



## 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

SP-29-19

March 26, 2020

### Application Information

Proposal:	Site Plan Review application to construct a 4,912 square-foot commercial building addition and associated site improvements
Review Body:	Staff (Type I-L review)
Property Owner:	Chung Ping Lee; 1206 9th Avenue SE, Albany, OR 97322
Applicant/Representative:	Erik Bjork; 7516 Virginia Lane, Vancouver, WA 98664
Address/Location	2845 Santiam Highway SE, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-09BB; Tax Lot 1202 & 1203
Zoning:	Community Commercial (CC) Zoning District
Overlay:	Airport Approach District
Total Land Area:	0.65 & 0.32 acres
Existing Land Use:	Restaurant
Neighborhood:	Santiam
Surrounding Zoning	North: Community Commercial (CC) East: CC South: CC West: CC
Surrounding Uses:	North: Multi-tenant commercial East: Hope Church South: Ace Buyers & Dutch Bros West: Les Schwab
Prior History:	<u>SP-40-18</u> : Site Plan Review regarding the same development proposal as this application. The project was never deemed complete and expired 180 days after the application date.

## Summary

On December 19, 2019, the applicant submitted a Site Plan Review application to construct a 4,912 square-foot addition to an existing 3,376 square-foot building and associated site and parking lot improvements. The application was deemed incomplete on January 17, 2020. Additional information was provided on January 21, 2020 at which time the application was deemed complete.

The subject properties consist of a developed lot where the existing building is located and an undeveloped lot that serves as overflow parking for the adjacent Les Schwab. Both parcels are zoned Community Commercial (CC), which permits commercial uses, including restaurants, through site plan review. With the proposed building addition, the building will be 8,288 square feet, with approximate maximum dimensions of 106' x 78' and a maximum height of 26 feet. The applicant proposes 28 onsite parking spaces (15 regular, 3 ADA accessible, 10 compact) and associated site improvements. Only those portions of the undeveloped lot that are being improved to accommodate parking lot improvements associated with the proposed building addition are assessed in this report.

Site Plan Review criteria found in section 2.450 of the Albany Development Code (ADC) and the Commercial Design Standards found in ADC 8.330-8.390 are addressed in this report. These criteria must be satisfied to grant approval for this application.

## Staff Decision

The application for a Site Plan Review application referenced above is **Approved with Conditions** as described in this staff report.

## Notice Information

A Notice of Filing was mailed to property owners located within 300 feet of the subject property on January 29, 2020. Property owners were given 14 days to respond to the notice. No written comments were received during this 14-day window. Throughout the course of the review the applicant submitted updated site plans on three different occasions, mostly to accommodate ADA and drainage requirements. The modifications did not affect the outward appearance of the building or alter site circulation and the general layout of the proposed improvements. Therefore, renotification was not required.

## 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** 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

#### *Sanitary Sewer*

- 1.1 City utility maps show a 10-inch public sanitary sewer main in Bain Street and an 8-inch main along the north boundary of the site. The existing building on the property is connected to the public sewer system.

- 1.2 The proposed remodel of the existing structure will continue to utilize the existing sewer lateral. System development charges may be due at the time of building permit issuance for any net increase in wastewater plumbing fixtures on the property as a result of the remodel.
- 1.3 A 10-foot-wide public utility (sanitary sewer) easement exists over the northernmost 10 feet of the subject properties.

### *Water*

- 1.4 City utility maps show a 12-inch public water main in Bain Street. The existing building on the property is connected to the public water system.
- 1.5 The proposed remodel of the existing structure will continue to utilize the existing water service.

### *Storm Drainage*

- 1.6 City utility maps show a 10-inch public storm drainage main in Bain Street. The existing development is connected to this public storm drainage main.
- 1.7 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 Engineer and Building Official.
- 1.8 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer. All stormwater runoff produced on the site (including parking areas, sidewalks, roof drains, etc.) must be collected on-site and routed to the public storm drainage system in Bain Street. No stormwater is allowed to sheet flow from the site across sidewalks or onto adjacent properties.
- 1.9 The applicant's site plan submittal indicates that the redevelopment of the site will result in a total reduction in the amount of impervious surface area on the subject properties, so no on-site stormwater detention will be required.

### *Conclusions*

- 1.1 City utilities (sanitary sewer, water, and storm drainage) are available to the subject property. The existing building on the site is connected to the public sewer and water systems. The existing services will continue to be utilized for the remodeled structure.
- 1.2 Sanitary sewer system development charges may be due if there is a net increase in the number of wastewater plumbing fixtures on the site as a result of the proposed remodel.
- 1.3 The site improvements must be graded such that all stormwater runoff from the site (including parking areas, sidewalks, roof drains, etc.) is collected on-site, routed to the public storm drainage system, and is not allowed to sheet flow across property lines.
- 1.4 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 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 The two parcels involved in the proposed project have a total area less than one acre (0.97 acres), therefore no stormwater quality facilities will be required for this project.

