

Community Development Department

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STAFF REPORT

Applications for Land Division - Tentative Plat Review

SUMMARY

The applicant requests Tentative Subdivision Plat approval for a two-phase subdivision that will result in six single-family residential lots. The first phase will consist of five lots, and the second phase will divide Lot 5 to create the sixth lot. The 1.39 acre subdivision site is located at the southeast corner of Arroyo Ridge Drive and Crocker Lane and is currently developed with a single family residence and multiple accessory structures that are proposed for removal prior to or after final plat approval for the first phase. No new internal streets are proposed with the development. Per Albany Development Code (ADC) 1.330(1), subdivisions of fewer than 20 lots are reviewed administratively as a Type I-L procedure.

GENERAL INFORMATION

DATE OF REPORT: October 6, 2016

FILES: SD-02-16

TYPE OF APPLICATION: Land Division - Tentative Plat Review to create a six-lot subdivision in two phases; with five lots proposed in Phase 1.

REVIEW BODY: Staff (Type I-L process)

PROPERTY OWNER / APPLICANT: Bill MacHugh; 3310 Crocker Lane NW; Albany, OR 97321

ENGINEER: Grant Beem; K&D Engineering; 276 NW Hickory St.; Albany, OR 97321

ADDRESS/LOCATION: 2749 Crocker Ln NW, Albany, OR 97321 / 1.39 acre site at the southeast corner of the intersection at Crocker Lane and Arroyo Ridge Drive

MAP/TAX LOTS: Benton County Assessor's Map No. 10S-04W-25CA; Tax Lot 1100

ZONING: RS-10 (Single Family Residential) District

EXISTING LAND USE: Residential Use

SURROUNDING ZONING: North: Single Family Residential (RS-10)
South: RS-10
East: RS-10
West: RS-10

SURROUNDING USES: North: Single Family Residential
South: Single Family Residential (new/pending development)
East: Single Family Residential,
West: Single Family Residential (new/pending development)

PRIOR HISTORY: Property annexed to the City of Albany in 1991 (File AN-05-91). No other land use history found on file.

STAFF DECISION

The Land Division Tentative Plat Review is APPROVED with CONDITIONS. This approval is subject to the conditions listed in this staff report.

NOTICE INFORMATION

A Notice of Filing was mailed to owners of property located within 300 feet of the subject property and to the North Albany Neighborhood Association on September 1, 2016. The Albany Planning Division received no written comments during the 14-day comment period, which ended on September 15, 2016.

STAFF ANALYSIS

The Albany Development Code (ADC) includes the following review criteria which must be met for this application to be approved. Code criteria are written in *bold italics* and are followed by findings, conclusions and conditions where needed to meet the criteria.

TENTATIVE PLAT REVIEW CRITERIA (ADC 11.180)

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 subject property is zoned Single Family Residential (RS-10) and encompasses 1.39 acres at the southeast corner of Arroyo Ridge Drive and Crocker Lane. The proposed subdivision will create six single-family residential lots in two phases. The first phase will consist of five lots, and the second phase will divide Lot 5 to create the sixth lot. No new internal streets or right-of-way dedication are proposed within the development. Along Crocker Lane, the applicant proposes a ten-foot public utility easement and a five-foot wide sidewalk easement plus an additional slope easement.
- 1.2 Article 3, Table 1 of the Albany Development Code establishes a minimum 10,000 square-foot lot area, 65-foot lot width, and 100-foot lot depth for lots with single-family detached dwellings in the RS-10 Zoning District. The Albany Development Code allows for lot size variation with a land division. ADC 3.200 states: *“Up to 50 percent of the total number of detached single-family lots in a land division may have lot sizes up to 30 percent smaller than the standard permitted in any zone provided that the average lot size for lots in the development is at least the standard required in the zone after accounting for all density bonuses. No reduction in the minimum lot size is permitted for lots created for attached housing units. In such cases, the recorded plat shall indicate that the larger lots may not be further divided or deed restrictions shall be established indicating the same.”*
- 1.3 All lots proposed for Phase 1 and Phase 2 meet or exceed the minimum lot width and depth requirements for single-family detached dwellings.
- 1.4 All five of the lots proposed for Phase 1 meet or exceed the 10,000 square foot area requirement. With the creation of the sixth lot in Phase 2, two of the six lots will have less than 10,000 square feet and will meet the RS-10 lot size requirement when ADC 3.200 for lot size variation is applied. The proposed lot sizes for the six lots range from 8,051 square feet to 10,859 square feet, with an average minimum lot size of 10,111 square feet.
- 1.5 The subdivision site is currently developed with a single family residence, detached garage, barn, and two smaller accessory structures. The house is proposed to remain on Lot 5 in conjunction with the detached garage, which is proposed to be removed prior to final plat for Phase 2. The other accessory structures are proposed to be removed prior to the final plat for Phase 1.

- 1.6 If the accessory buildings proposed to be removed prior to the final plat for Phase 1 or Phase 2 were proposed to remain instead, the buildings would straddle proposed lot lines or be located on a proposed lot without a primary residence and no longer conform to applicable Development Code requirements. ADC Article 3, Article 2 establishes a minimum 3-foot setback for detached accessory structures. The Schedule of Permitted Uses for residential zoning districts in ADC Article 3 provides that garages and other non-residential buildings cannot be the primary use of a residentially-zoned property except under specific circumstances, which are neither proposed nor addressed by the applicant.
- 1.7 All land within the subdivision site is proposed to be allocated for lots, without remainder property under the same ownership.

