



Community Development Department

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STAFF REPORT Tentative Subdivision (SD-01-16) White Oak; a 33-Lot Clustered Subdivision

<u>HEARING BODY</u>	Planning Commission
<u>HEARING DATE</u>	Monday, August 15, 2016
<u>HEARING TIME</u>	5:15 p.m.
<u>HEARING LOCATION</u>	Albany City Hall Council Chambers, 333 Broadalbin Street SW

EXECUTIVE SUMMARY

The Subdivision Tentative Plat for White Oak proposes to divide an 8.32-acre parcel of land into 33 residential single-family lots in a single phase together with an open space tract using cluster development standards. The White Oak Subdivision is a Type III application, therefore a public hearing is required to consider the request. The property is zoned Single Family Residential (RS-10), and is located on a vacant parcel south of San Pedro Avenue, east of Beehollow Lane, and north of Squire Street (Attachment A).

The approval criteria for this clustered subdivision application are found in the following sections of the Albany Development Code: the Land Division standards of 11.180, and the Cluster Development standards in 11.440. The property owner is the Judith A. Brandis Trust; and the applicant is Jesse Lovrien, of Corner Lot Ventures, Inc. in Portland; and the applicant's representative is Marc Cross, Rhine-Cross Group, LLC, of Klamath Falls, Oregon.

APPLICATION REVIEW PROCESS

Subdivision Application: The proposed development includes residential single-family subdivision lots and an open space tract. A Subdivision application is required to divide the property into lots and tracts.

Subdivisions are reviewed in two steps. The first step is the Tentative Plat application. The Tentative Plat application is the application reviewed in this staff report. The Subdivision Tentative Plat for White Oak proposes to divide an 8.32-acre parcel of land into 33 residential single-family lots.

Typically, there are conditions of approval of the Tentative Plat. Conditions of approval generally require construction of public infrastructure, such as sewer and water lines. When the conditions of approval are met, the Final Plat is submitted to the City for approval.

Cluster Development: The subdivision is proposed using Cluster Development standards. The purpose of the cluster development standards is to allow development of properties while protecting natural features on the property.

The applicant's written findings for these applications along with the tentative subdivision plat are included as Attachments "E" and "F" in this staff report.

APPLICATION INFORMATION

DATE OF REPORT: August 5, 2016

STAFF REPORT PREPARED BY: David Martineau, Planner III

APPLICATION: Land Division (Tentative Subdivision Plat) for a 33-lot residential clustered subdivision (Type III)

REVIEW BODY: Planning Commission

PROPERTY OWNER: Judith A. Brandis, Trustee; PO Box 1087; Corvallis, OR 97339

APPLICANT: Jesse Lovrien; Corner Lot Ventures, Inc.; PO Box 19078; Portland, OR 97280; (503) 888-0985

APPLICANT REPRESENTATIVES: Marc Cross; Rhine-Cross Group, LLC; 112 N. 5th Street, Suite 200; PO Box 909; Klamath Falls, OR 97601; (541) 851-9405

PROPERTY LOCATION: Address unassigned, near Sunny Lane NW and White Oak Avenue NW

MAP/TAX LOT: Benton County Assessor's Map No. 10S-04W-26; Tax Lot 501

ZONING: RS-10 (Residential Single Family) District

TOTAL LAND AREA: 8.32 gross acres, with a net lot area of 4.92 acres. Remaining land area for the natural area open space tract is 1.82 acres, and right-of-way dedications totaling 1.58 acres.

EXISTING LAND USE: The subject property is currently vacant except for agricultural activities.

NEIGHBORHOOD: North Albany

SURROUNDING ZONING: North: Single Family Residential (RS-5)
South: Medium Density Residential (RM)
East: Single Family Residential (RS-10)
West: RS-5

SURROUNDING USES: North: Residential-single family dwellings and lots
South: Residential-single family dwellings and lots
East: Residential-single family dwellings and lots; North Albany Park
West: Residential-single family dwellings and lots

PRIOR HISTORY: This property was annexed to the City of Albany in 1991 with the North Albany annexation (File AN-05-91). There are no other previous land use applications or approvals on file for this property.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting for the proposed White Oak Subdivision project on October 28, 2015, at 6:00 p.m., in the cafeteria at North Albany Middle School, located at 1205 North Albany Road NW, in Albany. The applicant prepared and sent notice of the neighborhood meeting 15 days in advance to all owners of property located within 300 feet of the proposed subdivision. According to the meeting sign-up sheet, 14 people attended, including a planner from the City and the applicant. Jesse Lovrien summarized the proposed development in which he explained to the attendees his intention to rezone the property from RS-10 to RS-5, and create 50 lots on the 8.32-acre parcel. Neighbors expressed concerns over impacts to the neighboring private homeowner's association facilities and common areas outside the White Oak development. Neighbors requested to see open space provided by the applicant. Concern was expressed over traffic impacts that additional residents would have

on surrounding streets, and the effects that two-story homes would have on abutting single story properties, particularly with the reduced setbacks allowed in the RS-5 zone.

On his own accord, the applicant held a follow-up meeting at 6:00 p.m. on November 16, 2015, at the middle school, where he met with six individuals. Neighbors continued to express concern over traffic impacts and specifically requested to have a stop sign installed at the intersection of Squire Street at Grandview Drive, southeast of the site. Concerns over the potential for two-story houses and reduced interior yard setbacks were repeated. The developer also attended a meeting of the North Albany Neighborhood Association (NANA) on January 19, 2016, 6:00 p.m., at Ciddici's Pizza, 133 5th Avenue SE, to determine if the zone change request would be opposed by the group. In summary, NANA stated they would oppose a zone change due to continuing concerns over traffic impacts and increased density, but would not oppose a development under the base RS-10 zone. As a result, the applicant revised his plans to create 33 lots instead of 50, and to propose a clustered subdivision that would provide a 79,132 square-foot open space tract for the purposes of providing a recreation path and a natural area to serve as stormwater treatment. A summary of these meetings together with attendance signup sheets are attached to this staff report (Attachment B).

NOTICE INFORMATION

On July 26, 2016, a Notice of Public Hearing was mailed to all property owners within 300 feet of the parcel and to the NANA in accordance with ADC 1.360, together with local, state, and federal agencies with jurisdiction (Attachment C). The site was posted in three places (the south end of Sunny Lane at the northern property line; the east end of White Oak Avenue where it terminates at the western property line; and on the south side of the property where Sunny Lane presently ends) on August 8, 2016, in accordance with Section 1.410 of the Albany Development Code. Any comments received following completion of this staff report will be presented under separate cover in advance of the public hearing scheduled for Monday, August 15, 2016, at 5:15 p.m. As of Friday, August 5, 2016, staff received two written comments included herein as Attachments D.1 and D.2.

In correspondence dated June 20, 2016, Albany Deputy Fire Marshal Lora Ratcliff asked to change Lucia Lane to Lucia Court, per City of Albany Addressing Standards. Additionally, the maximum spacing for fire hydrants for this project shall be 500 feet designed so that no portion along any of the circulating access roads is greater than 250 feet from a fire hydrant. Each public fire hydrant shall be capable of supplying a minimum of 1,500 gallons per minute (gpm) at a minimum of 20 pounds per square inch (psi) as a single point flow. These comments have been incorporated into conditions of approval that appear later in this report.

APPEAL

Within five days of the Planning Commission's final decision on this application, the Community Development Director will provide written notice of decision to the applicant and any other parties entitled to notice.

Any person who submitted written comments during a comment period or testified at the public hearing has standing to appeal the Type III decision of the Planning Commission to the City Council by filing a Notice of Appeal and associated filing fee within 10 days from the date the City mails the Notice of Decision.

STAFF ANALYSIS

Tentative Subdivision Plat Review

ADC 11.180 includes the following review criteria, which must be met for the tentative subdivision plat to be approved. Code criteria are written in *bold italics* and are followed by findings, conclusions, and conditions, where conditions are necessary to meet the review criteria.

Criterion (1) Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

FINDINGS OF FACT

- 1.1 The property is located north of Squire Street NW; east of the termination point of White Oak Avenue NW, just east of Beehollow Lane NW; and south of San Pedro Avenue NW; Benton County Assessor's Map No. 10S-04W-26; Tax Lot 501. As of the date on this staff report, the entire property is owned by the Judith A. Brandis Trust. It is zoned RS-10 (Single Family Residential), and measures 8.32 acres in size. The proposed clustered subdivision will develop 33 single-family residential lots in one phase together with right-of-way dedications totaling 6.50 acres, or about 78 percent of the gross land area. After the dedication of the remaining 22 percent (79,132 square feet or 1.82 acres) of the gross land area as open space with this present subdivision proposal in accordance with ADC 11.470, there will be no remaining area that could be further subdivided.
- 1.2 The proposed subdivision will be developed under the Cluster Development standards of ADC Article 11. Standards for minimum lot size, width, or depth are waived in a clustered subdivision in exchange for protection of natural or other special features of a site. According to ADC 11.400, it is not the intent of cluster development to increase the overall housing density of property above the density that would have been allowed in a standard subdivision. A minimum of 20 percent of the gross acreage of a development site must be provided as permanent natural areas.
- 1.3 According to the applicant's tentative plat, the minimum lot size is 4,796 square feet (Lot 13), and the largest is 8,368 square feet (Lot 15). Site plans show that the average lot size is 6,500 square feet. The total net area of the 33 proposed lots is 214,465 square feet (4.92 acres). There are no lots in the subdivision that can be further divided.

CONCLUSIONS

- 1.1 The proposed clustered subdivision will develop 4.92 acres of the 8.32-acre parcel into 33 lots in one phase together with 1.58 acres of right-of-way dedication.
- 1.2 After dedication of the remaining 22 percent (1.82 acres) of the gross land area of the property as a permanent natural area, walkway path, and stormwater detention tract under Cluster Development standards, there will be no remainder of property that can be subdivided in the future.
- 1.3 Since there will be no remainder property that could be subdivided in the future, this review criterion is satisfied without conditions.

Criterion (2) Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

FINDINGS OF FACT

- 2.1 ADC 12.060 requires that development must have frontage on or approved access to a public street currently open to traffic.
- 2.2 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.
- 2.3 Section 12.110 of the ADC says that new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties.

- 2.4 Property to the North: Two open space tracts abut the White Oak property to the north. The tracts are owned and maintained by the Benton Woods Homeowners' Association. Access to those tracts is available from Sunny Lane, south of San Pedro Avenue. Residential lots to the north of the open space tracts have access to San Pedro Avenue.
- 2.5 Property to the South: There are eight (8) existing subdivision lots south of the proposed subdivision. These lots all have access to Squire Street.
- 2.6 Property to the East: There are six (6) single-family residential lots abutting to the east of the subject property. The northerly five lots have access to Grandview Drive; the lot to the south has access to Squire Street. North Albany Park abuts the subject property to the northeast for a distance of about 67 feet. The park does not have street access to Grandview Drive. Instead, it receives access from Hillcrest Street at the north side.
- 2.7 Property to the West: There are 12 existing subdivision lots along the west boundary of the proposed subdivision. All of these lots have access to Beehollow Lane.

CONCLUSIONS

- 2.1 Access for lots abutting the subject property to the north is provided by San Pedro Avenue. Squire Street provides access to abutting lots to the south. Six lots to the east are provided access to Grandview Drive; and 12 abutting lots to the west of the subject property receive their access from Beehollow Lane. None of these streets directly abut the subject property.
- 2.2 Adjoining land has access to existing streets.
- 2.3 This review criterion is satisfied.

Criterion (3) The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.

FINDINGS OF FACT

- 3.1 The proposed development will subdivide an 8.32-acre parcel into 33 residential single-family lots and one natural area/storm water tract.
- 3.2 The applicant proposes to construct the development in one phase.
- 3.3 The development is located north of Squire Street at the end of Sunny Lane. Three local streets are currently stubbed to the boundary of the site: Sunny Lane at the site's north and south boundaries, and White Oak Avenue at the site's west boundary. All three local streets are constructed to city standards.
- 3.4 Although the proposed development is not large enough for the City to require submittal of a traffic study, the applicant choose to submit one with the application. The analysis was performed by Southern Oregon Transportation Engineering (SOTE) and is dated May 31, 2016. The single-family lots created by the development were estimated to generate 314 vehicle trips per day, of which 33 would occur during the peak PM traffic hour.
- 3.5 The SOTE study assumed the development would be built out in year 2018, and evaluated impacts on what the applicant identified as key intersections on the public street system at year 2018 and year 2023.
- 3.6 The intersections analyzed by the study include both roundabout and two-way stop control. The City's minimum performance standard for roundabouts is a level of service (LOS) of D. The standard for two-

way stop control intersections is for the worst-case movement to have a volume to capacity ratio (v/c) of at least 0.85. The SOTE study evaluated the development's impact on the operation of the following intersections:

- *Flame Tree Lane/Laura Vista Drive/24th Avenue* – The intersection is controlled with a roundabout. The worst-case movement at this intersection was projected to operate at LOS “A” for years 2018 and year 2023. The intersection meets the city’s performance standard with no modification.
- *Scenic Drive/24th Avenue* – The intersection is stop controlled. The v/c of the worst-case movement in 2023 with the development would be 0.17. The intersection meets the city’s performance standard with no modification.
- *Squire Street/Beehollow Lane* – The intersection is controlled with a roundabout. The worst-case movement at this intersection was projected to operate at LOS “A” for years 2018 and year 2023. The intersection meets the city’s performance standard with no modification.
- *Squire Street/Sunny Lane* – The intersection is stop controlled. The v/c of the worst-case movement in 2023 with the development would be 0.03. The intersection meets the city’s performance standard with no modification.
- *Crocker Lane/Squire Street* – The intersection is stop controlled. The v/c of the worst-case movement in 2023 with the development would be 0.11. The intersection meets the city’s performance standard with no modification.
- *Gibson Hill Road/Laura Vista Drive* – The intersection is stop controlled. The v/c of the worst-case movement in 2023 with the development would be 0.21. The intersection meets the city’s performance standard with no modification.

3.7 The SOTE study concluded that with the development the operation of all study intersections would meet or exceed City performance standards through year 2023.

3.8 ADC 12.060 requires that all public streets within and adjacent to new development be improved to city standards.

3.9 All of the development’s interior roads are designed with a right-of-way width of 54 feet and a curb-to-curb width of 30 feet. The cross sections proposed for the site’s interior streets meet the design standards for minor local streets contained in Section 12.122 of the Development Code.

3.10 ADC 12.320 allows sidewalk construction to be deferred to individual lot development along residential single-family streets. This project includes creation of an open space and natural area tract that will not have future development potential. That tract has about 147 feet of street frontage on Sunny Lane.

3.11 In order to provide for the safe and efficient circulation of traffic, street name signs are needed on the public street system within the proposed development.

3.12 In order to provide for the safe and efficient circulation of traffic during nighttime conditions, the installation of street lights is needed within the proposed development.

CONCLUSIONS

3.1 The development will create 33 single-family lots.

3.2 The applicant submitted a traffic study with the application. The study evaluated the impact that traffic generated by the development would have on the transportation system. The study concluded that with the development all intersections would meet or exceed the City’s performance standards at project build out in 2018 through year 2023.

- 3.3 All interior local streets are designed with a right of way width of 54 feet and a curb-to-curb width of 30 feet. That design complies with Albany's standard for local street design.
- 3.4 Tract "A" has about 147 feet of frontage on Sunny Lane and does not have future development potential. Sidewalk installation will need to occur along the frontage of the tract with the construction of street improvements to avoid creation of a gap in sidewalk facilities.
- 3.5 The installation of street name signs and street lights are needed within the development in order to provide for the safe and efficient circulation of traffic.

CONDITIONS

- 3.1 The applicant shall construct to city standards all public streets interior to the development. The right-of-way widths and curb-to-curb widths shall be as identified on the Tentative Plat Map.
- 3.2 The applicant shall install public sidewalk with the construction of street improvements along the public street frontage of Tract "A." Sidewalk installation along the frontage of newly created single-family parcels can be deferred to development of the individual lots.
- 3.3 The applicant shall install street lighting and street name signs to city standards on all public streets within the development.

Criterion (4) The location and design allows development to be conveniently served by various public utilities.

FINDINGS

Sanitary Sewer

- 4.1 City utility maps show 8-inch public sanitary sewer mains stubbed to the property's boundaries at White Oak Avenue and Sunny Lane (south of the site).
- 4.2 ORS 92.090 states that no subdivision plat shall be approved unless sanitary sewer service from an approved sewage disposal system is available to the lot line of each and every lot depicted in the proposed subdivision plat.
- 4.3 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.
- 4.4 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.
- 4.5 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.

- 4.6 The City has sole authority in determining the conditions necessary for providing service to a property (AMC 10.01.100 (5)(e)).
- 4.7 The minimum size of the public sanitary sewer main to be installed must be eight inches in diameter where a larger size is not needed to provide an adequate system, conform with the size of existing mains, meet future needs, or conform to the size specified by the utility's sewer system facility plan (AMC 10.01.110 (2)(a)).
- 4.8 The applicant's submittal shows the extension of 8-inch public sanitary sewer mains throughout the proposed subdivision from the existing public main in Sunny Lane.

Water

- 4.9 City utility maps show 8-inch public water mains stubbed to the property's boundaries at White Oak Avenue and Sunny Lane (south of the site).
- 4.10 ORS 92.090 states that no subdivision plat shall be approved unless water service from an approved water supply system is available to the lot line of each and every lot depicted in the proposed subdivision plat.
- 4.11 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.
- 4.12 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.
- 4.13 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.
- 4.14 In order to be eligible to receive public water service, public mains of sufficient size must be in place to provide adequate service (domestic, commercial, industrial, and/or fire) to the applicant without detriment to existing customers, located adjacent to all property frontages, or as specified by the City Engineer (AMC 11.01.100 (1)).
- 4.15 The applicant's submittal shows the extension of 8-inch public water mains throughout the proposed subdivision from the existing public mains in White Oak Avenue and Sunny Lane.

Storm Drainage

- 4.16 City utility maps show 12-inch public storm drainage mains stubbed to the property's boundaries at White Oak Avenue and Sunny Lane (south of the site).
- 4.17 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.