### Conclusions

- 2.1 Stormwater quality facilities are not required.
- 2.2 This review criterion is not applicable.

## Criterion 3

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

### Findings of Fact

- 3.1 The project will construct a 4,912 square-foot addition to an existing development, along with associated parking lot improvements to accommodate the addition. The project is located on the northeast corner of the intersection at Santiam Highway SE and Bain Street SE.
- 3.2 Ingress to the site is via an existing, one-way driveway from Santiam Highway with egress to Bain Street. The applicant proposes an additional access from Bain Street that serves the main parking lot. Additionally, an internal parking lot connection is provided between the subject property and the abutting property to the north.
- 3.3 Santiam Highway is improved to ODOT standards and includes four travel lanes along with a shared internal turn lane, curb, gutter, and sidewalk.
- 3.4 Bain Street is improved to City standards with the exception of sidewalk. Sidewalk does not currently exist along the development's frontage.
- 3.5 The applicant did not submit a Traffic Impact Analysis (TIA) with the application. Albany guidelines call for submittal of a trip generation analysis for projects that generate more than 50 new peak hour trips, and a full TIA for projects that generated more than 100 peak hour trips.
- 3.6 Based on ITE trip generation rates for a high-quality, sit-down restaurant the development is estimated to generate 35 vehicle trips during the peak p.m. traffic hour. Half of those trips would be pass-by trips, and half would be new trips on the street system.
- 3.7 Albany's Transportation System Plan was developed with the assumption of this site developing in accordance with its underlying commercial zone designation and does not show any capacity or safety issues occurring along the frontage of the site.

## Conclusions

- 3.1 All public streets adjoining the site are constructed to City standards with the exception of public sidewalk along the site's frontage on Bain Street.
- 3.2 The proposed development will create about 18 new p.m. peak hour trips to the street system. The development will not generate enough vehicle trips to meet the City's threshold for submittal of a TIA.
- 3.3 Albany's TSP does not identify any capacity or safety issues occurring along the frontage of the site.

## Conditions of Approval

- Condition 1. Prior to issuance of a certificate of occupancy, the applicant shall construct public sidewalk to City standards along the site's frontage on Bain Street.

## 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 proposal is to construct a 4,912 square-foot addition to the existing 3,376 square-foot restaurant and improve the parking area to development code standards.
- 4.2 ADC 12.100 (1) requires that driveway approaches to city streets are paved. The site plan indicates that all parking area surfaces will be paved, including the driveway approaches.
- 4.3 The applicant proposes a two-way driveway approach from Bain Street. Additionally, the applicant proposes to retain the existing one-way driveway approach with ingress from Santiam Highway and egress to Bain Street. Per ADC 12.100(2), two-lane driveways for commercial developments must be between 24-32 feet. The proposed driveway is 24 feet wide at the point of the right-of-way. No changes are proposed to the existing one-way driveway. This standard is met.
- 4.4 ADC 12.100 (3) requires that all driveways are 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 two-way driveway to Bain Street is located more than 100 feet from the intersection of Bain Street and Santiam Highway. The one-way driveway from Santiam Highway to Bain street is existing and therefore not subject to this standard. However, the applicant has proposed making the one-way driveway a right-turn only onto Bain Street, which should improve the functionality and safety of the driveway.
- 4.5 ADC 12.100(3) also requires that "all driveways must be located as far as practical from a street intersection..." The location of the two-lane driveway to Bain Street is necessary to maintain the functionality of the parking lot and provide a buffer between the driveway entrance that serves the abutting property to the south. This standard is met.
- 4.6 The application materials indicate the proposed building will be used for a sit-down restaurant. Per ADC 9.020, Table 9-1, sit-down restaurants require one parking space per 200 square feet of building floor area. Outdoor seating that is not exempt per ADC 9.030(3) must be included in the building floor area calculations. ADC 9.030(3) states that "Seasonal outdoor seating up 500 square feet shall be exempt from the parking calculations. Permanent outdoor seating is not exempt." Additionally, ADC

9.020(2) allows certain building areas, such as restrooms, vent shafts, and storage rooms to be excluded from the floor area for the purposes of calculating parking.

The applicant states that the gross building floor area is 8,288 square feet, a figure that includes the outdoor seating areas. From that the applicant deducts 385 square feet for restrooms, 623 square feet for refrigeration, 10 square feet for mechanical, and 500 square feet for seasonal outdoor seating. Thus, the net building floor area is 6,770 square feet. Therefore, 34 parking spaces are required. The applicant has provided 28 parking spaces. ADC 9.025(5) allows on-street parking abutting commercial developments to count towards the parking requirement. The site plan demonstrates there is room for an additional 7 parking spaces on the portion of Bain Street that abuts the subject property. Therefore, a total of 35 parking spaces are available, which meets the required parking standard.