CONCLUSIONS

- 1.1 The proposed lots are of a sufficient size and configuration to allow for single-family residential development in accordance with the development code. All proposed lots in the subdivision meet the minimum lot dimension standards for single-family detached homes and the lot area standards for single-family detached homes when ADC 3.200 for lot size variation is applied for Phase 2.
- 1.2 Removing the existing detached garage prior to final plat for Phase 2 and removing the other existing accessory structures prior to final plat for Phase 1 will ensure that the proposed subdivision will not result in non-conforming development that could impede future development in accordance with the development code.
- 1.3 All contiguous property owned by the applicants is included in the proposed subdivision; there is no remainder property to consider with this application.
- 1.4 This criterion will be met with adherence to Condition 1.1 below.

CONDITIONS

- 1.1 The detached garage located over the shared lot line proposed for Lot 5 and Lot 6 shall be removed prior to Phase 2 final plat approval. All other accessory structures within the subdivision site shall be removed prior to Phase 1 final plat approval. Alternatively, the applicant may obtain approval to relocate the buildings in accordance with applicable development code standards.

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 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.
- 2.2 ADC 12.060 requires that development must have frontage on or approved access to a public street currently open to traffic.
- 2.3 The subdivision site abuts Arroyo Ridge Dr. to the north and Crocker Lane to the west. Abutting properties to the south have direct access to Crocker Lane or Oak Glen Street. Abutting properties to the east have direct street access to Arroyo Ridge Drive or Access to Oak Ridge Street via a shared access easement.
- 2.4 The proposed subdivision will not adversely impact the ability of adjoining land to develop, nor will it impact existing access for adjoining properties.

CONCLUSIONS

- 2.1 All of the new lots of the proposed subdivision will have adequate frontage and access to public streets as proposed and conditioned.
- 2.2 Adjoining lands currently have public street access, and the proposed subdivision will not impact that access.
- 2.3 The proposed subdivision will not impact the ability to develop adjoining land.
- 2.4 This criterion is met without conditions.

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 project is a two-phase subdivision that will result in six single-family lots. The first phase will consist of five lots, and the second phase will split Lot 5 into two parcels. A single-family residence currently exists on Lot 5.
- 3.2 The development is located on the southeast corner of Crocker Lane and Arroyo Ridge Drive. All lots will have direct frontage one or both of those streets. No internal streets are proposed.
- 3.3 Crocker Lane is classified as a major collector street and is not improved to City standards. The road lacks curb, gutter, and sidewalk. The City Council has formed an assessment district to reconstruct the road to City standards. Construction is scheduled to occur in 2017 and will include curb, gutter, and sidewalk, a vehicle travel lane in each direction, and on-street bike lanes. This development is not being assessed for the improvement with the District.
- 3.4 When Crocker Lane is improved, the street and sidewalk improvements will be higher than this parcel. Installation of the sidewalk and fill slope needed to match the grade of the lots in this development will extend over the current right of way line. The tentative plat map proposes dedication of a five-foot sidewalk easement with a five-foot slope easement behind it. Both would be overlapped by an existing 15-foot sewer easement. Because the street design final grade has yet to be established, it is not possible to tell with certainty the location and extent of the necessary fill slope. Extending the fill slope easement to coincide with existing edge of the sewer easement would ensure adequate space for the fill slope without additionally impacting the developable area of the adjoining lots.
- 3.5 Arroyo Ridge Drive is classified as a local street and is, with the exception of sidewalk, improved to city standards. Sidewalk does not currently exist along the frontage of the site. Improvements include curb and gutter, a vehicle travel lane in each direction, and on-street parking.
- 3.6 ADC 12.290 requires the installation of sidewalk along the public street frontage of all new development. The installation of sidewalk along the local street frontage of vacant residential single family lots can be deferred to development of the lots. Because Lot 5 is already developed with a single family home, sidewalk installation along its Arroyo Ridge Drive frontage needs to occur with the subdivision.
- 3.7 Based upon ITE trip generation rates, single family homes generate 9.52 vehicle trips per day and 1.00 trips during the peak PM traffic hour. The development will create five new vacant lots, each of which could be developed with a single family home. Construction of five homes would add about 48 new vehicle trips per day to the public street system. About five of those trips would occur during the peak PM traffic hour.
- 3.8 The development will not generate enough trips to require submittal of a trip generation analysis or Traffic Impact Analysis. The threshold for requiring submittal of a Trip Generation Analysis (TIA) is 50 peak hour trips. The threshold for submittal of a TIA is 100 peak hour trips.
- 3.9 ADC 12.100 requires that the number of access points onto a public street be the minimum necessary for reasonable access and allow for a requirement that shared driveways be installed on common property lines.
- 3.10 Phase 2 of this development will divide Lot 5 into two lots, both of which will have direct access to Crocker Lane. A shared driveway on the common property line would minimize the number of access points onto Crocker Lane and maximize the spacing between the Arroyo Ridge Drive intersection and the first driveway to the south.
- 3.11 This development site is part of a larger block bounded by Crocker Lane, Arroyo Ridge Drive, Oak Ridge Street, and Cluster Oak Avenue. The perimeter of the block slightly exceeds the block length standards contained in ADC 11.090. All other parcels within the block are fully developed; this is the last site with the potential to be further divided. Because it is the last infill parcel, no opportunity exists to modify the street pattern or resulting block length.

CONCLUSIONS

- 3.1 The proposed development will generate about 48 vehicle trips per day. About five of those trips will occur during the p.m. peak traffic hour.
- 3.2 The site's frontage along Arroyo Ridge Drive is constructed to city standards with the exception of sidewalk. Sidewalk construction along the frontage of vacant lots can be deferred to development of the lots. Sidewalk will need to be installed with the subdivision along the frontage of Lot 5 because it is already developed with a single family home.
- 3.3 The site's frontage along Crocker Lane will be improved by the City as part of an Assessment District. Construction is scheduled for 2017.
- 3.4 Sidewalk and slope easements will be needed along the site's frontage on Crocker Lane to allow for the improvement of the street and installation of public sidewalk.
- 3.5 Lot 5 and Lot 6 will need to share an access to Crocker Lane on their common property line to comply with the access and driveway standards contained in ADC 12.100.
- 3.6 The block surrounding this development slightly exceeds the block length standards contained in ADC 11.190. Because all other parcels within the block are fully developed and this is the last infill parcel, no opportunity exists to modify the street pattern or resulting block length.
- 3.7 This criterion can be met with the following conditions.

