



## 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-07-19

March 24, 2020

### Application Information

Proposal:	Partition one lot into two lots
Review Body:	Staff (Type I-L review)
Property Owner/Applicant:	Timber Knox Development, LLC Attention: Dave Montagne PO Box 3308, Salem, OR 97302
Applicant's Representative:	Multi/Tech Engineering Attention: Brandie Dalton 1155 13th Street SE, Salem, OR 97302
Address/Location	Unaddressed Parcel
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-03B; Tax Lot 2200
Zoning:	MUC-Mixed Use Commercial with Riparian Corridor Overlay (/RC) and Significant Wetland Overlay (/SW)
Existing Land Use:	Vacant
Parcel Size:	7.97 acres
Neighborhood:	East Albany
Surrounding Zoning:	North: Single Family Residential (RS-5) and Open Space (OS) East: RS-5 & OS South: MUC West: RS-5 & Residential Medium Density (RM)
Surrounding Uses:	North: School East: Truax-Burkhart Creek & Single Family Residential South: Vacant (proposed apartment complex under file SP-28-19) West: Apartment Complex and Single Family Residential
Prior History:	AN-02-00: Annexation of approximately 393 acres to the City of Albany ZC-04-17: Administrative Comprehensive Plan Map and Zoning Map amendment to align the map boundaries with the existing right-of-way NR-02-18: Natural Resource District Boundary Correction

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## Summary

A Tentative Partition Plat is proposed for the property located on the northeast corner of Knox Butte Road and Timber Ridge Street (Attachment A). The property is an unaddressed parcel that is identified as Linn County Tax Assessor's Map 11S-03W-03B Tax Lot 2200. The entire site is zoned Mixed Use Commercial (MUC).

The proposal will divide a 7.97-acre parcel of land into two parcels. Both parcels are currently vacant. As shown on Attachment F, Parcel One will be 6.99 acres, and Parcel Two will be 0.98 acres. No new development is proposed at this time.

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 January 13, 2020, in accordance with ADC 1.330. At the time the comment period ended on January 27, 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 located on the northeast corner of Knox Butte Road and Timber Ridge Street (Attachment A). The property is an unaddressed parcel that is identified as Linn County Tax Assessor's Map No. 11S-03W-03B; Tax Lot 2200.
- 1.2 The proposal will divide a 7.97-acre parcel of land into two parcels. As shown on Attachment F, Parcel One will be 6.99 acres, and Parcel Two will be 0.98 acres. Both parcels are currently vacant, and no new development is proposed at this time.
- 1.3 The entire site is zoned Mixed Use Commercial (MUC). There is no minimum lot size in the MUC zone for residential uses; for all other uses, the minimum lot size is 6,000 square feet. In the MUC

zone, there are no minimum lot dimension requirements. Proposed Parcel One and Two will both be larger than 6,000 square feet.

- 1.4 The site has frontage on existing streets, and the two new parcels will both have access from Timber Ridge Street. The proposed partition does not create new blocks, so the block length standards are not applicable.

## Conclusions

- 1.1 The proposal meets the standards of the underlying zoning district.
- 1.2 Lot and block length standards are not applicable for this proposal.
- 1.3 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 the Timber Knox Development, LLC 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.
- 3.3 As shown on Attachment F, the two parcels will both have street frontage and access to Timber Ridge Street.
- 3.4 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 Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.
- 3.4 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 7.97-acre parcel of land into two parcels. Both parcels are currently vacant. Parcel One will be 6.99 acres, and Parcel Two will be 0.98 acres. The entire site is zoned MUC (Mixed Use Commercial).
- 4.2 The development is located on the northeast corner of the Knox Butte Road - Timber Ridge Street intersection.
- 4.3 Knox Butte Road is classified as minor arterial 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 Timber Ridge is classified as a minor collector street and is constructed to City standards. Improvements include: curb, gutter, and sidewalk; a vehicle travel lane in each direction, and on street bike lanes.
- 4.5 The zoning on the site allows both commercial and residential land uses to occur. The proposed partition will not result in an increase in the potential intensity of development 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.
- 4.7 The future development of the parcels being created with this partition will require submittal of land use applications. Those applications can be conditioned to include construction of public street and utility infrastructure.

### 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. Those impacts will be evaluated with future land use applications for site development.
- 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 the site has future development potential, the City Engineer determined that it is not now timely for this development to improve its street frontages to City standards and that an improvement assurance should instead be provided.
- 4.4 This criterion can be met with the following condition.

## 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 Knox Butte Road.

## 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 12-inch public sanitary sewer main in Timber Ridge Street. No public sanitary sewer exists in Knox Butte Road east of Timber Ridge Street. A pressure sewer main in Knox Butte Road that once served the Draperville area has recently been abandoned.
- 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 ADC 12.490 states that sewer collection mains must be extended along the full length of a property’s frontage(s) along the right(s)-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion. ADC 12.510 requires main extensions through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide access to the public system for current or future service to upstream properties. Extension of the sewer across the frontage and/or through the interior of a property makes the system available to adjacent properties. Then, when the adjoining property connects, that property owner must extend the sewer in a similar manner, making the sewer available to the next properties. In this way, each property owner shares proportionately in the cost of extending sewer mains.
- 5.5 Where a property abuts more than one street or right-of-way, sewer mains shall be extended for the full length of the property frontages along the rights-of-way for all frontages, unless it is determined that the extensions on the frontages from which service is not being taken are not currently needed to provide service to other properties, and that those sewer mains may be completed at a future time. If the City Engineer authorizes a delay in construction of sewer mains, the property owner(s) must sign a Petition for Improvements and Waiver of Remonstrance that commits the property to participate in a future local improvement district (AMC 10.01.100(5)(d)).
- 5.6 ADC 22.400 defines “Development” as: Any man-made change to improved or unimproved real estate, including but not limited to construction, installation, or change of a building or other structure, land division, establishment or termination of a right of access, storage on the land, drilling and site alteration such as that due to land surface mining, dredging, paving, excavation, or clearing.

### *Water*

- 5.7 City utility maps show a 12-inch public water main in Timber Ridge Street and a 24-inch main in Knox Butte Road. The 24-inch main currently extends approximately 60 feet east of the proposed property line that intersects Knox Butte Road.
- 5.8 It has been determined that because public water exists along the frontages of Parcel Two, and Parcel One is undeveloped, it is not timely to construct public water system improvements in Knox Butte Road with this partition. In lieu of constructing these improvements, the applicant will be required to sign a Petition for Improvements and Waiver of Remonstrance for the future water system improvements.
- 5.9 Future development on Parcel One will likely require that the 24-inch public water main be extended in Knox Butte Road to the easternmost boundary of Parcel One.

### *Storm Drainage*

- 5.10 City utility maps show a series of catch basins at the northeast corner of the roundabout (Timber Ridge Street and Knox Butte Road) that are connected by 10-inch mains. The existing street improvements on Knox Butte Road extend approximately 60 feet east of the proposed property line that intersects Knox Butte Road.
- 5.11 It has been determined that because public street and storm drainage improvements exists along the frontages of Parcel Two, and Parcel One is undeveloped, it is not timely to construct storm drainage improvements in Knox Butte Road with this partition. In lieu of constructing these improvements, the applicant will be required to sign a Petition for Improvements and Waiver of Remonstrance for the future storm drainage improvements.
- 5.12 Future development on Parcel One will likely require that the public storm drainage system be extended in Knox Butte Road to the easternmost boundary of Parcel One in conjunction with likely street improvements.

### *Storm Water Quality*

- 5.13 ADC 12.45.030 "Permit Required" states: "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).
- 5.14 The proposed partition will create two parcels. Parcel One will be almost 7 acres, and Parcel Two will be 0.98 acres. While this partition does not in itself trigger stormwater quality requirements, and Parcel Two will be less than one-acre in area, the need for stormwater quality facilities on the resultant parcels will be considered at the time of development. It is possible that even though Parcel Two will be less than one acre, it will require stormwater quality facilities upon development if it is determined that the development is part of a phased project including Parcel One.

### *Conclusions*

- 5.1 Public water, storm drainage and street improvements currently exist along the frontages (Timber Ridge Street and Knox Butte Road) of proposed Parcel Two. Future development on Parcel One will likely require the extension of these public facilities to the easternmost boundary of Parcel One.
- 5.2 The applicant must sign a Petition for Improvements and Waiver of Remonstrance agreement for the future construction of needed public improvements in Knox Butte Road along the frontage of proposed Parcel One.

- 5.3 Public sanitary sewer facilities do not currently exist along the Knox Butte Road frontage of proposed Parcel Two. In order to provide for future extension of this utility upon development of Parcel One, a public sewer main must be extended across the Knox Butte Road frontage of proposed Parcel Two.
- 5.4 This criterion can be met with the following conditions.

### Conditions

- Condition 2 Before the City will sign the final partition plat, the applicant must construct a public sanitary sewer main extension along the Knox Butte Road frontage of Parcel Two. Alternatively, the applicant may provide financial assurances for these improvements as a mean of gaining City approval of the partition plat.
- Condition 3 Before the City will sign the final partition plat, the applicant must sign a Petition for Improvements and Waiver of Remonstrance for future public infrastructure improvements in Knox Butte Road.

