Revised Staff Report  
Land Division (Tentative Subdivision Plat)  
SD-03-20  
December 23, 2020

Summary
This staff report evaluates the tentative plat for the “Clay Street Subdivision”, a four-lot residential subdivision. The subject property is located at 1818 Clay Street SE, on the west side of a dead-end cul-de-sac for Clay Street and south of the intersection between Clay Street and Queen Avenue. The property is situated within the Residential Medium Density (RM) zoning district, identified by Linn County Tax Assessor’s Map No. 11S-03W-08DB; Tax Lot 5600 (Attachment A). Access to the new lots will be provided via Clay Street.

The subject property is approximately 0.6 acres in size. Lots 1-4 range in size from 6,125 square feet to 6,215 square feet with an average minimum lot size of roughly 6,192 square feet. Thus, the proposed subdivision meets the average minimum lot size of 4,800 square feet for a duplex within the RM zone district.

Land Division criteria contained in Albany Development Code (ADC, or development code) 11.180 are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application.

Application Information
Review Body: Staff Decision (Type I-L review)  
Staff Report Prepared By: Tony Mills, project planner  
Property Owner / Applicant: James Thompson  
PO Box 2752, Albany, Oregon 97321  
Engineer / Representative: Reece and Associates Inc.  
321 1st Avenue NE Suite 3a, Albany, Oregon 97321  
Address/Location: 1818 Clay Street SE  
Map/Tax Lot: Linn County Assessor’s Map No. 11S-03W-08DB; Tax Lot 5600  
Total Land Area: 0.6 acres  
Existing Land Use: Single Family Residential  
Neighborhood: Periwinkle  
Overlay Zone: Airport  
Zoning: Residential Medium Density (RM)  

cd.cityofalbany.net
Surrounding Zoning: North: RM District  
East: RM District  
South: RM District  
West: RM District (Across Clay Street)

Surrounding Uses: North: Residential Single-Family  
East: Multi-Family apartment complex (Across Clay Street)  
South: Duplex  
West: Multi-Family apartment complex

Prior History: No prior land use history.

Notice Information
A Notice of Filing was mailed to property owners identified within 300 feet of the subject properties on July 30, 2020 in accordance with ADC 1.330. At the time the comment period ended on August 13, 2020, the Albany Planning Division received no comments from the public.

Analysis of Development Code Criteria
The ADC includes the following review criteria for a tentative plat (ADC 11.180) which must be met for this application to be approved. Development code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

**Tentative Plat Review Criteria**

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

**Findings of Fact**
1.1 The land use application for a tentative plat to create a four-lot, residential subdivision on 0.6 acres of land. The subject property is located west of Clay Street and south of the intersection between Queen Avenue and Clay Street as shown on Linn County Tax Assessor’s Map No. 11S-03W-08DB; Tax Lot 5600 (Attachment A).

1.2 The proposal will divide the subject property into four lots ranging in size from 6,125 square feet to 6,250 square feet with an average minimum lot size of 6,192 square feet. All proposed lots have frontage on a public street.

1.3 The subject property is zoned RM. The RM zone is intended primarily for medium-density residential urban development. The average minimum lot size for the proposed land division is 6,192 square feet with a minimum lot depth of 113 feet and a minimum lot width of 55 feet.

As noted in the applicant’s submitted narrative (Attachment C) these lots are intended to be developed with duplexes. The minimum lot size for a duplex within the RM zone is 4,800 square feet. The minimum lot depth for a property within the RM zone is 60 feet and the minimum lot width for an attached unit in the RM zone is 20 feet.

1.4 In any single-family residential land division, lots and blocks shall conform to standards listed in ADC 11.090 and other applicable provisions of the development code. Standards relevant to this proposed partition are addressed below.
a. ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all proposed lots in compliance with the requirements of the development code. As discussed under finding 1.2 and 1.3 above, the proposed parcels meet the minimum requirements of the underlying zoning. The size and dimensions of the proposed lots 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.

b. According to ADC 11.090(2), when lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. The proposed lots are less than double the minimum lot size required for the proposed duplex development (Attachment C). All proposed lots will have frontage on Clay Street.

c. ADC 11.090(3) states 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. None of the proposed parcels are double-frontage lots. This standard is not applicable.

d. ADC 11.090(4) states side yards of lots shall run at right angles to the street the property faces, except on a curved street the side property line shall be radial to the curve. All proposed lots have frontage along Clay Street with side yard lot lines that run perpendicular to the designated roadway.