- 4.18 ADC 12.530 states that a development will be approved only where adequate provisions for storm and floodwater 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 storm water may be discharged to the public sanitary sewer system.
- 4.19 The applicant is required to submit a drainage plan, including support calculations, as defined in the City's Engineering Standards. The applicant is responsible for making provisions to control and/or convey storm drainage runoff originating from, and/or draining to, any proposed development in accordance with all City standards and policies as described in the City's Engineering Standards. In most circumstances, detention will be required unless it can be satisfactorily demonstrated by the applicant that there is no adverse impact.
- 4.20 The applicant submitted a storm drainage plan that includes detention and stormwater quality facilities for this subdivision application. The Public Works Department reviewed the plans and, while it has been determined that the public storm drainage system in the area is capable of accommodating the proposed development, the preliminary storm drainage plan and storm water quality plan does not meet all design requirements of the City's Engineering Standards. The construction plans submitted for Site Improvement and Storm Water Quality permits must meet all applicable standards.

Fire Protection

- 4.21 In correspondence dated June 20, 2016, Albany Deputy Fire Marshal Lora Ratcliff asked to change Lucia Lane to Lucia Court, per City of Albany Addressing Standards. Additionally, the maximum spacing for fire hydrants for this project shall be 500 feet designed so that no portion along any of the circulating access roads is greater than 250 feet from a fire hydrant. Each public fire hydrant shall be capable of supplying a minimum of 1,500 gallons per minute (gpm) at a minimum of 20 pounds per square inch (psi) as a single point flow. These will be made conditions of approval.

CONCLUSIONS

- 4.1 Public utilities (sanitary sewer, water, and storm drainage) can accommodate the proposed development.
- 4.2 The preliminary utility plan that was submitted for this review does not meet all design requirements for public utilities. The final construction plans submitted to the City's Public Works Department must adhere to all applicable engineering standards, and must be approved as part of the required Site Improvement Permit and Storm Water Quality Permit.
- 4.3 Fire Services can adequately serve the proposed development when conditions of approval are met.

CONDITIONS

- 4.1 Prior to final plat approval, the applicant shall install, or financially secure the installation to City standards an 8-inch public sanitary sewer main from the existing public sanitary sewer mains in White Oak Avenue and Sunny Lane, along the proposed streets to provide service to each proposed lot in the subdivision.
- 4.2 Prior to final plat approval, the applicant shall install, or financially secure the installation to City standards, 8-inch public water mains from the existing public water mains in White Oak Avenue and Sunny Lane, along the proposed streets to provide service to each proposed lot in the subdivision.

- 4.3 Prior to final plat approval, the applicant shall construct or financially secure the construction of public storm drainage improvements that meet all applicable City Engineering Standards. Final design of these improvements will be reviewed as part of the required Site Improvement Permit.
- 4.4 Prior to final plat approval, the applicant shall construct or financially secure the construction of stormwater quality facilities that meet all applicable City Engineering Standards. Final design of these improvements will be reviewed as part of the required Storm Water Quality Permit.
- 4.5 Prior to final plat approval, the applicant must provide a public utility easement over the proposed drainage facilities that lie outside of the public rights-of-way. The dimensions of the easement(s) will be determined as part of the plan review associated with the permit to construct public improvements.
- 4.6 Proposed street name Lucia Lane shall be changed to Lucia Court, per City of Albany Addressing Standards.
- 4.7 The maximum spacing for fire hydrants for this project shall be 500 feet, and designed so that no portion along any of the circulating access roads is greater than 250 feet from a fire hydrant. Each public fire hydrant shall be capable of supplying a minimum of 1,500 gallons per minute (gpm) at a minimum of 20 pounds per square inch (psi) as a single point flow.

Criterion (5) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

FINDINGS

- 5.1 Article 6: Hillside Development. *Comprehensive Plan Plate 7: Slopes*, shows that there are no areas of steep slopes on the subject property. The elevations on the property range from 308 feet to 339 feet (NAVD, 1988). The property slopes generally from the highest point at the northwest corner downward toward the southeast corner of the site.
- 5.2 ADC 6.170 through 6.230 includes Hillside Development standards. ADC 6.180 says that the Hillside Development standards apply to any property proposed for development that has slopes of 12 percent or greater as shown on Plate 7 of the Albany Comprehensive Plan. The Hillside Development standards do not apply to the proposed subdivision.
- 5.3 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains*, does not show a 100-year floodplain on this property. FEMA/FIRM Community Panel No. 41043C-0200G, dated September 29, 2010, shows that this property is in Zone X, an area determined to be outside any 500-year floodplain.
- 5.4 Article 6: Wetlands. *Comprehensive Plan Plate 6:* This property was included in the “North Albany Local Wetlands Inventory.” The Local Wetlands Inventory shows one wetland area located on portions of the property’s north and west side. The identified wetland is not considered locally significant.

The Department of State Lands (DSL) and the US Army Corps of Engineers have jurisdiction over the approval of delineations and mitigation of waters of the state, which include wetlands. The City notified DSL of this subdivision application on June 6, 2016, when the subdivision application was being reviewed. DSL responded on June 21, 2016, and indicated that a wetland delineation study may be required prior to site development and that the delineation report should be submitted to DSL for review and approval. This letter was forwarded to the applicant’s representative and a copy is attached to this staff report (Attachment D.2).

- 5.5 Vegetation and Wildlife Habitat. *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat*, shows no vegetation and/or wildlife habitat on this property. Aerial photos show that the site is mainly covered in grass and a few small shrubs (Attachment G).

- 5.6 Article 4: Airport Approach. According to Figure 4-1 of the Albany Development Code, the subject property is not located within the Airport Approach District.
- 5.7 Article 7: Historic Districts. *Comprehensive Plan Plate 9: Historic Districts* shows the property is not in a historic district. There are no known archaeological sites on the property.

CONCLUSIONS

- 5.1 There are no areas containing steep slopes on the subject property.
- 5.2 There are no floodplains on the subject property, according to FEMA/FIRM Community Panel No. 41043C-0200G, dated September 29, 2010.
- 5.3 The applicant received notification from the Department of State Lands that a wetland delineation study may be required prior to site development and that the delineation report should be submitted to DSL for review and approval.
- 5.6 The property is not located within the Airport Approach District.
- 5.7 There are no known historical or archaeological sites on the property.
- 5.8 This criterion is satisfied without conditions.

STAFF ANALYSIS

Cluster Development Review Standards

The review standards for Cluster Development from ADC 11.440 are listed in ***bold italics*** below, followed by findings, conclusions, and conditions, where conditions are necessary to meet the standards.

Criterion (1) The proposed development meets all of the requirements for cluster development.

FINDINGS OF FACT

CD 1.1 To be eligible to apply for a cluster development, it must meet requirements listed in ADC 11.410:

- (1) Residential Zoning. The site must be located in a residential zoning district.
- (2) Natural or Other Special Features. The site must contain one or more of the features listed in Section 11.460.
- (3) Professional Designer. An applicant for cluster development approval must certify in writing that a certified landscape architect, site planner, or landscape designer, approved by the Director, will be used in the planning and design process for the proposed development.

The subject property is zoned RS-10 in its entirety. The site contains ditches that drain to waters of the state and are subject to rules and regulations for protection by the Oregon DSL, according to the applicant. Additionally, the proposed open space will allow a path connection from Squire Street either to a pedestrian pathway located just north of the development in the Benton Woods planned development, or to the public sidewalk along Sunny Lane at the north side of the proposed subdivision. Wetlands that are not within the Significant Wetland overlay district, and land that provides bike or walking trails that connect to existing or proposed parks or trails are listed within the third priority for natural area designation. A fourth priority for natural area designation is to create buffers between neighborhoods and “open spaces” in and around neighborhoods. The proposed pathway connection will also serve as a 25-foot buffer between the smaller lot sizes being proposed for this subdivision and the larger RS-10 zoned parcels that abut the property to the east. The applicant must certify in writing that a professional

designer will be used in the planning and design process for the proposed development. This will be made a condition of approval (Condition CD 1.1).

CONCLUSIONS

CD 1.1 The proposed development meets all eligibility requirements for a cluster development.

CD 1.2 This review criterion can be met with the following conditions.

CONDITIONS

CD 1.1 Prior to recording the final subdivision plat, the applicant must certify in writing that a professional designer will be used in the planning and design process for the proposed development.

CD 1.2 Prior to recording the final subdivision plat, the applicant shall construct a path connection at least four (4) feet in width from Squire Street either to a pedestrian pathway located just north of the development in the Benton Woods planned development, or to the public sidewalk along Sunny Lane at the north side of the proposed subdivision. The path shall be ADA compliant and have a durable surface such as asphalt, concrete, or other materials approved by the Director.

Criterion (2) The proposed development preserves natural or unique features that normally would not be either preserved or restored under conventional development standards.

FINDINGS OF FACT

CD 2.1 According to ADC Section 11.450, cluster developments must provide a minimum of 20 percent of the site as permanent natural areas. Land designated as Open Space on the Comprehensive Plan or Zoning maps may not be used to fulfill this requirement. There is no Open Space designation found in the Comprehensive Plan or on the Zoning map for this property.

CD 2.2 The applicant states that the subject property has 1.82 acres of designated open space, which amounts to 21.9 percent of the total property. The Tentative Plat shows this tract along the eastern edge of the property, measuring roughly 25 feet wide, expanding to a width about 300 feet at the site's southeast corner, with a 60-foot wide stub connecting the site to NW Squire Street. The site contains drainage channels that drain to "waters of the state," according to the applicant's findings. Additionally, the applicant plans to develop a 4-foot wide path, which would provide a direct pedestrian connection between the abutting Squire Street sidewalk and a path to the north of the development, in the Benton Woods Subdivision/Planned Development. Alternatively, the path may terminate at a point along the public sidewalk along Sunny Lane near the north boundary of the proposed subdivision. These are listed as third and fourth priorities for natural area designation, according to ADC 11.460(3) & (4).

CD 2.3 The entire property is zoned RS-10, and could be developed into single-family lots under conventional development standards; however, the developer intends to dedicate these portions of property as permanent open space.

CD 2.4 ADC Section 11.470(1) addresses creation of permanent natural areas and lists several ways natural areas in a cluster development may be set aside and managed:

- (a) Portions of one or more individual lots;
- (b) Common ownership by residents of the development;
- (c) Third party (non-profit organization) whose primary purpose is to hold or manage the open space, subject to a reversionary clause in the event of dissolution of the non-profit organization; or
- (d) Dedicated to City of Albany, if the City agrees to accept ownership and maintain the space.

The applicant proposes to place the open space dedication under common ownership of the subdivision through the administrative oversight of a homeowner's association, or dedicate it to the City of Albany.

- CD 2.5 ADC Section 11.470(2) requires open space to be subject to restrictive covenants and easements reviewed by the Community Development Director and recorded and filed when the subdivision plat for the project area is recorded. Except when allowed in 11.480, an easement shall include permanent provisions prohibiting the placement of structures or impervious surfaces, alteration of the ground contours, or any other activity or use inconsistent with the purpose of these provisions. The requirements of ADC Section 11.470(2) will be a condition of approval of the subdivision (Condition CD 2.1).
- CD 2.6 The protection of permanent natural areas is addressed in ADC Section 11.480(1) through (6). In summary, development may not encroach into permanent natural areas except for a few specific reasons such as to meet transportation or utility infrastructure requirements, or to provide bike or walking trails that connect to existing proposed parks or trails or to areas zoned Open Space. Additionally, site alterations such as grading may be authorized for wetland or wildlife habitat protection. ADC Section 11.480(6) states that provisions must be established to ensure the continued maintenance of areas designated as natural areas through Cluster Development.
- CD 2.7 ADC Section 11.490 states that permitted uses allowed within cluster developments outside the permanent natural areas are determined by the underlying zoning. On sites greater than 20 acres, up to 20 percent of the housing units in the RS-10 district may be attached single-family or condominium housing; however, this site is only 8.32 acres and the applicant is only proposing single-family detached structures on individual lots.
- CD 2.8 The number of allowable dwelling units is based on the density range for the zone as specified in a table in ADC 11.495. The maximum number of dwelling units per gross acre in the RS-10 zone is four (4). The minimum front setback can be reduced from 20 feet to 15 feet except when lots are adjacent to existing development on the same side of the street, the setback shall be within 5 feet of the adjacent house(s) setback(s). The subject property is 8.32 acres in size. A total of 33 single-family, detached dwelling units are proposed, which will result in an overall density of 3.96 units per acre. Future lot owners will be able to take advantage of reduced front yard setbacks from 20 feet to 15 feet and construct improvements up to 70% of the lot coverage.
- CD 2.9 According to ADC Section 11.500(1)(b), when the proposed cluster development abuts developed property in the same residential zoning district as the proposed cluster development, the size of lots on the perimeter of the cluster development shall be at least 70 percent of the standard minimum lot size of the underlying zoning district. The existing zoning on the north and west side of the proposed development is RS-5; the existing zoning on the south side of the proposed development is RM, and the existing zoning on the east side of the proposed development is RS-10. According to ADC Section 11.500(2)(a), perimeter lot compatibility standards do not apply when perimeter lots are adjacent to land that is zoned for higher density housing. The minimum lot size abutting the RS-5 zoned properties is 5,348 square feet, which exceeds the minimum standards of the RS-5 zone. The minimum lot size abutting the south property line is 6,692 square feet, which exceeds the minimum requirements of the RM zone (see Attachment F.1 – Tentative Subdivision Plat).
- CD 2.10 ADC Section 11.500(2) states that the Perimeter Lot Compatibility standards do not apply if a buffer area is created as a separate property along the perimeter and is at least 20 feet wide; the buffer area shall become a permanent natural area and shall meet the provisions of 11.470 and 11.480. The applicant is proposing a buffer on the east property line that is a minimum of 25 feet wide to provide further separation from the development to the east and remove the minimum RS-10 lot size requirements as allowed by Section (c) of ADC 11.500(2). The buffer area is tied together with proposed Tract "A."

CONCLUSIONS

- CD 2.1 The proposed cluster development will develop the property while protecting drainage channels that drain to “waters of the state,” providing open space buffers between neighborhoods, and a pedestrian connection through the site between Squire Street and the Benton Woods development to the north.
- CD 2.2 The proposed development proposes dedication of open space that could be developed as single-family lots under conventional development standards.
- CD 2.3 The proposed cluster development will dedicate 21.9 percent of the gross land area as open space. This exceeds the minimal 20 percent requirement.
- CD 2.4 The applicant will place the open space dedication under common ownership of the subdivision through the oversight of a homeowner’s association or the City of Albany.
- CD 2.5 The open space dedication shall be subject to restrictive covenants and easements, which will be recorded and filed when the subdivision plat is recorded.
- CD 2.6 A maximum of 33 residential single-family detached lots are proposed. This will result in an overall density of 3.96 units per acre.
- CD 2.7 All lots in the proposed subdivision abutting existing single family residential lots will have a lot area of at least 5,348 square feet next to RS-5 zoning, and 6,692 square feet next to RM zoning. A buffer of at least 25 feet in width separates the proposed subdivision to the existing RS-10 zoned lots to the east.
- CD 2.8 This review criterion can be met with the following condition:

CONDITION

- CD 2.1 The dedicated open space tract (Tract A on the preliminary plat) shall be subject to restrictive covenants and easements reviewed by the Community Development Director and recorded and filed at the time that the subdivision plat is recorded. The easement shall include permanent provisions prohibiting the placement of structures or impervious surfaces, alteration of the ground contours, or any other activity or use inconsistent with the purpose of these provisions.

OVERALL CONCLUSION

This report reviews and evaluates a land division application, submitted by Jesse Lovrien on behalf of Corner Lot Ventures, for conformance with the Albany Development Code (ADC). As proposed and conditioned, the application for a 33-lot clustered residential subdivision satisfies all of the applicable review criteria as outlined in this report.

OPTIONS FOR THE PLANNING COMMISSION

The Planning Commission has three options with respect to the subject application:

- Option 1: Approve;
- Option 2: Approve with Conditions; or
- Option 3: Deny

STAFF RECOMMENDATION

Based on the analysis in this report, staff recommends the Planning Commission pursue Option 2 and approve the application with the conditions of approval provided below.

Motion:

Based on the staff recommendation, the following motion is suggested:

I move that the Planning Commission approve land use application SD-01-16, as conditioned in the August 5, 2016, staff report to the Planning Commission. This motion is based on the findings and conclusions in the staff report, and the findings in support of the application made by the Planning Commission during deliberations on this matter.

Conditions of Approval:

General

- Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval, and shall comply with all applicable state, federal and local laws.

Transportation

- 3.1 The applicant shall construct to city standards all public streets interior to the development. The right-of-way widths and curb-to-curb widths shall be as identified on the Tentative Plat Map.
- 3.2 The applicant shall install public sidewalk with the construction of street improvements along the public street frontage of Tract "A." Sidewalk installation along the frontage of newly created single-family parcels can be deferred to development of the individual lots.
- 3.3 The applicant shall install street lighting and street name signs to city standards on all public streets within the development.

Public Utilities

- 4.1 Prior to final plat approval, the applicant shall install, or financially secure the installation to City standards an 8-inch public sanitary sewer main from the existing public sanitary sewer mains in White Oak Avenue and Sunny Lane, along the proposed streets to provide service to each proposed lot in the subdivision.
- 4.2 Prior to final plat approval, the applicant shall install, or financially secure the installation to City standards, 8-inch public water mains from the existing public water mains in White Oak Avenue and Sunny Lane, along the proposed streets to provide service to each proposed lot in the subdivision.
- 4.3 Prior to final plat approval, the applicant shall construct or financially secure the construction of public storm drainage improvements that meet all applicable City Engineering Standards. Final design of these improvements will be reviewed as part of the required Site Improvement Permit.
- 4.4 Prior to final plat approval, the applicant shall construct or financially secure the construction of stormwater quality facilities that meet all applicable City Engineering Standards. Final design of these improvements will be reviewed as part of the required Storm Water Quality Permit.

- 4.5 Prior to final plat approval, the applicant must provide a public utility easement over the proposed drainage facilities that lie outside of the public rights-of-way. The dimensions of the easement(s) will be determined as part of the plan review associated with the permit to construct public improvements.
- 4.6 Proposed street name Lucia Lane shall be changed to Lucia Court, per City of Albany Addressing Standards.
- 4.7 The maximum spacing for fire hydrants for this project shall be 500 feet, and designed so that no portion along any of the circulating access roads is greater than 250 feet from a fire hydrant. Each public fire hydrant shall be capable of supplying a minimum of 1,500 gallons per minute (gpm) at a minimum of 20 pounds per square inch (psi) as a single point flow.