CONDITIONS

Phase 1 Conditions

- 3.1 On the final plat for Phase 1, the applicant shall dedicate a five-foot wide public sidewalk easement along the site's frontage on Crocker Lane.
- 3.2 On the final plat for Phase 1, the application shall dedicate a 15-foot public slope easement along the site's frontage on Crocker Lane.
- 3.3 Prior to final plat approval for Phase 1, the applicant shall install or financially assure construction of the public sidewalk to city standards on the south side of Arroyo Ridge Drive along the length of Lot 5.

Phase 2 Conditions

- 3.4 The final plat for Phase 2 shall show a 24-foot wide shared access easement to Crocker Lane along the common property line between Lot 5 and Lot 6 for the benefit of both parcels. The easement shall extend a minimum of 20 feet into those lots and may be dedicated on the final plat or by separate document.

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

FINDINGS OF FACT

Sanitary Sewer:

- 4.1 City utility maps show eight-inch public sanitary sewer mains in Crocker Lane and Arroyo Ridge Drive. The existing house on the site is connected to the public sewer system from the main in Crocker Lane.
- 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 All property with buildings or structures normally used or inhabited by people, where the property is located within 300 feet of a public sanitary sewer main, will be required to have or make a connection to the public sewer system (AMC 10.01.100 (1)).

- 4.4 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.
- 4.5 AMC 15.30.020 states that if the sanitary sewer, water distribution facility, storm drain, and/or improved street is to be utilized pursuant to any activity involving a land division, the amount of the applicable connection charge shall be paid in full prior to the signing of the final plat.
- 4.6 The City has no record of the subject property participating in the cost of constructing the public sewer main in Arroyo Ridge Drive; therefore, a connection charge will be due for the portion of the property's frontage along Arroyo Ridge Drive.

Water:

- 4.7 City utility maps show a ten-inch public water main in Crocker Lane and an eight-inch main in Arroyo Ridge Drive. The existing house on the site is connected to the public water system from the main in Crocker Lane.
- 4.8 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.
- 4.9 ADC 12.420 states that no new development is allowed on private well systems, except for construction of one single-family dwelling on an existing lot of record.
- 4.10 A connection charge shall be due and payable when accessing the City's water distribution facilities from or for the benefit of any real property against which no assessment has previously been levied or for which the cost of constructing the water facilities has not been paid by the property owner or predecessor thereof (AMC 15.30.010).
- 4.11 The City has no record of the subject property participating in the cost of constructing the public water main in Arroyo Ridge Drive; therefore, a connection charge will be due for the portion of the property's frontage along Arroyo Ridge Drive.

Storm Drainage:

- 4.12 City utility maps show a 12-inch public storm drainage main in Arroyo Ridge Drive and roadside ditches along Crocker Lane.
- 4.13 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.
- 4.14 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer.
- 4.15 AMC 12.45.030 states that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development. (Ord. 5841 § 3, 2014).
- 4.16 AMC 12.45.040 requires development of more than three single-family dwellings to provide storm water quality facilities.
- 4.17 A Connection Charge shall be due and payable when accessing the City's storm drainage facilities from or for the benefit of any real property against which no assessment has previously been levied or for which the cost of constructing the storm drainage facilities has not been paid by the property owner or predecessor thereof (AMC 15.30.010).

- 4.18 The City has no record of the subject property participating in the cost of constructing the public storm drainage facilities in Arroyo Ridge Drive; therefore, a connection charge will be due for the portion of the property's frontage along Arroyo Ridge Drive.
- 4.19 The applicant proposes to treat the storm water runoff from the site in the open space area of Tuscan Estates subdivision. That open space area was not designed to treat the storm water from the proposed subdivision and does not meet current storm water quality treatment standards. If the applicant is not able to design on-site storm water quality treatment facilities, a fee for off-site post-construction storm water quality must be paid per AMC 12.45.040.

CONCLUSION

- 4.1 Public utilities (sanitary sewer, water, and storm drainage) can accommodate the proposed development.
- 4.2 Each proposed lot in the subdivision must be provided a sanitary sewer lateral and water service to the lot lines before the final plat will be approved by the City.
- 4.3 The new development must provide storm water quality facilities consistent with Title 12 of the Albany Municipal Code and the City's Engineering Standards.
- 4.4 This criterion can be met with the following condition.

CONDITIONS

- 4.1 Prior to Phase 1 final plat approval, the applicant shall obtain a storm water quality permit from the City's Public Works Department for the entire subdivision.

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 OF FACT

- 5.1 Article 4 Airport Approach district: shows that the subject property is located outside of the Airport Approach District.
- 5.2 Article 6 Steep Slopes, Comprehensive Plan Plate 7: shows that there are not areas of steep slopes on the subject property.
- 5.3 Article 6 Floodplains, Comprehensive Plan Plate 5: does not show the subject site in a 100-year floodplain. FEMA/FIRM Community Panel No. 41043C0200G, dated September 29, 2010, shows 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: does not show wetlands on the property, and the Local Wetlands Inventory does not show any wetlands on the property.
- 5.5 Article 7 Historic Districts, Comprehensive Plan Plate 9: does not show the subject site located in a historic district. There are no known archaeological sites on the property

CONCLUSIONS

- 5.1 The site has no special purpose districts that require conditions of approval to mitigate.
- 5.2 This criterion is met without conditions.

