Staff Report

Site Plan Review

SP-06-20

December 4, 2020

Summary

The application is for Site Plan Review to construct an outdoor storage area for commercial construction equipment and vehicles. The proposal consists of an outside storage area, a driveway and small parking area, and stormwater facilities. The site is unaddressed and identified as Linn County Assessor’s Map No. 11S-03W-07CC; Tax Lot 5600 (Attachment A). The property is zoned Light Industrial (LI), which permits contractor and industrial services with site plan review approval.

Site Plan Review criteria found in section 2.450 of the Albany Development Code (ADC) are addressed in this report. These criteria must be satisfied to grant approval for this application.

Application Information

Proposal: Site plan review to construct an outdoor storage area for commercial construction equipment and vehicles.

Review Body: Staff (Type I-L review)

Staff Report Prepared By: Travis North, project planner

Property Owner/Applicant: Albany Yards LLC; 19100 SW 51st Avenue, Tualatin, OR 97062

Engineer/Representative: Grant Beem; K&D Engineering; 275 NW Hickory Street, Albany, OR 97321

Address/Location: Unaddressed parcel north of 1951 Ferry Street SW Albany, OR 97321

Map/Tax Lot: Linn County Assessor’s Map No. 11S-03W-07CC; Tax Lot 5600

Zoning: Light Industrial (LI) zoning district

Comp. Plan Designation: Light Industrial (LI)

Total Land Area: 0.83 acres

Existing Land Use: Vacant

Neighborhood: Sunrise

Surrounding Zoning: North: Light Industrial (LI)
East: LI
South: LI
West: Residential Medium (RM)
Surrounding Uses:  
North: Unidentified commercial/industrial use  
East: Manufacturing and Production (Pacific Cast Technologies)  
South: Manufacturing and Production (Multi-tenant Building)  
West: Multi-family Housing  

Prior History: The property is not subject to a prior land use review.

Staff Decision  
The applications for Site Plan Review referenced above is **Approved with Conditions** as described in this staff report.

Notice Information  
A Notice of Filing for the Site Plan Review application was mailed on November 19, 2020. At the time the comment period ended on December 3, 2020, the Planning Division had received no written comments.

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

Site Plan Review Criteria (ADC 2.450)  

Criterion 1  
**Public utilities can accommodate the proposed development.**

Findings of Fact  

**Sanitary Sewer**  
1.1 City utility maps show an 8-inch public sanitary sewer main in Ferry Street.  
1.2 The applicant is proposing no buildings at this time and will not be connecting to the public sewer system.

**Water**  
1.3 City utility maps show a 12-inch public water main in Ferry Street.  
1.4 The applicant is proposing no buildings at this time and will not be connecting to the public water system.

**Storm Drainage**  
1.5 City utility maps show no piped public storm drainage facilities in Ferry Street adjacent to the subject property. The nearest public storm drainage facility is an inlet at the intersection of Queen and Ferry approximately 400 feet north of the site.  
1.6 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. 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.
1.7 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.

Conclusions

1.1 The proposed development will not include any structures so no connections to public sanitary sewer or water will be made.

1.2 This criterion is met without conditions.

Criterion 2
The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code (AMC).

Findings of Fact

2.1 AMC 12.45.030 and 12.45.040 require 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, where more than 8,100-square-feet of impervious surfaces will be created or replaced. (Ord. 5841 § 3, 2014).

2.2 The applicant is proposing to detain stormwater by routing runoff through a stormwater detention facility. Stormwater runoff from all new and replacement impervious surfaces must be routed through the proposed detention facility. The preliminary plan shows runoff from the edges of the site being collected in ditches along the north and south property boundaries but does not indicate the runoff collected in these ditches are routed through the detention facility. If these ditches collect any runoff from new and/or replacement impervious surfaces the runoff must go through the detention facility. The final design of the storm drainage system for this project must be approved as part of the required Erosion Prevention/Sediment Control (EPSC) permit.

Conclusions

2.1 Because the site is smaller than one acre, stormwater quality facilities are not required for this project.

2.2 Stormwater detention is required for this project.

2.3 The applicant is proposing a stormwater detention facility for this project. The final design details for this facility will be reviewed as part of the required EPSC permit.