Cluster Development

- CD 1.1 Prior to recording the final subdivision plat, the applicant must certify in writing that a professional designer will be used in the planning and design process for the proposed development.
- CD 1.2 Prior to recording the final subdivision plat, the applicant shall construct a path connection at least four (4) feet in width from Squire Street either to a pedestrian pathway located just north of the development in the Benton Woods planned development, or to the public sidewalk along Sunny Lane at the north side of the proposed subdivision. The path shall be ADA compliant and have a durable surface such as asphalt, concrete, or other materials approved by the Director.
- CD 2.1 The dedicated open space tract (Tract A on the preliminary plat) shall be subject to restrictive covenants and easements reviewed by the Community Development Director and recorded and filed at the time that the subdivision plat is recorded. The easement shall include permanent provisions prohibiting the placement of structures or impervious surfaces, alteration of the ground contours, or any other activity or use inconsistent with the purpose of these provisions.

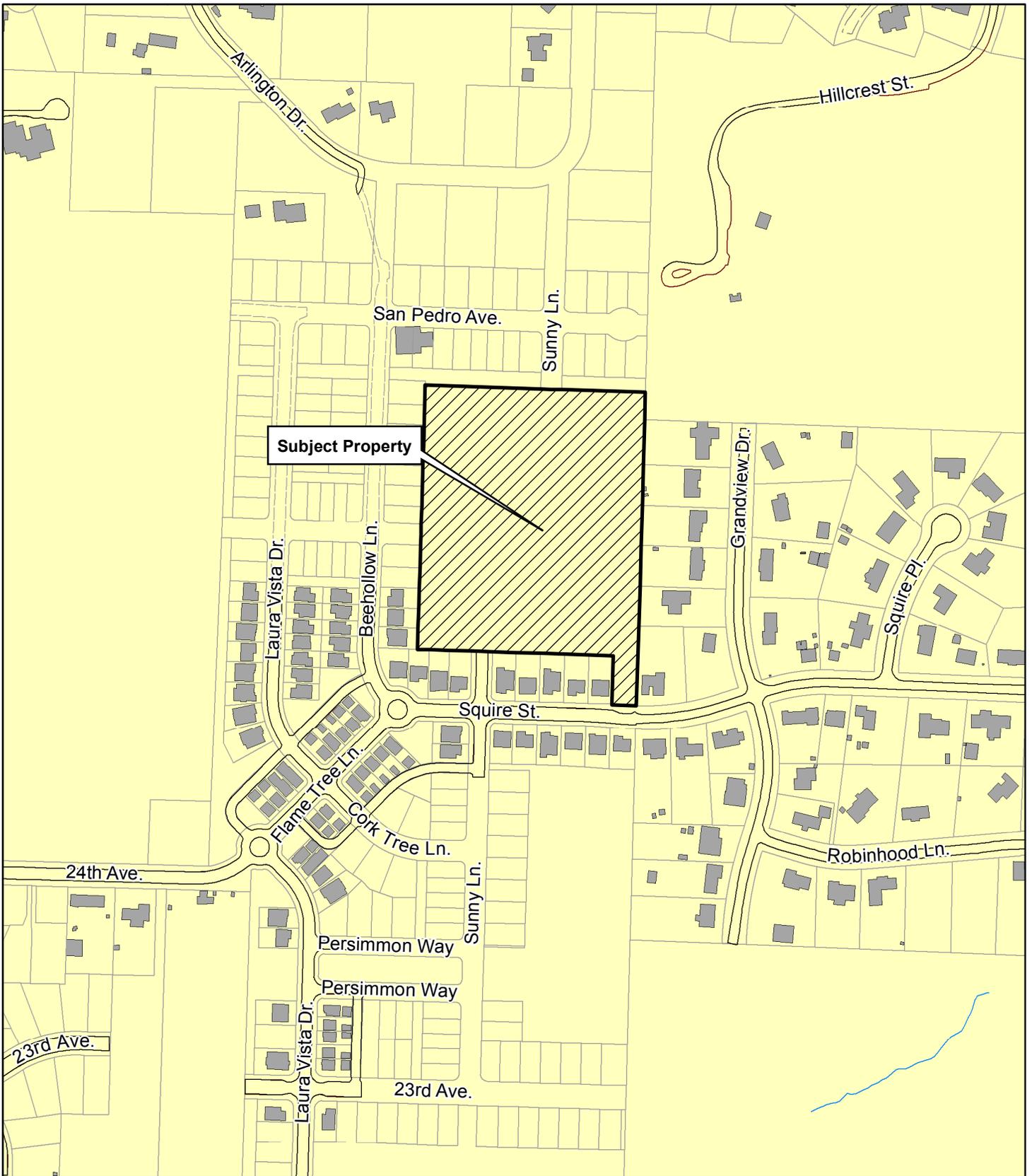
ATTACHMENTS

- A Location Map
- B Neighborhood Meetings
 - B.1 – B.4 Meeting Summaries
 - B.5 – B.6 Neighborhood Meeting Announcement
 - B.7 – B.8 Sign-Up Sheets
 - B.9 – B.11 Mailing List
- C Notice of Public Hearing dated July 26, 2016
- D Comment Letters
 - D.1 Deputy Fire Marshal Lora Ratcliff dated June 20, 2016
 - D.2 – D.3 Lauren Brown, Department of State Lands dated June 21, 2016
- E Applicant’s Narrative
 - E.1 – E.25 Review Criteria and Responses
- F Applicant’s Plan Set (4 Sheets):
 - F.1 Tentative Plat
 - F.2 Existing Conditions
 - F.3 Utility Plan
 - F.4 Street Profiles
- G Site Aerial Photo

ACRONYMS

ADC	Albany Development Code
AMC	Albany Municipal Code
DSL	Department of State Lands
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
GPM	Gallons per Minute
LOS	Level of Service
MSL	Mean Sea Level
NANA	North Albany Neighborhood Association
NAVD 1988	North American Vertical Datum of 1988*
NGVD 1929	National Geodetic Vertical Datum of 1929*
PSI	Pounds per Square Inch
RM	Residential Medium Density Zoning District
RS-5	Single Family Residential Zoning District-5,000 sq. ft.
RS-10	Single Family Residential Zoning District-10,000 sq. ft.
SOTE	Southern Oregon Transportation Engineering (traffic analysis)
TSP	Transportation System Plan
V/C	Volume to Capacity

*The conversion factor from NGVD 1929 to NAVD 1988 in Albany is +3.38 feet.



Location Map: Vicinity of Sunny Lane and White Oak Avenue



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

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June 6, 2016

Planning Division

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7550



May 19, 2016

**NEIGHBORHOOD MEETING MINUTES
WHITE OAK – PROPOSED 33 LOT CLUSTER DEVELOPMENT**

ADC 1.207(7)(a) - Dates and locations of all neighborhood meetings where citizens were invited to discuss the applicant’s proposal;

THREE NEIGHBORHOOD MEETINGS WERE HELD.

MEETING #1

DATE OF NEIGHBORHOOD MEETING: October 28, 2015
TIME: 6:00 PM – 7:30 PM
LOCATION: North Albany Middle School
1205 NW North Albany Rd
Albany, OR 97321

MEETING #2

DATE OF NEIGHBORHOOD MEETING: November 16, 2015
TIME: 6:00 PM – 7:00 PM
LOCATION: North Albany Middle School
1205 NW North Albany Rd
Albany, OR 97321

MEETING #3

DATE OF NEIGHBORHOOD MEETING: January 19, 2016
TIME: 6:00 PM – 7:00 PM
LOCATION: Ciddic’s Pizza
133 SE 5th Ave
Albany, OR 97321

ADC 1.207(7)(b)) - The methods by which each meeting was publicized;

Meeting #1

The applicant mailed a notice of neighborhood meeting #1 to the Community Development Department Director and all property owners within a minimum distance of 300-feet of the boundaries of the subject property per ADC 1.204(2). The mailing list used was supplied by the Community Development Department, and a copy of the mailing list is attached. The notice of neighborhood meeting #1 was mailed on October 13, 2015, and included a brief written description of the development proposal and proposed use, as well as the location of the subject property including nearest cross street and a map, per ADC 1.204(2)(b,c). The development proposal included in the October 13, 2015 mailing included a proposed site layout based on a zone change to the RS-5 zoning and depicted 50 lots. An example copy of the notice of neighborhood meeting #1 is attached.

Meeting #2

Neighborhood meeting #2 was a follow up to the comments received at the first neighborhood meeting. Notice of neighborhood meeting #2 was sent to the email addresses of the attendees of

CORNER LOT

Ventures INC.

neighborhood meeting #1 who requested to be informed of additional neighborhood meetings regarding the proposed project. David Martineau with the Community Development Department was also included on the email notification of neighborhood meeting #2. At meeting #2, the applicant presented a revised layout intended to reflect comments received from meeting #1. The revised layout also contemplated a zone change to the RS-5 zone, but reduced the lot count to 49, and included an open space tract.

Meeting #3

Neighborhood meeting #3 was a request by the applicant to attend the North Albany Neighborhood Association periodic meetings. The applicant contacted William Root, chair of the North Albany Neighborhood Association, by email on December 14th, 2015 to request attendance at their January 19th meeting. David Martineau with the Community Development Department was included on the initial email correspondence. At meeting #3, the applicant presented a revised layout intended to reflect comments received from the two previous neighborhood meetings, as well as comments received from a preliminary meeting with the planning department. The revised layout presented at meeting #3 contemplated a zone change to RS-5, but further reduced the lot count to 47, and increase the overall average lot size.

1.207(7)(c) – The number of people who attended the meeting or otherwise contacted the applicant;

The Oct 28th, 2015 meeting was attended by sixteen individuals.

The November 16th, 2015 meeting was attended by six individuals.

Copies of sign in sheets for each of these two meetings are attached.

The January 19th, 2016 meeting was conducted as part of the regularly scheduled North Albany Neighborhood Association meeting, and attendance was taken by the NANA chair. The Applicant did not take attendance.

1.207(7)(d) – A summary of the concerns, issues, and problems raised by the neighbors;

At the October 28th, 2015, neighborhood meeting attendees expressed concerns over the following topics:

- **Impacts to the neighboring private HOA facilities outside of the proposed White Oak property.** The concern was that residents within the proposed White Oak development might use the common areas of the adjacent Benton Woods development. The neighbors requested that the applicant create a HOA in an effort to control impacts to adjacent facilities not a part of the proposed development.
- **Open space.** Neighbors requested to see open space within the proposed White Oak development also in an effort to reduce the impacts to open space facilities on adjacent developments that were not a part of the proposed development.
- **Traffic.** Neighbors expressed concern over the traffic impacts that additional residents would have on the surrounding streets, particularly with the increase densities that the applicant was requesting.
- **Setbacks and building height.** Neighbors expressed concern over the potential for two story homes that may block views. Also neighbors expressed concern about the

CORNER LOT

Ventures INC.

potential for 5' interior yard setbacks, particularly in the rear yards, adjacent to the rear yards of existing homes.

The November 16th, 2015 neighborhood meeting was a follow up meeting to hear additional input, and attendees expressed continued concerns over the following topics:

- **Traffic.** Neighbors expressed concern over the traffic impacts that additional residents would have on the surrounding streets. In particular, the neighbors requested the installation of a stop sign at the intersection of Squire St and Grand View.
- **Setbacks and building height.** Neighbors expressed concern over the potential for two story homes that may block views. Also neighbors expressed concern about the potential for 5' interior yard setbacks, particularly in the rear yards, adjacent to the rear yards of existing homes.

The January 19, 2016 neighborhood meeting was an opportunity to hear input from the North Albany Neighborhood Association, and determine if NANA would oppose the applicant's request for a zone change to RS-5. At this meeting the attendees expressed continued concerns over the following topics:

- **Traffic.** Neighbors expressed concern over the traffic impacts that additional residents would have on the surrounding streets.
- **Density.** Neighbors expressed concern over the additional homes that would be added as a result of the proposed zone change above what would be allowed under the base zone. NANA expressed that they would oppose a zone change to RS-5, but would not oppose a development under the base RS-10 zone.

1.207(7)(e) – A discussion of how the applicant has addressed or intends to address concerns, issues, and problems; and

Density – In response to the expressed concerns over the increased densities that would result under a zone change to a RS-5 zone, the applicant has withdrawn the contemplated zone change and is proposing to develop the property under the cluster development standards of the existing base RS-10 zone. The proposed lot count has been reduced to 33, the maximum allowed under the base RS-10 zone, reflecting a reduction of 17 lots from the initial proposed lot layout presented in the meeting #1 mailing.

Open Space - The applicant is proposing a 79,132 sq ft Natural Area Tract to serve as open space and storm water treatment.

Traffic – The applicant expressed that the applicant would support the imposition of a condition of approval requiring the installation of a stop sign at the intersection of Squire St and Grand View. However, the applicant clarified that the installation of a stop sign would be subject to the approval of Public Works, and that the applicant could not unilaterally promise that they would be able to install the stop sign without the permission of the public works department.

Homeowner's Association – The applicant is proposing the creation of a Homeowner's Association to maintain the private open spaces.

CORNER LOT

Ventures INC.

1.207(7)(f) – A discussion of any concerns, issues, and problems the applicant is unable or unwilling to address and why.

Building Heights and Setbacks – The neighbors requested that the development be limited to single story homes. However, the applicant is not amenable to this request as this would severely limit the floorplan options available for subsequent development. Also, the neighbors requested that the rear yard setbacks be increased to provide additional spacing in the rear yards. The applicant is not amenable to this request as this would also limit the floorplan options available for subsequent development. There was preliminary discussion with adjacent neighbors at meetings #1 and #2 that the applicant might have considered flexibility in the lot layout and reductions in lot counts in order to preserve sight lines if there was support for the zone change. However, withdrawing the zone change removed the flexibility in site design that would have been afforded by the higher densities of the RS-5 zone. Under the base RS-10 zone, complying with the neighbor's requests for single story homes and increased rear yard setbacks would result in further reduction in lot counts below the maximum 33 lots allowed, significantly reducing the economic viability of developing the property.

Thank you.

Jesse Lovrien
President
Corner Lot Ventures, Inc.

Enc: Neighborhood mailing list
Copy of neighborhood meeting #1 notice
Neighborhood meeting #1 sign in sheet
Neighborhood meeting #2 sign in sheet



October 13, 2015

**NOTICE OF NEIGHBORHOOD MEETING
WHITE OAK – PROPOSED 50 LOT SUBDIVISION**

DATE OF NEIGHBORHOOD MEETING: October 28, 2015
TIME: 6:00 PM – 7:30 PM
LOCATION: North Albany Middle School
1205 NW North Albany Rd
Albany, OR 97321

Corner Lot Ventures, Inc. is preparing to file a land use application for a proposed 50 lot subdivision tentatively called White Oak on a vacant 8.32 acre parcel located to the east of the intersection of NW Beehollow Lane and White Oak Avenue NW, and north of the intersection of NW Squire Street and NW Sunny Lane.

Pursuant to the Albany Development Code section 1.203 and 1.204, Corner Lot Ventures will be holding a neighborhood meeting on October 28th, 2015, from 6:00 PM until 7:30 PM at the North Albany Middle School to provide an overview of the proposed subdivision and give you an opportunity to comment on the development.

You are receiving this letter because you are listed as the owner of property within 300 feet of the proposed development and a notice of the neighborhood meeting is required to be sent to you pursuant to ADC 1.203.

The subject property is currently zoned RS-10. Corner Lot Ventures is proposing to apply for a zoning map amendment which would modify the zoning to RS-5 and allow up to 50 single family residential lots with an average minimum lot size of 5,000 square feet.

Copies of a tentative site plan showing the proposed development, as well as a site map showing the location of the proposed development site are attached to this letter.

If you have questions or comments about the proposed development, or if you would like to learn more about the proposed development, please feel free to join us at the neighborhood.

You may also contact David Martineau, Lead Current Planner, City of Albany with any questions. He may be reached at 541.917.7561, or by email at david.martineau@cityofalbany.net.

Thank you.

Jesse Lovrien
President
Corner Lot Ventures, Inc.