LOT AND BLOCK ARRANGEMENT REVIEW CRITERIA (ADC 11.090)

Lot and Block Arrangements: In any single-family residential land division, lots and blocks shall conform to the following standards in this Article and other applicable provisions of this Code:

- (1) ***Lot arrangement must be such that there will be no foreseeable difficulties, for reason of topography or other condition, in securing building permits to build on all lots in compliance with the requirements of this Code with the exception of lots designated Open Space.***

FINDING & CONCLUSION

- 1.1 As addressed under review criterion ADC 11.180(1) above, all lots are in compliance with the minimum requirements of the code; those findings are included here by reference. The lots size and dimensions will allow for setbacks to be met, while providing an adequate building envelope. Therefore, there will be no foreseeable difficulties in obtaining building permits for the lots within the proposed subdivision.
- 1.2 This criterion is met without conditions.

- (2) ***Lot dimensions must comply with the minimum standards of this Code. When lots are more than double the minimum area designated by the zoning district, those lots must be arranged so as to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat.***

FINDING & CONCLUSION

- 2.1 The findings and conclusions for ADC 11.180(1) are included here by reference. As addressed under review criterion ADC 11.180(1) above, all of the lots in the proposed subdivision:
- meet the minimum lot dimension standards for single-family detached homes; and
 - meet the lot area standards for single-family detached homes, when ADC 3.200 for lot size variation is applied. None of the lots proposed in either subdivision phase are more than double the minimum lot area (10,000 square feet) for the RS-10 zoning district.
- 2.2 This criterion is met without conditions.

- (3) ***Double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector and arterial street status or to overcome specific disadvantages of topography and/or orientation. When driveway access from arterials is necessary for several adjoining lots, those lots must be served by a combined access driveway in order to limit possible traffic hazards on such streets. The driveway should be designed and arranged so as to avoid requiring vehicles to back into traffic on arterials. An access control strip shall be placed along all lots abutting arterial streets requiring access onto the lesser class street where possible.***

FINDING & CONCLUSION

- 3.1 Lot 5 is a corner lot and is the only proposed lot with frontage on more than one street. Double frontage lots on non-intersecting streets are not proposed or necessary.
- 3.2 Driveway access from arterials and the need for shared access are addressed in the findings and conclusions for ADC 11.180(3), which are incorporated here by reference.
- 3.3 This criterion is met with adherence to Condition 3.4 under ADC 11.180(3), which requires the creation of a 24-foot wide shared access easement to Crocker Lane along the common property line between lot 5 and lot 6 prior to final plat approval for Phase 2.

- (4) ***Side yards of a lot shall run at right angles to the street the property faces, except that on a curved street the side property line shall be radial to the curve.***

FINDING & CONCLUSION

4.1 All of the proposed lots have side yards running at a right angle to the street.

4.2 This criterion is met without conditions.

- (5) ***Block dimensions shall be determined by existing street and development patterns, connectivity needs, topography, and adequate lot size. The average block length shall not exceed 600 feet unless adjacent layout or physical conditions justify a greater length. Block length is defined as the distance along a street between the centerline of two intersecting through streets. Physical conditions may include existing development, steep slopes, wetlands, creeks, and mature tree groves.***

FINDING & CONCLUSION

5.1 The street pattern and block dimensions are addressed in the findings and conclusions for ADC 11.180(3), which are incorporated here by reference.

5.2 This criterion is met without conditions.

- (6) ***Off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible.***

FINDING & CONCLUSION

6.1 The project is an infill development within an established neighborhood, and the basic street/block pattern is already established. Sidewalk connections will be provided via the existing and proposed street system in accordance with applicable City standards. No additional connections for pedestrian and access are warranted or feasible.

6.2 This criterion is met without conditions.

- (7) ***The recommended minimum distance between arterial street intersections is 1800 feet. In order to provide for adequate street connectivity and respect the needs for access management along arterial streets, the Community Development Director/City Engineer may require either a right-in/right-out public street connection or public access connection to the arterial in lieu of a full public street connection. When a right-in/right-out street connection is provided, turning movements shall be defined and limited by raised medians to preclude inappropriate turning movements.***

FINDING & CONCLUSION

7.1 The transportation plan is addressed under ADC 11.180(3); those findings are included here by reference.

7.2 No new public streets or public access connections are proposed that dictate the need for access management along arterial streets.

7.3 This criterion is met without conditions.

- (8) ***Cul-de-sac lots are limited to five lots or units with access on a cul-de-sac bulb except that additional lots or units may be permitted when one additional off street parking space is created for each unit that has access on a cul-de-sac bulb. The minimum frontage of a lot on a cul-de-sac shall be 22 feet as measured perpendicular to the radius.***

FINDING & CONCLUSION

8.1 Cul-de-sacs are not proposed within the subdivision.

8.2 This criterion is not applicable.

- (9) *Flag lots are discouraged and allowed only when absolutely necessary to provide adequate access to buildable sites and only where the dedication and improvement of a public street cannot be provided. The minimum width for a flag lot is 22 feet, except when point access is shared by an access and maintenance agreement in which case each lot shall have a minimum width of 12 feet and a combined minimum of 24 feet.*

FINDING & CONCLUSION

- 9.1 Flag lots are not proposed or necessary for adequate access.
9.2 This criterion is met without condition.

- (10) *At all street intersections, an arc along the property lines shall be established so that construction of the street at maximum allowable width, centered in the right-of-way, shall require not less than a twenty foot radius of the curb line.*

FINDING & CONCLUSION

- 10.1 The transportation plan and street standards are addressed under Criterion ADC 11.180(3); those findings are included here by reference.
10.2 This criterion is met without conditions.

OVERALL CONCLUSION

As proposed and outlined in this report, the application for a land division tentative plat review satisfies all of the applicable review criteria with the following conditions of approval:

Existing Development

- 1.1 The detached garage located over the shared lot line proposed for Lot 5 and Lot 6 shall be removed prior to Phase 2 final plat approval. All other accessory structures within the subdivision site shall be removed prior to Phase 1 final plat approval. Alternatively, the applicant may obtain approval to relocate the buildings in accordance with applicable development code standards.