e. According to ADC 11.090(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. The proposed subdivision will utilize the existing Clay Street with no proposed extensions. This section of Clay Street extends roughly 350 feet from its intersection with Queen Avenue to a dead-end cul-de-sac. No new streets are proposed or required.

f. ADC 11.090(6) states 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. All lots will have direct access to a public street, and no off-street pedestrian pathways are proposed or required with this division. Therefore, this standard is not applicable.

g. ADC 11.090 (7) and (8) regards standards for access to arterial streets and standards related to cul-de-sacs. Access to an arterial street is not proposed and the application does not involve the creation of a cul-de-sac. Therefore, these standards are not applicable.

h. ADC 11.090(9) states flag lots are discouraged and allowed only when necessary to provide adequate access to buildable sites and only where the dedication and improvement of a public street cannot be provided. No flag lots are proposed with this tentative subdivision plat. Therefore, this standard is not applicable.
i. ADC 11.090(10) requires street intersections to be constructed so there is no less than a twenty-foot radius along the curb line. This standard ensures all public improvements, including accessibility ramps, can be contained in the public right-of-way at the corresponding street corners. All lots will have access to a public street, and no new intersections are proposed. This standard is not applicable.

Conclusions
1.1 The proposal meets the standards of the underlying zoning district.
1.2 There are no foreseeable difficulties in securing building permits to build on the proposed lots.
1.3 All lots will have access to, and frontage on, a public street.
1.4 This criterion is satisfied without conditions.

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

Findings of Fact
2.1 The subject property is 0.6 acres in size. Lots 1-4 range in size from 6,125 square feet to 6,250 square feet with an average minimum lot size of roughly 6,192 square feet. The proposed subdivision will result in four vacant lots intended to be developed with duplexes (Attachment C). The minimum lot size for a duplex in the RM zone is 4,800 square feet. There is no further development potential for this property with the proposed use.

2.2 In accordance with ADC 11.090(2) an urban conversion plan is not required.

Conclusions
2.1 The property has no further development potential given the proposed use.
2.2 An urban conversion plan is not required.
2.3 This criterion is satisfied without conditions.

Criterion 3
Adjoining land can be developed or is provided access that will allow its development in accordance with this development code.

Findings of Fact
3.1 This review criterion has been interpreted by the City Council to require adjoining land either have access, or be provided access, to public streets.
3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.
3.3 The property currently has access to Clay Street and all proposed lots will have frontage along Clay Street. There will be no changes to the existing access.
3.4 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties.
a. Property to the north: The property located at 2120 Queen Avenue SE has frontage along Queen Avenue and Clay Street. The property is occupied by a single-family residence.

b. Property to the west: The property located at 2084 Queen Avenue is occupied by a senior living facility and gains access via private drive to Queen Avenue.

c. Property to the east (across Clay Street): The property located at 1885 Clay Street SE is occupied by a 48-unit multifamily development. The property has frontage along Clay Street and Queen Avenue and gains access via Clay Street.

d. Property to the south: The property (1880, 1884, 1860, and 1864 Clay Street SE) abutting to the south is occupied by two duplexes and gains access to Clay Street via private drive.

3.5 The proposed subdivision will not impact existing access for adjoining properties, nor will it impact the ability of adjoining land to develop.

Conclusions

3.1 All new lots in the proposed subdivision will have frontage and access to public streets.

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

3.3 The proposed subdivision will not impact the ability to develop adjoining land.

3.4 This criterion is met without conditions.

Criterion 4

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

4.1 The project will subdivide a vacant parcel into four lots. Each of the lots has the potential to be developed with a duplex.

4.2 The development is located on the west side of Clay Street about 115 feet south of Queen Avenue.

4.3 ADC 12.060 requires all streets adjacent and interior to new development be improved to city standards.

4.4 Clay Street is classified as a local street and is not fully improved to city standards. The road lacks curb, gutter, and sidewalk on the west side. Pavement width is approximately 24 feet, and on street parking is restricted along both sides of the roadway. The design of the existing improvements assumed an eventual curb to curb width of 28 feet.

4.5 Based upon ITE trip generation rates, each unit within a duplex generates 9.44 vehicle trips per day and 0.99 trips during the peak PM traffic hour. The development has the potential to result in construction of four duplexes. Construction of four duplexes would add about 76 new vehicle trips per day to the public street system. About eight of those trips would occur during the peak PM traffic hour.