- 4.7 ADC 9.130, Table 9-2, lists required parking stall and aisle widths. The applicant has proposed 28 onsite parking stalls. Twenty-four of those parking spaces meet the minimum standard for parking stall and aisle width. The remaining 4 utilize a 24-foot wide travel aisle. The reduced travel aisle width is permitted when parking is only located on one side of the travel aisle, as is proposed. This standard is met.
- 4.8 ADC 9.120(3) requires parking areas to have a durable, dust-free surface. The applicant's site plan indicates the entirety of the parking area will be paved. The abutting parking area to the east is overflow parking for Les Schwab. Because that area does not serve as required for the proposed restaurant expansion and is not part of this application, the gravel parking area is not required to be paved. This standard is met.
- 4.9 ADC 9.120(4) requires that all parking lots provide a drainage system to dispose of stormwater runoff. Findings regarding the proposed stormwater system are found in Criterion 1 and Criterion 2 of this report and are incorporated here by reference.
- 4.10 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 entirety of the parking lot. This standard is met.
- 4.11 ADC 9.120(6) requires wheel bumpers be used when parking stalls front a sidewalk, alleyway, street or property line. The site plan indicates wheel bumpers have been provided where code requires. This standard is met.
- 4.12 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. This standard is met.
- 4.13 ADC 9.120(9) requires parking lots to connect to adjacent existing or future parking areas. The proposed parking lot is connected to the adjacent parking lot to the north. This standard is met.
- 4.14 ADC 9.120(10) requires conformance with the parking lot landscaping standards found in ADC 9.150. These are discussed below.
- 4.15 ADC 9.120 (11) allows up to 40 percent of the parking stalls to be compact. The applicant has proposed ten compact parking spaces, which represents 36 percent of the 28 onsite parking stalls provided onsite. This standard is met.
- 4.16 ADC 9.120(12) requires accessible parking be provided in conformance with the Oregon Specialty Code. As indicated in the proposed site plan, the applicant has provided accessible parking and an

- accessible route to the building. It's conformance with the Oregon Specialty Code will be assessed at the time of building permit.
- 4.17 ADC 9.120(13)(c) requires commercial developments to provide at least one bicycle parking space for every ten required automobile parking spaces, with a minimum of two bicycle parking spaces. ADC 9.120(13)(c) requires at least one-half of the required bicycle parking spaces to be sheltered. Because 34 parking space are required, three bicycle parking spaces are required, at least two of which must be sheltered. The applicant's site plan indicates that four bicycle parking spaces will be provided, and that two of those spaces will be sheltered by the building canopy. This standard is met.
- 4.18 ADC 9.120(15) requires walkways and accessways to be provided from the front door of new buildings to public sidewalks. The applicant's site plan indicates a sidewalk and access path will be provided from the public sidewalk adjoining Bain Street and Santiam Highway to all door entries of the restaurant. This standard is met.
- 4.19 ADC 9.120(16) deals with employee parking areas. No employee parking areas are proposed. Therefore, this standard is not applicable.
- 4.20 ADC 9.150(1) states that parking areas shall be divided into bays of not more than 12 parking stalls and that the end of each parking bay shall be a curbed planter at least five feet wide. The proposed site plan demonstrates that the new parking bays contain no more than 12 parking stalls and are separated by a curbed planter at least five feet wide. This standard is met.
- 4.21 ADC 9.150 (2) requires that both sides of the parking lot entrance shall be bordered by a minimum five-foot-wide landscape planter strip. Both sides of the new driveway entrances meet this standard.
- 4.22 ADC 9.150 (3) requires that parking areas shall be separated from the exterior wall of a structure by pedestrian walkways or loading areas by a five-foot strip of landscaping. The building is separated from both parking areas by pedestrian walkways. This standard is met.
- 4.23 ADC 4.260 requires commercial uses to provide a minimum of 250 square feet of loading area for buildings of 5,000 to 20,000 square feet of gross floor area. A loading area is not indicated on the site plan.

## Conclusions

- 4.1 Access to the proposed development does not adversely impact the existing right-of-way or public street intersection.
- 4.2 The parking lot plan complies with the travel aisle and stall dimensional standards of ADC 9.130.
- 4.3 Thirty-four parking spaces are required. Twenty-eight spaces have been provided on-site, while the remainder is met with on-street parking along Bain Street.
- 4.4 A minimum loading area of 250 square feet is required.
- 4.5 As proposed, the bicycle parking standard of ADC 9.120(13) has been met.
- 4.6 As proposed, this criterion can be met with the following conditions.

## Conditions of Approval

Condition 2 Prior to issuance of a building permit, the applicant shall submit an updated site plan that demonstrates a minimum loading area of 250 square feet has been provided in accordance with ADC 4.260.