Transportation:

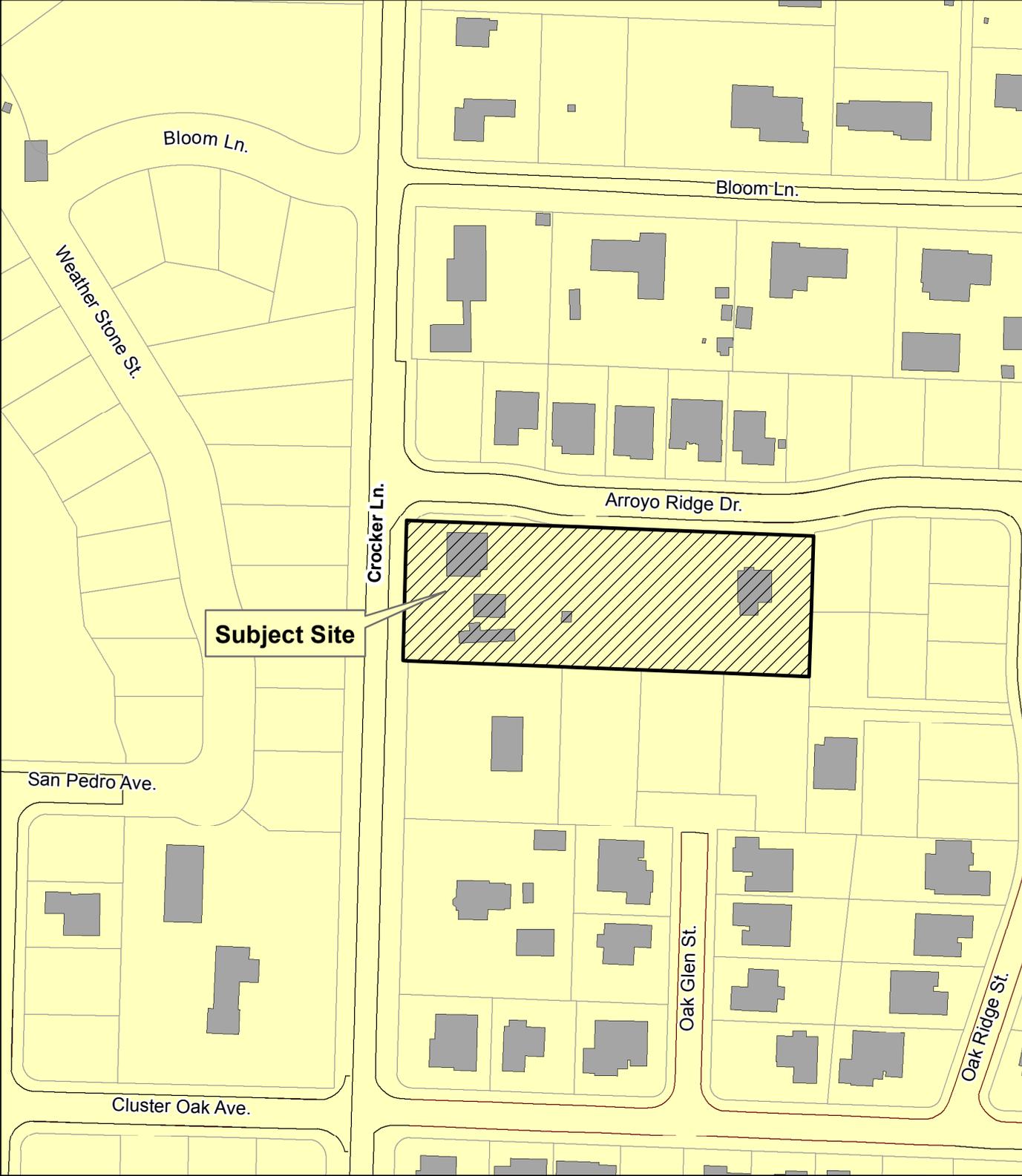
- 3.1 On the final plat for Phase 1, the applicant shall dedicate a five-foot wide public sidewalk easement along the site's frontage on Crocker Lane.
3.2 On the final plat for Phase 1, the application shall dedicate a 15-foot public slope easement along the site's frontage on Crocker Lane.
3.3 Prior to final plat approval for Phase 1, the applicant shall install or financially assure construction of the public sidewalk to city standards on the south side of Arroyo Ridge Drive along the length of Lot 5.
3.4 The final plat for Phase 2 shall show a 24-foot wide shared access easement to Crocker Lane along the common property line between Lot 5 and Lot 6 for the benefit of both parcels. The easement shall extend a minimum of 20 feet into those lots and may be dedicated on the final plat or by separate document.

Utilities:

- 4.1 Prior to Phase 1 final plat approval, the applicant shall obtain a storm water quality permit from the City's Public Works Department for the entire subdivision.

ATTACHMENTS

- A. Location Map
B. Applicant's Submittal:
 B.1 – B.4 Narrative
 B.5 – B.6 Tentative Subdivision Plat (2 pages)



Location Map: 2749 Crocker Lane NW (SD-02-16)

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

Albany

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August 5, 2016

Planning Division

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

**Findings of Fact
for
“MacHugh Subdivision”**

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

Fact: The Applicant proposes to subdivide the subject property into six lots in two phases.

Fact: The existing residence is located on proposed Lot 5. When the rental agreement for the existing home expires the existing garage will be removed and lot 6 will be created and no further division is possible.

Conclusion: There is no remainder of land to consider with this application. Criterion is met.

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

Fact: Adjoining property to the east is already developed.

Fact: The property abuts existing roads to the north and west.

Fact: Adjoining property to the south is developed, One large lot to the south fronts Crocker Lane.

Conclusion: All adjoining lands are developed or have access to Crocker Lane. Criterion met.