Enc: White Oak Conceptual Site Plan, White Oak Vicinity Map

Post Office Box 19078 | Portland, Oregon 97280

NAME	ADDRESS	CONTACT
• Amy Baird	2907 NW Squire	amykbaird@gmail.com
• Dave Thompson	2648 Grandview Dr	d+vic@comcast.net
• Doug Hall	2632 Grandview Dr	Doughall@Remax.net
David Martineau	1916 Hwy City Hall, 333 Broadalbin SW	david.martineau@cityofalbany.net
• Tim Ondiker	2656 NW Grandview Dr	tim.ondiker@gmail.com
• Jesse Bower	2585 NW Beechollow Ln	bowerj@hotmail.com
• De Nyago Tafem	2922 NW Squire St	dennyago@yahoo.com
• Scott Henderson	2910 NW Squire St	scottieusa@hotmail.com
• DAVID NICHOLAS	2457 NW Sunny Ln	dennicholas@gmail.com
Gary + Brenda Burch	2653 NW Grandview Dr.	gbburch@comcast.net
Rachel Ryan Thomas	2871 NW Squire St	rachel.thomas28@gmail.com
• Jane Kieffer	2504 Sunny Ln. NW	mtngold1@aol.com
• Anna Nakano	2573 Beechollow Ln.	nanano.ann@gmail.com
• JOHNNY B	2675 Beechollow	JOHNNYBALLISTIC@hotmail.com

White Oak Neighborhood Meeting

11/16/2015

	Name	Address	Contact
1	Kim South	2632 Grandview NW ^{Albany}	ksouth222@comcast.net
2	Doug Hall	2632 Grandview Dr NW	doughall@Remax.net
3	Scott Henderson	2910 NW Squire St	scottieusa@hotmail.com
4	Ryan Thomas	2871 NW Squire St	ryanclt.thomas@yahoo.com
5	Jesse Bower	2585 NW Beechollow	bowerj@hotmail.com
6	Amy Baird	2907 NW Squire	amykbaird@gmail.com
7			
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Ownerline1	MailAdd1	MailCity	MailState	MailZip
ADAMS JENNIFER	3027 FLAME TREE LN NW	ALBANY	OR	97321
AGUAYO GUADALUPE & LETICIA	2654 BEEHOLLOW LN NW	ALBANY	OR	97321
ALEXANDER KOREY MICHAEL	3015 WHITE OAK AVE NW	ALBANY	OR	97321
AMAN RYAN J & TAMMY H	3059 WHITE OAK AVE NW	ALBANY	OR	97321
AMERICAN HOMES 4RENT PROPERTIES FIVE LLC	30601 AGOURA RD	AGOURA HILLS	CA	91301
BABBITT JEFFERY M & RAYLENE K	2979 SQUIRE ST NW	ALBANY	OR	97321
BAI WEI & SAMANT TANMAY V	3343 NW POPPY DR	CORVALLIS	OR	97330
BAIRD AMY K & AARON MICHAEL	2907 SQUIRE ST NW	ALBANY	OR	97321
BAKER SHANNON MARIE	2898 SQUIRE ST NW	ALBANY	OR	97321
BAO LINDA F & LUAN HARRY S	2641 BEEHOLLOW LN NW	ALBANY	OR	97321
BARKLEY JOHN S & TASHA	2675 BEEHOLLOW LN NW	ALBANY	OR	97321
BEAUDOIN KEVIN M	2638 BEEHOLLOW LN NW	ALBANY	OR	97321
BENTON COUNTY	P O BOX 964	CORVALLIS	OR	97339
BENTON HILL LLC	P O BOX 1746	ALBANY	OR	97321
BENTON WOODS HOMEOWNERS ASSOC	4386 SW MACADAM AVE STE 100	PORTLAND	OR	97239-6432
BIRCHFIELD JOHN K	P O BOX 562	ALBANY	OR	97321
BLACKBURN MARK A & SUZANNE D	2586 BEEHOLLOW LN NW	ALBANY	OR	97321
BORUNDA JOSH D & KERI L	3033 WHITE OAK AVE NW	ALBANY	OR	97321
BOWER JESSE & JOYCE	2585 BEEHOLLOW LN NW	ALBANY	OR	97321
BURCH GARY L & BRENDA J	2653 GRANDVIEW DR NW	ALBANY	OR	97321
CANIFAX KYLE M & BRIANA M	2550 BEEHOLLOW LN NW	ALBANY	OR	97321-1010
CARNLEY M DAVID & CAROL A	2850 SQUIRE ST NW	ALBANY	OR	97321
CASTILLO SUSAN	3024 WHITE OAK AVE NW	ALBANY	OR	97321-1054
CHANG HAN	2669 LAURA VISTA DR NW	ALBANY	OR	97321
CLARA MARTIN CASTANEDA	2672 BEEHOLLOW LN NW	ALBANY	OR	97321
COFFEY PAMELA J	2798 SQUIRE ST NW	ALBANY	OR	97321
COMBS JANICE	3006 FLAME TREE LN NW	ALBANY	OR	97321
CURRENT RESIDENT	P O BOX 1083	CORVALLIS	OR	97339
D R HORTON INC PORTLAND	4380 SW MACADAM AVE STE 100	PORTLAND	OR	97239
DODSON ROBERT K & DEBORAH A	3040 WHITE OAK AVE NW	ALBANY	OR	97321
DURLING COLLIN T & CHELSEY R	2862 SQUIRE ST NW	ALBANY	OR	97321
FT & MARY GLASER LLC CO	31915 SEVEN MILE LN	TANGENT	OR	97389
GOMEZ VICTOR JR & AUDREY	2686 BEEHOLLOW LN NW	ALBANY	OR	97321

HALL DOUGLAS R	2632 GRANDVIEW DR NW	ALBANY	OR	97321-1009
HAMMOND NATHAN ROBERT	2955 SQUIRE ST NW	ALBANY	OR	97321
HENDERSON SCOTT JAMES & KIMBERLY	2910 SQUIRE ST NW	ALBANY	OR	97321
HERNANDEZ DAVID & ISABEL C	2647 LAURA VISTA DR NW	ALBANY	OR	97321
HILER JAMES W & CAROL L	2633 GRANDVIEW DR NW	ALBANY	OR	97321
HILL CHARLES & MARY	2841 SQUIRE ST NW	ALBANY	OR	97321
HOWE EDWARD J & NATALIE E	2551 LAURA VISTA DR NW	ALBANY	OR	97321
IPARRAGUIRRE NESTOR O	2562 BEEHOLLOW LN NW	ALBANY	OR	97321
JIANG HONG	2367 NW KINDERMAN DR	CORVALLIS	OR	97330
JIANG SHAN & LI ZHENFENG	4306 NW ARROWOOD CIR	CORVALLIS	OR	97330
JOHNSTON MARCIA A	2492 SUNNY LN NW	ALBANY	OR	97321
KELSEY ELAINE	2575 LAURA VISTA DR NW	ALBANY	OR	97321
KING STEPHANIE C & CASEY S	2515 LAURA VISTA DR NW	ALBANY	OR	97321
KLEFFNER JOYCE KAY	2504 SUNNY LN NW	ALBANY	OR	97321
LESSER DAVID C & JULIE M	2565 GRANDVIEW DR NW	ALBANY	OR	97321
LOGAN PAUL R & AMBER M	2967 SQUIRE ST NW	ALBANY	OR	97321-1041
LOVELESS THOMAS	2943 SQUIRE ST NW	ALBANY	OR	97321
LUTTRELL SHARI A, TR	2883 SQUIRE ST NW	ALBANY	OR	97321
MCCLUNG JAMES PHILIP & PAMELA KATHLEEN	2874 SQUIRE ST NW	ALBANY	OR	97321
MCCORD KIMBERLY A	2539 LAURA VISTA DR NW	ALBANY	OR	97321
MCGLACHLIN DELBERT E & LOUISE	2611 GRANDVIEW DR NW	ALBANY	OR	97321
MEIER JENNIFER J & JAMES R	2527 LAURA VISTA DR NW	ALBANY	OR	97321-1010
MILLER MICHAEL	2599 BEEHOLLOW LN NW	ALBANY	OR	97321
MILLER N D & BARBARA R	2472 GRANDVIEW DR NW	ALBANY	OR	97321
NAKANO JINICHIRO	2573 BEEHOLLOW LN NW	ALBANY	OR	97321-1006
ONDIKE TIMOTHY J	2656 GRANDVIEW DR NW	ALBANY	OR	97321
PATTON SHELLY R	2574 BEEHOLLOW LN NW	ALBANY	OR	97321-1009
PGM PROPERTIES LLC	4073 WINDY AVE NE	ALBANY	OR	97321
POST DANIEL A & NANCY C, TR	2771 PINEVIEW DR NW	ALBANY	OR	97322
RAN YINGQING & XU QING	836 POLARIS AVE	FOSTER CITY	CA	97321
RANKIN NATHAN & MARISSA	2635 LAURA VISTA DR NW	ALBANY	OR	94404
RATAJCZAK DALE MARK	2584 GRANDVIEW DR NW	ALBANY	OR	97321
RODRIGUEZ JUANITA A	2561 BEEHOLLOW LN NW	ALBANY	OR	97321-1008
RUSSELL MATTHEW & BRITTANY	2629 BEEHOLLOW LN NW	ALBANY	OR	97321

SCHAFFER MICHAEL SCOTT & KARLA J	2563 LAURA VISTA DR NW	ALBANY	OR	97321
SCHENDEL KRISTOPHER JACQUELINE & NATALIE	2499 SUNNY LN NW	ALBANY	OR	97321
SHANKS NANCY S	3030 FLAME TREE LN NW	ALBANY	OR	97321
SMITH VERNON W & CYNTHIA R, TR	2895 SQUIRE ST NW	ALBANY	OR	97321
STIRN DANIEL P	2886 SQUIRE ST NW	ALBANY	OR	97321
STRICKLER JOHN A & LOONEY STEPHANIE M	3018 FLAME TREE LN NW	ALBANY	OR	97321
TAFEN DE NYAGO & HUGHES TAFEN DENISE	2922 SQUIRE ST NW	ALBANY	OR	97321
THOMAS RYAN D & RAYCHEL J	2871 SQUIRE ST NW	ALBANY	OR	97321
THOMPSON DAVID D & MELISSA D,TR	2648 GRANDVIEW DR NW	ALBANY	OR	97321
TIMBERHILL CORPORATION	18065 SW ELSNER RD	SHERWOOD	OR	97321-1009
TRAIN AUTUMN	3015 FLAME TREE LN NW	ALBANY	OR	97140
VAN HORN DAMIEN L & RHYAN A	5915 SE LOIS ST	ALBANY	OR	97321
VEITH DONALD R	2593 BEEHOLLOW LN NW	HILLSBORO	OR	97123
VEJIL LUIS S & ANGELIQUE MARIE	2587 LAURA VISTA DR NW	ALBANY	OR	97321
WILLHITE SHERRY A	2600 GRANDVIEW DR NW	ALBANY	OR	97321
WILSON JEREMY J & JENNIFER M	2480 GRANDVIEW DR NW	ALBANY	OR	97321-1009
YIM JOSHUA A & LAURA ELIZABETH	2483 SUNNY LN NW	ALBANY	OR	97321
ROOT, BILL (NANA)	2634 VALLEY VIEW DRIVE NW	ALBANY	OR	97321



COMMUNITY DEVELOPMENT DEPARTMENT

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

Phone: (541) 917-7550 Fax: (541) 917-7598
www.cityofalbany.net

NOTICE OF PUBLIC HEARING

<u>HEARING BODY</u>	Planning Commission
<u>HEARING DATE</u>	Monday, August 15, 2016
<u>HEARING TIME</u>	5:15 p.m.
<u>HEARING LOCATION</u>	Albany City Hall Council Chambers, 333 Broadalbin Street SW

GENERAL INFORMATION

DATE OF NOTICE:	July 26, 2016
FILE:	SD-01-16
TYPE OF APPLICATION:	Land Division (Tentative Subdivision Plat) for a 33-lot residential clustered subdivision (Type III)
PROPERTY OWNER:	Judith A. Brandis, Trustee; PO Box 1087; Corvallis, OR 97339
APPLICANT:	Jesse Lovrien; Corner Lot Ventures, Inc.; PO Box 19078; Portland, OR 97280
APPLICANT REPRESENTATIVES:	Marc Cross; Rhine-Cross Group, LLC; 112 N. 5 th Street, Suite 200; PO Box 909; Klamath Falls, OR 97601
ADDRESS/LOCATION:	Unassigned, near Sunny Lane NW and White Oak Avenue NW
MAP/TAX LOT:	Benton County Assessor's Map No. 10S-04W-26; Tax Lot 501
ZONING:	RS-10 (Residential Single Family) District

The Planning Division has received the application referenced above and has scheduled a public hearing before the Planning Commission. We are mailing notice of this public hearing to residents and owners of property located within 300 feet of the subject site. We invite your comments, either in writing before the day of the public hearing, or in person at the hearing. Your comments will be taken into account when the Planning Commission makes a decision on the application. The proposed project is a 33-lot clustered residential subdivision on an 8.32-acre parcel.

We have attached a location map of the subject property and a copy of the tentative subdivision plat that was submitted by the applicant's representative. A copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria, are available for inspection at no cost at the Albany Community Development Department, Planning Division. The staff report will be available at the Planning Division located in City Hall by 5:00 p.m. on Monday, August 8, 2016, and on the City's web site at: <http://www.cityofalbany.net/departments/community-development/planning/all-projects>. Copies will be provided upon request at a reasonable cost. For more information, please contact **David Martineau**, Project Planner, at david.martineau@cityofalbany.net, 541-917-7561, or Bob Richardson, Planning Manager, at 541-917-7555. Submit any written comments to the Planning Division; P.O. Box 490; Albany, OR 97321. Any person who submits written comments or testifies at a public hearing will receive a copy of the Notice of Decision.

If additional documents or evidence are provided by any party, the City may allow a continuance, or leave the record open, to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time limitations of ORS 227.178.

YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards for the application listed in this notice. Failure to raise an issue by letter, or in person, before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the Planning Commission an adequate opportunity to respond to each raised issue, precludes an appeal based on that issue.

PUBLIC HEARING PROCEDURE

The public hearing will begin with a declaration of any *ex parte* contacts (contacts that occurred outside of the public hearing) or any conflict of interest by the decision makers. This will be followed by the staff report from the Planning staff. Then the applicant will testify, followed by testimony by other people in support of the application. After the people who are in favor of the application are finished, testimony from opponents will begin. This will be followed by testimony from people who neither favor nor oppose the application. The applicant will then be given the opportunity for rebuttal. The decision makers are free to ask questions of any person who has testified, or of staff, at any point during the hearing.

If the hearing is continued or the record is left open, the chairperson will announce the date, time, and place for resumption of the hearing, and/or what limitations exist on further testimony or submittal of written materials. If the hearing and record are closed, the decision makers will begin deliberations and/or will announce the time, date, and place when the decision will be made.

APPROVAL STANDARDS FOR THIS REQUEST**Albany Development Code (ADC)****TENTATIVE PLAT REVIEW (ADC 11.180)**

- (1) Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.
- (2) Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.
- (3) The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.
- (4) The location and design allows development to be conveniently served by various public utilities.
- (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.

CLUSTER DEVELOPMENT (ADC 11.440)

- (1) The proposed development meets all of the requirements for cluster development.
- (2) The proposed development preserves natural or unique features that normally would not be either preserved or restored under conventional development standards.

ADDITIONAL REVIEW STANDARDS FOR THIS SUBDIVISION ARE FOUND IN ALBANY DEVELOPMENT CODE ARTICLES 1, 3, 6, 11, and 12.

The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling 541-917-7500.

Attachments: Location Map, Tentative Plat



TO: David Martineau, Planner
FROM: Lora Ratcliff, Deputy Fire Marshal
DATE: June 20, 2016
SUBJECT: SD-0001-16 - Sunny Lane and White Oak Ave 33 Lot Subdivision – Fire Department Comments

1. Lucia Ln. needs to be changed to Lucia Ct. as per City of Albany Addressing Standards.
2. The maximum spacing for fire hydrants for this project shall be 500 feet designed so that no portion along any of the circulating access roads is greater than 250 feet from a fire hydrant.

Each public fire hydrant shall be capable of supplying a minimum of 1,500 gpm at a minimum of 20 psi as a single point flow.

LAR/lar



WETLAND LAND USE NOTIFICATION RESPONSE
OREGON DEPARTMENT OF STATE LANDS
 775 Summer Street NE, Suite 100, Salem, OR 97301-1279
 Phone (503) 986-5200
www.oregonstatelands.us

DSL File Number: WN2016-0245

Cities and counties have a responsibility to notify the Department of State Lands (DSL) of certain activities proposed within wetlands mapped on the Statewide Wetlands Inventory. David Martineau from city of Albany submitted a WLUN pertaining to local case file #: SD-0001-16.

Activity location:

township: 10S range: 04W section: 26 quarter-quarter section:

tax lot(s): 501

street address: Unassigned; vicinity of Sunny Ln NW and White Oak Ave NW, Albany

city: Albany county: Benton

latitude: 44.666855 longitude: -123.136225

Mapped wetland/waterway features:

- The local wetlands inventory shows a wetland on the property.
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Oregon Removal-Fill requirement (s):

- A state permit is required for 50 cubic yards or more of removal and/or fill in wetlands, below ordinary high water of streams, within other waters of the state, or below highest measured tide where applicable.

Your activity:

- It appears that the proposed project may impact wetland and may require a wetland delineation.
- An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the proposed project may impact wetlands or waters. If wetlands are present, a wetland delineation is needed to determine precise wetland boundaries. The wetland delineation report should be submitted to DSL for review and approval.

Contacts:

- For permit information and requirements contact DSL Resource Coordinator (see website for current list) http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands_Waterways
- For wetland delineation report requirements and information contact DSL Wetlands Specialist (see website for current list)
http://www.oregonstatelands.us/DSL/contact_us_directory.shtml#Wetlands_Waterways
- For removal-fill permit and/or wetland delineation report fees go to
http://www.oregon.gov/DSL/PERMITS/docs/rf_fees.pdf

**BURDEN OF PROOF
STATEMENT FOR APPLICATION FOR
WHITE OAK SUBDIVISION APPROVAL
ALBANY, OREGON**

Applicant: Corner Lot Ventures, Inc.
P.O. Box 19078
Portland, OR 97280
Phone: (503) 888-0985

Owner Rep: Judith A. Brandis, Trustee
P.O. Box 1087
Corvallis, OR 97321

Representatives: Rhine-Cross Group, LLC
112 N 5th Street, Suite 200
P.O. Box 909
Klamath Falls, OR 97601
Phone: (541) 851-9405

Location: The property is located in the North Albany neighborhood, north of Squire Lane, near NW Sunny Ln and NW Oak Tree Ave, in Benton County, Oregon

Address: Unassigned, near NW Sunny Ln and NW Oak Tree Ave

Reference Parcel No.: Tax Lot 501, Map #10426

Comp. Plan Designation: Low Density Residential

Zoning Designation: RS-10 – Residential Single Family

Property Size: ±8.32 Acres

Proposal: Subdivision application for 33 single family residential lots with an average lot size of 6500 sq.ft. using the Cluster Development Standards with more than 20% dedicated Open Space.

Date: February, 2016

PROJECT OVERVIEW & DESCRIPTION

The applicant intends to develop the site in accordance with Articles 3, 11, & 12 of the City of Albany Development Code. The development will be named White Oak Subdivision, and a tentative plat showing the proposed street, lot, and utility layout will be provided with the application for the entire property.

The 8.32 acre property is located within the Albany City Limits on the north side of town within the North Albany area. The site is bounded on the west and north sides by the existing Benton Woods III development, which is zoned RS-5 with lot sizes ranging from 2600sf to 6700 sf. To the south is the developed Benton Woods subdivision, which is zoned RM with lot sizes ranging from 2900sf to 7200sf. To the east is the developed Country Villa Subdivision with lot sizes ranging from 20,000 sf to 30,000 sf. The site is completely surrounded by moderate density development and is therefore irrevocably committed to similar use.

The site enjoys 3 existing street stubs to the property, with White Oak Ave stubbed from the west side, and Sunny Lane stubbed from the north and south sides. The property is currently undeveloped and is vegetated with grass and weeds. Fire protection services are provided by the Albany Fire District. The site is located within the City of Albany service area for water service, sanitary sewerage service, and storm water management. Other utilities readily available are power, telephone, gas, and cable TV all existing within the street stubs to the property.