## 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 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 subject property is a developed lot with an existing 3,376 square-foot building. The proposed development consists of a 4,912 square-foot building addition and associated parking and site improvements. As proposed, the total building size will be 8,288 square feet. The proposed use is a sit-down restaurant as specified in ADC 22.130. The use is allowed with site plan review approval in the Community Commercial (CC) zone. A site plan of the proposed development is presented in Attachment C.
- 5.3 Surrounding Development and Land Use. Surrounding land uses are summarized at the beginning of this report. That summary is incorporated here by reference. As shown on the location map (Attachment A), the subject property is entirely surrounded by CC zoned property. Accordingly, the property is entirely surrounded by various commercial uses and, therefore, the operating characteristics of this neighborhood are predominantly commercial.
- 5.4 Lot Size, Dimensional Requirements and Lot Coverage. Per ADC 4.090, Table 4-2, the CC zoning district does not require a minimum lot size, width, or depth. The maximum lot coverage is 90 percent. According to the applicant's site plan (Attachment C), the proposed development achieves a lot coverage of 89.9 percent. Therefore, these standards are met.
- 5.5 Building Height. Per ADC 4.090, Table 4-2, the maximum permitted building height in the CC zoning district is 50 feet. The proposed building is approximately 26 feet tall at its highest point. This standard is met.
- 5.6 Setbacks. Per ADC 4.090, Table 4-2, the CC zoning district requires a minimum front setback of 10 feet. The front setback is measured along the frontage of both Santiam Highway and Bain Street. The proposed building is set back approximately 55 feet from Santiam Highway and 12.5 feet from Bain Street, as measured from the property line to the building foundation. The outdoor canopy extends four feet into the front setback along Bain Street. ADC 4.140 (2)(a) permits architectural appendages, such as canopies, to extend up to five feet into the front setback. Therefore, this standard is met.
- 5.7 Landscape & Open Space. Per ADC 4.090, Table 4-2, the CC zoning district requires that all yards adjacent to streets must be 100 percent landscaped. With the exception of the permitted intrusion of the parking lot backing area and the architectural appendages, the landscape standard is met along the Bain Street frontage. The existing parking lot and landscape configuration along Santiam Highway is existing and no changes are proposed.

5.8 Landscaping. ADC 9.140(2) requires that all required front and interior setbacks (exclusive of access ways and other permitted intrusions) shall be landscaped before an occupancy permit will be issued, unless the landscaping is guaranteed in accordance with ADC 9.190. ADC 9.140(2) states: “*The minimum landscaping acceptable for every 1,000 square feet of required setbacks in all commercial-industrial districts is as follows:*

- (a) *One tree at least six feet tall for every 30 feet of street frontage.*
- (b) *Five 5-gallon or eight 1-gallon shrubs, trees or accent plants.*
- (c) *The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.”*

The subject property has 276 feet of frontage along Bain Street, less 48 feet for access driveways, which equates to 228 feet of frontage and 2,280 square feet of required setback area. Thus, the landscaping requirements along Bain Street are as follows: eight trees at least six feet tall, eleven five-gallon shrubs or eighteen one-gallon shrubs, and the remaining area treated with ground cover.

The applicant’s landscape plan (Attachment D) indicates the following have been provided: seven trees at least six feet tall, thirty-three shrubs that are at least one gallon, and the remaining area treated with groundcover. Thus, the applicant must provide one additional tree along the Bain Street frontage.

The subject property has 87 feet of frontage along Santiam Highway, less 24 feet for access driveways, which equates 63 feet of frontage and 630 square feet of required setback area. Thus, the landscaping requirements along Santiam Highway are as follows: two trees at least six feet tall, three five-gallon shrubs or five one-gallon shrubs, and the remaining area treated with ground cover. Due to vision clearance standards, trees are not suitable for the frontage along Santiam Highway.

The applicant’s landscape plan indicates the following have been provided: two trees at least six feet tall, no shrubs, and the remaining area treated with groundcover. Thus, the applicant must meet the minimum shrub requirement along Santiam Highway.

A condition of approval will require the applicant to submit an updated landscape and irrigation plan.

5.9 Environmental Standards. ADC 9.440 - 9.500 includes environmental standards related to noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. The design and operating characteristics of a sit-down restaurant are comparable to other commercial operations in the immediate vicinity and therefore no adverse environmental impacts are anticipated.

5.10 ADC 9.120(14) requires lighting to be arranged to reflect light away from any abutting or adjacent properties. The applicant stated in the findings (Attachment B) that “the existing light pole and area light fixtures will be retrofitted with anti-glare shielding.” This standard is met.

5.11 Irrigation System. ADC 9.160 requires that all landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman provides documentation that the plants do not require irrigation. Although the landscape indicates irrigation will be used, an irrigation plan was not provided by the applicant. Therefore, a condition of approval will require the applicant submit an irrigation plan or verification from a landscape professional that the existing and proposed plants do not require irrigation.

5.12 Refuse Containers. ADC 4.300 requires that any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, public facility, or any residential area must be screened from view by placement of a sight-obscuring fence, wall, or hedge at least six feet tall. All refuse materials must be contained within the screened area.