4.6 The development will not generate enough trips to require submittal of a trip generation analysis or Traffic Impact Analysis (TIA). The threshold for requiring submittal of a trip generation analysis is 50 peak hour trips. The threshold for submittal of a TIA is 100 peak hour trips.

4.7 The street plan submitted by the applicant proposes construction of curb, gutter, and sidewalk along
the west side of Clay Street from Queen Avenue to the south boundary of the development. The curb and gutter would be placed for a 28-foot curb to curb width. Right-of-way dedication of 7.5 feet 5.5 feet would be needed in order to accommodate the installation of public sidewalk to city standards.

4.8 Albany’s Transportation System Plan (TSP) does not identify any capacity or safety issues occurring along the street frontages of this development.

Conclusions

4.1 The proposed development will generate about 76 vehicle trips per day. About eight of those trips will occur during the PM peak traffic hour.

4.2 The development is not projected to generate enough trips to require submittal of a TIA.

4.3 The development has proposed improvements to Clay Street in accordance with the development standards contained in ADC 12.060.

4.4 Albany’s TSP does not identify any capacity or safety issues occurring along the frontage of this site.

Conditions

Condition 1 Prior to recordation of the final plat map the applicant shall construct, or financially assure the construction of, public street improvements to Clay Avenue as shown on the applicant’s development proposal. Improvements shall include:

- Dedication of 7.5 feet 5.5 feet of right-of-way along the site’s frontage on Clay Street.
- Construction of curb and gutter along the west side of Clay Street from Queen Avenue to the site’s south boundary.
- Construction of asphalt pavement to city standards between the new curb and gutter and existing pavement on Clay Street.
- Construction of public sidewalk to city standards along the site’s frontage on Clay Street.

Condition 2 The applicant shall install “No Parking” signs along the west side of Clay Street. The number and placement of the signs shall be approved by the City Engineer.

Criterion 5
The location and design allow development to be conveniently served by various public utilities.

Findings of Fact

Sanitary Sewer

5.1 City utility maps show a 48-inch public sanitary sewer main in Clay Street and an 8-inch main along the (rear) west property boundary. The previous structure on the site was never connected to the public sewer system but was served by a private septic system.

5.2 ORS 92.090 states no subdivision plat shall be approved unless sanitary sewer service from an approved sewage disposal system is available to the lot line of each lot depicted in the proposed subdivision plat.
5.3 The Albany Municipal Code (AMC) 10.01.010 (1) states the objective of the AMC requirements pertaining to public sanitary sewers is to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system.

5.4 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.

5.5 No sewer service laterals exist to the subject property. The applicant must install sewer service laterals for each of the proposed lots in the subdivision before the City will approve the final plat. The required service laterals must be tapped from the 8-inch main along the subject property’s west boundary.

5.6 A Connection Charge shall be due and payable when accessing the City’s sanitary sewers 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 sanitary sewer has not been paid by the property owner or predecessor thereof (AMC 15.30.010).

Water

5.7 City utility maps show an 8-inch public water main in Clay Street. The previous structure on the site has never been connected to the public water system but was served by a private well.

5.8 ORS 92.090 states no subdivision plat shall be approved unless water service from an approved water supply system is available to the lot line of each lot depicted in the proposed subdivision plat.

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

5.10 No water services exist to the subject property. The applicant must have water services installed to each of the proposed lots in the subdivision before the City will approve the final plat. City personnel install water services two inches and smaller. Water service installation permits must be obtained before any of the water services will be installed.

5.11 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).

Storm Drainage

5.12 City utility maps show a 24-inch public storm drainage main in Clay Street. Clay Street is not improved with curb and gutter on the west side of the street.

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

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

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

5.16 Surface water drainage patterns and proposed storm drainage must be shown on every development proposal plan. Before beginning work, the applicant must submit to the Public Works Engineering Division, a storm drainage plan for the site that shows the proposed slope of the lot and how storm drainage will be collected and routed to a public storm drain system. If storm drainpipes are planned, indicate the size and slope of each pipe. The City does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the driveway must be at the property line so that all on-site drainage is collected within the applicant's property. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer (ADC 12.530).

5.17 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. (ADC 12.45.030; Ord. 5841 § 3, 2014).

5.18 Because Clay Street is not improved to city standards along the property’s frontage, street improvements must be constructed. In order to make the storm drainage system work, the applicant is proposing to construct the street and storm drainage improvements on the west side of Clay Street all the way to the existing curb and gutter adjacent to Queen Avenue.