2.4 This criterion is met with the following condition.

Condition

Condition 1 Before the City will issue an encroachment permit for the new driveway approach, the applicant must obtain an EPSC permit and construct a stormwater detention facility that meets the City’s Engineering Standards for such facilities.

Criterion 3
The transportation system can safely and adequately accommodate the proposed development.

Findings of Fact

3.1 The subject site is located on the east side of Ferry Street, approximately 400 feet south of the intersection of Queen Avenue and Ferry Street. The proposal is to construct an outdoor storage area for commercial construction equipment.

3.2 Access to the site is via a proposed driveway connection to Ferry Street. The proposed driveway is 32 feet wide at the point of the public right-of-way.
3.3 Ferry Street is classified as a major collector and, with the exception of sidewalk, is constructed to city standards. Improvements include a vehicle travel lane in each direction and a bike lane and parking aisle on each side. Curb, gutter, and sidewalk are on both sides of the street; however, the sidewalk does not extend along the frontage of the property.

3.4 ADC 12.290 requires new development install public sidewalks along adjoining street frontages.

3.5 The applicant was not required to submit a traffic study with the Site Plan Review application. The City’s Traffic Impact Study Guidelines require a traffic study only when a proposed development is expected to generate at least 50 vehicle trips during the peak hour or if there are specific capacity or safety issues that need to be addressed.

3.6 Staff uses Institute of Transportation Engineers (ITE) trip generation rates to estimate the volume of traffic that will be generated by development. Based on the ITE trip generation rates for General Light Industrial uses, the site was estimated to generate approximately six weekday PM peak hour trips.

3.7 Albany’s Transportation System Plan (TSP) does not identify any congestion or level-of-service problems on streets adjacent to this property.

Conclusions

3.1 With the exception of sidewalk, the public street system adjacent to the site is improved to City standards.

3.2 In order to comply with ADC 12.290, the development will need to install public sidewalk along the site’s frontage on Ferry Street.

3.3 The development is estimated to generate six PM peak hour vehicle trips.

3.4 Albany’s Transportation System Plan does not identify any level of service or congestion problems occurring adjacent to the site.

3.5 The transportation system can safely and adequately accommodate the development.

Conditions

Condition 2 Sidewalk. Prior to finalizing the encroachment permit or use of the property, the applicant shall install public sidewalk to City standards along the Ferry Street frontage of the property.

Criterion 4 Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.

Findings of Fact

4.1 ADC 12.100 (1) requires driveway approaches to City streets be paved. Likewise, ADC 9.120(3) requires parking areas to have a durable, dust-free surface. The property will be accessed via a proposed driveway approach to Ferry Street. The applicant’s site plan (Attachment B.1) indicates the approach and parking area will be paved.

4.2 ADC 12.100 (2) specifies driveway widths for commercial uses shall be between 24 - 32 feet for the portion of driveway located in the public right-of-way. The proposed driveway is 32 feet at the point of the public right-of-way. This standard is met.

4.3 ADC 12.100 (3) requires all driveways be located not less than 40 feet from the intersection of an arterial street, 20 feet from the intersection of a collector street, or 10 feet from the intersection of a local street. The proposed location of the driveway is greater than 40 feet from the intersection of Ferry Street and Queen Avenue, which is classified as an arterial street. This standard is met.

4.4 The applicant proposes two parking spaces. According to Table 9-1, ADC 9.020 the minimum parking requirement for “Contractors and Industrial Services” is one parking space per 1.25 employees, plus an additional parking space for each company vehicle. The applicant did not provide information
related to the number of employees or company vehicles. Therefore, staff are unable to determine whether the minimum parking standard has been met. The two parking stalls that are proposed meet the sizing requirements found in ADC 9.130, Table 9-2.

4.5 ADC 9.120(5) requires perimeter curbing around all parking areas. The applicant’s site plan does not indicate that perimeter curbing has been provided.

4.6 ADC 9.120(9) requires parking lots connect to adjacent existing or future parking areas unless a connection is deemed impractical or inappropriate due to the nature of the adjoining uses. The site adjoins industrially zoned property to the north and south. The nature of the accompanying industrial uses does not necessitate a parking lot connection.

4.7 ADC 9.120(13)(c) requires industrial developments to provide at least one bicycle parking space for every ten required automobile parking spaces. Because only two parking spaces are provided, a bicycle parking space is not required at this time.