The site consists of Concord Silt Loam (#51), Dupree Silt Loam (#61), and Woodburn Silt Loam (#177) with hydrologic soil classification ranging from C to D. The site is currently vacant, with a mix of weeds and grasses covering the area. The site is “located” on Panel No. 41043C – 0200G of the Flood Insurance Rate Map (FIRM) for Linn & Benton County. The property is outside of all Zone A mapped flood areas.

The subject property is currently designated as Low Density Residential by the City of Albany Comprehensive Plan. The applicant is proposing a subdivision master plan utilizing the Cluster Development Standards with 33 lots with an average lot size of 6500sf. As required by the Cluster Development Standards, a minimum of 20% Natural Area Open Space will be reserved as part of the development. The development will connect to three existing stub roads to the north, west, and south for access.

This application for a Land Subdivision is subject to both City and State criteria and standards and is processed by the City administratively and is reviewed by the Planning Commission and City Council, pursuant to the Albany Development Code. Accordingly, the applicant shall address all of the applicable criteria and standards of the Albany Development Code that pertain to these requests. As required by the City’s land subdivision review process and by the State, the applicant shall also address the applicable criteria and standards of the Oregon Administrative Rules (OAR) and the Oregon Revised Statutes (ORS), particularly the elements of these State rules and statutes that apply to subdividing land.

CITY OF ALBANY DEVELOPMENT CODE

1. Article 11 – Land Divisions and Planned Developments

11.180 Tentative Plat Review Criteria:

Approval of a tentative subdivision or partition plat will be granted if the review body finds that the applicant has met all of the following criteria which apply to the development:

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

Response: This development utilizes all of the property for the subdivision and dedicated open space under the Cluster Development Standards. None of the proposed lots are large enough to be further subdivided, and the large open space will be dedicated as such and not available for further development. The applicant does not own any adjacent properties that could be contiguously developed.

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

Response: All adjoining land on the north, south, east, and west sides of this property is already developed. The developments on the north, west, and south side provided an access stub road, and the proposed development will connect to each of this stub roads for access and utility continuation.

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

Response: The proposed street plan connects to all three existing street stubs as part of the development. The proposed plan attempts to minimize the amount of impervious surface by utilizing the cluster development standards which allows for a large open space tract to be created as part of the development. The streets are curved as much as possible to slow traffic flowing through the site. Sidewalks and planter strips are provided to allow for safe pedestrian circulation.

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

Response: Public utilities are available for connection at each street stub. These utilities will be connected and routed through the site for service to the proposed lots. Stormwater will be collected, treated, and detained before being released to the existing stormwater system in Squire Street. Water will be looped from Oak Tree Ave to Sunny Lane to the south, but will not be looped to the north because the water line north of the subdivision is on a separate pressure zone. Sanitary sewer will be connected to the existing main in Sunny Ln to the south of the project and routed through the site to provide service to each lot. Power, telephone, gas, and cable tv will be routed as required by the utility providers.

(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. .

Response: This development is not located within any special purpose district and therefore this section is not applicable to this subdivision proposal.

CLUSTER DEVELOPMENT

11.400 Purpose:

Cluster development is intended to protect natural and other special features that either would not otherwise be protected, or otherwise restored to good quality, in the development of a site. In return, the more flexible standards found in this section may supersede other more strict standards of this Code. Cluster developments may provide greater flexibility, reduced and/or varied lot sizes, and more variety in permitted uses. It is not the intent of cluster development to increase the overall housing density of property above the density that would have been allowed in a standard subdivision. Developments must satisfy high-quality master planning and design requirements.

Response: A cluster development is being proposed as part of this development because of the presence of ditches that are considered draining to waters of the state and are therefore protected. The proposed open space on the south and east sides will preserve these ditches to the greatest extent possible, and also allow for interconnection of the existing open space and pedestrian path to the north with Squire Street to the south.

The applicant is requesting that minimum lot sizes, lot coverages, and setbacks be reduced consistent with the code provisions of the cluster development, however, overall housing density will remain per the allowable density in the RS-10 zoning. The use of the cluster development will provide high quality open space and a superior layout to what would be otherwise be designed utilizing a standard subdivision layout.

11.405 Optional Nature:

Cluster development is an optional form of development. Cluster development proposals are reviewed as part of the land division, site plan, or conditional use application processes.

Response: This Cluster development will be reviewed as part of the land division application process.

11.410 Eligibility:

To be eligible to apply for cluster development, all of the following are required:

- (1) Residential Zoning. The site must be located in a residential zoning district.*
- (2) Natural and Other Special Features. The site must contain one or more of the features listed in Section 11.460*
- (3) Professional Designer. An applicant for cluster development approval must certify in writing that a certified landscape architect, site planner, or landscape designer, approved by the Director, will be used in the planning and design process for the proposed development.*

Response: The proposed development is within the RS-10 zone, which is a residential zoning district. The site contains protected ditches that drain to waters of the state and are subject to rules and regulations for protection by the Oregon Department of State Lands. Additionally, the proposed open space will allow a trail connection from Squire St to the existing open space and pedestrian pathway located just north of the proposed development. The subdivision layout has been reviewed by a professional landscape designer with input from a registered wetland

biologist and a registered professional engineer. If the cluster development is approved, a landscape sheet will be included from a certified landscape designer showing the proposed stormwater pond plantings, the pathway, and plans for the remainder of the open space.

11.420 Relationship to Other Regulations:

If the applicant chooses the cluster development option, and the site is deemed eligible by the City, these standards will supplement other provisions of this Code. For example, a subdivision proposed as a cluster development is also subject to other provisions of Article 11 of the Development Code. Other types of residential development are subject to site plan review or conditional use review. These provisions apply to issuance of building permits in a cluster development and to ongoing uses and activities in a cluster development.

Response: As part of the subdivision approval process, the applicant is submitting this written narrative to address requirements of the Albany Development Code that relates to subdividing land and for Cluster Developments. Separate from this land use application, all proposed housing will submit for a siteplan review prior to issuance of building permits.

11.430 Procedure:

Cluster development proposals are reviewed as a Type III procedure

Response: The applicant understands and is aware of the Type III review procedure.

11.440 Review Criteria:

The review criteria for a cluster development are those that apply to a particular type of development. For example, the tentative plat criteria in Article 11 apply to cluster land divisions. (See Section 11.420 for relation to the other requirements.) Also, the review body must find that the application meets the following additional criterion:

(1) The proposed development meets all of the requirements for cluster development.

(2) The proposed development preserves natural or unique features that normally would not be either preserved or restored under conventional development standards.

Response: As part of the application process, the applicant is responding to the Cluster Development review criteria as part of the submitted Burden of Proof to ensure compliance with the requirements of this section of the Albany Development Code. A cluster development is proposed on this site to preserve the onsite drainage ditches that have been identified by a professional wetland biologist as draining to waters of the state and therefore should receive protection. Additionally, the way in which the open space is designed will allow interconnection of the existing open space and pedestrian path that is located just north of the proposed development with Squire Street to the south.

11.450 Natural Area Requirements:

Cluster developments must provide a minimum of 20 percent of the site as permanent natural areas. Land designated as Open Space on the Comprehensive Plan or Zoning maps may not be used to fulfill this requirement.

Response: The proposed development encompasses an area of 362,418 square feet. The proposed natural area and open space is 79,132 square feet, being 21.83% of the total area and meeting the minimum 20% area requirement. The area proposed as natural open space is not currently designated Open Space by the City of Albany Comprehensive Plan or Zoning maps.

11.460 Designation of Permanent Natural Area:

(1) The first priority for natural area designation is significant tree groves identified on the South Albany Area Plan Organizational Framework map in the Comprehensive Plan (Figure 1), and oak trees in the South Albany Area Plan boundary over 25-inches in diameter measured at 4.5 feet from the ground.

Response: The proposed development does not contain any existing trees, as this property has been historically used for farming and grazing purposes. Therefore this section is not applicable.

(2) The second priority for natural area designation is natural resources within the Significant Natural Resource overlay districts that are of degraded or marginal quality and subsequently restored to good quality in accordance with the quality levels in ADC Section 6.410(5). This priority shall be satisfied in the following order:

- (a) Habitat for western painted and northwestern pond turtles within the Habitat Assessment Overlay (/HA), as identified by a turtle habitat assessment, that is restored to good quality.*
- (b) Wetland within the Significant Wetland overlay district (/SW) that is restored to good quality.*
- (c) Riparian area within the Riparian Corridor overlay district (/RC) that is restored to good quality.*

Response: The proposed development does not contain any known habitat for western painted and northwestern pond turtles, wetlands within the Significant Wetland Overlay District, nor any riparian areas with the Riparian Corridor Overlay District. Therefore this section is not applicable

(3) The third priority for natural area designation is protection of other environmentally sensitive areas, natural and scenic features of the site. This priority shall be satisfied in the following order:

- (a) Good quality habitat for western painted and northwestern pond turtles near Thornton Lakes within the Habitat Assessment overlay (/HA) as identified by a turtle habitat assessment.*
- (b) Good quality wetland within the significant Wetland overlay district (/SW).*
- (c) Good quality riparian area within the Riparian Corridor Overlay District (RC).*
- (d) Other wetlands not within the Significant Wetland overlay district, as shown on the City's Local Wetland Inventories, or by a delineation approved by the Oregon Department of State Lands.*

- (e) Existing channels identified in the most current version of the City of Albany Storm Water Master Plan.
- (f) Springs.
- (g) Land with natural slopes 12 percent or greater as designated by the Hillside Development overlay district (/HD).
- (h) Wooded area with five or more healthy trees over 8 inches in diameter measured 4 ½ feet from the ground, if approved by the City Forester.
- (i) Land that provides bike or walking trails that connect to existing or proposed parks or trail, inventoried natural features, or areas zoned Open Space; or areas otherwise protected as permanent natural areas.
- (j) Incorporate public parks, trail, trailheads or open space designated in the Parks, Recreation and Open Space Plan, the North Albany Refinement Plan, and the South Albany Area Plan. [Ord. 5801, 2/13/13]
- (k) Other features of the site unique to Albany, if approved by the Director.

Response: The applicant has retained the services of a professional wetland consultant. The consultant has identified existing ditches on the east and south property lines that are considered as draining to waters of the state and are therefore protected, meeting the criteria listed in (d) above. These ditches will be best protected by reserving a natural area within the Cluster Development rather than trying to protect by easement within individual lots.

(4) The fourth priority for natural area designation is to create “open spaces” in and around neighborhoods. This priority is satisfied by any of the following:

- (a) Continuity of adjacent open space corridors or parkways.
- (b) A network of interconnected open space corridors.
- (c) A buffer between neighborhoods.

Response: The proposed natural area along the south and east property lines will allow the existing open space and trail located just north of the subject property to be connected to Squire St to the south. Currently, the open space and pedestrian trail within Benton Woods III to our north dead ends at the east property line. By dedicating this open space in this location, we are not only preserving the natural ditches but also providing continuity and interconnection possibilities with adjacent dedicated open space. The dedicated open space on the east property line will also serve as a buffer between the proposed development and the existing RS-10 development to the east. Therefore, all three criteria are met above.

11.470 Creation of Permanent Natural Areas:

(1) Natural areas in a cluster development may be set aside and managed in one or more of the following

ways:

- (a) Portions of one or more individual lots; or
- (b) Common ownership by residents of the development; or
- (c) Third party (non-profit organization) whose primary purpose is to hold or manage the open space, subject to a reversionary clause in the event of dissolution of the non-profit organization; or
- (d) Dedicated to City of Albany, if the City agrees to accept ownership and maintain the space.

Response: The applicant would ask the City of Albany to accept ownership and maintenance of the open space. However, if not accepted by the City, the applicant will dedicate the open space to a Homeowner’s association which will place the property and responsibility of maintenance within common ownership by the residents.

(2) Except for Subsection (1)(d) above, natural areas shall be subject to restrictive covenants and easements reviewed by the Community Development Director and recorded and filed when the subdivision plat for the project area is recorded. Except when allowed in 11.480, an easement shall include permanent provisions prohibiting the placement of structures or impervious surfaces, alteration of the ground contours, or any other activity or use inconsistent with the purpose of these provisions.

Response: In the event that the City does not accept ownership and maintenance of the open space, the applicant will provide the required restrictive covenants and easements during the final platting process.

11.480 Protection of Permanent Natural Areas:

(1) If any applicable overlay districts allow it, the development may encroach into permanent natural areas, only under the following circumstances:

- (a) Meets the requirements of all overlay districts in Articles 4, 6 and 7; and
- (b) The encroachment is necessary to meet transportation, utility infrastructure requirements, or post construction stormwater quality requirements; or
- (c) The encroachment is necessary to provide bike or walking trails that connect to existing or proposed parks or trails, inventoried natural features, or areas zoned Open Space or otherwise protected as permanent natural areas.

Response: The proposed development is not within any overlay district, therefore this section is not applicable.

(2) Permanent alteration by grading may be authorized for the purpose of natural resource enhancement, such as wetland, riparian, or wildlife habitat restoration.

Response: Grading within the proposed natural area will be limited to construction of a proposed wood chip pedestrian path that connects Squire St to the south of the development with the existing open space and pedestrian trail to the north of the development. Additionally, a

stormwater swale and pond will be located within the open space but away from the delineated ditches.

(3) Significant wetlands, riparian corridors, and intermittent streams preserved as natural areas in a cluster development may be used for conveyance of storm waters only when the applicant has demonstrated that the discharge is compatible with the protection of the natural resource. These natural features shall not be used for drainage improvements, such as detention or retention ponds, or any other utility improvement necessary for development of the lots.

Response: The ditches delineated by the wetland professional will be used for conveyance of stormwater, but will not be used to provide detention or retention for the development. The drainage ditches are located at the lowest point of the property, and therefore not other means of drainage conveyance is possible. The developed discharge to the conveyance ditches will be limited to the pre-developed flow rate as required by City of Albany code.

(4) Areas set aside for permanent natural areas in a cluster development cannot be further subdivided.

Response: The proposed dedicated open space and natural area will not be further subdivided, and will have protective covenants recorded during the final plat that state as such.

(5) Fences are permitted in and around the natural areas if consistent with the expressed purpose of the natural areas.

Response: Fences will likely be constructed along the backs of the proposed lots that are adjacent to the proposed natural area. Fences exist on the east and south property lines along the boundaries of the proposed development parcel. An existing interior livestock fence will be removed along the eastern boundary as part of the development, however the existing property line fence will remain.

(6) Provisions must be established to ensure the continued maintenance of areas designated as natural areas through Cluster Development. See Section 11.470.

Response: The applicant is proposing to dedicate the natural area to the City of Albany for protection and maintenance. If not accepted by the City, the natural area will be dedicated to the Homeowner's Association during the final platting process for ownership and maintenance.

11.490 Permitted Uses:

The uses allowed within cluster developments outside the permanent natural areas are determined by the underlying zoning district standards in Section 3.050, with the following exceptions:

(1) On development sites greater than 20 acres, up to 20 percent of the housing units in RS-6.5 and RS-10 may be attached single-family or condominium housing.

(2) On development sites greater than 50 acres, up to 2 acres may be developed with neighborhood commercial uses through a conditional use review. The maximum building footprint of commercial or office uses shall be 3,000 square feet. Commercial and office uses shall be limited to restaurants with no drive-through service, and convenience-oriented and personal service-oriented uses as described in Article 22.

(3) Within the South Albany Area Plan boundary, attached single-family and duplexes will be permitted in the RS-5, RS-6.5 and RS-10 zoning districts for up to 25 percent of the total units provided when transferring density within the Oak Creek Transition Area or when transferring density of the area necessary to preserve significant tree groves identified on the South Albany Area Plan Organizational Framework map in the Comprehensive Plan (Figure 1), and oak trees over 25-inches in diameter measured at 4.5 feet from the ground. Developments may not exceed the maximum density by zoning district in 11.495 and must meet all applicable standards in the Code.

Response: The proposed development is less than 20 acres, is not within the South Albany Area Plan Map, and is not proposing duplexes as part of the development, therefore this section is not applicable.

11.495 Development Standards:

In a cluster development, the following development standards in Table 11-2 supersede the same standards in Section 3.190, Table 1. The number of allowable dwelling units is based on the density range for the zone as specified in the following table.

TABLE 11-2. Allowable dwelling units in density ranges per zone.

Standard	RS-10	RS-6.5	RS-5	RM	RMA
<i>Max. dwelling units per gross acre</i>	4	6	8	25	35
<i>Minimum Lot Size (1)</i>	None	None	None	None	None
<i>Minimum Lot Width</i>	None	None	None	None	None
<i>Minimum Lot Depth</i>	None	None	None	None	None
<i>Minimum front setback (2)</i>	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
<i>Maximum Lot Coverage (3)</i>	70%	70%	70%	70%	75%

- (1) Lots on the perimeter of the cluster development shall meet the standards in 11.500.
- (2) Except, when lots are adjacent to existing development on the same side of the street, the setbacks shall be within 5 feet of the adjacent house(s) setback(s).
- (3) The maximum lot coverage may be up to 100 percent for lots that provide land only for the building footprint.

Response: The proposed gross acreage of the development is 8.32 acres, which when multiplied by 4 equals 33.28 max dwelling units per acre. The proposed development is proposing 33 single family lots, which is the maximum allowable density under the RS-10 zoning.

11.500 Perimeter Lot Compatibility:

The following standards and exceptions will apply to the lots on the perimeter of a proposed cluster development.

- (1) Standards. The term “standard minimum lot size” as used in this section, means the minimum lot size allowed in the underlying base zone without any reductions in size allowed elsewhere in this Code.
 - (a) When the proposed cluster development abuts developed property in a lower density residential zoning district, the size of lots on the perimeter of the proposed cluster development shall be at least the standard minimum lot size allowed in the zone underlying the cluster development.

<p>Proposed Cluster Development RS-6.5 <i>Perimeter lots must be at least 6,500 sf</i></p>	<p>Abutting Property w/ Lower Density Residential RS-10 Zoning</p>
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(b) When the proposed cluster development abuts developed property in the same residential zoning district as the proposed cluster development, the size of lots on the perimeter of the cluster development shall be at least 70 percent of the standard minimum lot size of the underlying zoning district.

<p>Proposed Cluster Development RS-10.0 <i>Perimeter lots must be at least 7,000 sf (70% of minimum lot size for underlying zoning)</i></p>	<p>Abutting Property w/ Same Residential Zoning: RS-10</p>
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(2) Exceptions. The Perimeter Lot Compatibility standards do not apply in the following cases:

(a) Perimeter lots that are adjacent to land that is zoned for higher density housing, mixed-use or non-residential uses, or to residentially zoned property not in residential use (such as educational, institutional, religious or park uses).