5.19 Because the property is smaller than one acre, no stormwater quality facilities will be required for this project.

Conclusions

5.1 City utilities (sanitary sewer, water, and storm drainage) are available to the subject property. The existing building on the site has never been connected to the public sewer or water systems.

5.2 The applicant is proposing to construct the street and storm drainage improvements on the west side of Clay Street all the way to the existing curb and gutter adjacent to Queen Avenue.

5.3 Connection charges will be due for the existing sanitary sewer along the west lot line and water facilities in Clay Street along the subject property’s frontage.

5.4 Sanitary sewer service laterals must be constructed to each of the proposed lots. Sewer lateral installations are the responsibility of the developer.

5.5 Water services must be installed to each of the proposed lots. City personnel install water services two inches and smaller. Water service installation permits must be obtained before any of the water services will be installed.
5.6 Because the subject property is smaller than one acre, no stormwater quality facilities will be required for this project.

Conditions

Condition 3
Before the City will approve the final subdivision plat, the applicant must pay all necessary connection charges for existing public utilities serving the site.

Condition 4
Before the City will approve the final subdivision plat, the applicant must install sanitary sewer service laterals to each of the proposed lots. An encroachment permit must be obtained by the developer before beginning this work.

Condition 5
Before the City will approve the final subdivision plat, the applicant must have water services installed to each of the proposed lots. City personnel install water services two inches and smaller. The applicant must obtain a water service installation permit for each of the required services.

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

Findings of Fact

6.1 Article 4: Airport Approach district. According to Figure 4-1 of the development code, the subject property is located within the Conical Area within the Airport Approach Overlay zone.

6.2 ADC 4.420 Height Restrictions. No structure, mast, antenna, or wire shall be erected, altered, or maintained, and no tree shall be allowed to grow to a height in excess of the height limit established.

6.3 The Conical Area is described as an area that slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

6.4 According to City of Albany contour data, both the airport and the subject property are situated at an elevation of 220 feet. The subject property is within the Medium Density Residential zoning district which has a maximum allowed building height of 45 feet.

6.5 Article 6: Steep Slopes. Comprehensive Plan Plate 7: does not show any steep slopes in the area of the proposed land division.

6.6 Article 6: Floodplains. Comprehensive Plan Plate 5: The applicable Flood Insurance Rate Map (FIRM) for the subject site is map no. 41043C0527G, dated September 29, 2010. Based on this FIRM, the subject property is located out of the Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain.


6.8 Article 7: Historic Districts. Comprehensive Plan Plate 9: The subject site is not located in a historic district. There are no known archaeological sites on the property.
Conclusions

6.1 Any development in this proposed subdivision will not penetrate the 150-foot elevation of the conical zone.

6.2 There are no other special features of this site to be considered.

6.3 This proposal meets the criterion without conditions.

Overall Conclusion – Conditions of Approval

As proposed and conditioned, the application for tentative plat for a four-lot residential subdivision satisfies all applicable review criteria as outlined in this report.

Condition of Approval

TRANSPORTATION

Condition 1 Prior to recordation of the final plat map the applicant shall construct, or financially assure the construction of, public street improvements to Clay Avenue as shown on the applicant’s development proposal. Improvements shall include:

- Dedication of 7.5 feet of right-of-way along the site’s frontage on Clay Street.
- Construction of curb and gutter along the west side of Clay Street from Queen Avenue to the site’s south boundary.
- Construction of asphalt pavement to city standards between the new curb and gutter and existing pavement on Clay Street.
- Construction of public sidewalk to city standards along the site’s frontage on Clay Street.

Condition 2 The applicant shall install “No Parking” signs along the west side of Clay Street. The number and placement of the signs shall be approved by the City Engineer.

PUBLIC UTILITIES

Condition 3 Before the City will approve the final subdivision plat, the applicant must pay all necessary connection charges for existing public utilities serving the site.

Condition 4 Before the City will approve the final subdivision plat, the applicant must install sanitary sewer service laterals to each of the proposed lots. An encroachment permit must be obtained by the developer before beginning this work.