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

Fact: No new streets are proposed.

Fact: Four of the lots will front Arroyo Ridge Drive which is a newer street constructed to City Standards.

Fact: Two of the lots will front Crocker Lane which is planned for reconstruction to City Standard by the City of Albany with Crocker Lane LID. Access from the existing residence is currently to Crocker.

Fact: Sidewalk will be constructed from lot 4 to Crocker with the Subdivision. Setback sidewalk will be constructed on the remainder of the Arroyo Ridge with home construction.

Fact: A sidewalk easement is proposed along the Crocker frontage to allow construction of sidewalk with the Crocker LID.

Conclusion: The proposed subdivision utilizes existing streets that are either already improved or will be with a future City project. Criterion met.

- 4) Criterion: the location and the design allows for development to be conveniently served by various public utilities.

Fact: Public sewer water and storm drain are available from both Crocker and Arroyo Ridge.

Fact: The Tentative Plat shows lateral extensions from existing mains to the proposed lots.

Fact: The existing home is currently served with sewer and water.

Fact: The Tentative Plat shows storm lateral connections for lots 1 through 4 which can capture the roof and driveway drainage into the storm system for Tuscanny Estates which was constructed with water quality manholes and swales providing water quality for the proposed lots roofs and driveways.

Fact: Private drainage is available along the south of the proposed lots to pick up lot drainage.

Fact: Street and storm drain improvements will be constructed with Crocker LID to serve Lots 5 & 6.

Conclusion: All lots can easily be served with public utilities from the existing facilities Criterion met.

- 5) Criterion: Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and utilized.

Fact: The subject property slopes north to south. There are no inventoried wetlands on the subject property. The subject property is not located in a special flood hazard area. The proposed development does not require the removal of any significant trees. The subject property is not registered as a historic site.

Conclusion: There are no special features located on the proposed development that require additional consideration. Criterion met.

GENERAL INFORMATION ABOUT THE SITE AND DEVELOPMENT

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

Current address(es) of the property(ies) to be divided 2749 Crocker Lane NW
 Assessor's Parcel Map No(s). 10425CA Tax Lot No(s). 1100
 Assessor's Parcel Map No(s). _____ Tax Lot No(s). _____
 Assessor's Parcel Map No(s). _____ Tax Lot No(s). _____
 Comprehensive Plan Map designation Residential low density Zoning Map designation RS-10
 Current zoning and use(s) of the property 1 residence on large lot

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

	<u>Current Uses</u>	<u>Zoning</u>
North	<u>Residential</u>	<u>RS-10</u>
South	<u>Residential</u>	<u>RS-10</u>
East	<u>Residential</u>	<u>RS-10</u>
West	<u>Residential</u>	<u>RS-10</u>

Gross land area of the property(ies) to be divided 1.39 acres

Net land area (gross land minus land to be dedicated to the public) 1.39 acres

Average Lot Size: 10,111 sq ft Percent of lots less than zone minimum lot size: 33%

Density Bonuses. If you are requesting application of any density bonus provisions, attach a separate narrative outlining in detail which ones and how they apply to this site. Include calculations used to determine the new average lot size of all lots/parcels after applying any bonus provisions. Average lot size after density bonuses: _____

Lot and Block arrangement. Please explain how the lot and block arrangement requirements in ADC Section 11.090 are met. What is the average block length?
No new streets/blocks proposed

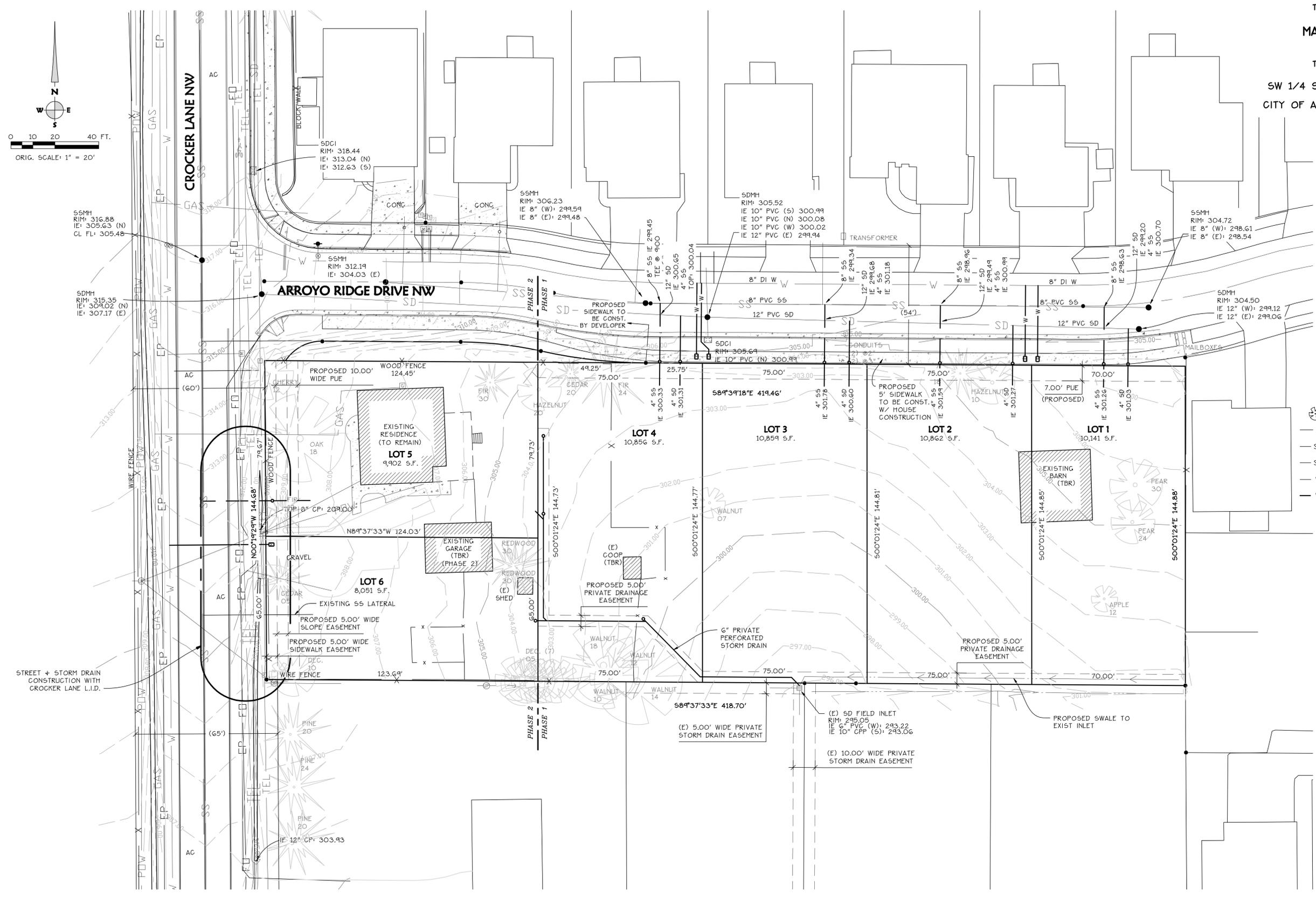
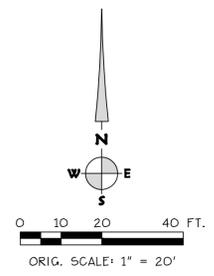
Phases. IF the development is proposed in phases, indicate here how many phases are proposed and clearly outline and label the boundaries of each of the proposed phases on the tentative plat. (See ADC 11.070.) Proposed number of phases: 2