As shown on the site plan (Attachment C), the proposed refuse area is located northeast of the building. The refuse container is enclosed by a six-foot high concrete block wall with a chain link, slated gate.

The refuse container is not within 15 feet of any dwelling window and is not located in a required buffer or setback area. Therefore, this standard is met.

- 5.13 Design Standards: The proposed development is subject to the commercial design standards found in ADC 8.310 - 8.390. An assessment of the proposal's conformance with these standards can be found after the conclusion of Criterion 8.

## Conclusions

- 5.1 The subject property is zoned Community Commercial (CC). The proposed sit-down restaurant is a permitted use with site plan review approval and is compatible with surrounding land uses.
- 5.2 The proposal meets the standards for building height, lot coverage, setbacks and landscape requirements.
- 5.3 The proposal conforms with the applicable environmental standards.
- 5.4 The applicant provided a site plan that shows the existing landscape. A final landscape and irrigation plan shall be provided prior to the issuance of building permits.
- 5.5 Based on the observations above, the proposed development will be compatible with existing or anticipated uses in terms of size, use, setbacks, and landscaping when the following conditions are met:

## Conditions of Approval

- Condition 3 The applicant shall submit a final landscape and irrigation plan to the Community Development Department for review and approval prior to issuance of a building permit. The landscape and irrigation plans shall be consistent with the standards under ADC 9.140(2), 9.150, 9.160. Tree plantings along the Santiam Highway frontage are not required.
- Condition 4 Prior to the issuance of a certificate of occupancy, all proposed and required site improvements (e.g. parking, bicycle parking, landscaping, and pedestrian amenities) shall be constructed and completed in accordance with the approved plans.

## Criterion 6

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

## Findings of Fact

- 6.1 *Article 4 Airport Approach district*: According to Figure 4-1 of the ADC, the subject property is located within the Airport Approach District. The subject property is located at an elevation of 220 feet and the proposed building is 26 feet tall, for a total elevation of 246 feet. The Airport Approach District restricts the combined height of the existing ground level elevation and building to no more than 372 feet. Therefore, the combined elevation of 246 feet is well below the height restriction imposed by the Airport Approach District. This standard is met.
- 6.2 *Article 6 Steep Slopes, Comprehensive Plan Plate 7*: According to *Plate 7 of the Comprehensive Plan*, the subject property is not located in the Hillside Development district.
- 6.3 *Article 6 Floodplains, Comprehensive Plan Plate 5*: FEMA/FIRM Community Panel No. 41043C0214H, dated December 8, 2016, shows that the entirety of the subject property is located outside the 100-year floodplain.

- 6.4 *Article 6 Wetlands, Comprehensive Plan Plate 6:* does not show any wetlands on the subject site. The National Wetlands Inventory Map does not show wetlands on the subject site.
- 6.5 *Article 6:* The subject property is not located in the Willamette River Greenway, Open Space Zoning, Riparian or Habitat overlay district.
- 6.6 *Article 7 Historic Districts, Comprehensive Plan Plate 9:* shows the subject property is not in a historic district. There are no known archaeological sites on the property.

## Conclusions

- 6.1 The subject property is located in the Airport Approach District. The proposed building height is less than height restriction imposed by the Airport Approach District.
- 6.2 Aside from the Airport Approach District, the subject property is not located in a special purpose district.
- 6.3 This review criterion is met without conditions.

## Criterion 7

**The site is in compliance with prior land use approvals.**

### Findings of Fact and Conclusions

- 7.1 The subject property is not subject to prior land use approvals. 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 criterion is not applicable.

## Commercial and Institutional Design Standards (ADC 8.330-8.390)

In addition to the review criteria above, the following Design Standards must be met.

### *Relationship to Historic Overlay Districts (ADC 8.320).*

Applicable only for residential property inside the Monteith or Hackleman Historic Overlay Districts, see Article 7 for additional historic review criteria. Because the subject property is not located in a historic district, this standard is not applicable.

### *Building Orientation (ADC 8.330).*

*Building orientation and maximum setback standards are established to help create an attractive streetscape and pleasant pedestrian environment. These standards apply in all zoning districts except HD, DMU, CB, and WF. Development in HD, CB, DMU, and WF shall demonstrate appropriate building orientation through compliance with maximum front setback standards in ADC Section 5.120.*

- (1) *New buildings shall be oriented to existing or new public streets. Building orientation is demonstrated by placing buildings and their public entrances close to streets so pedestrians have a direct and convenient route from the street sidewalk to building entrances.*
  - (a) *On sites smaller than three acres, new buildings shall be oriented to the public street/ sidewalk and off-street parking shall be located to the side or rear of the building(s), except where it is not feasible due to limited or no street frontage, the site is an infill site less than one acre, conservation of natural resources, or where there are access restrictions.*
  - (b) *Buildings on sites larger than three acres may be setback from the public street and oriented to traffic aisles on private property if the on-site circulation system is developed like a public street with pedestrian access, landscape strips, and street trees.*
- (2) *Customer entrances should be clearly defined, highly visible, using features such as canopies, porticos, arcades, arches, wing walls, and planters.*

## Findings of Fact

The building orientation standards only apply to new buildings. Therefore, ADC 8.330(1) is not applicable to this proposed building addition. As proposed, the building will have an entrance on the west, north and south. As indicated in the building elevations (Attachment F), these entrances include a variety of features such as canopies, porticos, and arches that clearly delineate the building entrances. This standard is met.

