OF ALBANY
- ZONING & COMP. PLAN DESIGNATION: RM - RESIDENTIAL MULTIFAMILY
- DENSITY REQUIREMENTS: 4800 SF MINIMUM FOR DUPLEX, 3500 SF MINIMUM FOR SINGLE FAMILY
- PARKING REQUIREMENTS: 2 SPACES FOR SINGLE FAMILY, 4 SPACES FOR DUPLEX (TANDEM PARKING W/GARAGE IS ALLOWED)
- ALL IMPROVEMENTS SHOWN ARE IN CONCEPTUAL LOCATIONS, TO BE FINALIZED AT TIME OF BUILDING PERMIT APPLICATION



SPIES REAL ESTATE GROUP
P.O. BOX 2930
CORVALLIS, OREGON
541-602-3575

REVISIONS	DATE	BY

19TH STREET PARTITION
ALBANY, OREGON
TENTATIVE PARTITION PLAT
510 19TH AVE SW

MSS INC
ENGINEERING CONSULTANTS AND PLANNERS
215 NW 4th STREET
CORVALLIS, OR 97330
(541) 753-1320 FAX (541) 753-5956

JOB #	FILE	DRAW
19143	TENT	NMT
SCALE	DATE	
AS SHOWN	02/24/2020	

P200
2 OF 2 SHEETS

MSS INC
ENGINEERING CONSULTANTS
SURVEYORS
PLANNERS

December 26, 2019

To: Planning Division
Community Development
333 Broadalbin St SW
Albany, OR 97321

From: MSS Engineering
215 NW 4th St
Corvallis, OR 97330

Spies 19th Ave Partition

This narrative is prepared in accordance with the City of Albany tentative plat submittal checklist for the accompanying partition application for the property at 510 19th Ave SW. The 0.30-acre lot is proposed to be divided into three parcels. Parcel 1 will contain the existing single-family residence and continue its existing use. Parcels 2 & 3 will eventually be developed with duplexes. Below is a list of each of the review criteria, followed by a response, indicating the proposal's compliance.

Criterion 1: ***The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.***

RESPONSE: The proposed uses of the parcels to be created are duplexes and single-family residence, both of which are permitted outright in the RM zone. The single-family parcel is 3595 SF (3500 SF minimum), and the two duplex parcels are 4800 SF and 4826 SF (4800 SF minimum). All three parcels exceed the 30' minimum lot width and the 60' minimum lot depth. As shown in the attached tentative plat with conceptual site plan, the lot arrangement will not result in any foreseeable difficulties in securing building permits. None of the proposed parcels are more than double the minimum lot areas in the RM zone, therefore no subsequent division lines can be shown. Except for the existing corner lot, there are no proposed double frontage lots. All interior lot lines run at or near right angles to the right-of-way lines. Both of the fronting streets are local streets. Finally, at time of development, a sidewalk along Washington Street and a curb return at the corner of Washington & 19th will be constructed with an ADA-accessible curb ramp.

Criterion 2: ***Development of any remainder of property under the same ownership can be accomplished in accordance with the code.***

RESPONSE: Based on the lot minimums in the current code, the property cannot be further divided. Additionally, there is no adjacent property under the same ownership.

Criterion 3: ***Adjoining land can be developed or is provided access that will allow its development in accordance with the Code.***

RESPONSE: The land adjoining to the west has recently been developed to its full potential. The neighboring property to the south can be developed in the same way that the subject property is proposed to be developed. Its development is not dependent in any way on the subject property's development.

Criterion 4: ***The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.***

RESPONSE: There are no proposed streets or changes to the existing transportation plan. The proposed parcels will take access off 19th Ave and Washington St, both of which are local streets.

Criterion 5: ***The location and design allows for development to be conveniently served by various public utilities.***

RESPONSE: The existing residence on parcel 1 will continue to be served by well water and its connection to the existing sanitary sewer in 19th Ave. Prior to the development of parcels 2 & 3, a public water main and stormwater conveyance system will be extended into 19th Ave to serve parcel 2. Parcel 3 may be served by the existing water, storm and sewer services in Washington Street. There are existing power and sanitary lines in both streets which may serve all three parcels.

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.***

RESPONSE: This criterion does not apply because the proposed development is not located in any special purpose districts.