Proposed timing of the final plats for each phase: PHASE 1 - 2016, PHASE 2 - 2018

URBAN CONVERSION PLAN. If this Land Division request results in any parcels or lots that are divisible again in the future, or there is an undeveloped remainder, submit a separate map that shows how the rest of the site can be developed to City standards with City services. (This relates to review criterion 1.)

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

TENTATIVE SUBDIVISION PLAT
FOR
MACHUGH SUBDIVISION
A SUBDIVISION
LOCATED IN
TAX LOT 1100, MAP 10425CA
LOCATED IN THE
SW 1/4 SEC. 25, T. 10 S., R. 04 W., W.M.
IN THE
CITY OF ALBANY, BENTON COUNTY, OREGON



- LEGEND:**
- EXISTING MANHOLE
 - ⊕ EXISTING FIRE HYDRANT
 - PROPOSED/EXISTING WATER SERVICE
 - ⊗ EXISTING TREE - TYPE/DIAMETER INCHES
 - X — EXISTING FENCE
 - SD — EXISTING STORM DRAIN
 - SS — EXISTING SEWER MAIN
 - W — EXISTING WATER MAIN
 - W — PROPOSED UTILITY (W, SS, SD)

- ABBREVIATIONS:**
- AC ASPHALT CONCRETE
 - CON CONCRETE
 - DI DUCTILE IRON
 - (E) EXISTING OR EAST
 - EP EDGE OF PAVEMENT
 - IE INVERT ELEVATION
 - FO FIBER OPTIC
 - GAS NATURAL GAS
 - MH MANHOLE
 - POW POWER
 - PUE PUBLIC UTILITY EASEMENT
 - SD STORM DRAIN
 - S.F. SQUARE FEET
 - SS SANITARY SEWER
 - TBR TO BE REMOVED
 - TEL TELEPHONE
 - W WATER

NOTE:
ROOF AND D/W DRAINAGE FOR LOTS 1 THRU 4 SHALL CONNECT TO STORM LATERALS FROM ARROYO RIDGE DR.

Date: 7/25/2016 Time: 11:11
Scale: 1"=40'(P5)
File: dwg\2016\16-89\1684-tsp.dwg (George)
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DATE	REVISIONS	BY



K & D ENGINEERING, INC.
276 N.W. HICKORY STREET
P.O. BOX 725
ALBANY, OREGON 97321
(541) 928-2583

MACHUGH
SUBDIVISION
CITY OF ALBANY, Linn COUNTY, OREGON

**TENTATIVE SUBDIVISION PLAT
PROP. UTILITIES & EXIST. CONDITIONS**

HORZ. SCALE: 1" = 20'
VERT. SCALE:
SIGN DATE:
DSGN BY: GMB
DRWN BY: GSG
CHKD BY: GMB
PROJECT No.: 16-89

SHEET No.
2
OF
2

TENTATIVE SUBDIVISION PLAT
FOR
MACHUGH SUBDIVISION
A SUBDIVISION
LOCATED IN
TAX LOT 1100, MAP 10425CA
IN THE
SW 1/4 SEC. 25, T. 10 S., R. 04 W., W.M.
IN THE
CITY OF ALBANY, BENTON COUNTY, OREGON

OWNER / APPLICANT:
WILLIAM + AIMEE MACHUGH
3310 CROCKER LANE NW
ALBANY, OR 97321

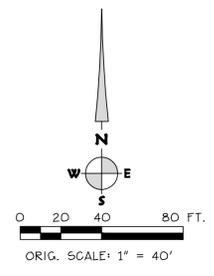
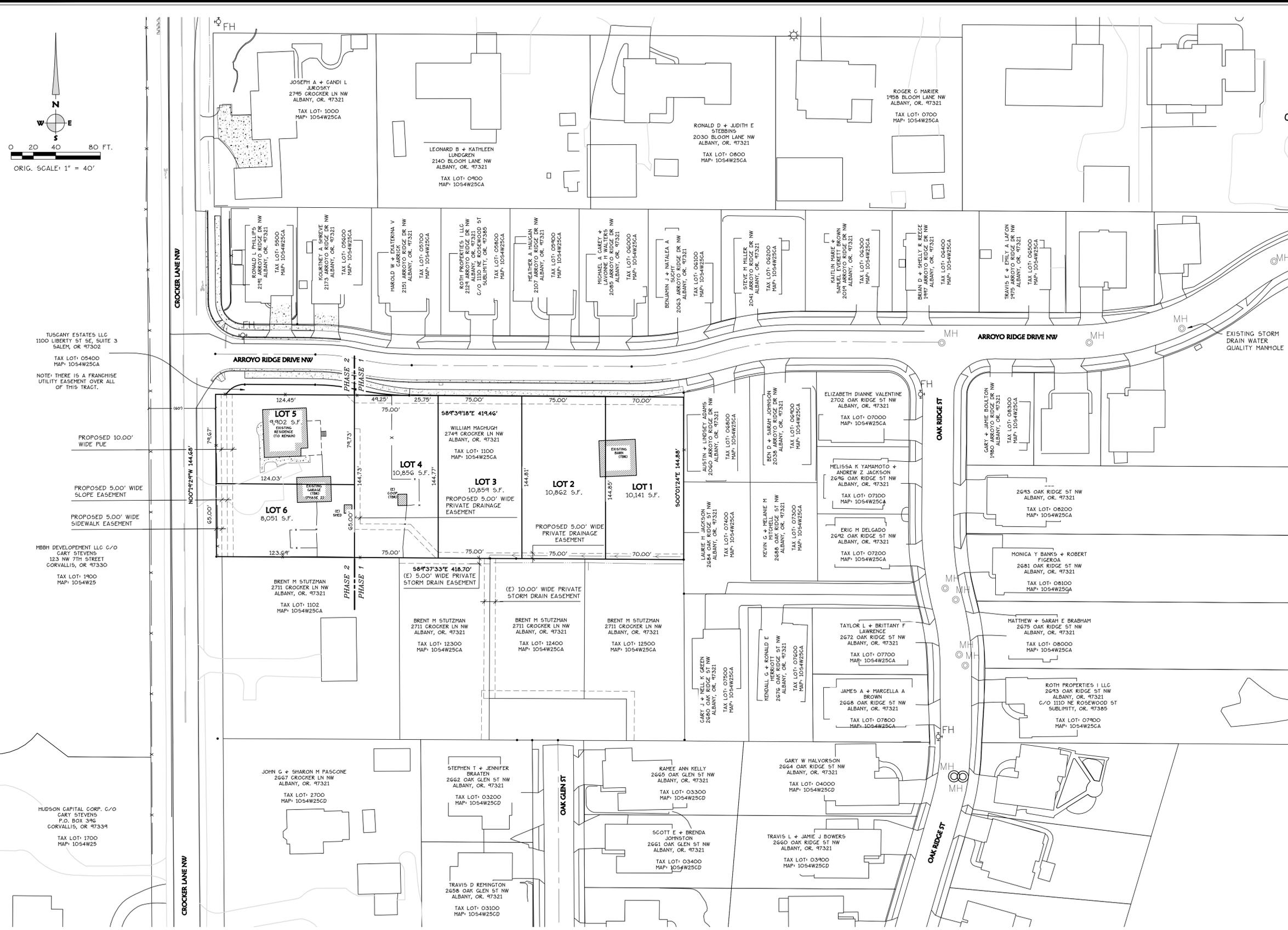
TAX LOT 1100 [MAP 105-04W-25CA]
1.39 ACRES

ENGINEER:
GRANT BEEM, P.E.
K+D ENGINEERING INC.
P.O. BOX 725
ALBANY, OR 97321

ZONING:
R5-10 RESIDENTIAL SINGLE FAMILY (5 UNITS PER ACRE)

LOT STATISTICS:
TOTAL PROJECT AREA: 60,671 S.F.
RIGHT-OF-WAY DEDICATION: NONE
NET AREA: 60,671 S.F.
TOTAL NUMBER OF LOTS: 6
AVERAGE LOT SIZE: 10,111 S.F.
MINIMUM LOT SIZE: 8,051 S.F.
MAXIMUM LOT SIZE: 10,862 S.F.

LEGEND:
(E) EXISTING OR EAST
FH FIRE HYDRANT
MH MANHOLE
PUE PUBLIC UTILITY EASEMENT
SD STORM DRAIN
S.A. SQUARE FEET
S.S. SANITARY SEWER
TBR TO BE REMOVED



TUSCANY ESTATES LLC
1100 LIBERTY ST SE, SUITE 3
SALEM, OR 97302
TAX LOT: 05400
MAP: 1054W25CA

NOTE: THERE IS A FRANCHISE
UTILITY EASEMENT OVER ALL
OF THIS TRACT.

PROPOSED 10.00' WIDE PUE

PROPOSED 5.00' WIDE SLOPE EASEMENT

PROPOSED 5.00' WIDE SIDEWALK EASEMENT

MBH DEVELOPMENT LLC C/O
GARY STEVENS
123 NW 7TH STREET
CORVALLIS, OR 97330
TAX LOT: 1900
MAP: 1054W25

HUDSON CAPITAL CORP. C/O
GARY STEVENS
P.O. BOX 396
CORVALLIS, OR 97339
TAX LOT: 1700
MAP: 1054W25

Date: 7/25/2016 Time: 11:11
Scale: 1"=40'(P5)
File: dwg\2016\16-89\1684-tsp.dwg (George)

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K & D

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MACHUGH
SUBDIVISION

CITY OF ALBANY, BENTON COUNTY, OREGON

TENTATIVE SUBDIVISION PLAT

HORZ. SCALE: 1" = 40'
VERT. SCALE:

SIGN DATE:

DESIGN BY: GMB

DRAWN BY: GSG

CHECK BY: GMB

PROJECT No.: 16-89

SHEET No.
1 OF 2