Conclusions
4.1 The proposed driveway meets the maximum width requirement of 32 feet and the paving requirement of ADC 12.000(1).
4.2 Information regarding the number of employees and company vehicles was not provided.
4.3 The site plan does not demonstrate compliance with parking lot standard ADC 9.120(5).
4.4 Bicycle parking spaces are not required unless additional parking is provided.

Conditions
Condition 3 Parking Spaces. Prior to issuance of the encroachment permit, the applicant shall demonstrate that the minimum number of parking spaces has been provided by quantifying the number of employees and company vehicles that will utilize the site.

Condition 4 Parking Lot Standards. Prior to issuance of the encroachment permit, the applicant shall submit an updated site plan and curb detail sheet that demonstrates compliance with ADC 9.120(5).

Criterion 5
The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.

Findings of Fact
5.1 Site Plan Review. Site Plan Review is intended to promote functional, safe, and attractive developments that maximize compatibility with surrounding developments and uses and with the natural environment. Site Plan Review is not intended to evaluate the proposed use or structural design of the proposal. Rather, the review focuses on the layout of a proposed development, including building placement, setbacks, parking areas, external storage areas, open areas, and landscaping. Where conflicts are identified, mitigation can be required through conditions of approval.

5.2 Design and Operating Characteristics. The applicant’s findings (Attachment B.2) indicate the property will be used for outdoor storage of construction equipment and materials associated with a directional boring company. Per ADC 22.030, this use is classified as “contractor and industrial services” and is permitted in the Light Industrial (LI) zone with site plan review (ADC 4.050, Table 4-2).

5.3 Surrounding Development & Land Use. The subject property abuts industrially zoned property to the north, south, and east that is utilized for various industrial uses. To the west, across Ferry Street, is residentially zoned land with multi-family units. Approximately 115 south on the east side of Ferry Street is another cluster of multi-family units. Owing to the mix of industrial and residential, Ferry Street receives both heavy and light vehicle traffic at this location.
5.4 **Building and Parking Lot Setbacks.** Per ADC 4.090, Table 1, the minimum front setback in the LI zoning district is 15 feet. There is no interior setback in the LI zoning district when the property abuts a non-residential use. A building is not proposed, and the parking lot is located approximately 70 feet from the front property line. This standard is met.

5.5 **Lot Coverage.** Per ADC 4.090, Table 4-2, properties in the LI zoning district are not subject to a lot coverage standard.

5.6 **Landscaping.** ADC 9.140(2) says all required front and interior setback yards, exclusive of access ways and other permitted intrusions, must be landscaped before an occupancy permit will be issued. The applicant did not provide a conceptual landscaping plan. A condition of approval will require the applicant to submit a final landscaping and irrigation plan for review.

5.7 **Parking Lot Landscaping.** (ADC 9.150). ADC 9.150(1) states parking areas shall be divided into bays of not more than 12 parking stalls and the end of each parking bay shall be a curbed planter at least five feet wide. ADC 9.150(2) requires both sides of a parking lot entrance shall be bordered by a minimum five-foot-wide landscape planter strip. The applicant’s site plan does not show a curbed planter at the end of the parking bay or a landscape planter strip on each side of the entrance.

5.8 **Irrigation of Required Landscaping.** (ADC 9.160). All required landscape areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman submits written verification that the proposed plants do not require irrigation. An irrigation plan was not provided. A condition of approval will require the applicant submit a landscaping and irrigation plan for review.

5.9 **Signs.** If any new signage is proposed, it will be reviewed separately from this Site Plan Review application. Planning will review applications for sign permits when they are submitted to the Building Division. See ADC 13.421-13.425 for regulations regarding sign size and number allowances in the LI zoning district.

5.10 **Environmental Standards.** ADC 9.440 - 9.500 include environmental standards related to noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. No adverse environmental impacts are expected from this development. If the proposed use results in adverse impacts related to these environmental standards, such violations will be dealt with through code enforcement.

5.11 **Lighting and Glare.** ADC 9.480 regards lighting and glare. Lighting is not proposed as part of this application. If lighting is provided in the future, it shall comply with ADC 9.480.