## General Building Design (ADC 8.340).

*The following standards apply in all zoning districts except HD, CB, DMU, and WF, which are subject to ADC Section 8.345. New commercial buildings shall provide architectural relief and interest, with emphasis at building entrances and along sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided except when not feasible.*

- (1) *Ground floor windows shall be provided along frontages adjacent to sidewalks. The main front elevation(s) of buildings shall provide windows or transparency at the pedestrian level in the following minimum proportions: CC District— 25 percent transparency. The minimum window and door requirements are measured between 2 and 8 feet from the ground. Only the glass portion of doors may be used in the calculation. If there are upper floor windows, they shall continue the vertical and horizontal character of the ground level windows.*
- (2) *Walls that are visible from a public street shall include a combination of architectural elements and features such as offsets, windows, entry treatments, wood siding, brick stucco, synthetic stucco, textured concrete block, textured concrete, and landscaping.*

## Findings of Fact

The applicant's findings (Attachment B) state that the west elevation achieves a window transparency of 22.6 percent and the south elevation 25.3 percent. Staff calculated the window transparency along both elevations and found that both meet the 25 percent transparency requirement. The west elevation is 106 feet long. Therefore, the total façade area between 2 and 8 feet is 636 square feet (106' x 6' square feet). There are 10 windows that are each 20 square feet for a total of 200 square feet, plus an additional 10 square feet of transparency gained from a door window. Thus, the west elevation achieves a window transparency of 33 percent ( $210/636 = .33$ ). The south elevation is 78 feet long. There are 8 windows that are each 20 square feet for a total of 160 square feet, plus an additional 65 square feet of window transparency gained from a door window, large bay window and smaller window. Thus, the south elevation achieves a window transparency of 48 percent ( $225/468 = .48$ ).

The applicant's elevation drawing shows that walls visible from the street include a variety of architectural elements, including different building material, canopies and porticos to emphasize building entrances, and façade offsets. This development standard is met.

### **Street Connectivity and Internal Circulation (ADC 8.350).**

*The following standards emphasize the importance of connections and circulation between uses and properties. The standards apply to both public and private streets. Development in the HD, DMU, CB and WF zoning districts on sites under three acres is exempt from these standards.*

- (1) *New commercial buildings may be required to provide street or driveway stubs and reciprocal access easements to promote efficient circulation between uses and properties, and to promote connectivity and dispersal of traffic.*
- (2) *The internal vehicle circulation system of a commercial development shall continue the adjacent public street pattern wherever possible and promote street connectivity. The vehicle circulation system shall mimic a traditional local street network and break the development into numerous smaller blocks.*
- (3) *Traffic aisles shall not be located between the building(s) and the sidewalk(s), except as provided in (4) below, or where drive-through windows are permitted, sites are constrained by natural resources, or are infill sites less than one acre.*
- (4) *Where drop-off facilities are provided, they shall be designed to meet the requirements of the American with Disabilities Act but still provide for direct pedestrian circulation.*
- (5) *Internal roadways shall be designed to slow traffic speeds. This can be achieved by keeping road widths to a minimum, allowing parallel parking, and planting street trees to visually narrow the road.*

### **Findings of Fact**

- (1) The applicant has proposed an internal connection to the parking lot to the north that utilizes an existing reciprocal access easement. This standard is met.
- (2) Internal drive aisles for the proposed development mimic the existing street system to the extent possible.
- (3) Because the subject parcel qualifies as infill development and is less than one acre, ADC 8.350(3) is not applicable.
- (4) Because drop-off facilities are not proposed, ADC 8.350(4) is also not applicable. ADA compliance will be assessed at time of building permit.
- (5) Lastly, internal roadways are not provided and therefore ADC 8.350(5) is also not applicable.

### **Pedestrian Amenities (ADC 8.360).**

- (1) *All new commercial structures and improvements to existing sites shall provide pedestrian amenities. The number of pedestrian amenities shall comply with the following sliding scale.*

<i>Size of Structure or Improvement</i>	<i>Number of Amenities</i>
<i>Less than 5,000 square feet</i>	<i>1</i>
<i>5,000 – 10,000 square feet</i>	<i>2</i>
<i>10,001 – 50,000 square feet</i>	<i>3</i>
<i>More than 50,000 square feet</i>	<i>4</i>

- (2) *Acceptable pedestrian amenities include the following improvements. No more than two of any item may be used to fulfill the requirement:*
  - (a) *Sidewalks at least ten feet wide with ornamental treatments (e.g., brick pavers), or sidewalks which are 50 percent wider than required by the Code.*

- (b) Benches and public outdoors seating for at least four people.
- (c) Sidewalk planter(s) enclosing a total of eight square feet.
- (d) Pocket parks or decorative gardens (minimum usable area of 300 square feet).
- (e) Plazas (minimum usable area of 300 square feet).
- (f) Street trees that are 50 percent larger than required by the Code.
- (g) Weather protection (awnings, etc.).
- (h) Other pedestrian amenities that are not listed but are similar in scale and benefit.