Condition 5 Before the City will approve the final subdivision plat, the applicant must have water services installed to each of the proposed lots. City personnel install water services two inches and smaller. The applicant must obtain a water service installation permit for each of the required services.
Attachments

A. Location Map
B. Tentative Plat
   1. Tentative Plat
   2. Existing Conditions (Site)
   3. Existing Conditions (Street)
   4. Tentative Street Improvements
   5. Curb and Gutter Extension
C. Applicant Narrative

Acronyms

ADC  Albany Development Code
FIRM  Flood Insurance Rate Map
RM   Residential Medium Density District
RMA  Residential Medium Density Attached District
SFHA  Special Flood Hazard Area
TIA  Traffic Impact Analysis
TSP  Transportation System Plan
FOUR-LOT SUBDIVISION TENTATIVE PLAT
ALBANY, OREGON

OWNER/DEVELOPER:
JIM THOMPSON
P.O. BOX 2752
ALBANY, OR 97321

CIVIL ENGINEERING:
REECE & ASSOCIATES, INC.
321 FIRST AVENUE EAST, SUITE 3A
ALBANY, OR 97321

LOCATION:
LINE LOCATION: 11S03W08DB, LOT 5600
PROPERTY ADDRESS:
6-02-01 08-00-00 5600

ZONING:
SUBJECT PROPERTY IS ZONED RM - RESIDENTIAL MEDIUM DENSITY

SITE DATA:
ALL EXISTING TOPOGRAPHIC, UTILITY AND SITE DATA
RECEIVED WERE FROM THE SITE SURVEY & LOCATES
PERFORMED BY COLE SURVEYING, LLC.

WATER SYSTEM:
WATER DISTRIBUTION IS BY THE CITY OF ALBANY

SANITARY SEWER:
SANITARY SEWER IS BY THE CITY OF ALBANY

FLOODPLAIN NOTE:
THE PROPERTY LOCATED WITHIN ZONE "X", OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAINS AS DESIGNATED
ON THE FLOOD INSURANCE RATE MAP (FIRMA) NUMBER
41043C0527G LAST REVISED SEPTEMBER 29TH, 2010

PLAN PURPOSE NOTE:
THE PROJECT DESCRIPTIONS SHOWN HEREIN ARE
APPROXIMATE AND ARE FOR CONCEPTUAL PURPOSES
ONLY. A FINAL FORMAL BOUNDARY REPLAT AND
LEGAL DESCRIPTION SHALL BE PERFORMED BY A
LICENSED PROFESSIONAL LAND SURVEYOR.

TENTATIVE PLAT PLAN
SCALE: 1" = 20'

PROPERTY SIZE

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NOTE: REVISIONS 10-7-2020

PRELIMINARY - NOT FOR CONSTRUCTION
REMOVE AND REPLACE EXISTING STORM INLET WITH CURB INLET - REFER TO STND. DRAWING NO. 412

ENGINEERING SERVICES

PROJECT NO. TH0201

SCALE 1" = 10' GRAPHIC SCALE

1 INCH = 100 FEET

AS INDICATED

PRELIMINARY - NOT FOR CONSTRUCTION

PRELIMINARY - NOT FOR CONSTRUCTION

.attachment b
REMOVE AND REPLACE EXISTING STORM INLET WITH CURB INLET - REFER TO STND. DRAWING NO. 412 (TO BE REMOVED)
Clay Street Subdivision

Tentative Subdivision Plat Application

Prepared for:
Jim Thompson

Submitted to:

Prepared by:

Reece & Associates, inc.
321 first avenue east, suite 3a
albany, oregon 97321
541/926-2428
www.r-aengineering.com

April 30, 2020
Project Summary

Request: This tentative subdivision application is for a four-lot subdivision intended for duplex development.

Location: 1818 Clay Street SE
Albany, Oregon 97321
Linn County Tax Lot 5600, Map 11s03w08DB

Applicant/Owner: Jim Thompson
P.O. Box 2752
Albany, Oregon 97321
541-979-1956
Leethompson_assoc@comcast.net

Engineer/Planner: **Reece & associates, Inc.**
321 1st Avenue Suite 3A
Albany OR 97321
541-926-2428
Engineer: David J. Reece, PE
dave@r-aengineering.com
Planner: Hayden Wooton
haydenw@r-aengineering.com

Exhibits:
A – Linn County Tax Map 11s03w08DB
B – Aerial Photograph
C – City of Albany Zoning Map
D – Albany Development Code Figure 4-1
E – Comprehensive Plan Plate 7
F – FIRM Panel No. 41043C0527G
G – National Wetlands Inventory
H – Comprehensive Plan Plate 9

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Applicable criteria of the Albany Development Code will appear in *italics* followed by the applicants’ responses in regular font.
I. Project Description

The subject property can be identified by its address, 1818 Clay Street SE, or as Linn County Tax Assessor’s Map 11s03w08DB, Lot 5600. The proposed subdivision will create four lots, and these lots are intended for the development of duplexes. Lots One, Two, and Three will encompass an area of approximately 6,600 square feet. Whereas Lot Four will be slightly smaller, containing an area of approximately 6,504 square feet. The subject property has a zoning designation of Residential Medium Density (RM). Presently, the subject property is an open grassy field with a cluster of trees lining the western boundary.

