



## PUBLIC WORKS - COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

# Staff Report

## Site Plan Review

### Second Floor Apartment Conversion

SP-19-18

June 14, 2018

## Application Information

Proposal:	Site Plan Review for an interior renovation to convert second floor storage space into five apartment dwelling units.
Review Body:	Staff (Type I-L review)
Property Owner:	Andrea Hampl; AH & K Investments LLC; P.O. BOX 3339, Albany, OR 97321
Applicant:	Christina Knowles; Varitone Architecture; P.O. Box 3420; Albany, OR 97322
Address/Location	140 1 <sup>st</sup> Avenue SE, Albany, OR 97321
Map/Tax Lot:	Linn Tax Assessor's Map No(s): 11S-03W-06CD Tax Lot 800
Zoning:	Historic Downtown (HD)
Overlay:	/HD Overlay (Local landmark not listed on National Register of Historic Places individually or as part of a historic district)
Total Land Area:	.26 acres (11,202 square feet)
Existing Land Use:	Retail Sales and Service - AK Carpet
Neighborhood:	Central Albany
Surrounding Zoning	North: HD (Historic Downtown) District East: CB (Central Business) District South: HD West: HD
Surrounding Uses:	North: No Dinx – screen printing & graphic design business East: Parking Lot South: Willamette Valley Home Builders Offices West: Boda Furniture
Prior History	ZC-02-17: Zone Map Amendment from Central Business District to Historic Downtown District.

HI-02-17: Historic Review of Exterior Alterations for exterior alterations on the building's north, east, south, and west elevations.

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## Summary

This staff report evaluates a Site Plan Review application to convert second floor storage space into five apartment dwelling units. The site is located at 140 1<sup>st</sup> Avenue SE on the southwest corner of the First Avenue and Baker Street intersection (Attachment A). The subject site is located within the Historic Downtown (HD) zoning district which permits dwelling units above a business with Site Plan Review approval.

The analysis in this report finds that, as conditioned, the proposed development will satisfy the Site Plan Review criteria set forth in Albany Development Code (ADC) section 2.450 and applicable development standards.

## Notice Information

Notices were mailed to surrounding property owners within 300 feet of the subject property on May 8, 2018. At the time the comment period ended May 22, 2018, the Albany Planning Division had received no written comments.

## Staff Report

Section 2.450 of the Albany Development Code (ADC or Code) includes the following review criteria that must be met for this application to be approved.

## Analysis of Development Code Criteria

Section 2.450 of 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** and are followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

### Criterion 1

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

### Findings of Fact and Conclusions

#### *Sanitary Sewer*

- 1.1 City utility maps show an eight-inch public sanitary sewer main in Baker Street at the southeast corner of the subject property. The existing building on the site is currently connected to the public sewer system.
- 1.2 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.
- 1.3 AMC 10.01.010 (1) states that the objective of the Albany Municipal Code requirements pertaining to public sanitary sewers is to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system.

- 1.4 The construction of new dwelling units will result in additional sanitary sewer system development charges that will be due at the time of building permit issuance.

### *Water*

- 1.5 City utility maps show six-inch public water mains in 1<sup>st</sup> Avenue and in Baker Street. The existing building on the site is connected to the main in 1<sup>st</sup> Avenue.
- 1.6 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.
- 1.7 It is expected that a new water meter (or multiple meters) will be required to serve the additional development. New water services/meters will result in additional water system development charges that will be due at the time of building permit issuance.

### *Storm Drainage*

- 1.8 City utility maps show a 24-inch public storm drainage main in Baker Street.
- 1.9 No modifications to the property are being proposed that will alter the storm runoff from the site.

### *Overall*

- 1.10 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.**

### **Findings of Fact and Conclusions**

- 2.1 Section 12.45.030 of the Albany Municipal Code 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).
- 2.2 Section 12.45.040 of the Albany Municipal Code states that development may be exempted from a post-construction stormwater quality permit if the development creates and/or replaces less than 8,100 square feet of impervious surface, cumulatively.
- 2.3 The proposed development will not create or replace 8,011 square feet of impervious surface or occur on a site that is an acre or larger.
- 2.4 The proposed development is exempt from the City's Storm Water Quality requirements.
- 2.5 This criterion is met without conditions.

## **Criterion 3**

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

### **Findings of Fact and Conclusions**

- 3.1 The subject site is located at 140 1<sup>st</sup> Avenue SE on the southwest corner of the 1<sup>st</sup> Avenue and Baker Street intersection (Attachment A). The site is improved with an approximately 20,400-square-foot,

- two-story building. The project will consist of an interior second floor renovation to convert an existing storage area to five apartment dwelling units (Attachment B.1). The proposed interior renovation will not increase the footprint or square footage of the existing structure.
- 3.2 The applicant did not submit a traffic study with the application nor was one required. Staff has estimated current and developed trips using the Institute of Transportation Engineers trip generation rates. If the subject property is developed with (2) one-bedroom, (2) two-bedroom, and (1) three-bedroom residential dwelling units, in addition to the approximately 11,500-square-foot existing retail business and associated offices, the change would add about 33 additional weekday trips and three p.m. peak hour trips on the street system.
  - 3.3 Baker Street is classified as a local street and is constructed to city standards. Improvements along the east frontage of the site include curb, gutter, and sidewalk along both sides of the street; and a vehicle travel lane in each direction. The posted speed limit is 25 miles per hour.
  - 3.4 First Avenue is classified as a minor arterial street and is constructed to city standards. Improvements along the north frontage of the site include curb, gutter, and sidewalk; two vehicle travel lanes in the westbound direction; on-street parking on both sides of the street; and an on-street bicycle lane. The posted speed limit is 25 miles per hour.
  - 3.5 Albany's Transportation System Plan (TSP) does not identify any level of service or safety problems along the frontage of the site or any existing capacity deficiencies adjacent to this site. The transportation system can accommodate the proposed use.
  - 3.6 This criterion is satisfied without conditions.

## Criterion 4

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

#### Findings of Fact and Conclusions

- 4.1 The proposed development is located within Albany's Parking Assessment District as shown in Article 9, Figure 9-2 (Attachment C). ADC 9.020(6) exempts developments within that district from requirements to provide off-street parking. No off-street parking will be constructed with the proposed development.
- 4.2 ADC 9.120(13)(a) requires one bicycle parking space per four multiple-family dwelling units. Therefore, one bicycle parking space is required. Two bicycle parking spaces are shown to be provided with a u-shaped bike rack located on the sidewalk to the north of the building.
- 4.3 The existing building is oriented to both First Avenue and Baker Street with direct pedestrian access from the sidewalks to building entrances.
- 4.4 ADC 5.270(3) requires 250 square feet of loading area at least 10 feet wide by 25 feet in width with at least 14 feet high of unobstructed area. The site plan includes an existing truck loading and delivery bay at the east end of the building (Attachment B.2). The existing loading area is 10 feet wide by 25 feet in width by 10 feet in height and accessed by an existing driveway connection to Baker Street. However, loading spaces are not required for residential development per ADC 5.270. Therefore, modifications to the height of the existing loading space or the construction of a new loading space will not be required.

- 4.5 The proposal is designed to facilitate traffic and pedestrian safety and avoid congestion.
- 4.6 This review criterion is satisfied without conditions.

## 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 and Conclusions

- 5.1 The subject property is zoned Historic Downtown (HD). ADC 5.030(6) states: *“The HD district is intended primarily for a dense mixture of uses with an emphasis on entertainment, theaters, restaurants, night life and specialty shops. High-density residential infill on upper floors is encouraged, as is the continued presence of the government center and supporting uses.”*
- 5.2 Surrounding Development: The site is zoned HD. Properties to the north, south, and west of the subject site are zoned HD and the property to the east is zoned Central Business (CB). North of the site, across First Avenue is a developed property occupied by No Dinx, a screen printing & graphic design business. East of the site, across Baker Street, is a parking lot. South of the site is Willamette Valley Home Builders Association offices. West of the site is Boda Furniture. Currently, the closest residential uses can be found a half of block away on the second floor of 212 1<sup>st</sup> Avenue and at 222 1<sup>st</sup> Avenue. The proposed Units Above or Attached to a Business use is allowed in the HD zone through a site plan review approval. Since the second-floor residential use is permitted in this zone, it is generally considered compatible with the operating characteristics of surrounding land uses.
- 5.3 Operating Characteristics: The proposal is to construct (2) one-bedroom, (2) two-bedroom, and (1) three-bedroom, second-floor residential dwelling units in addition to the existing first-floor retail business. Operation hours of AK Carpet are generally 9:00 a.m. to 5:00 p.m. Monday through Friday and 9:00 a.m. to 3:00 p.m. on Saturday. The proposed dwelling units will be occupied by residences in accordance to lease terms. The proposed use is a residential use classified as “units above or attached to a business” as defined in ADC Article 22 – Use Categories and Definitions. The proposed use is permitted in the HD zone with approval of a Site Plan Review permit (per ADC 5.060, Table 5-1).
- 5.4 Setbacks, Intensity, and Lot Coverage in the HD zone: As noted in the table below, the existing building generally complies with applicable development standards of ADC 5.090, Table 5-2 within the HD zone.

<b>ADC TABLE 5-2: DEVELOPMENT STANDARDS HISTORIC DOWNTOWN (HD) ZONING DISTRICT</b>		
<b>Standard</b>	<b>Allowance</b>	<b>Existing</b>
Minimum Front Setback	0'	0'
Maximum Front Setback <sup>1</sup>	0'	0'
Minimum Interior Setback	None	0'
Maximum Height	85'	54'
Minimum Lot Size	1,000 s.f.	11,202 s.f.
Maximum Building Size	None	20,400 s.f.
Maximum Lot Coverage	100%	91%

<sup>1</sup> ADC 5.090(10) states: *The maximum setback may be increased with the condition that 100% of the increased setback is used for pedestrian amenities associated with the building use, such as patio dining for a restaurant, sidewalk café, plaza, or courtyard; or to accommodate changes in elevation due to road and site grading or natural slopes.*

The site is a corner lot with two front yards: one abutting Baker Street and one abutting First Avenue. The site plan existing building is built to the north, east, and west property lines and is 10 feet from the south property line (Attachment B.2).

- 5.5 Landscaping: ADC 9.140(2) requires all required front setbacks, exclusive of access ways and other permitted intrusions to be landscaped. The HD zone does not allow a front yard setback unless it is developed for pedestrian amenities; therefore, no landscaping is required.
- 5.6 Buffering and Screening: ADC 9.210 requires buffering or screening according to ADC Table 9-4 – Buffer and Screening Matrix. The proposed use is best described as a “mixed use” development. Mixed developments that abut parking lots and commercial, professional, or mixed-use districts do not require screening or buffering. Since all abutting and adjacent uses are either commercial or parking, buffering and screening is not required.
- 5.7 Signs: Signage 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 Historic Downtown zoning district.
- 5.8 Screening of Refuse Containers: ADC 5.370 requires refuse container areas to be screened from public view. The site plan shows an unscreened refuse container in the public right-of-way (Attachment B.2). Refuse containers are not permitted in the public right-of-way. Screening of refuse containers on the subject property will be included as a condition of approval.
- 5.9 Environmental Standards: ADC 9.440 – 9.500 include environmental standards related to noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. The site is already developed. The proposal is to renovate the second floor of the site with residential dwelling units. The proposed use would occur inside, and is expected to create less noise, emissions, vibrations, or odors similar than other commercial uses in the HD zone. Impacts from glare, heat, insects, rodents, and hazardous waste are not anticipated. No adverse environmental impacts are expected from this development.
- 5.10 Lighting and Glare: ADC 9.120(14) requires any lights provided to illuminate any public or private parking area must be arranged to reflect the light away from any abutting or adjacent residential district. There are no abutting residential districts to the subject property and no on-site parking is proposed; therefore, this standard does not apply.

5.11 Fences: ADC 9.370 lists the standards for fences. The applicant does not propose fencing or outdoor storage that is required to be screened.

5.12 This criterion can be met with the following conditions.

### Conditions of Approval

Condition 1 Prior to issuance of a certificate of occupancy, the applicant shall submit a revised site plan for review and approval to the Community Development Department that includes screening of refuse containers by the placement of a sight-obscuring fence, wall, or hedge at least six feet tall, in accordance with ADC 5.370.

Condition 2 Prior to issuance of a certificate of occupancy, all required screening for refuse containers or disposal areas shall be installed in accordance with ADC 5.370.

### 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 and Conclusions

6.1 *Article 4 Airport Approach district*: According to Figure 4-1 of the Albany Development Code, 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: Floodplains*, FEMA/FIRM Community Panel No. 41043C0213H, dated December 8, 2016, shows that this property is in Zone X, an area determined to be outside the 500-year floodplain.

6.4 *Article 6 Wetlands, Comprehensive Plan Plate 6*: does not show any wetlands on the subject site. The National Wetland Inventory Map does not show wetlands on the property.

6.5 *Article 7 Historic Districts, Comprehensive Plan Plate 9: Historic Districts*: shows the subject property is not in any historic district. The historic Santiam Chevrolet Company Building is one of approximately 90 locally designated landmark properties added to Local Historic Inventory in 1991 that were not located within a historic district or listed individually on the National Register of Historic Places. There are no known archaeological sites on the property. The subject property a designed local landmark but is not subject to Historic Review because there are no proposed exterior alterations.

6.6 This criterion is satisfied without conditions.

### Criterion 7

The site is in compliance with prior land use approvals.

### Findings of Fact and Conclusions

7.1 Two previous land use approvals are associated with this property:

- ZC-02-17: Zone Map Amendment to convert five properties, including the subject site, from the Central Business District to the Historic Downtown District.

- HI-02-17: Historic Review of Exterior Alterations for exterior alterations on the building's north, east, south, and west elevations. Exterior renovations included replacement of windows, addition of windows in a previously infilled location, and replacement of awnings.
- 7.2 The zone map amendments (file no. ZC-02-17) became effective on October 14, 2017, with the execution of Ordinance No. 5895.
- 7.3 A building permit (permit no. B-1545-17) was submitted on December 19, 2017, to carry out the proposed exterior alterations in association with land use file no. HI-02-17. The permit will be issued upon the receipt of all applicable permit fees. Conditions of approval (file no. HI-02-17) will be satisfied upon the final inspection of building permit no. B-1545-17.
- 7.4 This criterion is satisfied without additional conditions.

## 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 does not have non-conforming status; therefore, this criterion is not applicable.

## Overall Conclusion

This report evaluates the applicant's Site Plan Review permit application to convert second floor storage space into five apartment dwelling units. The proposed development meets all applicable site plan review criteria with the following conditions of approval:

## Conditions of Approval

- Condition 1 Prior to issuance of a certificate of occupancy, the applicant shall submit a revised site plan for review and approval to the Community Development Department that includes screening of refuse containers by placement of a sight-obscuring fence, wall, or hedge at least six feet tall, in accordance with ADC 5.370.
- Condition 2 Prior to issuance of a certificate of occupancy, all required screening for refuse containers or disposal areas shall be installed in accordance with ADC 5.370.

## Attachments

- A. Location Map
- B. Applicant's Submittal
  - B.1 Floor Plan & Elevations
  - B.2 Site Plan
- C. Parking Assessment District

## Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
NGVD 1929	National Geodetic Vertical Datum of 1929*
HD	Historic Downtown District
CB	Central Business District
SP	Site Plan Review

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





**Location Map: 140 SE 1st Avenue  
Linn County Tax Assessor's Map No. 11S-03W-06CD Tax Lot 800**

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



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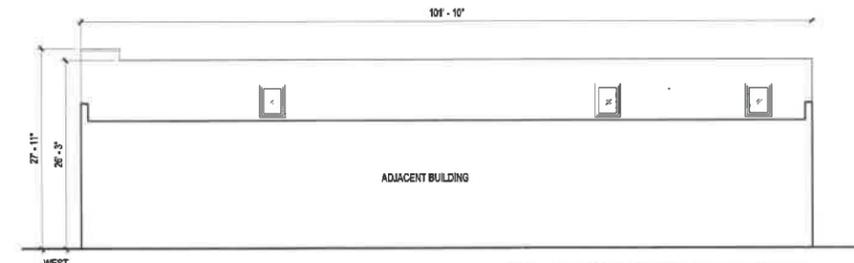
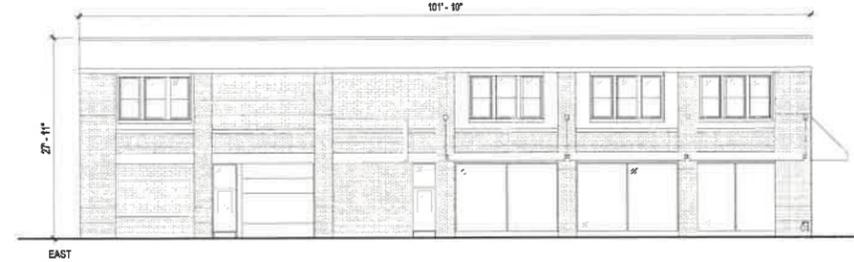
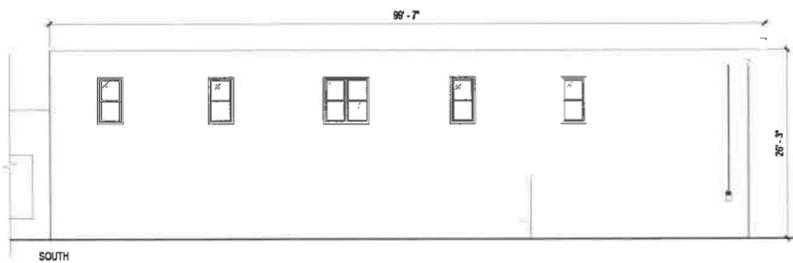
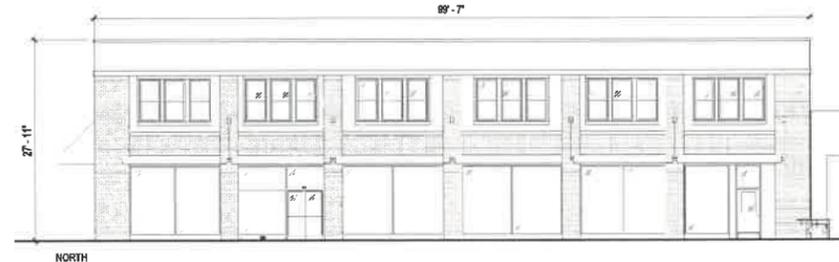


May 7, 2018

Planning Division

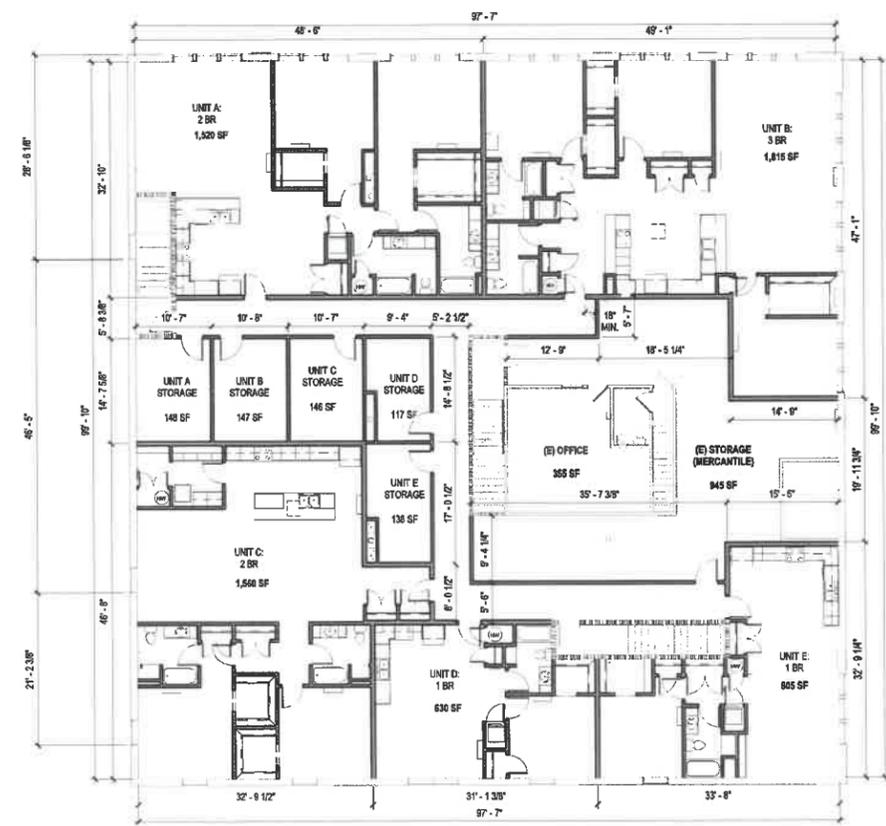
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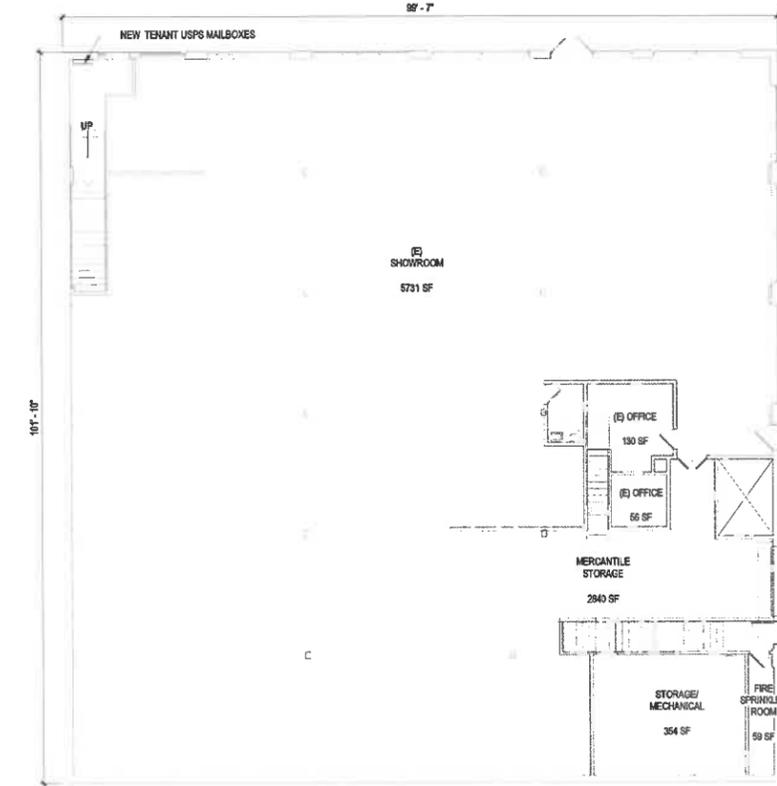


NOTE: NO ALTERATIONS ARE BEING PROPOSED TO THE FACADE OF THE BUILDING.

1 EXISTING ELEVATIONS  
3/32" = 1'-0"



2 LEVEL 2 - NEW CONSTRUCTION  
3/32" = 1'-0"



3 LEVEL 1 - NEW CONSTRUCTION  
3/32" = 1'-0"

- FLOOR PLAN LEGEND:
- NEW DOOR
  - NEW WALL
  - EXISTING DOOR
  - EXISTING WALL
  - 1 HR FIRE-RATED WALL



ARCHITECTURE  
INTERIOR DESIGN  
**VARITONE**  
A LIMITED LIABILITY COMPANY  
231 2nd Avenue SW  
Albany, Oregon 97321  
Ph: 541-497-2954

CONTRACTOR  
TBD

**BUILDING RENOVATION  
AK CARPET & MORE**  
140 SE 1st AVENUE, ALBANY, OREGON 97321

Issue: SITE REVIEW  
Date: 05/01/18

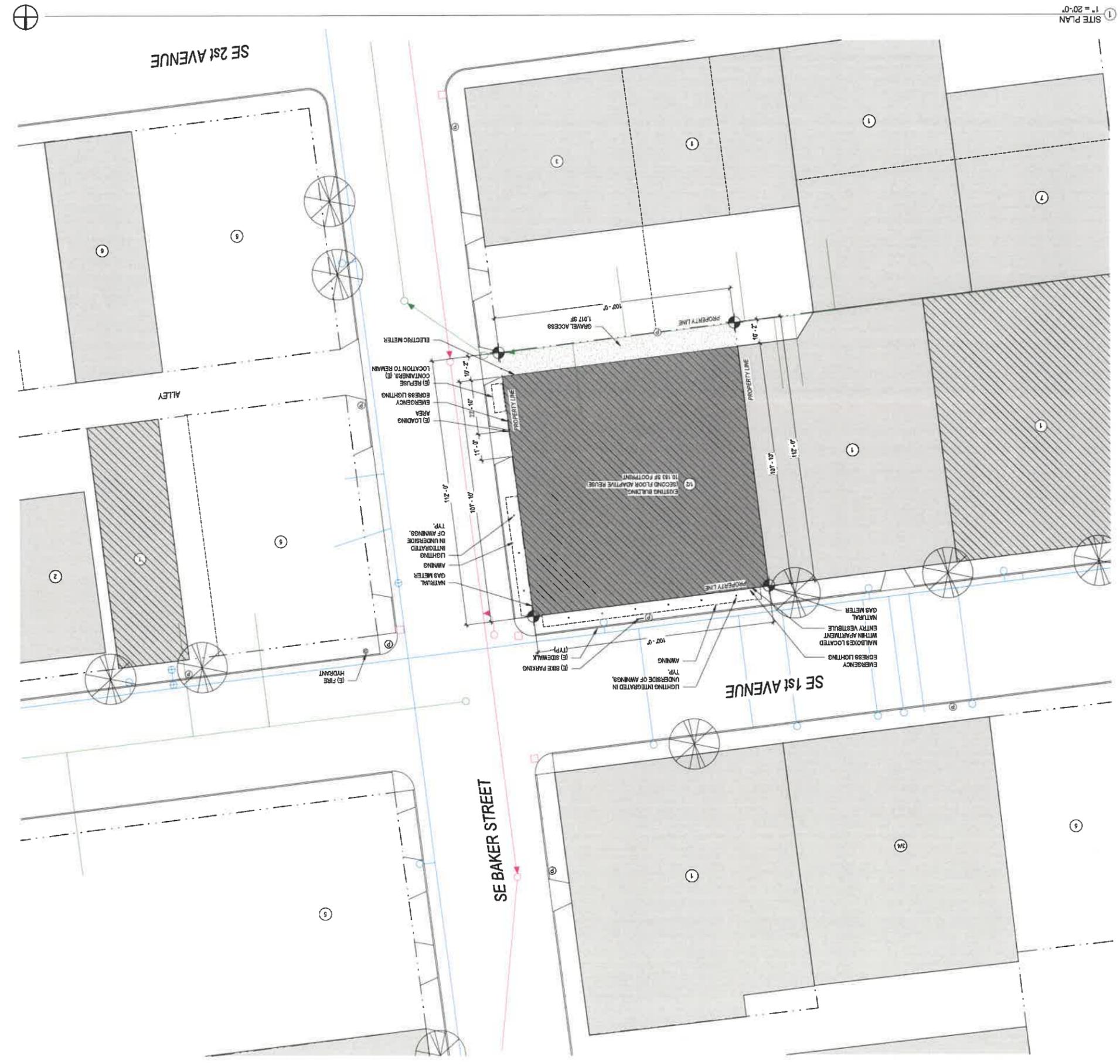
Revision: Date:

FLOOR  
PLANS &  
ELEVATIONS

SR - 2



1 SITE PLAN  
1" = 20'-0"



- SITE PLAN KEY:**
- 1 RETAIL SALES AND SERVICE
  - 2 MULTI-FAMILY RESIDENTIAL
  - 3 OFFICE
  - 4 TAVERN / BAR / BREWERY
  - 5 PARKING
  - 6 ENTERTAINMENT AND RECREATION
  - 7 RELIGIOUS INSTITUTION
  - 8 BUILDING (APPROXIMATE LOCATION)
  - 9 BUILDING, PROPOSED ADAPTIVE REUSE
  - 10 HISTORIC INVENTORY BUILDING
  - 11 SEWER LINE
  - 12 SEWER MANHOLE
  - 13 WATER MAINLINE
  - 14 WATER VALVE
  - 15 WATER METER
  - 16 STORM DRAIN MAINLINE
  - 17 CU
  - 18 STORMWATER MANHOLE
  - 19 UTILITY POLE

**SITE PLAN NOTES:**

PROJECT ADDRESS: 148 SE 1ST AVE SW  
ALBANY, OR 97321  
MAP NUMBER: 1480309-CO-00800  
PROPERTY OWNER: AH & K INVESTMENTS LLC  
ANDREA HARPL  
PO BOX 3338  
ALBANY, OR 97321

GROSS & NET LAND AREA: 11,202 SF  
% EXISTING STRUCTURE: 81%  
% PROPOSED STRUCTURE: 19%  
% GRAVEL AREA: 5%

ALL ADJACENT PROPERTIES ARE IN THE CENTRAL BUSINESS ZONE  
PUBLIC IMPROVEMENTS: ALL EXISTING TO REMAIN, NO NEW  
TREES: NONE ON SITE  
APPROXIMATE: ALL UTILITIES, ADJACENT BUILDINGS AND PROPERTY LINES ARE APPROXIMATE.

SR - 1

SITE PLAN

Issue:	SITE REVIEW
Date:	05/01/18
Revision:	
Date:	

**BUILDING RENOVATION  
AK CARPET & MORE**  
140 SE 1st Avenue, Albany, Oregon 97321

**WABBITONE** ARCHITECTURE  
LIMITED LIABILITY COMPANY  
231 2nd Avenue SW  
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PH: 541.437.2594