(b) Where the same property owner owns the property abutting the proposed cluster development or when the perimeter lots share a property line with the Urban Growth Boundary.

(c) If a buffer area is created as a separate property along the perimeter and is at least 20 feet wide, the buffer area shall become a permanent natural area and shall meet the provisions in Sections 11.470 and 11.480.

Example:

<p>Cluster Development with Buffer Area <i>No minimum lot size required on perimeter</i></p>	<p>Buffer Area at least 20 feet wide</p>	<p>Any Residential Zoning</p>
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(d) Cluster developments abutting property that is at least 1 acre in size.

Response: The existing zoning on the north and west side of the proposed development is RS-5, the existing zoning on the south side of the proposed development is RM, and the existing zoning on the east side of the proposed development is RS-10. The minimum lot size abutting the RS-5 zoned properties is 5348 sq.ft. which matches the adjacent zoning standards. The minimum lot size abutting the south property line is 6692 sq.ft. which exceeds the minimum requirements of the RM zone. The applicant is proposing a buffer on the east property line that is a minimum of 25' wide to provide further separation from the development to the east and remove the minimum RS-10 lot size requirements as allowed by section (c) above.

11.510 Permitted Uses:

The uses allowed within cluster developments outside the permanent natural areas are determined by the underlying zoning district standards in Section 3.050, with the following exceptions:

(1) On development sites greater than 20 acres, up to 20 percent of the housing units in RS-6.5 and RS-10 may be attached single-family or condominium housing.

(2) On development sites greater than 50 acres, up to 2 acres may be developed with neighborhood commercial uses through a conditional use review. The maximum building footprint of commercial or office uses shall be 3,000 square feet. Commercial and office uses shall be limited to restaurants with no drive-through service, and convenience-oriented and personal service-oriented uses as described in Article 22.

Response: The applicant is proposing 33 single family residential lots as part of the cluster development. Single family residential homes are allowed outright in the underlying RS-10 zone. The applicant is not requesting any duplex, condominium, or commercial uses.

11.520 Street Standards for Cluster Development:

Local streets in a cluster development may be constructed to the Residential Street Design for Constrained Sites as described in Section 12.122(6). If the City subsequently adopts street standards specifically designated for cluster development, those standards shall supersede and replace this section.

Response: The applicant is proposing to use the minor local street standard per Section 12.122 of the Albany Development Code. The minimum local street standard is for this small development would be a 52' right of way and 28' wide street because trips will be less than 1000 average daily trips (ADT). After discussing the project with the City of Albany public works, the applicant has agreed that the roadway width will be 30', with 6.5' for curb and planter and 5' for sidewalk on each side. The right of way will be 54' wide, with 0.5' of clear space behind the sidewalk, which is wider than the minimum requirement.

11.530 South Albany Connectivity:

Developments within the South Albany Area Plan boundary shall provide a connected street and pathway network.

Response: The proposed development is not within the South Albany Area Plan, therefore this section is not applicable.

OREGON ADMINISTRATIVE RULES (OAR)

2. Chapter 660: Land Conservation & Development Department

(A) Division 3: Procedure For Review & Approval Of Compliance Acknowledgment Request

Response: The Land Conservation & Development Commission granted acknowledgement of the City of Albany Comprehensive Plan, pursuant to the process outlined under this OAR Section. Therefore, the applicant's request for a Land Subdivision is being made within a jurisdiction that possesses an acknowledged Comprehensive Plan.

(B) Division 12: Transportation Planning

(i) 660-012-0060 — Plan and Land Use Regulation Amendments

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

Response: The proposed land subdivision will not significantly affect an existing or planned transportation facility. A total of 3 street stubs currently terminate on the property boundary of the proposed development, and these three streets will be connected to and interconnected within the development to provide access to the site and to the surrounding street system.

(C) Division 15: Statewide Planning Goals & Guidelines

(ii) 660-15-0000(1), Goal 1 — Citizen Involvement

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Response: The applicant is working through the City of Albany process to apply for the proposed subdivision as regulated by the City's development code. As such, notice of the application will be sent to neighboring property owners, printed in a newspaper of general circulation in Albany for two consecutive days not less than 20 days prior to the hearing and posted on site. Review of the proposed subdivision shall undergo a Planning Commission hearing at the discretion of the planning staff. The mailed notices, posted notice, printed notice, and hearing will provide sufficient opportunities for citizens of Albany to comment on the proposal.

(iii) 660-15-0000(2), Goal 2 — Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, County, State and Federal Agencies and special district plans and actions related to land use shall be consistent with the Comprehensive Plans of cities and counties and regional plans adopted under ORS Chapter 268.

Response: Through the submittal of this application, along with all of the accompanying information, the applicant is demonstrating and justifying that the proposed land subdivision is in conformance with all applicable standards of the Comprehensive Plan and the Development Code.

(iv) 660-15-0000(3), Goal 3 — Agricultural Lands

To preserve and maintain agricultural lands.

Response: This property is not zoned Agricultural, therefore this section is not applicable.

(v) 660-15-0000(4), Oregon Land Use Planning Goal 4 — Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. Where a plan is not acknowledged or a plan amendment involving forest lands is proposed, forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices and other forested lands that maintain soil, air, water and fish and wildlife resources.

(a) Guidelines

B. Implementation

1. Before forest land is changed to another use, the productive capacity of the land in each use should be considered and evaluated.

Response: This property is not zoned forestry, therefore this section is not applicable.

(vi) 660-15-0000(5), Goal 5 — Open Space, Scenic, and Historic Areas and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: The site proposed for the land subdivision does not exhibit any historic resources. However, the site does contain existing ditches that drain to waters of the state. The applicant has proposed to develop the site according to the provisions of the

Cluster Development standards in the City of Albany Development Code. These provisions will allow the retention of the ditches in a proposed natural area. Therefore, the encouragement of the protection and management of significant resources in mutual cooperation with appropriate Federal or State agencies will be accomplished with this development.

(vii) 660-15-0000(6), Goal 6 — *Air, Water and Land Resources Quality*

To maintain and improve the quality of the air, water and land resources of the state.

Response: If the City approves this application, the site would subsequently be developed into residential lots for single family dwellings. The development of this site would only include enough site disturbance to build a single-family dwelling on each lot and provide street access and utility connection to each home site. Once home construction is complete, trees and other vegetation would be landscaped by homeowners and allowed to grow indefinitely, thereby continuously improving air quality.

(viii) 660-15-0000(7), Goal 7 — *Areas Subject to Natural Disasters and Hazards*

To protect people and property from natural hazards.

Response: The site is not located within a known fire, slope, or flood hazard area. The site is located within the Albany Fire District for purposes of receiving fire protection services.

(ix) 660-15-0000(8), Goal 8 — *Recreational Needs*

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Response: The proposed subdivision is not seeking to develop the site as one that would meet the recreational needs of Albany. The subject site enjoys close access to the surrounding pedestrian trails and open space.

(x) 660-15-0000(9), Goal 9 — *Economic Development*

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Response: The approval of the land subdivision application for residential uses would expand and increase the productivity from several existing industries and firms. First, it would utilize several components of the development, construction and building industries and trades through site development work, home construction and ongoing home improvement. Second, it would create additional residents / consumers within the area that would utilize the many firms and industries that provide residents with the many goods and services that are typically demanded by residents of the area.

(xi) 60-15-0000(10), Goal 10 — *Housing*

To provide for the housing needs of citizens of the state.

*(b) Guidelines**A. Planning*

1. In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include:

- (1) a comparison of the distribution of the existing population by income with the distribution of available housing units by cost;*
- (2) a determination of vacancy rates, both overall and at varying rent ranges and cost levels;*
- (3) a determination of expected housing demand at varying rent ranges and cost levels;*
- (4) allowance for a variety of densities and types of residences in each community; and*

Response: Approval of this subdivision request will allow the development of approximately 33 single family home sites meeting the increasing demand in Benton County and the City of Albany for residential homes.

(xii) 660-15-0000(11), Goal 11 — Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: The individual lots will be served by city sewer and water facilities. The properties will receive additional public services from Albany Fire District; Albany Police Department; Benton County social services programs; applicable school district(s); applicable waste collection services; and applicable ambulance / medical facilities and services. No new public facilities or services are proposed as part of this application as these services are already in place.

(xiii) 660-15-0000(12), Goal 12 — Transportation

To provide and encourage a safe, convenient and economic transportation system. A transportation plan shall:

- (9) Conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.*

Response: Approval of this request would lead to development of single family residential homes as allowed by the existing underlying city zoning.

(xiv) 660-15-0000(13), Goal 13 — Energy Conservation

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

Response: If the site is developed into a subdivision, new homes on the property shall be constructed pursuant to the energy efficient standards that are required by the current edition of the International Building Code (IBC). Electric utilities shall be installed

underground, thereby minimizing the need for repair and replacement of electric energy infrastructure.

Technological strides continue to be made in the solar energy and the ground source heating and cooling field that will continue to make these alternatives more attractive each year. There are tax rebates and incentives available for such systems that will also help to persuade homeowners to the advantages of such technologies.

(xv) 660-15-0000(14), Goal 14 — Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

(c) Single-Family Dwellings in Exception Areas

Notwithstanding the other provisions of this goal, the commission may by rule provide that this goal does not prohibit the development and use of one single-family dwelling on a lot or parcel that:

- (a) Was lawfully created;*
- (b) Lies outside any acknowledged urban growth boundary or unincorporated community boundary;*
- (c) Is within an area for which an exception to Statewide Planning Goal 3 or 4 has been acknowledged; and*
- (d) Is planned and zoned primarily for residential use.*

Response: If the proposed land subdivision is approved, the site would be developed into single family dwellings as allowed by the underlying City zoning. The subdivision will be legally created through the platting process, and utilities will be installed and extended to each new lot.

(xvi) Statewide Planning Goals 15 – 19 do not apply to the City of Albany.

(D) Division 18: Plan & Land Use Regulation Amendment Review Rule

(xvii) 660-018-0005 — Purpose

This division is intended to implement provisions of ORS 197.610 through 197.625. The overall purpose is to carry out the state policies outlined in ORS 197.010 and Or Laws 2003, Chapter 800, Section 17(2).

Response: OAR 660-018 provides the requirements for notices, timelines, appeal procedures and other items relating to Land Use applications. It is understood that the process, submittal requirements, procedure, appeal options, timelines, etc., of the proposed application, is subject to all of the applicable definitions, criteria, standards, etc., that are outlined in this Division. Further, the applicant will work with City Staff to assure that all procedures are properly followed.

OREGON REVISED STATUTES (ORS)

ORS Chapter 92 – Subdivisions and Partitions

92.014 Approval of city or county required for specified divisions of land. (1) A person may not create a street or road for the purpose of subdividing or partitioning an area or tract of land without the approval of the city or county having jurisdiction over the area or tract of land to be subdivided or partitioned.

(2) Notwithstanding ORS 92.175, an instrument dedicating land to public use may not be accepted for recording in this state unless the instrument bears the approval of the city or county authorized by law to accept the dedication

Response: This application for a land subdivision meets the requirements of ORS 92.014 if the applicant receives approval from the City of Albany.

92.040 Application for approval of subdivision or partition; tentative plan; applicability of local government laws. (1) Before a plat of any subdivision or partition subject to review under ORS 92.044 may be made and recorded, the person proposing the subdivision or partition or authorized agent or representative of the person shall make an application in writing to the county or city having jurisdiction under ORS 92.042 for approval of the proposed subdivision or partition in accordance with procedures established by the applicable ordinance or regulation adopted under ORS 92.044. Each such application shall be accompanied by a tentative plan showing the general design of the proposed subdivision or partition. No plat for any proposed subdivision or partition may be considered for approval by a city or county until the tentative plan for the proposed subdivision or partition has been approved by the city or county

Response: The applicant has included a tentative plan map with the land subdivision application for review to the City of Albany. The final plat map for this subdivision will not be recorded until tentative plan approval is obtained from the City.

92.050 Requirements of survey and plat of subdivision and partition.

(1) A person shall not submit a plat of a subdivision or partition for record, until all the requirements of ORS 209.250 and the plat requirements of the subdivision or partition have been met.

(2) The survey for the plat of the subdivision or partition shall be done in a manner to achieve sufficient accuracy that measurements may be taken between monuments within one-tenth of a foot or one ten-thousandth of the distance shown on the subdivision or partition plat, whichever is greater.

(3) The survey and plat of the subdivision or partition shall be made by a registered professional land surveyor.

(4) The plat of the subdivision or partition shall be of sufficient scale and lettering size, approved by the county surveyor, so that:

(a) The survey and mathematical information and all other details are clearly and legibly shown on the plat.

- (b) *Each lot or parcel is numbered consecutively.*
- (c) *The lengths and courses of the boundaries of each lot or parcel are shown on the plat.*
- (d) *Each street is named and shown on the plat.*
- (5) *The locations and descriptions of all monuments found or set must be carefully recorded upon all plats and the proper courses and distances of all boundary lines, conforming to the surveyor's certificate, must be shown.*
- (6) *The location, dimensions and purpose of all recorded and proposed public and private easements must be shown on the subdivision or partition plat along with the county clerk's recording reference if the easement has been recorded by the county clerk. Private easements become effective upon the recording of the plat.*
- (7) *The area of each lot or parcel must be shown on the subdivision or partition plat.*
- (8) *In addition to showing bearings in degrees, minutes and seconds and distances in feet and hundredths of a foot, the following curve information must be shown on the subdivision or partition plat either on the face of the map or in a separate table:*
 - (a) *Arc length;*
 - (b) *Chord length;*
 - (c) *Chord bearing;*
 - (d) *Radius; and*
 - (e) *Central angle.*
- (9) *A city or county may not require that a final subdivision, condominium or partition plat show graphically or by notation on the final plat any information or requirement that is or may be subject to administrative change or variance by a city or county or any other information unless authorized by the county surveyor. [Amended by 1955 c.756 §10; 1983 c.309 §3; 1989 c.772 §8; 1991 c.763 §10; 1993 c.702 §3; 1995 c.382 §4; 1997 c.489 §2; 1999 c.1018 §1; 2005 c.399 §5]*

Response: The applicant has retained the services of Rhine-Cross Group, LLC to prepare the Tentative Subdivision Plan and application for the land subdivision. The final plat map will be prepared by an Oregon Registered Land Surveyor in accordance with ORS 92.050 should the applicant receive tentative plan approval from the City. The subdivision will be monumented in accordance with ORS 92.060.

92.075 Declaration required to subdivide or partition property; contents.

- (1) *In order to subdivide or partition any property, the declarant shall include on the face of the subdivision or partition plat, if a partition plat is required, a declaration, taken before a notary public or other person authorized by law to administer oaths, stating that the declarant has caused the subdivision or partition plat to be prepared and the property subdivided or partitioned in accordance with the provisions of this chapter. Any dedication of land to public purposes or any public or private easements created, or any other restriction made, shall be stated in the declaration.*
- (2) *If the declarant is not the fee owner of the property, the fee owner and the vendor under any instrument of sale shall also execute the declaration for the purpose of consenting to the property being subdivided or partitioned.*

(3) If the subdivision or partition plat contains any dedication or donation of land to public purposes, the holder of any mortgage or trust deed shall also execute the declaration for the purpose of consenting to the property being submitted to the provisions of this chapter.

(4) Notwithstanding the provisions of subsections (1) to (3) of this section, the fee owner, vendor or the mortgage or trust deed holder may record an affidavit consenting to the declaration of property being subdivided or partitioned and to any dedication or donation of property to public purposes. The affidavit must indicate the recorded document by which the interest in the property was acquired and all information required by ORS 93.410 to 93.530 and must be recorded in deed records at the same time as the subdivision or partition plat. The county clerk shall note the recording information of the affidavit on the original and any exact copies of the subdivision or partition plat. [1991 c.763 §3; 1995 c.382 §8; 2005 c.399 §9]

Response: The final plat map will be prepared by an Oregon Registered Land Surveyor and will contain a declaration, taken before a notary public, stating the requirements of ORS 92.075

92.080 Preparation of plat.

Notwithstanding ORS 205.232 and 205.234, all plats subdividing or partitioning land in a county in this state, dedications of streets or roads or public parks and squares and other writings made a part of the subdivision or partition plats offered for record in a county in this state must be made on material that is 18 inches by 24 inches in size with an additional three-inch binding edge on the left side when required by the county clerk or the county surveyor, that is suitable for binding and copying purposes, and that has the characteristics of strength and permanency required by the county clerk and county surveyor. All signatures on the original subdivision or partition plat must be in archival quality black ink. The subdivision or partition plat must be of a scale required by the county surveyor. The lettering of the approvals, the declaration, the surveyor's certificate and all other information must be of a size or type to be clearly legible, but the information may not come nearer an edge of the sheet than one inch. The subdivision or partition plat may be placed on as many sheets as necessary, but a face sheet and an index page must be included for subdivision or partition plats placed upon three or more sheets. [Amended by 1955 c.756 §12; 1973 c.696 §15; 1985 c.582 §1; 1989 c.772 §12; 1991 c.763 §14; 1993 c.321 §6; 1993 c.702 §5; 1997 c.489 §5; 1999 c.710 §3; 2005 c.399 §10]

Response: The final plat map will be prepared by an Oregon Registered Land Surveyor and will be on approved material 18"X24" in size with all the requirements of ORS 92.080.

92.095 Payment of taxes, interest or penalties before subdivision or partition plat recorded.

(1) A subdivision or partition plat may not be recorded unless all ad valorem taxes have been paid, including additional taxes, interest and penalties imposed on land disqualified for any special assessment and all special assessments, fees or other charges required by law to be placed upon the tax roll that have become a lien upon the land or that will become a lien during the tax year.

(2) After July 1, and before the certification under ORS 311.105 of any year, the subdivider or partitioner shall:

(a) If the exact amount of taxes, penalties, special assessments, fees and charges can be computed by the assessor, pay the amount to the tax collector. The assessor is authorized to levy and the tax collector is authorized to collect the amount.

(b) If the assessor is unable to compute the amount at the time, either:

(A) Pay the amount estimated by the assessor to be needed to pay the taxes, penalties, special assessments, fees and other charges to become due; or

(B) Deposit with the tax collector a bond or irrevocable letter of credit with a good and sufficient undertaking in an amount the assessor considers adequate to ensure payment of the taxes to become due. The bond or irrevocable letter of credit amount may not exceed twice the amount of the previous year's taxes, special assessments, fees and other charges upon the land.