The proposed development conforms to all applicable sections of the Albany Development Code (ADC). This application narrative provides findings of fact that demonstrate conformance with all applicable sections of the ADC.

Adjacent zones and land uses (Exhibit B for aerial photograph and Exhibit C for City of Albany zoning map):

North: Single-family home zoned Residential Medium Density (RM) by the City of Albany.

South: Duplex development zoned Residential Medium Density (RM) by the City of Albany.

East: Apartment complex zoned Residential Medium Density (RM) by the City of Albany.

West: Apartment complex zoned Residential Medium Density Attached (RMA) by the City of Albany.

II. Tentative Plat Review Criteria

Approval of a tentative subdivision is based upon compliance with the applicable decision criteria outlined in ADC Section 11.180, Tentative Plat Review Criteria. The applicant has provided findings of fact for these criteria below:

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

The proposed subdivision’s ability to comply with the standards of its underlying zoning district are addressed in “Section V – ADC Compliance Article 3 Residential Zoning Districts,” and its ability to comply with the applicable lot and block standards are addressed in “Section IV – ADC Compliance Lot and Block Standards.” Findings and conclusions from the above-mentioned sections are incorporated herein by reference. The proposed subdivision complies with this criterion.

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

All property included in this subdivision is under the same ownership, and there is no remainder of land to consider with this application. The proposed subdivision complies with this criterion.
(3) **Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.**

All adjoining parcels have already experienced development and have direct access by frontage along public roads. The proposed subdivision complies with this criterion.

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

The subject property has frontage on and access to Clay Street. Each lot in the proposed subdivision will continue to have frontage on and access to Clay Street. Albany’s Transportation System Plan does not identify any capacity problems near the proposed subdivision. Sidewalk and driveway improvements will be constructed to bring Clay Street in conformance with local street standards. The proposed subdivision complies with this criterion.

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

**Water:** The proposed subdivision will connect to an eight-inch waterline located in Clay Street.

**Sanitary Sewer:** A forty-eight-inch sanitary sewer line is located in Clay Street. However, the proposed subdivision will connect to an eight-inch line located along the western property boundary.

**Stormwater:** There is a twenty-four-inch storm drain located in Clay Street and a roadside ditch along the northern portion of the subject property. Stormwater will be routed into the existing system.

The proposed subdivision complies with this criterion.

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

The proposed development is not located within any special purpose districts identified by the City of Albany. (Exhibit D for Figure 4-1 of the ADC, Exhibit E for Comprehensive Plan Plat 7, Exhibit F for FIRM Panel No.41043C0527G, Exhibit G for National Wetlands Inventory, and Exhibit H for Comprehensive Plan Plat 9.) This criterion does not apply.
III. ADC Compliance – Lot and Block Standards

Tentative Plat Review Criteria 11.180(1) requires a proposed subdivision or partition plat comply with the applicable Lot and Block Standards located in ADC Article 11 – Land Divisions and Planned Development. The applicant has provided findings of fact for these standards below:

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.

   The subject property is not located within a “Hillside – Steep Slopes” designated area (Exhibit E) and does not contain wetlands (Exhibit G). Therefore, topography or any other condition will not hinder development of the proposed lots. The proposed subdivision complies with this standard.

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.

   The proposed subdivision’s ability to comply with the lot dimension standards are addressed in “Section V – ADC Compliance Article 3 Residential Zoning Districts.” Findings and conclusions from the above-mentioned sections are incorporated herein by reference. The proposed subdivision complies with this standard.

   The minimum duplex lot size in the RM zone is 4,800 square feet. A lot containing double the minimum lot size would be 9,600 square feet. Each lot in the proposed subdivision has an area smaller than 9,600 square feet. This portion of the standard does not apply.