5.12 **Outside Storage.** ADC 4.290(4) states outside storage is allowed in the LI zone in front and interior yards outside of the required setback. Furthermore, ADC 4.290(5)(a) and (b) state “materials and equipment stored [outside]…may be no more than 14 feet tall” and “outside storage over six feet tall must be screened in accordance with ADC 9.250.” The applicant did not provide information related to the height of the equipment that will be stored outside.

**Conclusions**

5.1 The proposed use is classified as contractor and industrial services and is allowed through Site Plan Review approval in the LI district.

5.2 A landscaping and irrigation plan were not provided.

5.3 The applicant did not provide information related to the height of the equipment that will be stored outside.

5.4 The proposed use is compatible with the operating characteristics of the neighborhood.

5.5 Based on the observations above, the proposed development will be compatible with the operating characteristics of the neighborhood and anticipated use when the following conditions are met.
Conditions

Condition 5  **Landscape and Irrigation Plan.** Prior to issuance of an encroachment permit, the applicant shall submit a final landscape and irrigation plan to the Community Development Department for review and approval. The landscape and irrigation plans shall be consistent with the standards under ADC 9.140(2), 9.150, and 9.160. The landscape plan shall include a planting schedule that indicates the plant species, size, and quantity of each plant. All landscaping shall be installed prior to finalizing the encroachment permit or use of the property.

Condition 6  **Outside Storage.** Prior to issuance of an encroachment permit, the applicant shall submit information that demonstrates the outside storage requirements of ADC 4.290 have been met. If the material being stored outside exceeds six feet in height, the applicant shall also submit information that demonstrates the screening standards of ADC 9.250 have been met.

Condition 7  **Improvements.** 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. All improvements shall be installed and/or operational prior to use of the property.

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.** According to figure 4-1 of the ADC, the subject property is not located within the Airport Approach District.

6.2  **Article 6: Steep Slopes.** Comprehensive Plan, Plate 7: Slopes, does not show any steep slopes on this portion of property.

6.3  **Article 6: Floodplains.** Comprehensive Plan Plate 5: Floodplain, does not show a 100-year floodplain on the property. FEMA/FIRM Community Panel Number 41043C0526G, dated September 29, 2010, shows the property is in Zone X, an area determined to be outside the 0.2 percent annual chance floodplain.

6.4  **Article 6: Wetlands.** Comprehensive Plan, Plate 6: Wetland Sites, does not show wetlands on the property. The National Wetlands Inventory mapper also does not show wetlands on the property.

6.5  **Archaeological and Historic Sites.** Comprehensive Plan, Plate 9: Historic Districts, shows the property is not located in any historic districts. There are no known archaeological sites on the property.

Conclusions

6.1  The site is not located in a special purpose district.

6.2  This criterion is not applicable.

Criterion 7
The site is in compliance with prior land use approvals.

Findings of Fact and Conclusions

7.1  There are no known outstanding conditions of approval from previous land use approvals.

7.2  This criterion is not applicable.

Criterion 8
Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370.
Findings of Fact and Conclusions
8.1 The site is not considered nonconforming.
8.2 This review criterion is not applicable.

Conditions of Approval
Condition 1: **EPSC Permit.** Before the City will issue an encroachment permit for the new driveway approach, the applicant must obtain a EPSC permit and construct a stormwater detention facility that meets the City’s Engineering Standards for such facilities.

Condition 2: **Sidewalk.** Prior to finalizing the encroachment permit or use of the property, the applicant shall install public sidewalk to City standards along the Ferry Street frontage of the property.

Condition 3: **Parking Spaces.** Prior to issuance of the encroachment permit, the applicant shall demonstrate the minimum number of parking spaces has been provided by quantifying the number of employees and company vehicles that will utilize the site.

Condition 4: **Parking Lot Standards.** Prior to issuance of the encroachment permit, the applicant shall submit an updated site plan and curb detail sheet that demonstrates compliance with ADC 9.120(5).

Condition 5: **Landscape and Irrigation Plan.** Prior to issuance of an encroachment permit, the applicant shall submit a final landscape and irrigation plan to the Community Development Department for review and approval. The landscape and irrigation plans shall be consistent with the standards under ADC 9.140(2), 9.150, and 9.160. The landscape plan shall include a planting schedule that indicates the plant species, size, and quantity of each plant. All landscaping shall be installed prior to finalizing the encroachment permit or use of the property.

Condition 6: **Outside Storage.** Prior to issuance of an encroachment permit, the applicant shall submit information that demonstrates the outside storage requirements of ADC 4.290 have been met. If the material being stored outside exceeds six feet in height, the applicant shall also submit information that demonstrates the screening standards of ADC 9.250 have been met.

Condition 7: **Improvements.** 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. All improvements shall be installed and/or operational prior to use of the property.

Attachments
A. Location Map
B. Applicant’s Plan Set
   1. Site Plan
   2. Written Findings

Acronyms
ADC Albany Development Code
FEMA Federal Emergency Management Agency
FIRM Flood Insurance Rate Map
LI Light Industrial District
ITE Institute of Transportation Engineers
SHPO State Historic Preservation Office
TSP Transportation System Plan
ATTACHMENT “A” – NARRATIVE AND SITE PLAN REVIEW CRITERIA

Narrative

The current owners of the subject parcel (tax lot 5600, 11S-3W-07CC) operate a directional boring company located in Tualatin. Tax lot 5600 is currently vacant property. The owners intend to utilize the light industrial zoned property for outside storage (as allowed in the LI zone per section 4.290 ADC) of construction equipment and materials that are moved by trailer for projects they are and will be working on in the future that are located in the Albany area or to the south.

Review Criteria

Site Plan Review approval will be granted if the review body finds that the application conforms with the Albany Development Code and meets all of the following criteria that are applicable to the proposed development.

(1) Public utilities can accommodate the proposed development.

Fact: There is public water and sewer in Ferry Street. No public storm drain exists in Ferry St.

Fact: The current proposed site plan does not utilize sewer or water services.

Fact: The storm water will be conveyed to drainage inlets via gutter along the street. This concept was discussed and acceptable to Public Works Engineering.

Fact: The property currently drains to Ferry Street as shown on the existing topography.

Fact: The runoff from the gravel area will be detained onsite before discharge to the street.

Fact: Storm runoff from the site will be detained on site and released at the predevelopment rates.

Conclusion: Public utilities can accommodate the proposed development.

(2) The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code. [Ord. 5842, 1/01/15]

Fact: The site is 0.83 acre (less than one acre).

Fact: Stormwater quality facilities are not required for sites less than one acre.

Fact: Ferry Street is fully built out.

Conclusion: Stormwater quality facilities are not required.

(3) The transportation system can safely and adequately accommodate the proposed development.

Fact: The access to the site is from Ferry Street

Fact: Ferry Street is a major collector.

Fact: A small number of trips daily is anticipated.
Conclusion: The transportation system can safely and adequately accommodate the proposed development.

(4) Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.

Fact: The proposed access is located well away from street intersections. 380’ south of Queen and 360’ north of 20TH.

Fact: A six foot wide curbside sidewalk is proposed along the existing Ferry Street curb.

Fact: The driveway will be constructed to City standards and meet ADA standards.

Fact: There is no proposed parking area.

Conclusion: The entrance-exit point is designed to facilitate traffic and pedestrian safety and avoid congestion.

(5) The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.

Fact: Surrounding uses north, south, and east are light industrial. Properties to north are gravel storage areas similar to this proposal. Property to the south has a large storage area behind the existing building. Pacific Cast is east of the site.

Fact: Surrounding use west is residential.

Fact: Landscaping and sight obscuring fencing is proposed between Ferry Street and the storage area.

Fact: There will be limited use of the site, only loading and unloading.

Fact: The proposed use is consistent with Albany Development Code for light industrial.

Conclusion: The design and operating characteristics of the proposed development are reasonably compatible with surrounding development.

(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.

Fact: The site is not in a special purpose district.

Conclusion: This criteria is not applicable.
(7) The site is in compliance with prior land use approvals. [Ord. 5832, 4/9/14]

   Facts: There are no known prior land use approvals.

   Fact: The proposed use is consistent with the LI zone

   Conclusion: This criteria is not applicable.

(8) Sites that have lost their nonconforming status must be brought into compliance, and may be brought into compliance incrementally in accordance with Section 2.370.

   Fact: The proposed site plan develops the entire property. Proposed development is consistent with the current Development Code.

   Conclusion: This criteria is not applicable.