(3) Taxes paid or for which security is given under subsection (2)(a) or (b) of this section are entitled to the discount provided by ORS 311.505.

(4) ORS 311.370 applies to all taxes levied and collected under subsection (2) of this section, except that any deficiency constitutes a personal debt against the person subdividing or partitioning the land and not a lien against the land and must be collected as provided by law for the collection of personal property taxes.

(5) If a subdivision or partition plat is recorded, any additional taxes, interest or penalties imposed upon land disqualified for any special assessment become a lien upon the land on the day before the plat was recorded

Response: If the applicant receives approval from the City of Albany for the land subdivision, all ad valorem taxes shall be paid prior to recording the final plat.

92.100 Approval of plat by city or county surveyor; procedures; approval by county assessor and county governing body; fees.

(1)(a) Except as provided in subsection (4) of this section, before a subdivision or partition plat that covers land within the corporate limits of a city may be recorded, the county surveyor must approve the plat.

(b) Notwithstanding ORS 92.170, the governing body of the city may, by resolution or order, designate the city surveyor to serve in lieu of the county surveyor or, with concurrence of the county surveyor, a contract surveyor to act as city surveyor.

(c) Except as provided in subsection (4) of this section, if the land is outside the corporate limits of any city, the subdivision or partition plat must be approved by the county surveyor before it is recorded.

(d) All subdivision plats must also be approved by the county assessor and the governing body of the county in which the property is located before recording.

(e) Notwithstanding paragraph (d) of this subsection, a county may provide by ordinance for the approval of subdivision plats by:

(A) The county assessor; and

(B)(i) The chairperson of the governing body of the county;

(ii) The vice chairperson of the governing body of the county; or

(iii) A person designated in lieu of the chairperson or vice chairperson.

(f)(A) A partition plat is subject only to the approval of the city or county surveyor unless:

(i) The partition plat includes a dedication of land for public road purposes; or

(ii) Provided otherwise by ordinance of the governing body.

(B) The city or county surveyor shall review the partition plat only for compliance with the survey-related provisions of ORS 92.010 to 92.192 and 209.250.

(2) Before approving the subdivision plat as required by this section, the county surveyor shall check the subdivision site and the subdivision plat and shall take measurements and make

computations and other determinations necessary to determine that the subdivision plat complies with the survey-related provisions of ORS 92.010 to 92.192 and 209.250 and with survey-related requirements established pursuant to an ordinance or resolution passed by the governing body of the controlling city or county.

(3) Before approving the partition plat as required by this section, the county surveyor shall check the partition plat and make computations and other determinations that the partition plat complies with the survey-related provisions of ORS 92.010 to 92.192 and 209.250 and with the survey-related requirements established pursuant to an ordinance or resolution by the governing body of the controlling city or county.

(4) Before a subdivision or partition plat prepared by the county surveyor in a private capacity may be recorded, the plat must be approved in accordance with subsection (2) or (3) of this section, whichever is applicable, by the surveyor of a county other than the county in which the land is located and who has been designated by the county surveyor.

(5) For performing the service described:

(a) In subsection (2) of this section, the county surveyor shall collect from the subdivider or declarant a fee of \$100 plus \$5 for each lot contained in the subdivision. The governing body of a city or county may establish a higher fee by resolution or order.

(b) In subsection (3) of this section, the county surveyor shall collect from the partitioner or declarant a fee to be established by the governing body.

(c) In subsection (4) of this section, the designated county surveyor shall collect the applicable subdivision or partition plat check fee, and any travel expenses incurred, as established by the designated county surveyor's board of commissioners. The subdivision or partition plat check fee and other expenses must be paid by the subdivider, partitioner or declarant prior to approval of the subdivision or partition plat by the designated county surveyor.

(6) Nothing in this section prohibits a city, county or special district from requiring engineering review and approval of a subdivision plat to ensure compliance with state and local subdivision requirements that relate to matters other than survey adequacy.

(7) Granting approval or withholding approval of a final subdivision or partition plat under this section by the county surveyor, the county assessor or the governing body of a city or county, or a designee of the governing body, is not a land use decision or a limited land use decision, as defined in ORS 197.015.

Response: The final plat map will be prepared by an Oregon Registered Land Surveyor and will be submitted to the City and the Benton County Surveyor for review and approval. All fees required by the County Surveyor will be paid by applicant. The plat map will be recorded by Benton County after all required jurisdictional signatures and approvals have been obtained in accordance with ORS 92.100.

ORS Chapter 197 – Comprehensive Land Use Planning Coordination

3. Comprehensive Planning Responsibilities

(J) 197.175 — Cities' and counties' planning responsibilities; rules on incorporations; compliance with goals.

(1) Cities and counties shall exercise their planning and zoning responsibilities, including, but not limited to, a city or special district boundary change which shall mean the annexation of unincorporated territory by a city, the incorporation of a new city and the formation or change of organization of or annexation to any special district authorized by ORS 198.705 to 198.955, 199.410 to 199.534 or 451.010 to 451.620, in accordance with ORS chapters 195, 196 and 197 and the goals approved under ORS chapters 195, 196 and 197. The Land Conservation and Development Commission shall adopt rules clarifying how the goals apply to the incorporation of a new city. Notwithstanding the provisions of section 15, chapter 827, Oregon Laws 1983, the rules shall take effect upon adoption by the commission. The applicability of rules promulgated under this section to the incorporation of cities prior to August 9, 1983, shall be determined under the laws of this state.

Response: It is understood that in the review of this proposed land subdivision, the City of Albany is required to abide by the applicable planning responsibilities and compliance with the Goals in the manner that is outlined above.

(2) Pursuant to ORS chapters 195, 196 and 197, each city and county in this state shall:

- (a) Prepare, adopt, amend and revise comprehensive plans in compliance with goals approved by the commission;*
- (b) Enact land use regulations to implement their comprehensive plans;*
- (c) If its comprehensive plan and land use regulations have not been acknowledged by the commission, make land use decisions and limited land use decisions in compliance with the goals;*
- (d) If its comprehensive plan and land use regulations have been acknowledged by the commission, make land use decisions and limited land use decisions in compliance with the acknowledged plan and land use regulations; and*
- (e) Make land use decisions and limited land use decisions subject to an unacknowledged amendment to a comprehensive plan or land use regulation in compliance with those land use goals applicable to the amendment.*

Response: The City of Albany possesses an acknowledged Comprehensive Plan that is in compliance with the Statewide Goals. It has also adopted land use regulations through the Albany Development Code. The City makes land use decisions and limited land use decisions in compliance with its Plan and the Development Code. In turn, the City's land use decision on the proposed land subdivision must be in compliance with its Plan and the Development Code.

4. Goals Compliance

(E) 197.250 — Compliance with goals required.

Except as otherwise provided in ORS 197.245, all comprehensive plans and land use regulations adopted by a local government to carry out those comprehensive plans and all plans, programs, rules or regulations affecting land use adopted by a state agency or special district shall be in compliance with the goals within one year after the date those goals are approved by the Land Conservation and Development Commission.

Response: The City of Albany Comprehensive Plan and Development Code — along with all plans, programs, rules or regulations affecting land use that are adopted by a State agency or special district — are in compliance with the Statewide Goals. In turn, the City’s decision on the proposed land subdivision must be in compliance with the Statewide Goals.

(F) 197.251 — Compliance acknowledgment; commission review; rules; limited acknowledgment; compliance schedule.

(1) Upon the request of a local government, the Land Conservation and Development Commission shall by order grant, deny or continue acknowledgment of compliance of comprehensive plan and land use regulations with the goals. A commission order granting, denying or continuing acknowledgment shall be entered within 90 days of the date of the request by the local government unless the commission finds that due to extenuating circumstances a period of time greater than 90 days is required.

Response: The Land Conservation & Development Commission granted acknowledgement of the City of Albany Comprehensive Plan, pursuant to the process outlined under this Section. Therefore, the applicant’s request for a land subdivision is being made within a jurisdiction that possesses an acknowledged Comprehensive Plan. In turn, the City’s decision on the proposed land subdivision must be in compliance with the City’s acknowledged Comprehensive Plan.

5. Enforcement Of Planning Requirements

(G) 197.340 — Weight given to goals in planning practice; regional diversity and needs.

(1) The Land Conservation and Development Commission, the Department of Land Conservation and Development, other state agencies and local governments shall give the goals equal weight in any matter in which the goals are required to be applied.

Response: The applicant has addressed and provided findings that pertain to all 19 goals, each of which has been weighed equally. Goals 1 through 2 and 5 through 14 apply directly to this proposal. Goal 3 and 4 do not apply to this proposal because the subject property is not designated as Agricultural or Forestry. Goal 15 does not apply because the subject property does not impact the Willamette River Greenway. Goals 16 through 19 do not apply because the subject property is not located within a coastal community and does not exhibit any of the natural coastal features or environments that

are addressed by these Goals. In turn, the City's review and decision on the proposed land subdivision must apply each Goal equally.

(2) The commission and the department shall consider and recognize regional diversity and differences in regional needs when making or reviewing a land use decision or otherwise applying the goals.

Response: It is understood that DLCD, and if necessary LCDC, shall consider and recognize regional diversity and differences in regional needs, such as those peculiar to the City of Albany and the area of the subject property, when reviewing the City's land use decision on the proposed land subdivision and applying the Goals in its review.

TENTATIVE PLAN FOR: WHITE OAK SUBDIVISION

SITUATED IN THE SW 1/4 SE 1/4 OF SECTION 26
T10S, R04W, W.M., BENTON COUNTY, OREGON
CITY OF ALBANY

MAY 2016

JURISDICTION:
CITY OF ALBANY
PLANNING DIVISION
333 BROADALBIN STREET SW
ALBANY, OR 97321

PROPERTY OWNER REPRESENTATIVE:
JUDITH A BRANDIS
P.O. BOX 1087
CORVALLIS, OR 97321

APPLICANT:
CORNER LOT VENTURES, INC
P.O. BOX 19078
PORTLAND, OR 97280
(503) 888-0985
CONTACT: JESSE LOVRIEN

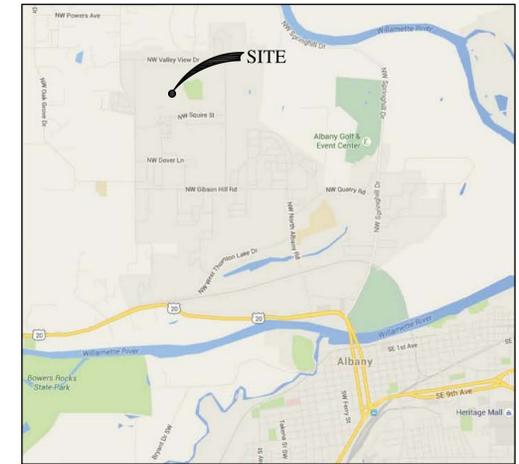
PROPERTY INFORMATION:
TAX LOT:
#10426 T.L. 501

ZONE: RS-10 - LOW DENSITY RESIDENTIAL
USING THE CLUSTER DEVELOPMENT STANDARDS
ACREAGE: ±8.32 ACRES
MAXIMUM DENSITY RS-10 IS 33 LOTS

TERRAIN: GENTLY SLOPING, UNIFORM

ENGINEERING & SURVEYING FIRM:
RHINE-CROSS GROUP, LLC
112 N 5TH ST - SUITE 200
KLAMATH FALLS, OR 97601
(541) 851-9405
CONTACT: MARC CROSS, PE

UTILITIES:
POWER, COMMUNICATIONS, GAS
STORMWATER, SANITARY SEWER, AND
POTABLE WATER ALL AVAILABLE ONSITE.

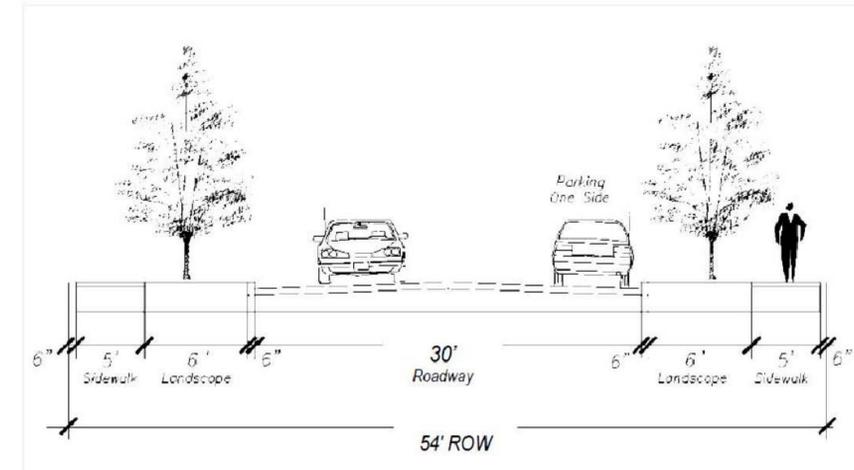


VICINITY MAP
N.T.S.

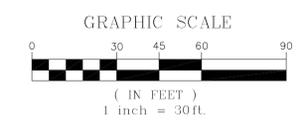
LOT NOTES:

Total Area:	362,418 sq. ft.	8.32 Acres
Right of Way:	68,821 sq. ft.	1.58 Acres
Open Space:	79,132 sq. ft.	1.82 Acres (21.9%)
Net Area (33 lots):	214,465 sq. ft.	4.92 Acres
Avg Lot Size:	6500 sq. ft.	

Allowable lots under the RS-10 Cluster Development Standards:
8.32 Acres x 4 = 33 maximum lots
Total Proposed Lots = 33



MINOR LOCAL STREET NO SCALE



IMPROVEMENTS SCHEDULE:

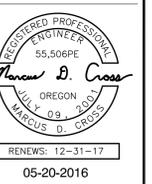
- SUBDIVISION APPROVAL JUNE 2016
- SUBDIVISION CONSTRUCTION JULY 2016
- UTILITY INSTALLATION COMPLETE AUGUST 2016
- ROAD CONSTRUCTION COMPLETE SEPTEMBER 2016
- PATH CONSTRUCTION COMPLETE SEPTEMBER 2016
- FINAL PLAT COMPLETE NOVEMBER 2016

SHEET INDEX:

- T1-TENTATIVE PLAT
- T2- EXISTING CONDITION AND VICINITY PLAN
- T3- UTILITY PLAN
- T4-ROAD/UTILITY PROFILES

CORNER LOT VENTURES, INC
P.O. Box 19078
Portland, OR 97280
(503) 888-0985

R-C RHINE-CROSS GROUP, LLC
ENGINEERING - SURVEYING - PLANNING
112 N 5th ST - SUITE 200 - P.O. BOX 909
KLAMATH FALLS, OREGON 97601
Phone: (541) 851-9405 Fax: (541) 273-9200
admin@rc-grp.com



RENEWS: 12-31-17
05-20-2016
ALBANY OREGON

WHITE OAK
TENTATIVE
SUBDIVISION PLAN

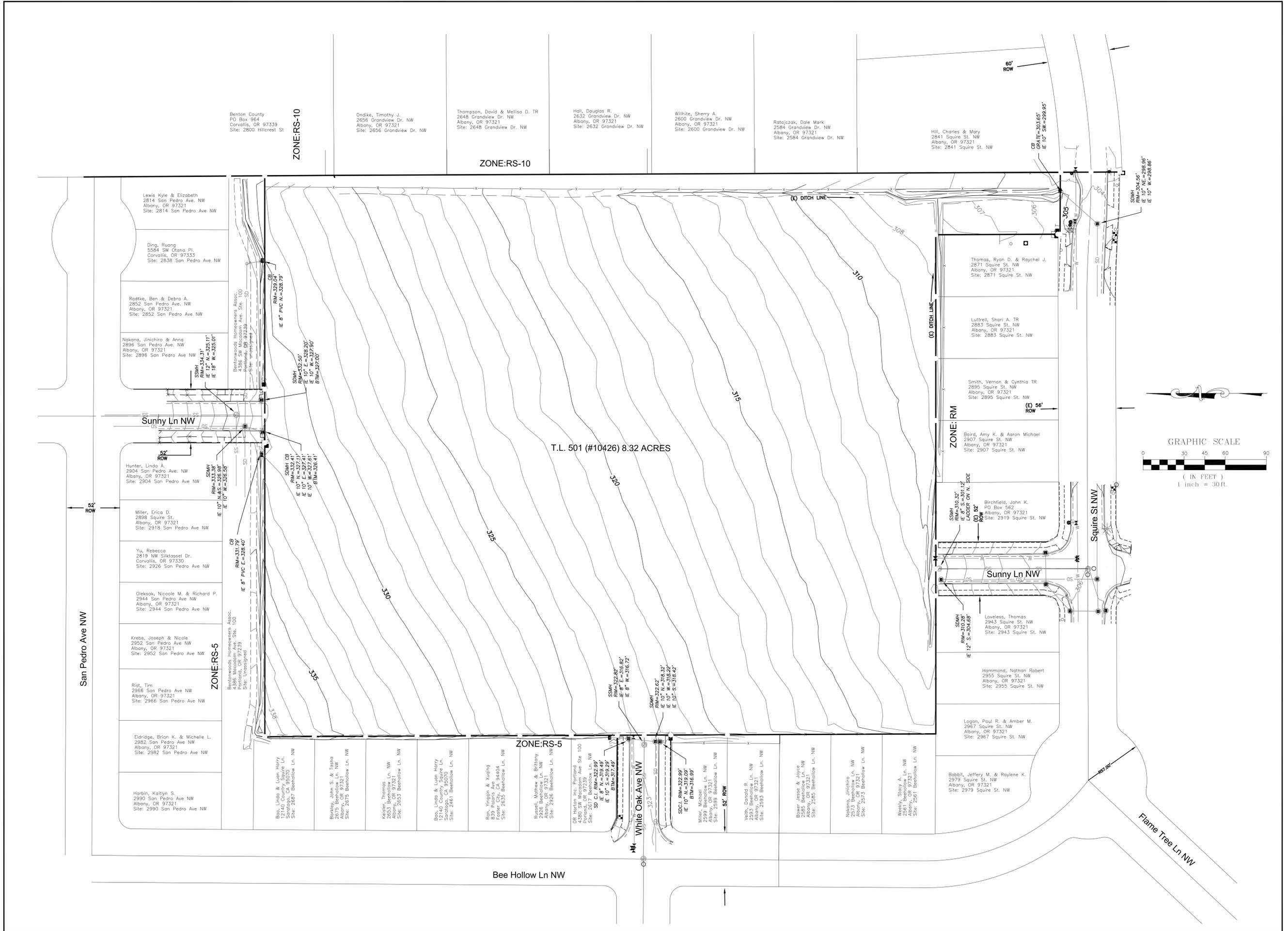
SHEET NAME:
TENTATIVE
PLAT

DRAWN BY: MGW
CHKD BY: MDC
DATE: MAY 2016

REVISIONS:

JOB NO.
1497

SHEET NO.
T1
SHEET 1 of 4



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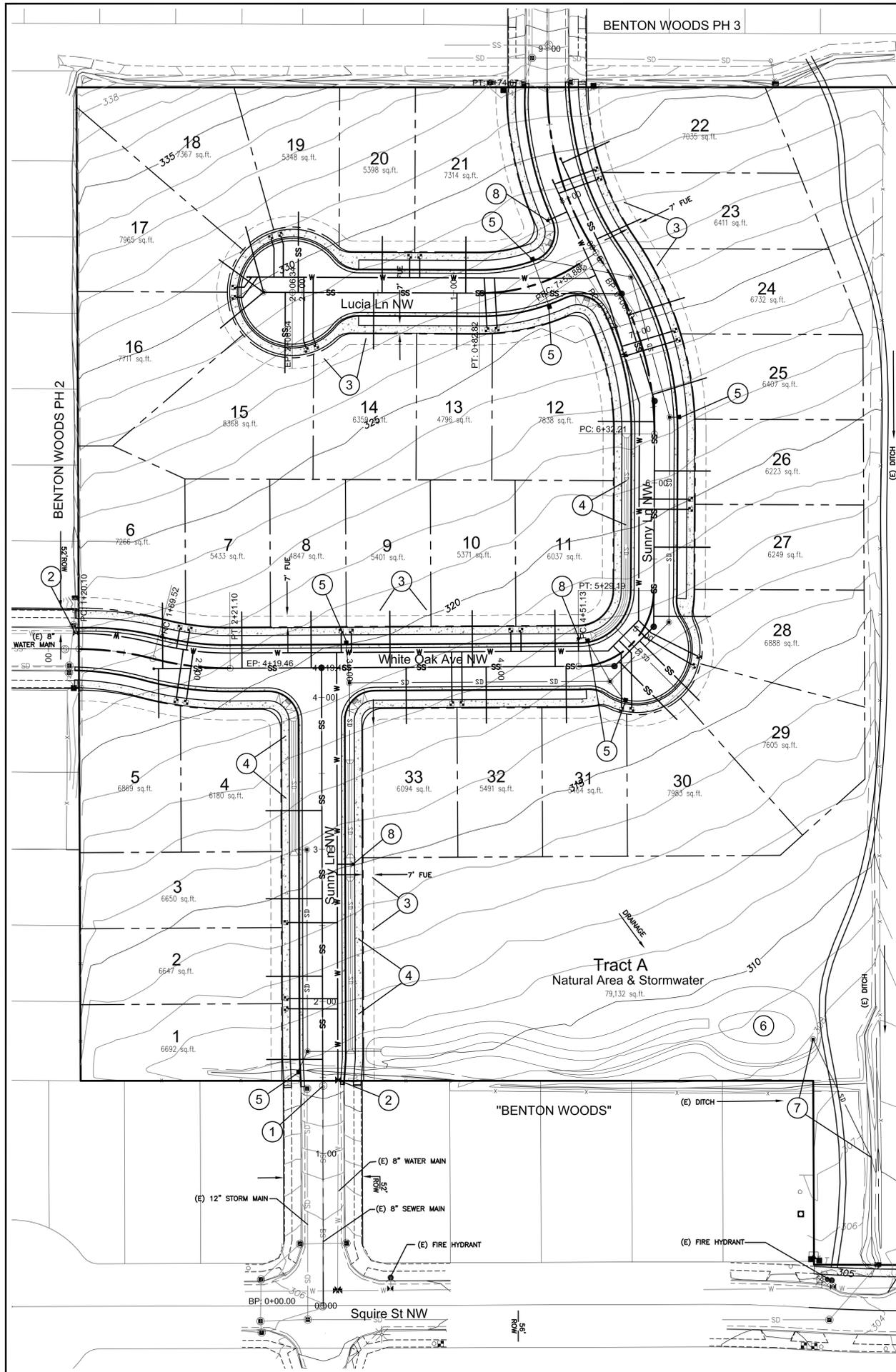
R-C RHINE-CROSS GROUP LLC
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RHINE-CROSS GROUP
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WHITE OAK TENTATIVE SUBDIVISION PLAN
 OREGON
 ALBANY

SHEET NAME:
TENTATIVE PLAT
 DRAWN BY: MGW
 CHKD BY: MDC
 DATE: MAY 2016

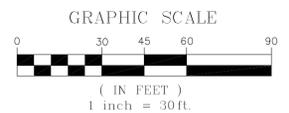
REVISIONS:
 JOB NO. 1497
 SHEET NO. **T2**
 SHEET 2 of 4



"COUNTRY VILLA SUBDIVISION"

		EXISTING	PROPOSED		
DECIDUOUS TREE				STORM SEWER CLEANOUT	
CONIFEROUS TREE				STORM SEWER CATCH BASIN	
FIRE HYDRANT				STORM SEWER MANHOLE	
WATER BLOW-OFF				GAS METER	
WATER METER				GAS VALVE	
WATER VALVE				GUY WIRE ANCHOR	
DOUBLE CHECK VALVE				POWER POLE	
AIR RELEASE VALVE				POWER VAULT	
SANITARY SEWER CLEANOUT				POWER JUNCTION BOX	
SANITARY SEWER MANHOLE				POWER RISER	
SIGN				TELEPHONE/TELEVISION POLE	
STREET LIGHT				TELEPHONE/TELEVISION VAULT	
MAILBOX				TELEPHONE/TELEVISION JUNCTION BOX	
PUBLIC ACCESS CURB RAMP				TELEPHONE/TELEVISION RISER	
				CENTERLINE SURVEY MONUMENT	

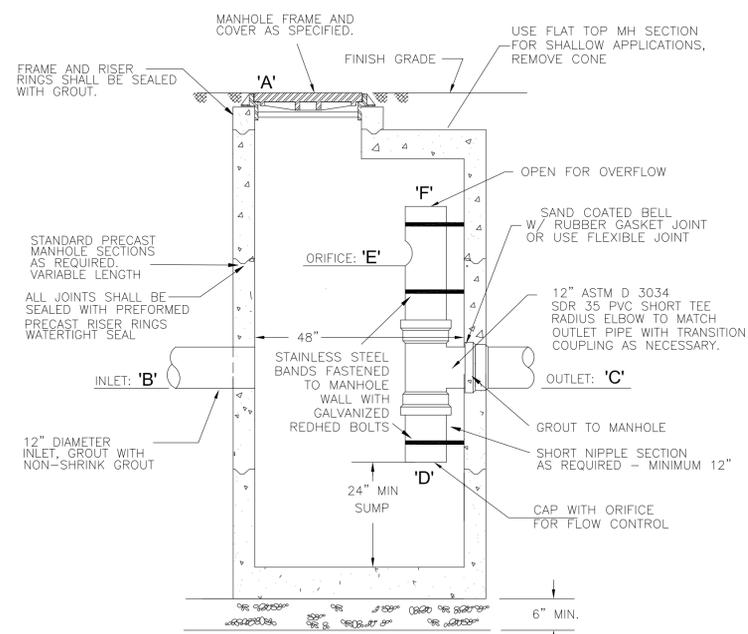
	EXISTING	PROPOSED
RIGHT-OF-WAY		
BOUNDARY LINE		
PROPERTY LINE		
CENTERLINE		
DITCH		
CURB		
EDGE OF PAVEMENT (E.O.P.)		
EASEMENT		
FENCE LINE		
GRAVEL EDGE		
POWER LINE		
OVERHEAD WIRE		
TELEPHONE LINE		
TELEVISION LINE		
GAS LINE		
STORM SEWER LINE		
SANITARY SEWER LINE		
WATER LINE		
IRRIGATION LINE		



- UTILITY NOTES:**
- POINT OF CONNECTION TO PUBLIC SANITARY SEWER
 - POINT OF CONNECTION TO PUBLIC WATER MAIN.
 - ROUTE PUBLIC POWER, TELEPHONE, AND CABLE TV IN 7' F.U.E. (FRANCHISE UTILITY EASEMENT) AS SHOWN. ALL PUBLIC STREETS TO HAVE A 7' F.U.E. ON EACH LOT FRONTAGE.
 - PROPOSED STREET PLANTER SHALLOW SWALE.
 - PROPOSED CATCH BASIN OR CURB INLET FILTER (FLEX-STORM) (7 TOTAL)
 - PROPOSED DETENTION POND W/ORFICE OUTLET CONTROL STRUCTURE FINAL SIZE TO BE DETERMINED WITH FINAL ENGINEERING
 - PROPOSED POINT OF CONNECTION TO EXISTING DRAINAGE DITCH. DEVELOPED RUNOFF SHALL BE LIMITED TO THE PRE-DEVELOPED RUNOFF AS REQUIRED BY THE CITY.
 - PROPOSED FIRE HYDRANT

FLOW CONTROL MH #1

A - RIM ELEVATION: 309.00
B - 12" DIA INLET INVERT ELEVATION: 305.00
C - 12" DIA OUTLET INVERT ELEVATION: 305.00
D - 12" CAP WITH 6.0" DIA. ORFICE ELEVATION: 304.00
E - 6.0" DIA CIRCULAR ORFICE SIDE OF PIPE INVERT ELEVATION: 306.27
F - TOP OF 12" PIPE OPEN FOR OVERFLOW ELEVATION: 307.75



FLOW CONTROL MANHOLE
NO SCALE

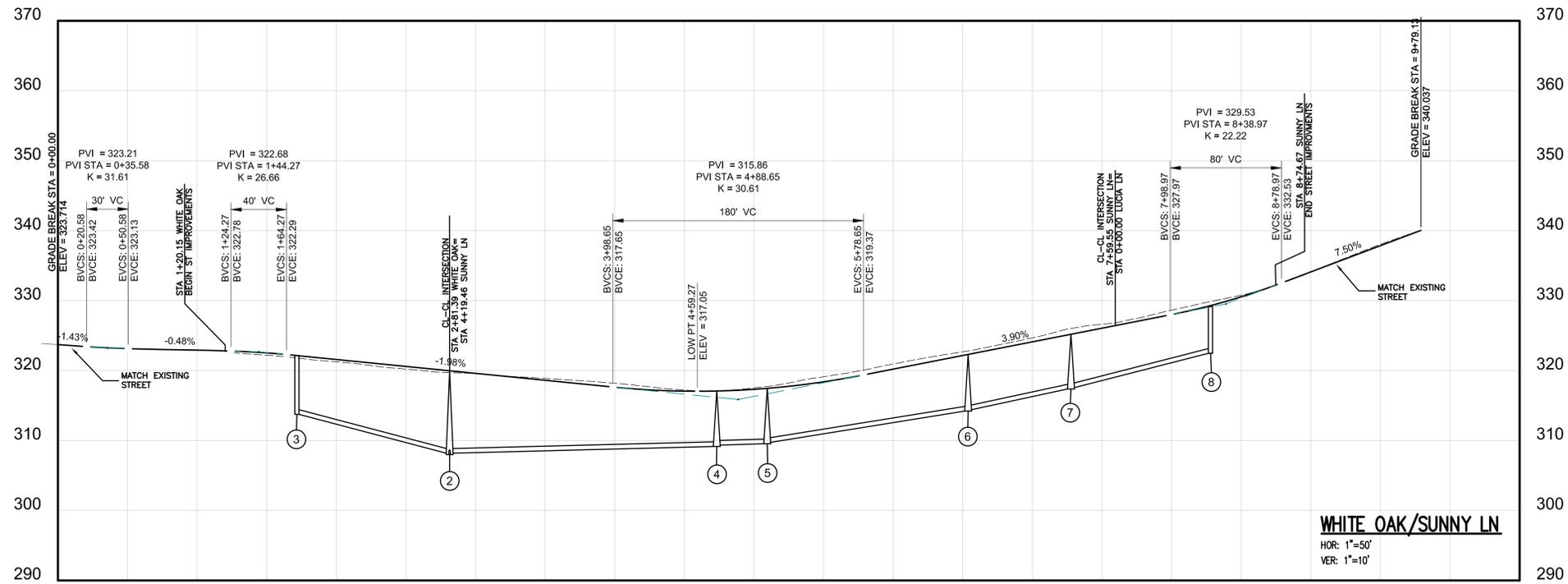
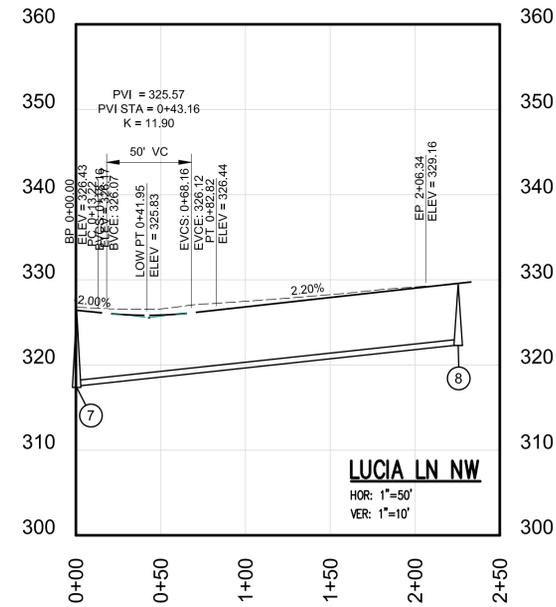
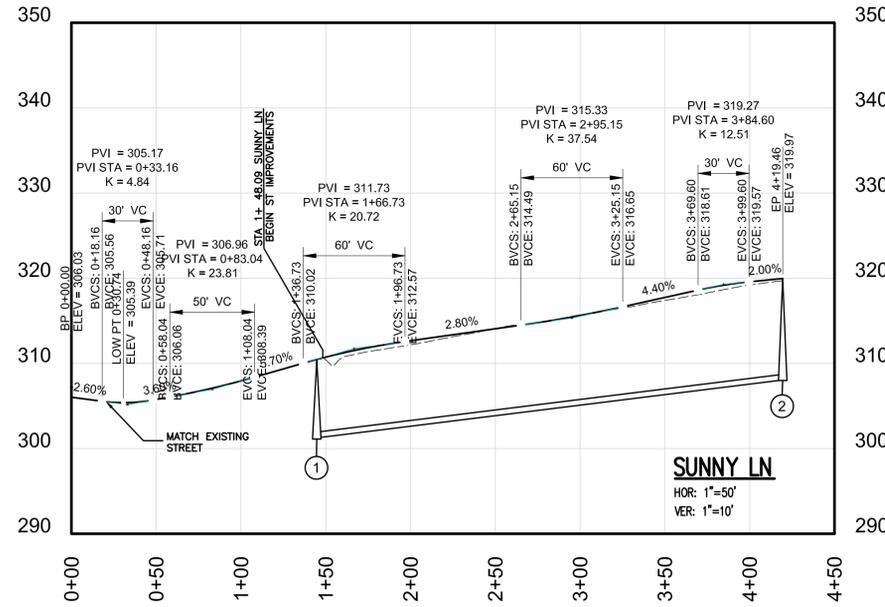
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REGISTERED PROFESSIONAL ENGINEER
55,506PE
MARCUS D. CROSS
OREGON
JULY 09, 2011
RENEWS: 12-31-17
05-20-2016

WHITE OAK TENTATIVE SUBDIVISION PLAN
ALBANY OREGON

SHEET NAME: TENTATIVE PLAT
DRAWN BY: MGW
CHKD BY: MDC
DATE: MAY 2016
REVISIONS:
JOB NO. 1497
SHEET NO. T3
SHEET 3 OF 4

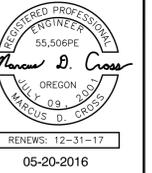


SANITARY SEWER NOTES:

- ① STA 1+44.68 (0.33'RT) SUNNY LN CONNECT TOM (E) MH
RIM: 310.32
8" IN (N): 301.32
8" IN (S): 301.12
- ② STA 4+19.46 (0.0'RT) SUNNY LN=
STA 2+81.39 (0.0'RT) WHITE OAK
INSTALL SAN MH SA-1
RIM 319.97
8" IN (E,W): 308.19
8" OUT (S): 307.99
- ③ STA 1+71.69 (6.3 RT) WHITE OAK
INSTALL SAN CO SB-1
RIM: 322.01
8" OUT (E): 313.74
- ④ STA 4+73.29 (5.4' RT) WHITE OAK
INSTALL SAN MH SB-2
RIM: 316.97
8" IN (NE): 309.35
8" OUT (W): 309.15
- ⑤ STA 5+07.03 (5.4' RT) SUNNY LN
INSTALL SAN MH SB-3
RIM: 317.31
8" IN (N): 309.74
8" OUT (SW): 309.54
- ⑥ STA 6+53.83 (1.2 RT) SUNNY LN
INSTALL SAN MH SB-4
RIM: 322.29
8" IN (NW): 314.41
8" OUT (S): 314.21
- ⑦ STA 7+27.76 (0.04'RT) SUNNY LN=
STA 0 +00.49 (26.07'LT) LUCIA LN
INSTALL SAN MH SB-5
8" IN (NW,W): 317.57
8" OUT (SE): 317.37
- ⑧ STA 8+26.45 (3.1'RT) SUNNY LN
INSTALL SAN CO SB-6
RIM: 329.15
8" OUT (SE): 322.47
- ⑨ STA 2+25.48(0.0'RT) LUCIA LN
INSTALL SAN MH SC-1
RIM: 329.58
8" OUT (E): 322.29

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WHITE OAK
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ALBANY OREGON

SHEET NAME:
**TENTATIVE
STREET PROFILES**

DRAWN BY: MGW
CHKD BY: MDC
DATE: MAY 2016

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JOB NO. 1497
SHEET NO. **T4**
SHEET 4 of 4



White Oak Subdivision Site