3. Double frontage lots shall be avoided except when necessary to provide separation of residential development 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 onto traffic on arterials. An access control strip shall be placed along all abutting streets requiring access onto the lesser class street where possible.

   There are no double-frontage lots proposed in this subdivision application. This standard does not apply.

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.

   Each of the proposed lots have frontage along Clay Street, and their side yards run at right angles to the street. The subject property’s frontage along Clay Street is not curved. The proposed subdivision complies with this standard.
(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 (Figure 11-1). Physical conditions may include existing development, steep slopes, wetlands, creeks, and mature tree groves.

The proposed subdivision will not construct a new street or block. This standard does not apply.

(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.**

All lots in the proposed subdivision have direct access to a public street. No off-street pedestrian pathways are proposed in this application. This standard does not apply.

(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.

The proposed subdivision does not create or connect to an arterial street. This standard does not apply.

(8) **The minimum frontage of a lot on a cul-de-sac shall be 22 feet as measured perpendicular to the radius.**

The proposed subdivision does not include construction of a cul-de-sac. No proposed lot has frontage on an existing cul-de-sac. This standard does not apply.

(9) **Flag lots are allowed only when absolutely necessary to provide adequate access to buildable sites and only where the dedication and improvement of a public street is determined by the City Engineer to be not feasible or not practical.** The minimum width for a flag is 22 feet, except when 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.

The proposed subdivision does not create flag lots. This standard does not apply.

(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.**

The proposed subdivision does not include construction of a street intersection. This standard does not apply.
IV. ADC Compliance – Article 3 Residential Zoning Districts

Tentative Plat Review Criteria 11.180(1) requires a proposed subdivision or partition plat comply with the applicable standards located in Albany Development Code Article 3 – Residential Zoning Districts.

*Schedule of Permitted Uses*¹

As per the “Schedule of Permitted Uses,” duplex homes are listed as “allowed without land use review procedures but must meet development standards.” The proposed subdivision complies with this standard. Although, this standard will again be reviewed and enforced at the time of a building permit application.

*Development Standards*²

The subject property is zoned Residential Medium Density (RM). The minimum lot size for a duplex in the RM zone is 4,800 square feet, the minimum lot width is 30 feet, and the minimum lot depth is 60 feet.

The proposed subdivision will create four lots. Three of the four lots will have a lot size of 6,600 square feet, a width of 55 feet, and a depth of 120 feet. One lot will have a lot size of 6,504 square feet, a width of 54 feet, and a depth of 120 feet. Setbacks and lot coverage standards will be reviewed at the time of a building permit application. The proposed subdivision complies with these standards.

*Minimum Space Requirements*³

The ability of the proposed development to satisfy the applicable off-street parking space requirements is covered in the section of this application narrative titled, “On-Site Development and Environmental Standards – Section V.”

*Landscaping*⁴

The ability of the proposed development to satisfy the applicable landscaping requirements is covered in the section of this application narrative title, “On-Site Development and Environmental Standards – Section V.”

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¹ ADC 3.050  
² ADC 3.190  
³ ADC 3.350  
⁴ ADC 3.360
V. ADC Compliance – Article 9 On-Site Development and Environmental Standards

Albany Development Code Standards 3.350 Minimum Space Requirements and 3.360 Landscaping both refer to standards located Article 9 – On-Site Development Environmental Standards.

*Space Requirements*\(^5\)

Off-Street parking stall requirements are provided in Table 9-1 of the Albany Development Code. As Per Table 9-1 “Parking Requirements,” four parking spaces are required per duplex unit. Adequate driveway spaces will be provided for each of the eventual duplexes. The proposed development satisfies the space requirement standard. Although, this standard will be again be reviewed and enforced at the time of a building permit application.

*Landscaping General Requirements*\(^6\)

The proposed development will provide one six-foot-tall tree and four one-gallon shrubs every 50 lineal feet of street frontage. The remainder of all landscaped area will be covered with ground cover. This standard will be enforced during review of an occupancy permit or building permit application.

VI. Conclusion

This application narrative and accompanying plan set demonstrate that all applicable provisions of the City of Albany Development Code are satisfied. We therefore respectfully request approval of this Tentative Subdivision Plat application.

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\(^5\) ADC 9.020, Table 9-1  
\(^6\) ADC 9.140(1)
Figure 4-1: Albany Airport Approach District
PLATE 7: Hillsides - Steep Slopes
ORD 5673 (June 27, 2007)
March 25, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands-related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper.