



## 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 – Parking Lot Redevelopment

SP-24-21

December 29, 2021

### Summary

The City of Albany (City) has submitted a Site Plan Review for parking lot improvements for the City-owned parking lot located south of Water Avenue, between Ellsworth Street and Lyon Street (US Highway 20, southbound and northbound, respectively), as shown in Attachment A. That is the subject of this application. The parking lot improvements include the following (also see Attachment C.1):

- Consolidating/eliminating access points from Water Avenue.
- Restriping and slurry sealing the parking lot.
- Adding a curb, gravel strip, and four catch-basins along the north side of the parking lot.
- Reorientation and addition of parking spaces (75 total spaces).

The requested approvals are for Site Plan Review subject to a Type I-L process and Nonconforming Situations Review.

The existing parking lot has 63 parking spaces and 5 access points – 4 located off Water Avenue, and 1 located under the Lyon Street bridge (Attachment D). The parking lot is currently a non-conforming use, as it does not meet design standards applied to parking lots found in Albany Development Code (ADC or Code) 9.120 – 9.150. Specifically, the parking area has no curb, storm drainage facilities, or interior landscaping. The proposed improvements will help bring the parking lot further into compliance with the City's parking lot design and landscaping standards (ADC 9.120 – 9.150).

The following criteria are addressed in this report: Site Plan Review criteria contained in ADC 2.450, On-Site Development and Environmental Standards in Sections 9.090 through 9.150, and Sections 12.100 and 12.180. These criteria must be satisfied to grant approval for this application.

In summary, the proposed development application satisfies applicable review criteria; therefore, the staff recommendation is APPROVAL with CONDITIONS of the Site Plan Review application.

### Application Information

Proposal:	Site improvements to an existing public parking lot.
Review Body:	Staff (Type I-L Review)
Property Owner:	City of Albany; 333 Broadalbin Street SW, Albany, OR 97321
Applicant:	Seth Sherry, Economic Development, City of Albany 333 Broadalbin Street SW, Albany, OR 97321
Planner:	Matt Hastie; Angelo Planning Group 921 SW Washington Street, Suite 468, Portland, OR 97205
Address/Location:	Unaddressed; south side of Water Avenue between Lyon Street and Ellsworth Street.
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-06CC, Tax Lot 3600

Zoning:	HD – Historic Downtown District
Comprehensive Plan:	Village Center
Overlay Districts:	Willamette Greenway (/WG)
Total Land Area:	0.52 acres

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## Notice Information

A notice of filing was mailed to property owners located within 300 feet of the subject property on December 10, 2021. Property owners were given 14 days to respond to the notice. At the time the comment period ended on December 24, 2021, no written comments had been received.

## Analysis of Development Code Criteria

Section 2.450 of the ADC includes the following review criteria, 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.

### Criterion 1

**The application is complete in accordance with the applicable requirements.**

#### Findings of Fact and Conclusions

- 1.1 In accordance ADC 1.170, the application was deemed complete with fees paid as of September 10, 2021.
- 1.2 This criterion is met without conditions.

### Criterion 2

**The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.**

#### Findings of Fact

- 2.1 Zoning. The subject property is zoned Historic Downtown (HD). The site is presently developed with a City-owned parking lot. The proposed parking lot improvements will apply to the existing parking lot. New parking lots require a conditional use review; however, the proposal calls for renovating an existing lot. Changes to existing parking lot configuration, access, and circulation are allowed through Site Plan Review.
- 2.2 The HD district is intended for a dense mixture of uses with an emphasis on entertainment, theaters, restaurants, nightlife, and specialty shops. High-density residential infill on upper floors is encouraged, as is the continued presence of the government center and supporting uses.
- 2.3 Lot Size, Dimensional Requirements, and Lot Coverage. According to Table 5.090-1 of the ADC, the HD zone requires a minimum lot size of 1,000 square feet, a 20-foot minimum lot width, and a 50-foot minimum lot depth. The existing lot dimensions will remain the same, as this lot is 22,864 square feet, over 200 feet wide, and over 100 feet deep. No new structures are proposed within the parking lot. There are no minimum front or interior setback standards in the HD district. Lot coverage maximum is 100 percent. The percentage of the site covered by paved areas equals 97.23 percent.
- 2.4 Density. There is no density standard associated with parking lots in the HD zone. This standard is not applicable.

#### Conclusions

- 2.1 Parking lot improvements are allowed in the HD zoning district with site plan approval.
- 2.2 The subject property exceeds all applicable setbacks.
- 2.3 The HD zone does not have a maximum lot coverage standard.
- 2.4 This review criterion is met.

### Criterion 3

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

#### Findings of Fact

- 3.1 Article 6 Significant Natural Vegetation and Wildlife Habitat. *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat*, does not show any areas of vegetation or wildlife habitat on the property.
- 3.2 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains*, does not show a 100-year floodplain on this property. However, FEMA/FIRM Community Panel No. 41043C0213H, dated September 29, 2010, shows this property is in Zone X, an area determined to be within the 500-year floodplain.
- 3.3 Article 6: Wetlands. *Comprehensive Plan Plate 6: Wetland Sites*, does not show any wetlands on the subject property, and the National Wetlands Inventory does not show any wetlands on the property.
- 3.4 Article 6: Topography. *Comprehensive Plan, Plate 7: Slopes*, does not show any steep slopes on this property.
- 3.5 Article 7: Historic and Archaeological Resources. *Comprehensive Plan, Plate 9: Historic Districts*, shows the property is not located in a historic district. There are no known archaeological sites on the property.

#### Conclusions

- 3.1 There are no special purpose districts associated with the subject property; therefore, this criterion is not applicable.

### Criterion 4

**The application complies with all applicable Design Standards of Article 8.**

#### Findings of Fact

- 4.1 Applicability. ADC 8.315 apply to designs of new developments and to the expansion of existing developments where commercial and/or institutional uses, as defined in Article 22, are existing or proposed including when such uses are part of a mixed-use development or live/work dwelling unit, with some listed exceptions. The proposed is for improving an existing parking lot, and is therefore, exempt from the standards of ADC 8.310 – 8.390.
- 4.2 Large Parking Areas. ADC 8.380(1) states that in addition to the provisions of Article 9, ... standards apply when more than 75 new parking spaces are proposed or when the re-construction of a parking area with more than 75 spaces is proposed (i.e., when pavement, curbs, and planter bays are completely replaced).
- 4.3 The proposed project will improve an existing parking lot that has 63 spaces with slurry seal and re-stripping. Parking spaces will be reoriented, and 12 more spaces will be added for a total of 75. This amount is exempt from Large Parking Area design standards in ADC 8.380(1).

#### Conclusion

- 4.1 The proposed development is not considered new development or an expansion of existing development, and is therefore, exempt from the design standards of Article 8.
- 4.2 This criterion is not applicable.

### Criterion 5

**The application complies with all applicable Design Standards of Article 10.**

#### Findings of Fact and Conclusion

- 5.1 Article 10 pertains to manufactured homes, manufactured home parks, and RV parks. These uses do not pertain to the proposal.
- 5.2 This standard is not applicable.

## Criterion 6

### The application complies with all applicable On-Site Development and Environmental Standards of Article 9.

#### Findings of Fact

- 6.1 The applicant's materials and civil plan (Attachments C.1 and C.2) shows the delineation of individual spaces; circulation area necessary to serve spaces; access to Water Avenue (public parking area, not serving a specific property); curb cuts (driveway access onto Water Avenue and Lyon Street); landscaping/screening – street trees, non-irrigated planting area, gravel band, vehicle bollards; abutting land uses (north – Water Avenue; west – Ellsworth Street bridge; east – Lyon Street bridge; south – parking lot and commercial strip); location of existing lighting fixtures that will remain; delineation of structures and obstacles to circulation on the site (bridge footings, light poles); new concrete curb; and drainage and stormwater management areas.
- 6.2 The proposed improvements do not include loading areas or docks, bicycle, and motorcycle parking areas, lighting fixtures, structures, or interior landscaping bays. Plans also do not show a proposed number of employees and the amount of floor area applicable to the parking requirements for the proposed use. The use was, and will remain, a public parking lot that does not have employees on site.
- 6.3 ADC 9.120(2) states all parking areas shall conform to the setback, clear vision, landscaping, and buffering/screening provisions of this Code. The applicant provided findings and conclusions for setbacks, clear vision area, and landscaping in the respective sections of ADC 9.120 below.
- 6.4 ADC 9.120(3) requires parking areas to have a durable, dust-free surface. The applicant's site plan indicates the parking area will be slurry-sealed and resurfaced with new cement concrete. The parking lot will not encroach into the public right-of-way. This standard is met.
- 6.5 ADC 9.120(4) requires all parking lots provide a drainage system to dispose of stormwater runoff. The applicant shows proposed stormwater connections and four stormwater catch basins on the north side of the lot (Attachment C.1). These improvements have been designed to accommodate and direct the flow of stormwater from the parking lot into the City's stormwater collection and management system. This standard is met provided the Public Works Director approves the drainage system.
- 6.6 ADC 9.120(5) requires perimeter curbing around all parking areas. The applicant's site plan indicates that perimeter curbing has been provided along the northern end of the parking lot, which separates the gravel strip from the sidewalk and the parking area. This standard is met.
- 6.7 ADC 9.120(6) requires wheel bumpers be used when parking stalls front a sidewalk, alleyway, street, or property line. The applicant has not proposed wheel bumpers for the parking spaces facing Water Avenue and the adjacent sidewalk. Instead, the sidewalk area will be buffered by a combination of the parking lot perimeter curb and the 3.5-foot-wide gravel strip shown in Attachment C.2. These features will serve the same purpose as wheel bumpers and be as effective in protecting the adjacent sidewalk from encroaching parked cars.
- 6.8 ADC 9.120(7) requires groups of more than two parking spaces must be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way. The applicant states the parking lot design include an aisle width of 24 feet, which is sufficient for turnaround and maneuvering. None of the parking spaces back onto street right-of-way.
- 6.9 ADC 9.120(8) requires parking stalls to be permanently and clearly striped. The applicant's site plan indicates the parking lot will be striped.
- 6.10 ADC 9.120(9) requires parking lots to connect to adjacent existing or future parking areas. Access to the existing parking lot to the south will remain connected to the proposed improved lot (see Attachment C.1).
- 6.11 ADC 9.120(10) requires conformance with the parking lot landscaping standards found in ADC 9.150. The applicant states the proposed parking lot improvements will include landscaping; however, it is

- noted the existing lot is nonconforming in terms of landscaping. Proposed landscaping is shown on the materials plan (Attachment C.2), but only between the sidewalk and pavement along Water Avenue.
- 6.12 ADC 9.120(11) allows up to 40 percent of the required parking stalls that are permitted to be compact. However, no compact spaces are proposed with this development. Furthermore, the proposed spaces are not required – the use of the property is a public parking lot. Therefore, this standard is not applicable.
- 6.13 ADC 9.120(12) requires accessible parking be provided in conformance with the Oregon Specialty Code. Per the applicant, the existing parking lot does not include any accessible spaces and is non-conforming in this regard. The primary purpose of this project is to improve the surfacing, striping, drainage, and access to the parking lot and to reduce pedestrian/vehicle conflicts by reducing access points from Water Avenue. Constructing accessible spaces is beyond the scope of the project. The project will bring the parking lot further into compliance with other standards for parking lots, consistent with the requirements of Section 2.370 (Non-Conforming Uses).
- 6.14 ADC 9.120(13)(c) requires commercial developments to provide at least one bicycle parking space for every 10 required automobile parking spaces, with a minimum of 2 bicycle parking spaces. ADC 9.120(13)(c) requires at least one-half of the required bicycle parking spaces to be sheltered. Bicycle parking space requirements do not apply to public parking lots not associated with a specific residential, industrial, commercial, or office use. The proposed parking lot will not include any bicycle parking.
- 6.15 ADC 9.120(14) requires lighting to be arranged to reflect light away from any abutting or adjacent properties. No lighting is proposed for the parking lot.
- 6.16 ADC 9.120(15) requires walkways and accessways to be provided from the front door of new buildings to public sidewalks. The parking lot is an existing public parking lot, which does not directly serve any new buildings and is not part of a new development. Therefore, this standard is not applicable.
- 6.17 ADC 9.120(16) addresses employee parking areas. The proposed parking lot is for public use and will not serve any specific development; therefore, no commercial/employment use will specifically be associated with this parking lot.
- 6.18 ADC 9.130(1) states compact spaces shall be at least eight feet wide by 16 feet long. Per the applicant, the proposed parking lot will have no compact spaces.
- 6.19 ADC 9.130(2) requires accessible spaces to be a minimum of nine feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent access aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and six feet wide for a standard accessible space. The applicant notes the existing parking lot does not include any accessible spaces and is non-conforming in this regard. The primary purpose of this project is to improve the surfacing, striping, drainage, and access to the parking lot and to reduce pedestrian/vehicle conflicts by reducing access points from Water Avenue. Constructing accessible spaces is beyond the scope of the project. The project will bring the parking lot further into compliance with other standards for parking lots, consistent with the requirements of Section 2.370 (Non-Conforming Uses).
- 6.20 ADC 9.130(3) requires long-term parking spaces to be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands must be at least 9.5 feet wide. The proposed parking stall widths will be 8.5 feet wide. No planter islands are proposed within the parking lot.
- 6.21 ADC 9.130(4) states aisles for two-way traffic and emergency vehicle operations must be at least 24 feet wide. One-way aisles and one-way emergency vehicle access must be at least 20 feet wide. The proposed aisle widths are exactly 24 feet wide, according to the applicant.
- 6.22 ADC 9.150(1) requires parking areas to be divided into bays of not more than 12 parking spaces together with specific standards concerning intervals and required plantings. The existing parking lot

does not have any planters, and none will be included with this project. It is nonconforming in this regard. According to the applicant, the project will bring the parking lot further into compliance with other standards for parking lots, consistent with the requirements of Section 2.370 (Non-Conforming Uses).

- 6.23 ADC 9.150(2) states both sides of a parking lot entrance shall be bordered by a minimum five-foot-wide landscape planter strip meeting the same landscaping provisions as planter bays, except that no sight-obscuring trees or shrubs are permitted. The parking lot entrances are located on Water Avenue directly adjacent to Ellsworth Street and from Lyon Street. The existing parking lot and the proposed improvements do not include landscaped areas bordering these entrances. Constructing these new landscaped areas is beyond the scope of the project and is not feasible, given the location of the proposed entrance in the case of the entrance adjacent to Ellsworth Street. The project will bring the parking lot further into compliance with other standards for parking lots, consistent with the requirements of Section 2.370 (Non-Conforming Uses).
- 6.24 ADC 9.150(3) requires parking areas to be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping materials. The applicant notes the public parking lot does not serve a specific structure.
- 6.25 ADC 9.150(4) allows an alternate plan to be submitted that provides landscaping of at least five percent of the total parking area exclusive of required landscaped yard areas and that separates parking areas of more than 100 spaces into clusters divided by landscape strips. Each planter area shall contain one tree at least 10 feet tall and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Landscaping may not impede access on required public sidewalks or paths or handicapped-accessible parking spaces. The parking lot will have less than 100 spaces.
- 6.26 ADC 9.150(5) requires protection of landscaped areas adjacent to graveled areas either by railroad ties secured by rebar driven 18 inches into the ground, by large boulders, or another acceptable means of protection. The applicant states no required landscape areas adjacent to gravel are proposed.

## Conclusions

- 6.1 The parking lot improvements include the following:
- Consolidating/eliminating access points from Water Avenue.
  - Restriping and slurry sealing the parking lot.
  - Adding a curb, gravel strip, and four catch-basins along the north side of the parking lot.
  - Reorientation and addition of parking spaces (75 total spaces).
- 6.2 The proposed improvements do not include loading areas or docks, bicycle, and motorcycle parking areas, lighting fixtures, structures, or interior landscaping bays.
- 6.3 The applicant states the proposed parking lot improvements will include landscaping; however, it is noted the existing lot is nonconforming in terms of landscaping. Proposed landscaping is shown on the materials plan (Attachment C.2), but only between the sidewalk and pavement along Water Avenue.
- 6.4 Aspects of the site will remain nonconforming while proposed improvements will bring the site closer to conformity.
- 6.5 The use of the property will remain a public parking lot.
- 6.6 As proposed and conditioned, all applicable Article 9 standards can be met.

## Criterion 7

**The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.**

## Findings of Fact

### Sanitary Sewer

- 7.1 City utility maps show a 42-inch public sanitary sewer main in Water Avenue, and an 8-inch main along the south boundary of the site. No sewer service is needed for the parking lot.

### Water

- 7.2 City utility maps show a 12-inch public water main in Water Avenue. No water service is needed for the parking lot.

### Storm Drainage

- 7.3 City utility maps show a 36-inch public storm drainage main running through the western portion of the site in a north-south direction.
- 7.4 The improvements proposed for this parking lot are being made in conjunction with improvements in Water Avenue. The Water Avenue improvements will include public storm drainage that will serve this parcel. The applicant's plan shows stormwater runoff from the site being discharged to new public improvements in Water Avenue that will ultimately discharge to the existing 36-inch main that runs through the site and discharges to the Willamette River.
- 7.5 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. 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.
- 7.6 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.
- 7.7 City staff has reviewed the proposed drainage plan and has determined it is generally acceptable.
- 7.8 Albany Municipal Code (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).
- 7.9 The proposed development is on a parcel less than one acre; therefore, stormwater quality facilities are not required for this development.

## Conclusions

- 7.1 The proposed parking lot improvements are being made in conjunction with improvements in Water Avenue. The Water Avenue improvements will include public storm drainage that will serve this parcel. The public storm drainage system in this area is capable of accommodating the proposed development.

## Criterion 8

**The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.**

## Findings of Fact and Conclusion

- 8.1 The project is located on the south side of Water Avenue between Lyon Street and Ellsworth Street. The site is currently occupied by a parking lot owned by the City of Albany. Access to the parking lot is currently provided by several individual driveways to Water Avenue as well as internal connections to adjoining parking lots to the west and south. A planned street improvement by the City for Water Avenue will remove this site's driveway connections to Water Avenue, requiring modification of the site's internal circulation and parking stall design.

- 8.2 The current use of the site is for a public parking lot. The proposed project will alter the site's internal circulation and parking stall design, but the use on the site will remain the same.
- 8.3 Parking lots do not, by themselves, generate vehicle trips or impacts on the transportation system. Because the development will not result in an increase in vehicle trips, no impacts to the transportation system are anticipated.
- 8.4 The site's frontage on Water Avenue is not currently improved to City standards. The existing sidewalk is narrower than the City standard, does not meet American's with Disabilities Act (ADA) cross-slope requirements at driveways, and is blocked by utility poles at two locations. The planned street improvement project will remove the site's driveways to Water Avenue and will improve the site's frontage on the street. Frontage improvements will include a curb, gutter, sidewalk; new pavement; and landscaping.
- 8.5 Improvements to the parking lot are expected to occur together with the reconstruction of Water Avenue and removal of the site's existing driveway approaches.

## Conclusion

- 8.1 The proposed project will not change the site's existing use as a public parking lot. The on-site circulation changes proposed for the parking lot are necessitated by a planned street improvement project along the site's frontage on Water Avenue. That street project will construct City standard street and sidewalk improvements along the site's frontage.
- 8.2 This criterion is met without conditions.

## Criterion 9

**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 Conclusion

- 9.1 See findings in response to Criteria 7.3 through 7.9, above are incorporated by reference.

## Criterion 10

**The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.**

### Findings of Fact and Conclusion

- 10.1 The existing parking lot predates the ADC, and therefore, the site does not have existing conditions of approval required by a prior land use decision.
- 10.2 This criterion is not applicable.

## Criterion 11

**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 Conclusion

- 11.1 According to ADC 2.370 (which was in effect at the time this application vested), sites that are nonconforming with the current development standards and that have lost their nonconforming status are required to bring the site into compliance with current Code standards. Incremental improvements are allowed in accordance with Subsection (1).
- 11.2 Subsection (1) states once the cumulative value of one or more building improvements, expansions or site modifications exceeds \$25,000, excluding the costs associated with voluntarily bringing the site into compliance with applicable development standards, 10 percent of the cost of all improvements proposed thereafter must be allocated toward improvements that bring the site into compliance with standards in this Code unless all of the standards listed below can be met at lesser cost. The value of a proposed building or site investment will be the value stated on the application for building permits or calculated by the Building Official, whichever is higher. Improvements that bring the site into

compliance with the standards of this Code shall be implemented in the following order of priority, unless a greater benefit is achieved by implementing a lower order of priority item first:

- (a) If the site is within the Willamette River Greenway, funds will be used to enhance the natural areas closest to the waterfront in accordance with the criteria in Section 6.540;
- (b) Access to public streets in accordance with Section 12.100;
- (c) Front yard landscaping standards in accordance with Article 9, unless there is not enough physical room, and a Minor Variance is approved;
- (d) Buffering and screening standards in accordance with Article 9, unless there is not enough physical room, and a Minor Variance is approved;
- (e) Parking space and lot improvement standards in accordance with Sections 9.120 and 9.130;
- (f) Parking lot landscaping improvement standards in accordance with Section 9.150;
- (g) Screening of refuse containers; and
- (h) Other improvements necessary to bring the site into compliance with the standards of this Code.

11.3 The existing parking lot does not fully conform to the City's parking space and lot improvement standards found in ADC Sections 9.120 and 9.130 and with the parking lot landscaping standards in Section 9.150. The total estimated cost of the parking lot improvements is approximately \$182,000. The applicant provided a breakdown of the improvement costs as follows:

- Restriping and sealing - \$76,868
- Catch-basins and gravel strip within the parking lot - \$17,333
- Sidewalk - \$41,650
- Curb - \$29,200
- Planting along sidewalk - \$5,529
- Existing sidewalks, access drives and wheel-stops demolition \$11,400

11.4 This total exceeds the \$25,000 threshold for site modification, requiring a portion of the cost of improvements to be spent on bringing the parking lot into compliance with standards for the parking lot. As a result, a minimum of 10 percent of the net cost of improvements must be spent on bringing the site into compliance, after subtracting the value of improvements that will voluntarily bring the site into compliance. The 10 percent must be spent in the order of priority noted above in subsections (a) through (h). Several of the proposed improvements listed above will help bring the site into compliance with current standards, including the following:

- Restriping and sealing - \$76,868. Restriping and sealing will bring the parking lot into conformance with standards associated with surfacing, stall width, and drive aisle width per Sections 9.120(3) and 9.130(3) and (4).
- Catch-basins and gravel strip within the parking lot - \$17,333. These improvements will bring the parking lot into compliance with drainage requirements per Section 9.120(4).
- Curb - \$29,200. These improvements will bring the parking lot into conformance with curb requirements per Section 9.120(5).
- Planting along sidewalk - \$5,529. These plantings will help bring the parking lot into compliance with entryway landscaping requirements per Section 9.150(2).

11.5 After subtracting the value of these improvements from the total value of improvements and deducting the first \$25,000 threshold, the net value subject to the 10 percent requirement is \$28,070. Ten percent of this value is \$2,807.

11.6 At least \$2,807 must be spent to bring the site further into compliance through improvements listed in priority order in sections (a) through (h) of this section. Because the property is not subject to Willamette River Greenway review, subsection (a) is not applicable. The next priority improvement

category is (b) *Access to public streets in accordance with Section 12.100*. Construction of sidewalks along Water Avenue will provide and enhance access to public streets. Approximately \$41,000 will be spent to construct sidewalks along Water Avenue.

## Conclusions

- 11.1 Many of the proposed improvements bring the parking lot towards greater conformity.
- 11.2 After subtracting the value of these improvements from the total value of improvements, the net value subject to the 10 percent requirement is \$28,070. Ten percent of this value is \$2,807.
- 11.3 Construction of sidewalks along Water Avenue will address the requirement and exceed the thresholds of spending ten percent (10%) of remaining improvements to bring the site into conformance the standards stated in this section of the Code as described above.
- 11.4 This criterion is met without conditions.

## Analysis of Development Code Criteria

Section 2.455 of the ADC includes additional criteria for non-residential applications (including the non-residential portion of a mixed-use development). Site Plan Review approval will be granted if the review body finds that, in addition to meeting the review criteria in 2.450, the application meets all of the following criteria that are applicable to the proposed development.

### Criterion 1

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

#### Findings of Fact

- 1.1 The proposed development will retain the site's current use as a public parking lot. No additional vehicle trips or impacts to the transportation system are expected to result.
- 1.2 The proposed parking lot improvements include new access points onto Water Avenue to the north and under the Lyon Street bridge to the east, as shown in Attachment C.1. See findings and conclusions for Articles 9 and 12 above for further detail on how the proposed improvements will conform to the existing transportation system.
- 1.3 In addition, the larger Albany Waterfront project includes proposed streetscape improvements for Water Avenue (see file SP-29-21 et al). These concurrent improvements will include a new sidewalk to support pedestrian mobility and access along the corridor.

#### Conclusions

- 1.1 By demonstrating compliance with Articles 9 and 12 and reducing the number of access points onto adjacent streets, the proposed parking lot improvements will be safely and adequately integrated with the existing transportation system.
- 1.2 This criterion is met without conditions.

### Criterion 2

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

#### Findings of Fact

- 2.1 The proposed parking lot improvements include a reduction of access points from four to two. The two new access points front onto different streets – Water Avenue to the north and a dead-end under the Lyon Street to the east, as shown in Attachment C.1. The proposed access points will also conform to the City's access spacing standards and driveway widths. See findings and conclusions for Articles 9 and 12 above for further detail on how the proposed entrance-exit points will facilitate safety and avoid congestion.
- 2.2 In addition to on-site circulation changes, the proposed project will remove four one-way driveway connections to Water Avenue, install public sidewalk along the site's frontage on the street, construct a landscape planter between the new sidewalk and curb, and add on site drainage facilities within the

- parking lot. The reduction in the number of driveway approaches will reduce vehicle/pedestrian conflicts along the site's frontage and help to avoid congestion.
- 2.3 The existing parking lot, while an allowed use on the site, was constructed many years ago and does not meet several current site design standards for parking lots. The parking lot has been operating as an allowed non-conforming development in accordance with ADC 2.340. Examples of items that do not meet current design standards include:
- The one-way interior travel aisles require vehicles circulating within the parking lot to use Water Avenue and the public street system when moving from one travel aisle to another.
  - The site does not City standard sidewalk meeting ADA requirements along its frontage on Water Avenue.
  - The site does not have an on-site storm water collection system. All rainwater runoff from the site currently sheet flows across the sidewalk and driveway approaches out to Water Avenue.
  - Parking stall spaces have a width of 8.5 feet and meet the current standard for long-term parking, but the travel aisles serving those spaces are too narrow. Travel aisle widths are approximately 12 feet, and the required width is 18 feet.
  - The parking lot lacks interior landscaping as well as a landscape strip in the right-of-way along the site's frontage on Water Avenue.
  - The parking lot lacks landscape bays at the end of parking aisles.
- 2.4 The proposed street project on Water Avenue will require modification of the circulation pattern within the parking lot. The circulation change can be accomplished by restriping the parking lot and will not necessitate a need for reconstruction of existing internal parking lot improvements.
- 2.5 ADC 2.340(4) allows non-conforming developments to be changed in a manner that conforms to the base zone development standards of the site. The proposed changes to the parking lot will move the lot in the direction of conformity with the ADC in the following ways:
- Internal one-way travel aisles will be eliminated together with the need to utilize the public street system when circulating within the parking lot.
  - Public sidewalk meeting City and ADA standards will be installed along the frontage of the site.
  - An on-site storm water system will be constructed to avoid having runoff sheet flow over driveway approaches and sidewalk.
  - Parking stall widths will remain 8.5 feet and be provided access via two-way, 24-foot-wide travel aisles. The 24-foot-wide travel aisles are two feet narrower than the City's standard design width of 26 feet, but an improvement over the current 6-foot discrepancy in width. The City has approved the use of 24-foot travel aisles for previous developments that were able to demonstrate a dimensional or space constraint. Those same constraints exist on this lot.
- 2.6 ADC 2.330(5) requires site improvements exceeding \$25,000 to non-conforming developments spend a percentage of project costs on the removal of items of non-conformity. Parking lot improvements associated with this project will exceed the \$25,000 threshold.
- 2.7 Finding and conclusions regarding the non-conforming site are addressed in Site Plan Review criterion #11 above and are hereby incorporated by reference.

## Conclusions

- 2.1 The proposed changes to the parking lot will remove existing conflicts between vehicles and pedestrians and provide for City standard sidewalk along the site's frontage on Water Avenue.
- 2.2 The existing parking lot had been operating as an allowed non-conforming development under ADC 2.340(5).

- 2.3 The proposed parking lot modifications will move the site toward conformity as required under ADC 2.340(4)
- 2.4 This criterion can be met with the following conditions.

### Conditions

- Condition 1 Prior to modification of the site's on-site circulation pattern, the public street improvements shown on the approved site plan for the site's frontage on Water Avenue shall be constructed or their construction financially assured.
- Condition 2 Parking lot circulation and design shall comply with the approved site plan.

### Criterion 3

**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

- 3.1 The proposed parking lot improvements are being coordinated with the Water Avenue right-of-way improvements and the Monteith Park and Dave Clark Trail improvements. The site will also conform to the standards and requirements for the underlying Historic Downtown zone, as well as provide additional parking supply for the area. The improvements will also bring the parking lot further into compliance and conformance with standards for parking lots.

### Conclusions

- 3.1 By conforming with the various land use and transportation access requirements of the Code, as well as being coordinated with other nearby public improvements, the parking lot improvements will be reasonably compatible with surrounding development and land uses.
- 3.2 This criterion is met without conditions.

## Overall Conclusion

As proposed and conditioned, the application for Site Plan Review satisfies all applicable review criteria as outlined in this report.

### Conditions of Approval

- Condition 1* Prior to modification of the site's on-site circulation pattern, the public street improvements shown on the approved site plan for the site's frontage on Water Avenue shall be constructed or their construction financially assured.
- Condition 2* Parking lot circulation and design shall comply with the approved site plan.

## Attachments

- A. Location Map
- B. Applicant Narrative
- C. Plan Set
- D. Aerial Photo of Existing Parking Lot

## Acronyms

ADC	Albany Development Code
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
HD	Historic Downtown Zoning District
TSP	Transportation Systems Plan
/WG	Willamette River Greenway Overlay