### 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 located in the Airport Approach District. No development is proposed on the property at this time that would impact the airport overlay.
- 6.2 Article 6 Steep Slopes, Comprehensive Plan Plate 7: The site is relatively flat. There are no steep slopes on the subject property.
- 6.3 Article 6: Floodplains, Comprehensive Plan Plate 5: Truax-Burkhart Creek Overflow runs around the southeast portion of the site. Flood Insurance Rate Map (FIRM) #41043C0218G shows the Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain, follows the Truax-Burkhart Creek Overflow. At this location, the FEMA Flood Insurance Study (FIS) does not have a Base Flood Elevation (BFE) identified. No new development is proposed with this partition application; however, when new development is proposed, a BFE will need to be established at that time (per ADC 6.110(7)).
- ADC 6.110(7) also requires land divisions to include the following statement on the final plat: *“Development of property within the Special Flood Hazard Area as most currently established by the Federal Emergency Management Agency or City of Albany may be restricted and subject to special regulations by the City.”* This is included as a condition of approval for final partition plat approval.
- 6.4 Article 6: Wetlands, Comprehensive Plan Plate 6: As shown on the wetland delineation map (Attachment C), wetlands are located around the eastern periphery of the site. Wetlands are regulated by the Department of State Lands (DSL) and the U.S. Army Corps of Engineers (ACOE). A wetland notice was sent to DSL and their response is included in Attachment B. The response notice stated that “it does not appear that the project will impact jurisdictional wetlands, waterways or other waters of the state. A wetland delineation may be needed for future development proposals for Parcel One or Parcel Two.”
- 6.5 Article 6 Natural Resource Overlays: As shown on Attachment F, Significant Wetland (/SW) and Riparian Corridor (/RC) overlays are located on the eastern perimeter of proposed Parcel One;

proposed Parcel Two will be located entirely outside of the Significant Wetland (/SW) and Riparian Corridor (/RC) overlays. No new development is proposed at this time.

- 6.6 Historic and Archaeological Resources, Comprehensive Plan, Plate 9: The property is not located in a Historic District. There are no known archaeological sites on the property.

## Conclusions

- 6.1 The site is located within the airport approach district, but no development is proposed that would impact the airport overlay.
- 6.2 The site is relatively flat and there are no steep slopes on the subject property.
- 6.3 Truax-Burkhart Creek Overflow runs around the southeast portion of the site. ADC 6.110(7) requires land divisions to include a statement regarding the presence of the floodplain on the final plat.
- 6.4 Wetlands and the /SW and /RC overlays are located around the eastern portion of the property; however, no new development is proposed with this partition that would impact these wetlands or natural resource overlays.
- 6.5 The property is not located in a Historic District and there are no known archaeological sites on the property.
- 6.6 This criterion can be met with the following condition.

## Condition

- Condition 4 At the time of final plat, the following statement shall be recorded on the final plat: *“Development of property within the Special Flood Hazard Area as most currently established by the Federal Emergency Management Agency or City of Albany may be restricted and subject to special regulations by the City.”*

## Overall Conclusion

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

## Conditions of Approval

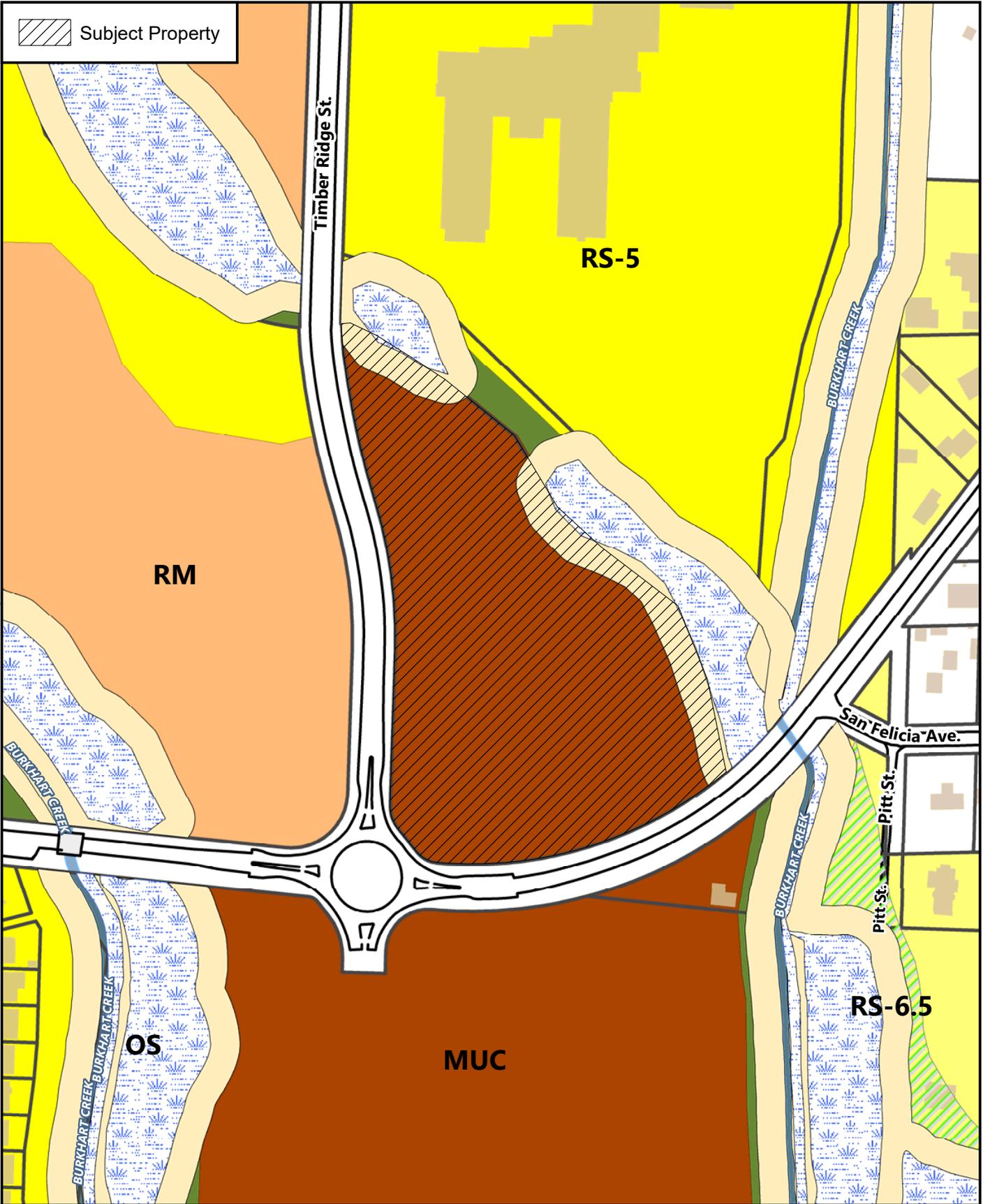
- Condition 1 Prior to recordation of the partition plat, the applicant shall provide a Petition for Improvement – Waiver of Remonstrance for participation in an assessment district for the construction of public street improvements along the development’s frontage on Knox Butte Road.
- Condition 2 Before the City will sign the final partition plat, the applicant must construct a public sanitary sewer main extension along the Knox Butte Road frontage of Parcel Two. Alternatively, the applicant may provide financial assurances for these improvements as a mean of gaining City approval of the partition plat.
- Condition 3 Before the City will sign the final partition plat, the applicant must sign a Petition for Improvements and Waiver of Remonstrance for future public infrastructure improvements in Knox Butte Road.
- Condition 4 At the time of final plat, the following statement shall be recorded on the final plat: *“Development of property within the Special Flood Hazard Area as most currently established by the Federal*

*Emergency Management Agency or City of Albany may be restricted and subject to special regulations by the City.”*

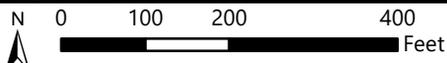
## Attachments

- A. Location Map
- B. Wetland Land Use Notice Response from the Dept. of State Lands
- C. Wetland Delineation from the Dept. of State Lands
- D. Applicant’s Findings Narrative
- E. Proposed Tentative Partition Plat Cover Sheet (sheet 1 of 2)
- F. Proposed Tentative Partition Plat Map (sheet 1 of 2)

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G:\Community Development\Planning\Land Use Cases\2010s\2019 Site Plan Review (SP)\SP-03-19 (2409 SE Pacific)\Location Map.mxd



Assessor's Map No(s): 11S03W03B 02200

Date: 4/24/2019 Map Source: City of Albany

Location / Zoning Map

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## Wetland Land Use Notice Response

### Response Page

Department of State Lands (DSL) WN# \*

WN2019-0713

### Responsible Jurisdiction

<b>Staff Contact</b>	<b>Jurisdiction Type</b>	<b>Municipality</b>
Melissa Anderson	City	Albany
<b>Local case file #</b>	<b>County</b>	
PA-07-19	Linn	

### Activity Location

<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>QQ section</b>	<b>Tax Lot(s)</b>
11S	03W	03	B	2200

Street Address

Unaddressed Parcel

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Linn

**Latitude**

44.644732

**Longitude**

-123.040515

### Wetland/Waterway/Other Water Features

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- The National Wetlands Inventory shows wetland, waterway or other water features on the property
- Local Wetlands Inventory shows wetland, waterway or other water features on the property
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

### Your Activity

- A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

## Applicable Oregon Removal-Fill Permit Requirement(s)

- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.
- A state permit is required for any amount of fill, removal, and/or other ground alteration in Essential Salmonid Habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.
- A state permit is required for any amount of fill or removal activity within State Scenic Waterways.
- A state permit is required for any amount of fill or removal activity within a compensatory mitigation site.

## Closing Information

### Additional Comments

After review of mapping and supporting documents submitted, it does not appear that the project ("2-lot partition on 7.97 acre parcel") will impact jurisdictional wetlands, waterways or other waters of the state. A wetland delineation may be needed for future development proposals for Parcel 1 or Parcel 2 (reference is to "Tentative Plat - PART 2").

**This is a preliminary jurisdictional determination and is advisory only.**

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

### Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

### Response Date

12/31/2019

### Response by:

Grey Wolf

### Response Phone:

503-986-5321



Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregon.gov/dsl](http://www.oregon.gov/dsl)

May 11, 2016

State Land Board

City of Albany Public Works  
Attn: Ryan Beathe, P.E.  
333 Broadalbin St SW  
Albany, OR 97321

Kate Brown  
Governor

Jeanne P. Atkins  
Secretary of State

Re: WD #2016-0117 Wetland Delineation Report for Timber Ridge  
Linn County; T 11S R 3W S 3 TL 100 & 101;  
Albany East I-5 Local Wetlands Inventory wetland TRU-10Cf,  
TRU-10B, TRU-10Af, TRU-10G, TRU-10Ff, TRU-10Hf, TRU-1,  
BUR-9Df, BUR 9Bf, BUR9C, BUR-9A

Ted Wheeler  
State Treasurer

Dear Mr. Beathe:

The Department of State Lands has reviewed the wetland delineation report prepared by The Acker Group LLC for the site referenced above. Please note that the study area includes only a portion of the tax lots described above (see the attached map). Based upon the information presented in the report, we concur with the wetland and waterway boundaries as mapped in Figures 6A-6I of the report. Please replace all copies of the preliminary wetland map with these final Department-approved maps.

Within the study area, eighteen wetlands (totaling approximately 39.03 acres) and two waterways (Truax and Burkhardt Creeks) were identified. The wetlands and waterways are subject to the permit requirements of the state Removal-Fill Law and are listed individually in Table 2. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in the wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and make a determination of jurisdiction for purposes of the Clean Water Act at the time that a permit application is submitted. We recommend that you attach a copy of this concurrence letter to both copies of any subsequent joint permit application to speed application review.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you

work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5218 if you have any questions.

Sincerely,

  
Lauren Brown  
Jurisdiction Coordinator

Approved by

  
Kathy Verble, CPSS  
Aquatic Resource Specialist

Enclosures

ec: Tim Acker, The Acker Group LLC  
Albany Planning Department (Maps enclosed for updating LWI)  
Andrea Wagner, Corps of Engineers  
Charles Redon, DSL

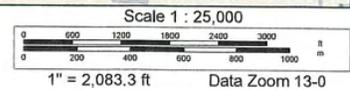
FIGURE 1 - Location Map

DeLorme Street Atlas USA® 2014



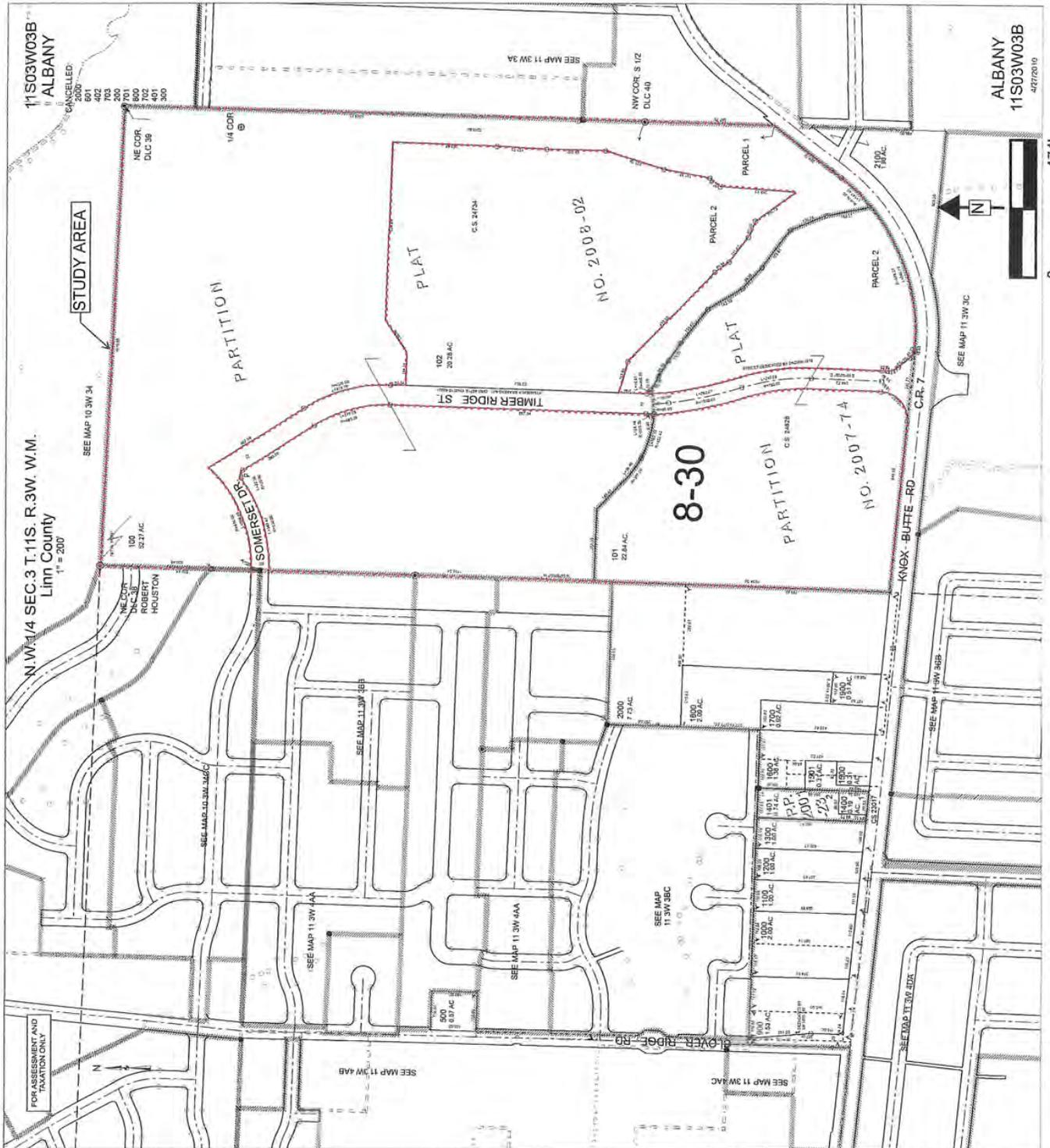
Data use subject to license.

© DeLorme. DeLorme Street Atlas USA® 2014.  
www.delorme.com



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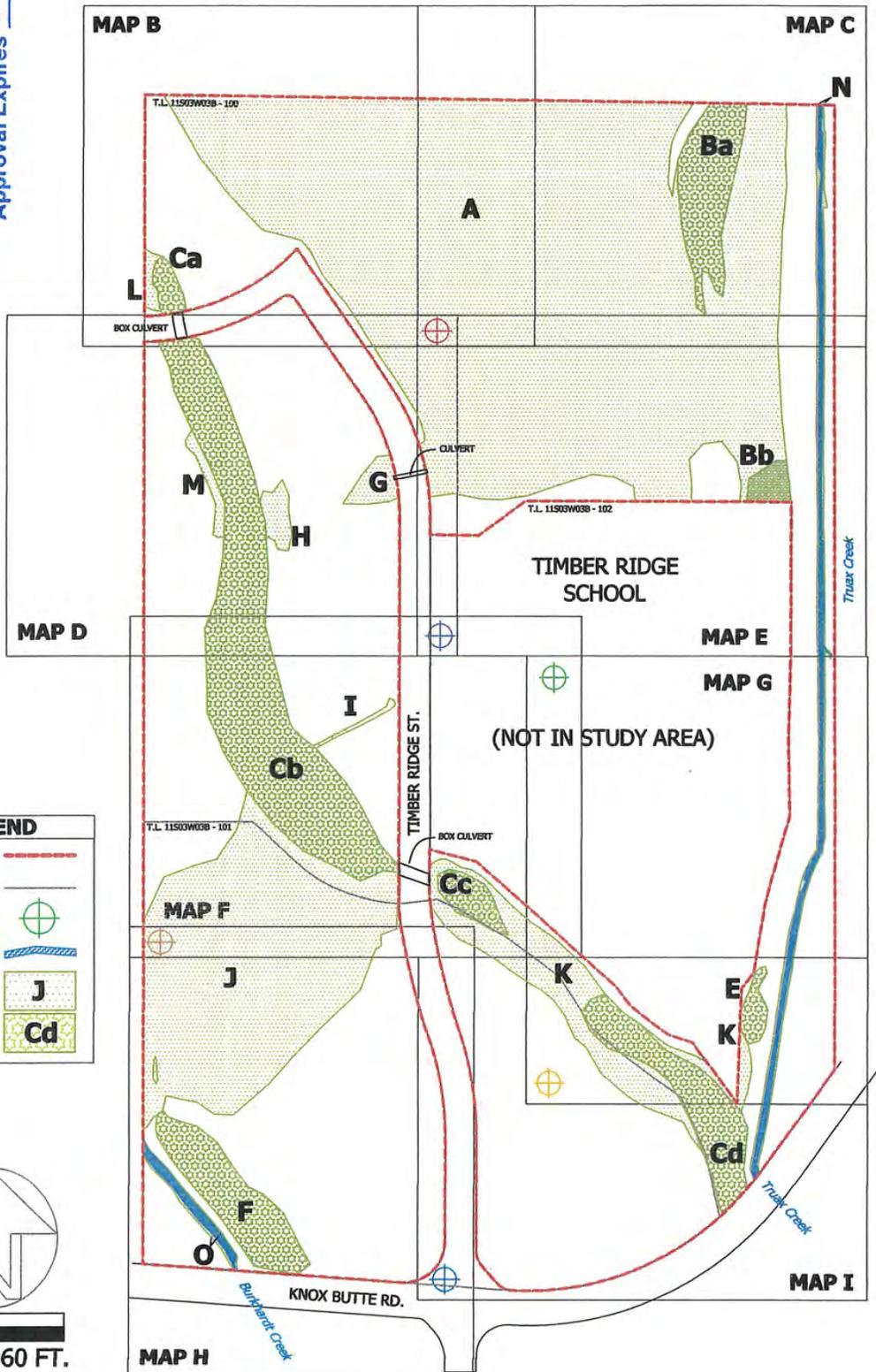
FIGURE 2. Tax Map



DSL WD # 2016-0117  
 Approval Issued 5-11-2016  
 Approval Expires 5-11-2021

**FIGURE 6A. WETLAND INDEX MAP**  
**TIMBER RIDGE PROPERTY**  
 Section 03 T11S R03W W.M.  
 City of Albany, Linn County, Oregon

Base topography, property boundaries, wetland boundaries and the sample plot locations were surveyed using a total station by K&D Engineering, Inc., an Oregon registered professional land surveyor, using wire flags set by the Acker Group, LLC. Estimated map accuracy both horizontally and vertically is ±0.10'.



**LEGEND**

Study Area	
Tax Lot Bndy	
Match Point	
Stream	
PEM Wetland	
PFO Wetland	



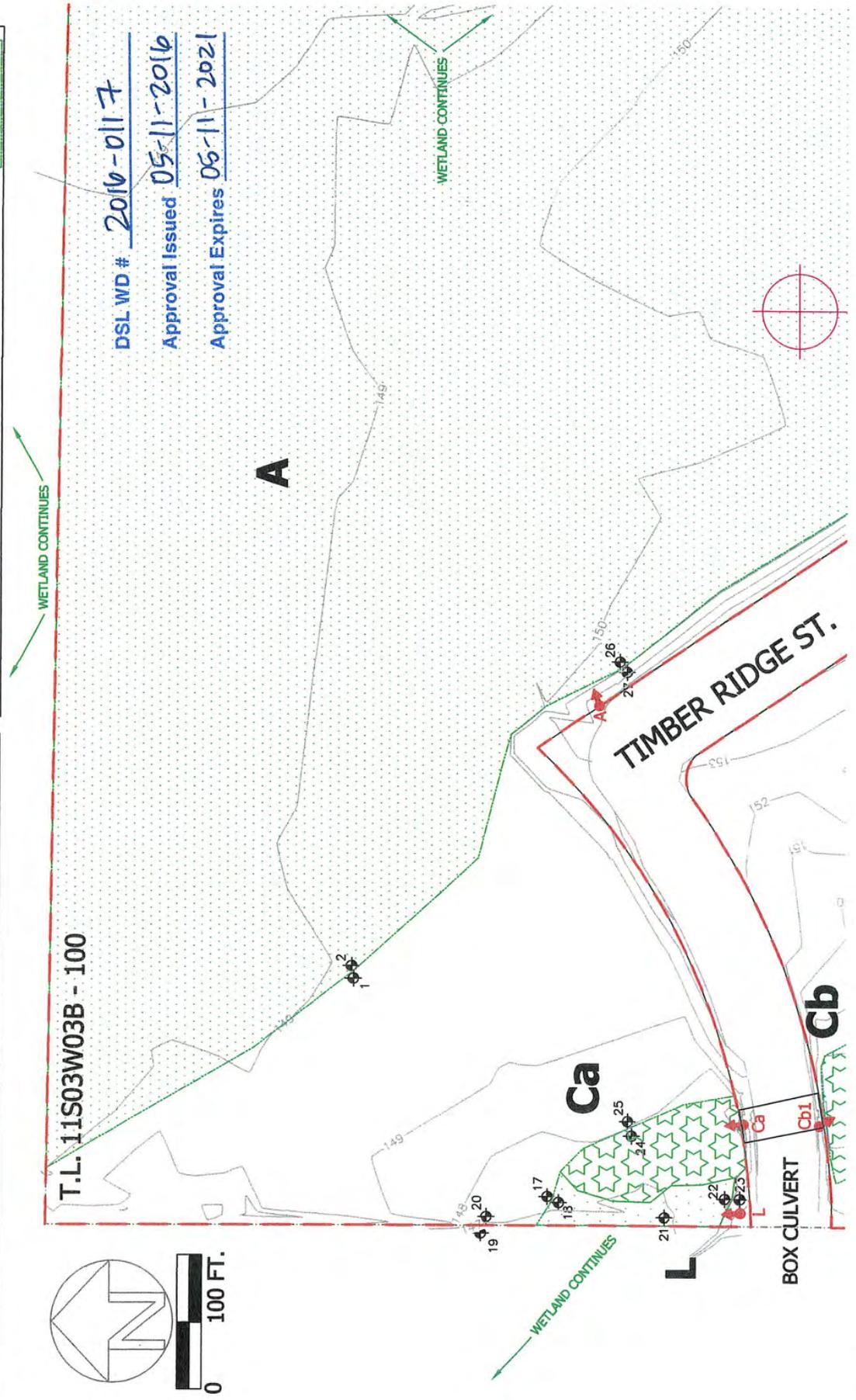
**FIGURE 6B. WETLAND MAP**

**TIMBER RIDGE PROPERTY**  
**Section 03 T11S R03W W.M.**

City of Albany, Linn County, Oregon

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LEGEND	
Study Area	Photo Point
Tax Lot Bndy	Stream
Match Point	PEM Wetland
Sample Point	PFO Wetland

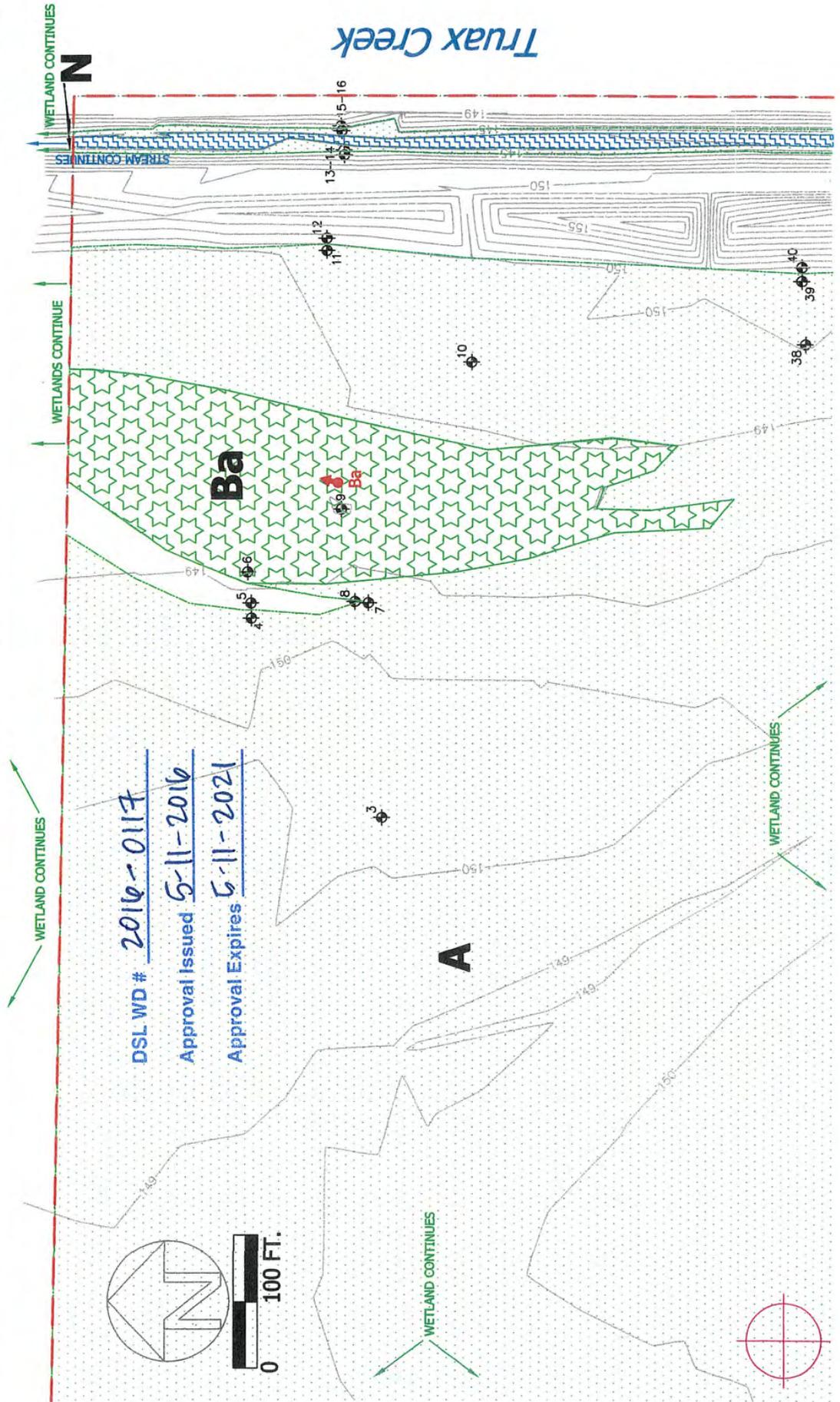


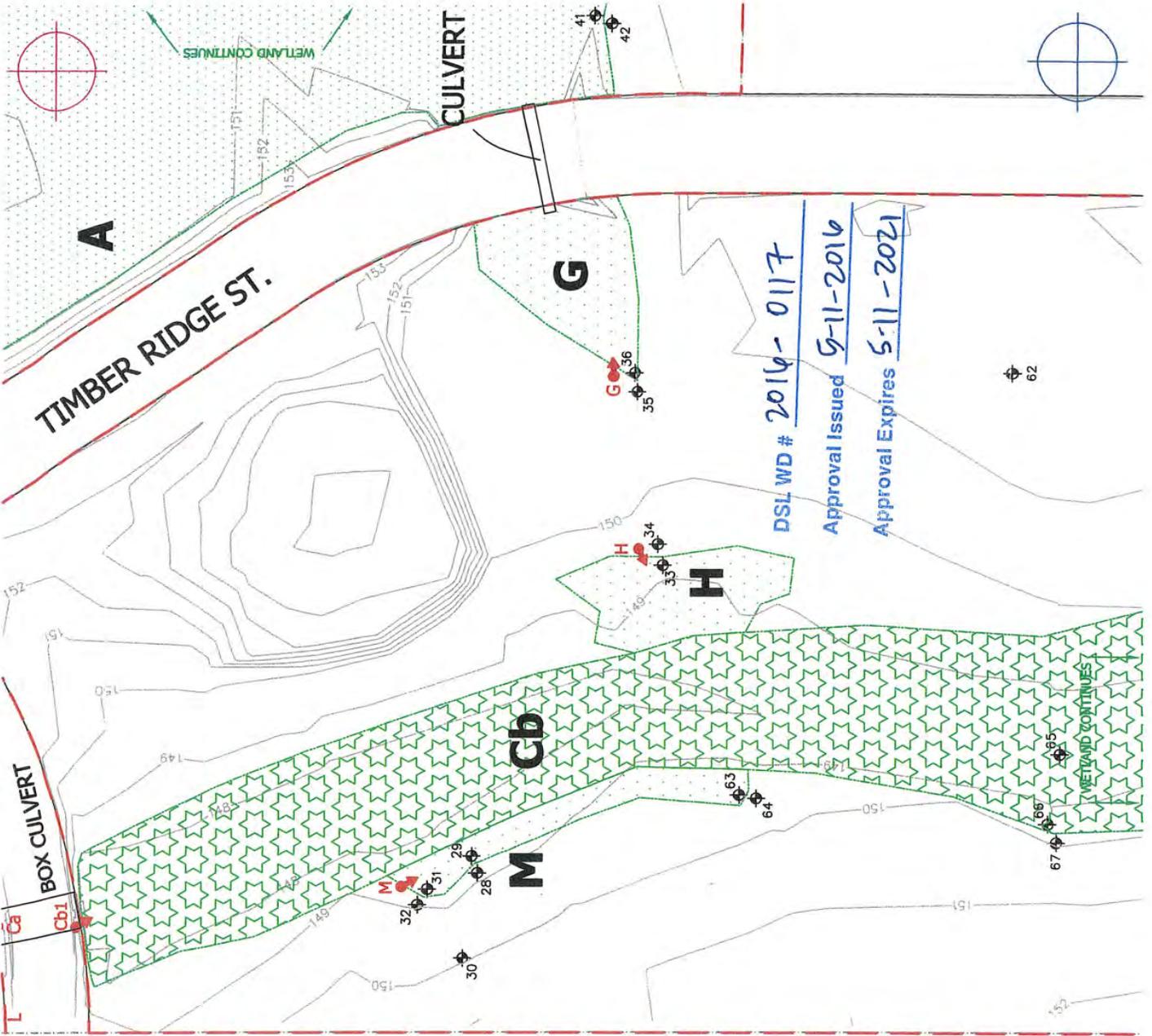
**FIGURE 6C. WETLAND MAP**  
**TIMBER RIDGE PROPERTY**  
 Section 03 T11S R03W W.M.

City of Albany, Linn County, Oregon

Base topography, property boundaries, wetland boundaries and the sample plot locations were surveyed using a total station by K&D Engineering, Inc., an Oregon registered professional land surveyor, using wire flags set by the Acker Group, LLC. Estimated map accuracy both horizontally and vertically is  $\pm 0.10'$ .

LEGEND	
Study Area	Photo Point
Tax Lot Bndy	Stream
Match Point	PEM Wetland
Sample Point	PFO Wetland

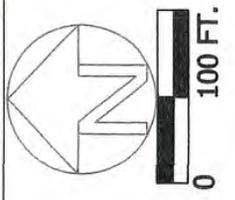


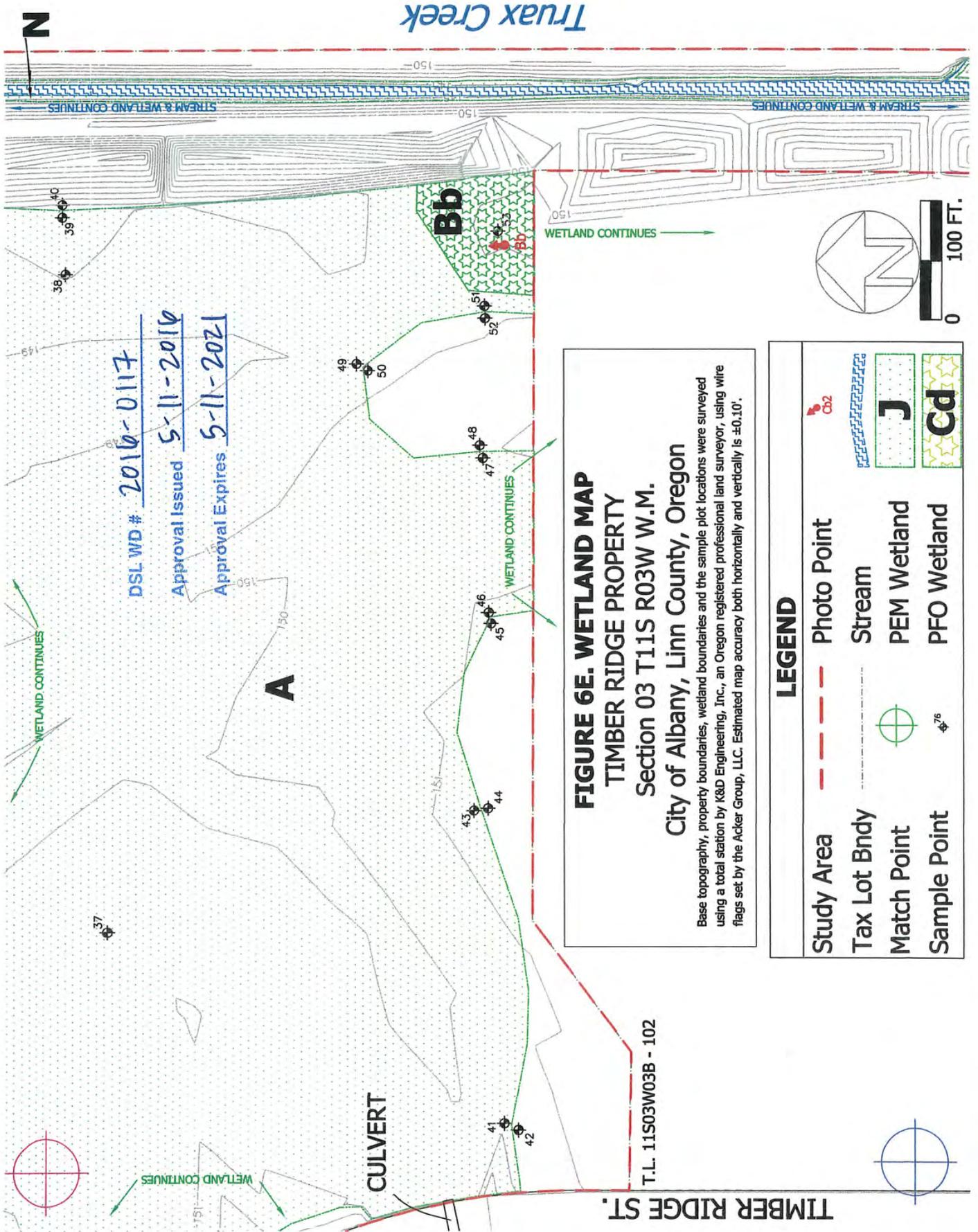


**FIGURE 6D. WETLAND MAP**  
**TIMBER RIDGE PROPERTY**  
 Section 03 T11S R03W W.M.  
 City of Albany, Linn County,  
 Oregon

Base topography, property boundaries, wetland boundaries and the sample plot locations were surveyed using a total station by K&D Engineering, Inc., an Oregon registered professional land surveyor, using wire flags set by the Acker Group, LLC. Estimated map accuracy both horizontally and vertically is  $\pm 0.10'$ .

LEGEND	
Study Area	
Tax Lot Bndy	
Match Point	
Sample Point	
Photo Point	
Stream	
PEM Wetland	
PFO Wetland	

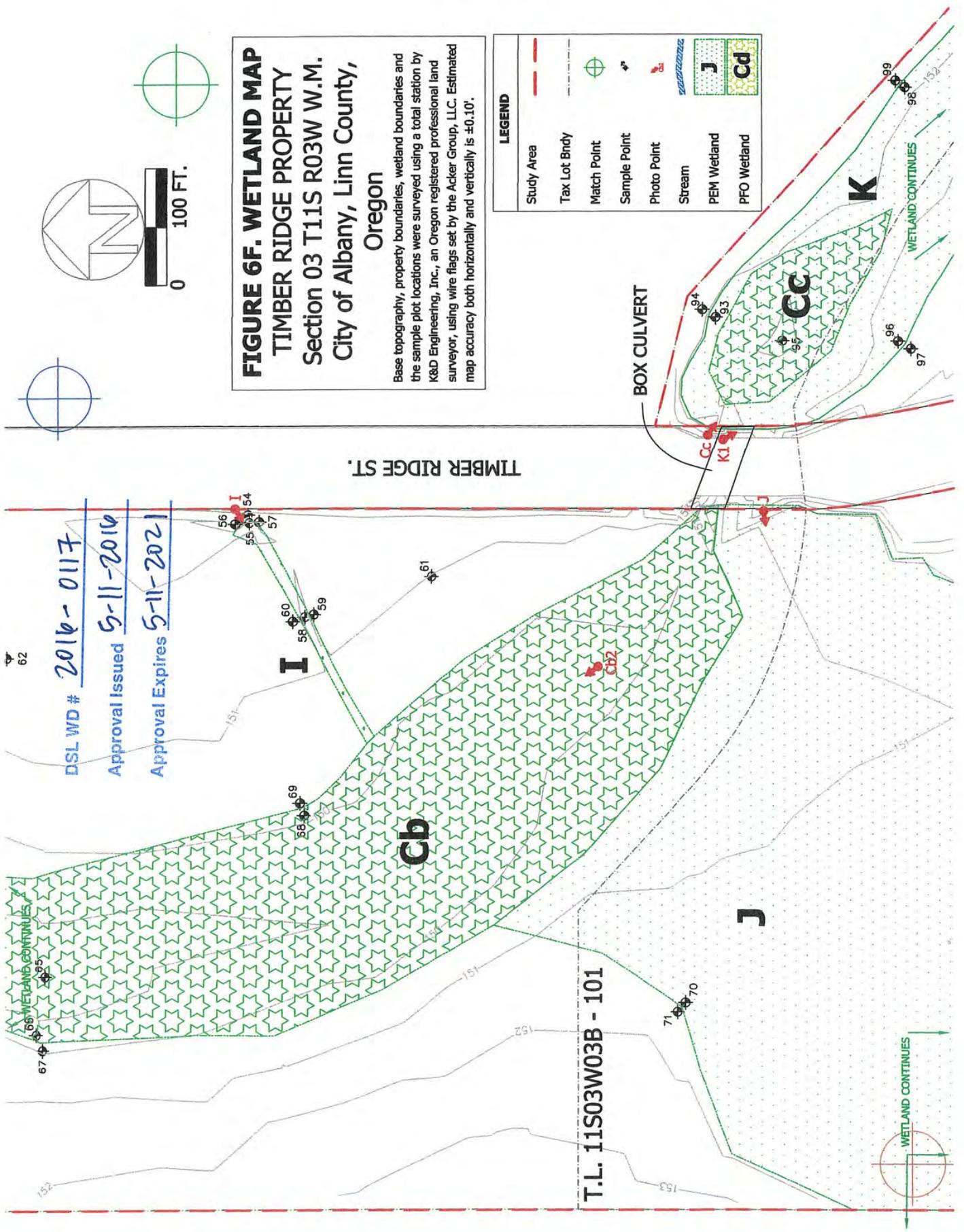


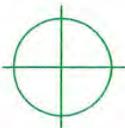


**FIGURE 6E. WETLAND MAP**  
**TIMBER RIDGE PROPERTY**  
 Section 03 T11S R03W W.M.  
 City of Albany, Linn County, Oregon

Base topography, property boundaries, wetland boundaries and the sample plot locations were surveyed using a total station by K&D Engineering, Inc., an Oregon registered professional land surveyor, using wire flags set by the Acker Group, LLC. Estimated map accuracy both horizontally and vertically is ±0.10'.

LEGEND	
Study Area	Photo Point
Tax Lot Bndy	Stream
Match Point	PEM Wetland
Sample Point	PFO Wetland

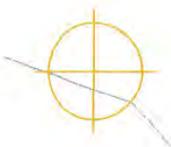
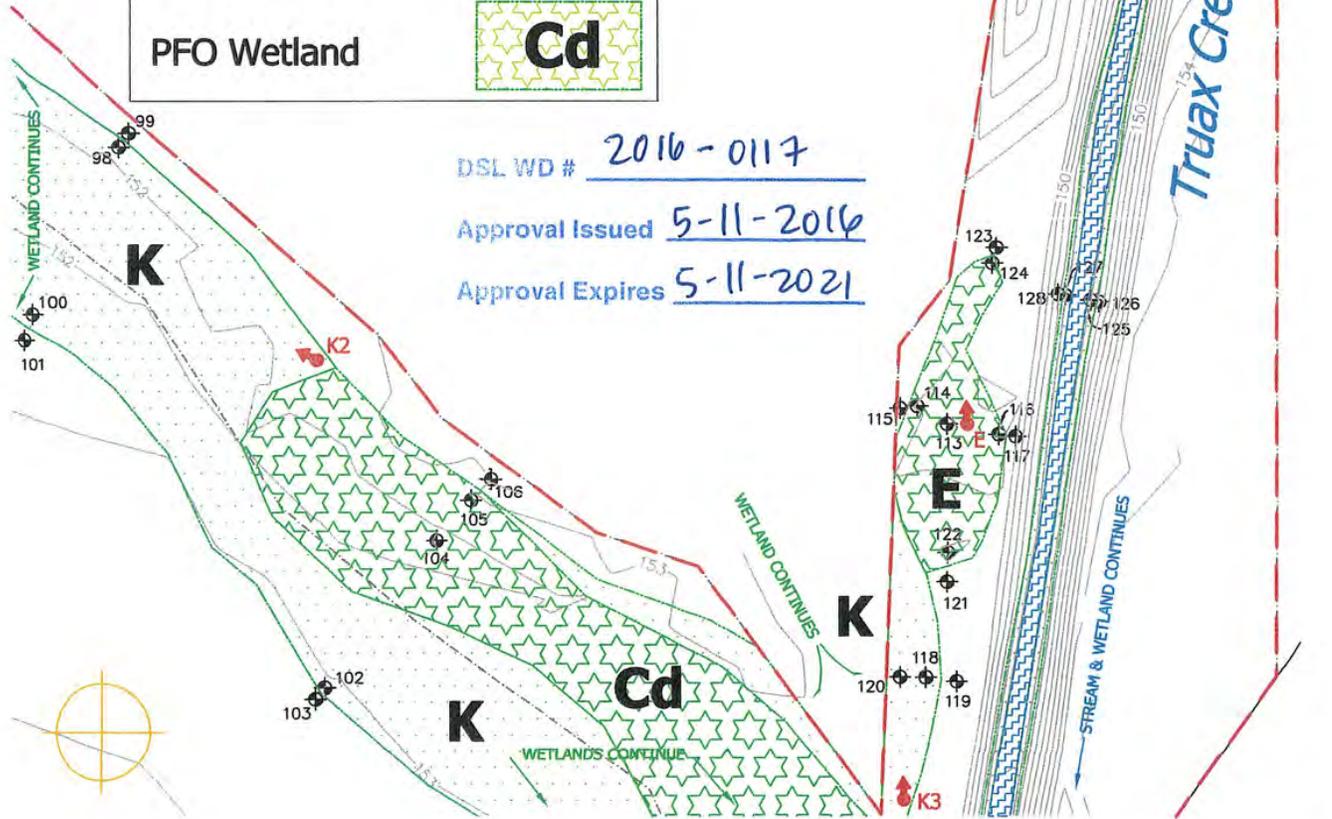


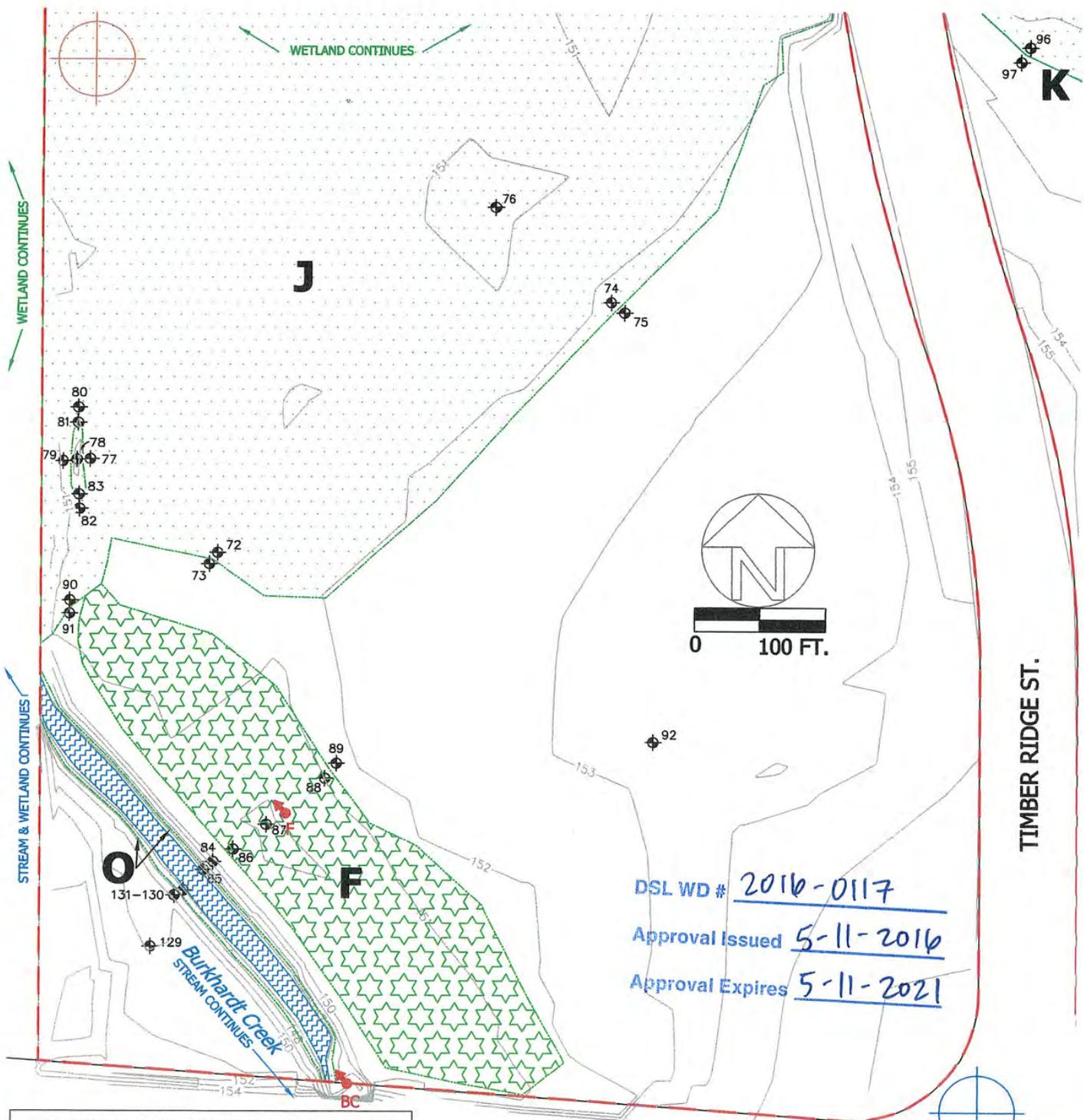


**FIGURE 6G. WETLAND MAP**  
**TIMBER RIDGE PROPERTY**  
 Section 03 T11S R03W W.M.  
 City of Albany, Linn County, Oregon

Base topography, property boundaries, wetland boundaries and the sample plot locations were surveyed using a total station by K&D Engineering, Inc., an Oregon registered professional land surveyor, using wire flags set by the Acker Group, LLC. Estimated map accuracy both horizontally and vertically is ±0.10'.

LEGEND	
Study Area	---
Tax Lot Bndy	- - - - -
Match Point	
Sample Point	
Photo Point	
Stream	
PEM Wetland	
PFO Wetland	





**FIGURE 6H. WETLAND MAP**  
**TIMBER RIDGE PROPERTY**  
 Section 03 T11S R03W W.M.  
 City of Albany, Linn County,  
 Oregon

Base topography, property boundaries, wetland boundaries and the sample plot locations were surveyed using a total station by K&D Engineering, Inc., an Oregon registered professional land surveyor, using wire flags set by the Acker Group, LLC. Estimated map accuracy both horizontally and vertically is  $\pm 0.10'$ .

LEGEND	
Study Area	Photo Point
Tax Lot Bndy	Stream
Match Point	PEM Wetland
Sample Point	PFO Wetland



DSL WD # 2016-0117  
 Approval Issued 5-11-2016  
 Approval Expires 5-11-2021

TABLE 2. Summary of wetlands and waters findings.

<b>FEATURE</b>	<b>AREA SQ. FT. (AC.)</b>	<b>COWARDIN CLASS</b>	<b>HGM SUBCLASS</b>
Wetland A	929,573 (21.34)	PEME	Slope
Wetland Ba	46,828 (1.08)	PFOE	Slope
Wetland Bb	7,850 (0.18)	PFOE	Slope
Wetland Ca	6,905 (0.16)	PFOE	Slope
Wetland Cb	182,435 (4.19)	PFOE	Slope
Wetland Cc	12,563 (0.29)	PFOE	Slope
Wetland Cd	51,317 (1.18)	PFOE	Slope
Wetland E	7,175 (0.16)	PFOE	Slope
Wetland F	47,266 (1.09)	PFOE	Slope
Wetland G	9,442 (0.22)	PEME	Slope
Wetland H	8,164 (0.19)	PEME	Slope
Wetland I	1,947 (0.04)	PEME	Slope
Wetland J	277,741 (6.38)	PEME	Slope
Wetland K	75,091 (1.72)	PEME	Slope
Wetland L	2,998 (0.07)	PEME	Slope
Wetland M	5,645 (0.13)	PEMB	Slope
Wetland N	21,477 (0.49)	PEMB	Slope
Wetland O	5,342 (0.12)	PEMB	Slope
Burkhardt Creek	5,606 (0.13)	RUBH	N/A
Truax Creek	23,599 (0.54)	RUBH	N/A

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# Timber Knox

## Partition

### BACKGROUND/PROPOSAL

The subject property is located on the east side of Timber Ridge Street and the north side of Knox Butte Road (011S03W03B/Tax Lot 2200). The following are the applicants' statements regarding the Partition Criteria (Albany Municipal Code Chapter 11.180).

The City held a pre-application conference (PR-0039-19) with the applicant's engineering representative, Multi/Tech Engineering, Inc., on May 22, 2019, for the purposes of discussing code requirements for developing the subject property.

#### **Proposal:**

The applicant's proposal is to divide 7.97 acres into two (2) parcels (011S03W03B/Tax Lot 2200) as shown on the site plan. Parcel 1 will consist of 6.99 acres and Parcel 2 will consist of 0.98 acre.

### PARTITION CRITERIA

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

Findings: The proposed development meets all applicable code requirements. The subject property is zoned MUC (Mixed-Use Commercial) and about 7.97 acres in size. There are no minimum lot size requirements in the MUC zone. Parcel 1 will consist of 6.99 acres and Parcel 2 will consist of 0.98 acres. The proposal is creating parcels not lots and there are no blocks being created with this proposal. The proposal as shown on the site plan meets all applicable code requirements.

Therefore, this criterion has been met.

#### ***(2) Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.***

Findings: The parcels will all be under the same ownership. This will allow the parcels to be fully developed in the future. Access has been provided to all the parcels and services are available to the parcels as well. Therefore, at the time of development, the remainder property can be developed in compliance with the Code.

Therefore, this standard has been met.

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

Findings: The subject property is 7.97 acres in size. The subject property has frontage on Knox Butte and the future extension of Timber Ridge Street that will run through the site when developed.

The development will have adequate access to and from the already existing street system that is in place due to an existing development. The partition of the property will also help to provide street connections to adjoining land for future development. Therefore, this criteria has been met.

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

Findings: The parcels will be served by Knox Butte Road and the proposed Timber Ridge extension at the time of development of the site. The street improvements of the sidewalks and entrance-exit point facilitates pedestrian, bicycle and vehicle safety.

The internal circulation system provides improved connection to the adjacent streets to the north.

The proposed partition provides safe and convenient vehicle and pedestrian access from within the development to adjacent residential areas. The improved streets also provide emergency service access. Therefore, this criteria has been met.

**(5) *The location and design allows development to be conveniently served by various public utilities.***

Findings: The needed services are available for the development of the site.

The school district will be notified of the proposal. The school district provides public education facilities. The education district's master plan provides for growth in the district and has options to meet the demand. The education district reviews the population factors to determine planning, funding and locating new schools or providing additional facilities on the sites of existing schools.

The City of Albany has adopted codes regulating installation, extension and development of public facilities for streets, water, sewer and storm drainage facilities, and public utility easements. The developer is responsible for the cost of extension of improved facilities necessary to serve the site. Internal development of public or private facilities necessary to serve individual units will occur at the building permit stage. Compliance with building code requirements satisfies this criterion. Therefore, this criteria has been met.

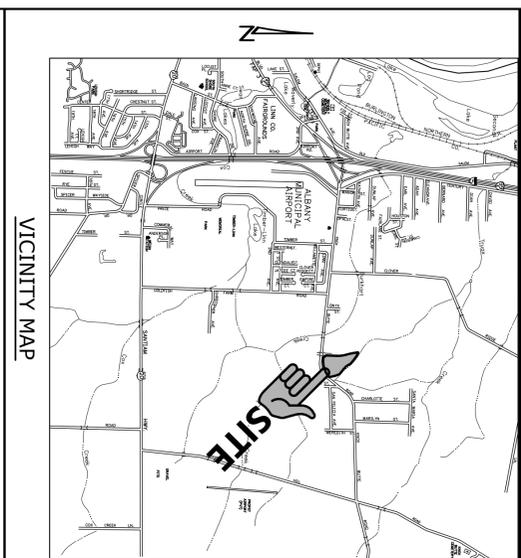
**(6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.**

Findings: The subject property is does have wetlands located on the site. At this time, there is no development proposed near the wetlands area. At the time of further proposed development on the site, all wetland areas will be identified. The applicant is not planning on impacting wetland areas. Therefore, this criterion has been met.

**Attachments:**

- \*Site Plans
  - Complete Site plan
  - Existing Conditions Plan
  - Utility Plans
- \*Current Recorded Property Deeds
- \*Signed Land-Use Application
- \*Findings
- \*Pre-Application Meeting Notes

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# TIMBER KNOX PROPERTY

SEC. 03, T. 11 S., R. 3 W., W.M.  
CITY OF ALBANY  
LINN COUNTY, OREGON  
LOT 3 OF TIMBER RIDGE - C.S. 26357

11503W03B  
T.L. 102  
GREATER ALBANY PUBLIC SCHOOL DIST  
C/O RUSSELL ALLEN  
718 7TH AVE SW  
ALBANY, OR 97321

RS-5  
SCHOOL

11503W03B  
ALBANY CITY OF  
333 BROADALBIN ST SW  
ALBANY, OR 97321

OS  
OPEN SPACE

MUC  
VACANT LAND

11503W03B  
T.L. 2200  
MONTAGNE DEVELOPMENT INC  
PO BOX 3308  
SALEM, OREGON 97302

LOT 3 OF  
TIMBER RIDGE  
C.S. 26357  
347,039.16 S.F.  
7.967 AC.

OS  
OPEN SPACE

11503W03B  
T.L. 2100  
LAROMO LLC  
15245 LAMADIA ST STE 301  
SHERMAN OAKS, CA 91403

MUC  
VACANT LAND

MUC  
VACANT LAND

11503W03C  
T.L. 100  
BRANDIS VILLAGE LLC  
PO BOX 3308  
SALEM, OREGON 97302

CH=N70°45'15"E  
516.77'  
R=676.25'  
L=530.25'  
T=279.60'  
Δ=44°55'31"

CH=S53°42'38"E  
39.14'  
R=50.00'  
L=40.22'  
T=21.27'  
Δ=46°05'10"

CH=N40°38'43"W  
50.98'  
R=50.00'  
L=40.22'  
T=21.27'  
Δ=46°05'10"

11503W03C  
T.L. 100  
BRANDIS VILLAGE LLC  
PO BOX 3308  
SALEM, OREGON 97302

MUC  
VACANT LAND



*Owner / Developer:*

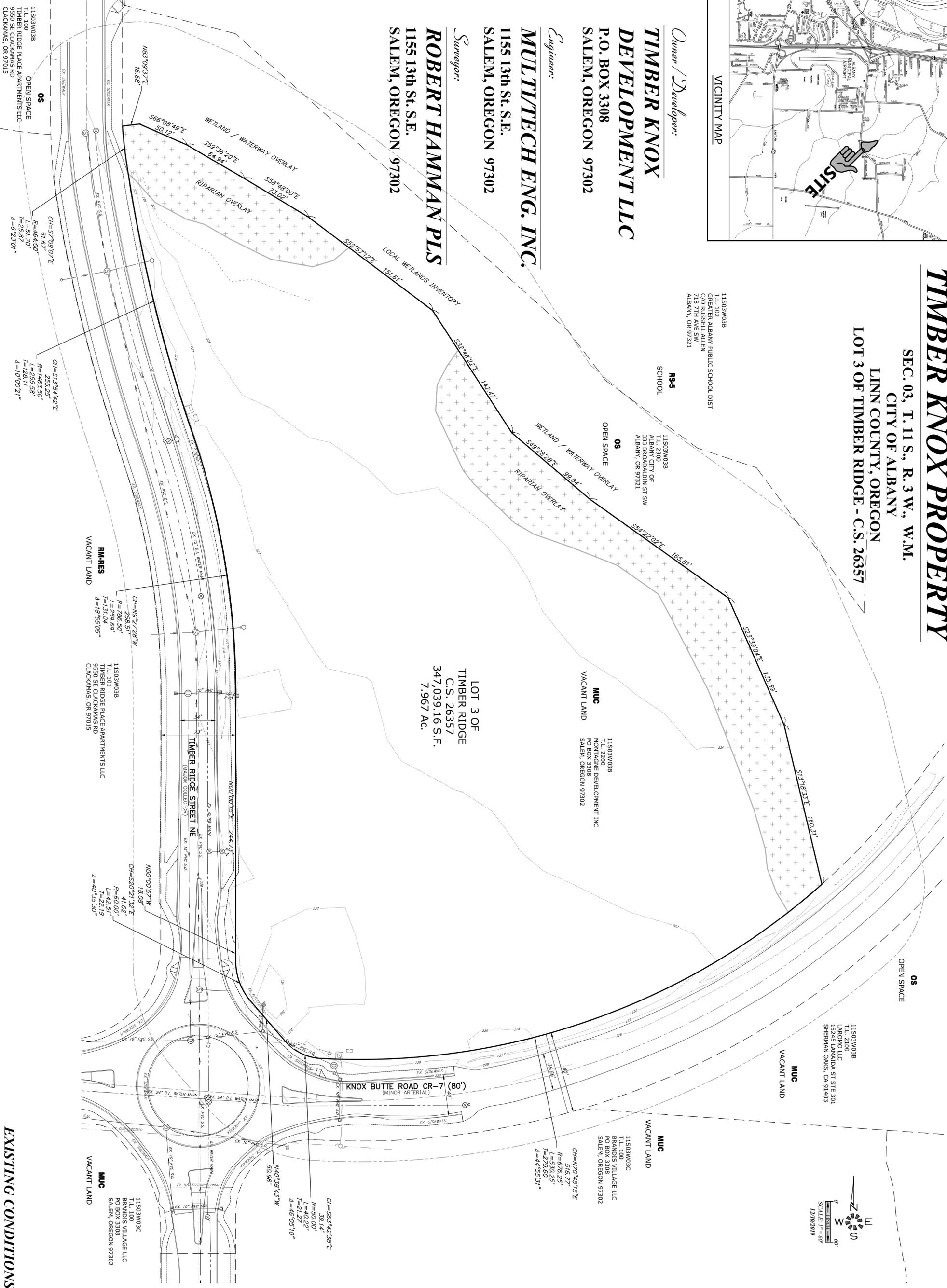
**TIMBER KNOX  
DEVELOPMENT LLC**  
P.O. BOX 3308  
SALEM, OREGON 97302

*Engineer:*

**MULTI/TECH ENG. INC.**  
1155 13th St. S.E.  
SALEM, OREGON 97302

*Surveyor:*

**ROBERT HAMMAN PLS**  
1155 13th St. S.E.  
SALEM, OREGON 97302



EXISTING CONDITIONS

6861P PART1

Design: M.D.G.  
Drawn: GID/PHS  
Checked: B.M.G.  
Date: SEPT 19  
Scale: AS SHOWN

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.

DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

**TIMBER KNOX PROPERTY**

**TENTATIVE PLAT**



ENGINEERING SERVICES, INC.  
1155 13th St. S.E. SALEM, OR. 97302  
PH. (503) 363 - 9227 FAX (503) 364-1260  
www.mtengineering.net office@mtengineering.net



EXPIRES: 06-30-2021

JOB # 6861