(3) Pedestrian amenities shall comply with the following standards:

- (a) Amenities shall be located outside the building main entrance, along pedestrian corridors, or near transit stops. Amenities shall be visible and accessible to the general public from an improved public or private street. Access to pocket parks, plazas, and sidewalks must be provided via a public right-of-way or a public access easement.
- (b) Amenities are not subject to setback requirements.
- (c) Amenities are consistent with the character and scale of surrounding developments. For example, similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials should be suitable for outdoor use, easily maintained, and have a reasonably long life cycle (e.g., 10 years before replacement).

## Findings of Fact

The proposed building is between 5,000 – 10,000 square feet; therefore, two pedestrian amenities are required. The applicant findings (Attachment B) has provided weather protection at each door and along the front facades, as well as benches that seat at least four people. Therefore, ADC 8.360(2) is met.

### *Pedestrian Connections (ADC 8.370).*

- (1) New retail, office and institutional buildings at or near existing or planned transit stops shall provide for convenient pedestrian access to transit.
- (2) Walkways shall be provided connecting building entrances and streets adjoining the site.
- (3) Pedestrian connections to adjoining properties shall be provided except where such a connection is impractical. Pedestrian connections shall connect the on-site circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential of redevelopment, streets, access ways and walkways on site shall be laid out or stubbed to allow for extension the adjoining property.

## Findings of Fact

Pedestrian connections are provided from the building entrances to the public sidewalk along both Bain Street and Santiam Blvd. This standard is met.

### *Large Parking Areas (ADC 8.380).*

The large parking area standards apply to commercial development with more than 75 parking spaces. The proposed parking lot does not exceed 75 parking spaces. Therefore, this design standard is not applicable.

### *Compatibility Details (ADC 8.390).*

Commercial development shall be designed to comply with the following applicable details and any other details warranted by the local conditions:

- (1) On-site lighting is arranged so that light is reflected away from adjoining properties and/or streets.

- (2) *Any undesirable impacts produced on the site, such as noise, glare, odors, dust or vibrations have been adequately screened from adjacent properties.*
- (3) *The site is protected from any undesirable impacts that are generated on abutting properties.*
- (4) *Unsightly exterior improvements and items such as trash receptacles, exterior vents and mechanical devices have been adequately screened.*
- (5) *Storage areas, trash collection facilities and noise generating equipment are located away from public streets, abutting residential districts or development, or sight obscuring fencing has been provided.*
- (6) *Where needed, loading facilities are provided on-site and are of sufficient size and number to adequately handle the delivery or shipping of goods or people. Where possible, loading areas should be designed so that vehicles enter and exit the site in a forward motion.*

## Findings of Fact

Findings related to lighting are discussed in Criterion 5 of this report and incorporated here by reference. The subject property is in the Community Commercial (CC) zoning district. The proposed use as a sit-down restaurant is not anticipated to produce undesirable impacts that are uncharacteristic of surrounding uses or adjacent properties. Likewise, the subject property adjoins two parcels. The parcel to the east is currently utilized by Les Schwab, while the parcel to the north is developed with multi-tenant commercial space. Neither use generates an undesirable impact. Therefore, ADC 8.380(2) and (3) are met. The trash collection facility is away from the public streets and is screened with a sight-obscuring fence. Likewise, no noise generating equipment is anticipated. Therefore, ADC 8.390(5) is met. Findings regarding loading facilities are addressed in Criterion 4 and are incorporated here by reference.

## Commercial Design Standard Conclusions

- DS.1 Building orientation, design, transparency, and architectural relief features associated with this development meet design standards as submitted.
- DS.2 Street connectivity and internal circulation, pedestrian connections, and compatibility details associated with this development meet design standards as submitted.
- DS.3 As required, at least two pedestrian amenities have been provided.
- DS.4 No adverse environmental impacts are expected from this development; restaurants do not create any out-of-the-ordinary impacts.
- DS.5 Lighting shall not trespass onto adjacent property. The applicant has proposed shielding to prevent light trespass.
- DS.6 As proposed and conditioned, all applicable Commercial Design Standards are met without conditions.

## Overall Conclusion

As proposed and conditioned, the application for Site Plan Review to development a new commercial building and associated site improvements satisfies all applicable review criteria as outlined in this report.

## Conditions of Approval

- Condition 1 Prior to issuance of a certificate of occupancy, the applicant shall construct public sidewalk to City standards along the site's frontage on Bain Street.

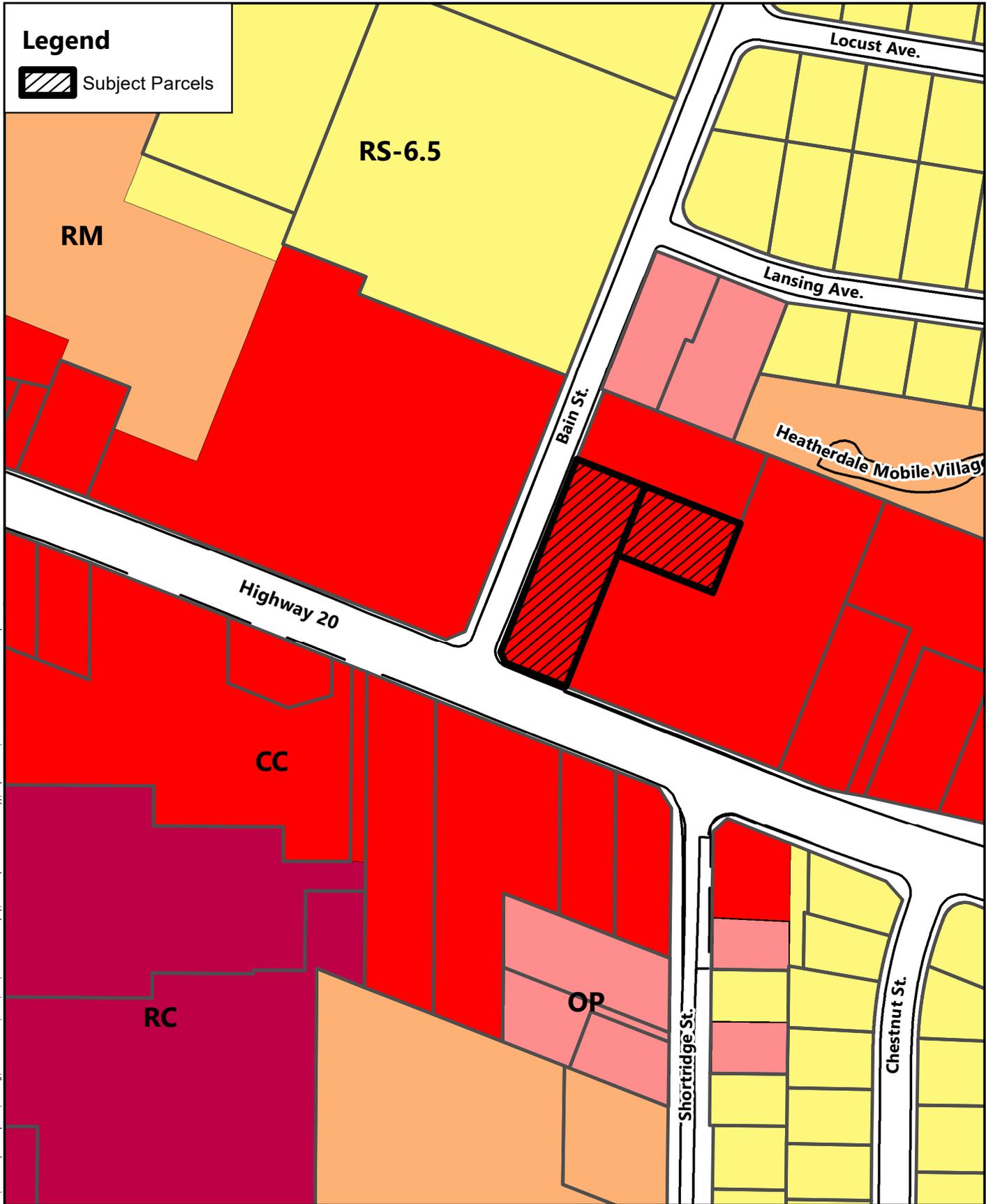
- Condition 2 Prior to issuance of a building permit, the applicant shall submit an updated site plan that demonstrates a minimum loading area of 250 square feet has been provided in accordance with ADC 4.260.
- Condition 3 The applicant shall submit a final landscape and irrigation plan to the Community Development Department for review and approval prior to issuance of a building permit. The landscape and irrigation plans shall be consistent with the standards under ADC 9.140(2), 9.150, 9.160. Tree plantings along the Santiam Highway frontage are not required.
- Condition 4 Prior to the issuance of a certificate of occupancy, all proposed and required site improvements (e.g. parking, bicycle parking, landscaping, and pedestrian amenities) shall be constructed and completed in accordance with the approved plans.

## Attachments

- A Location Map
- B Applicant's Written Findings
- C Site Plan
- D Landscape Plan
- E Grading and Stormwater Plan
- F Building Elevations

## Acronyms

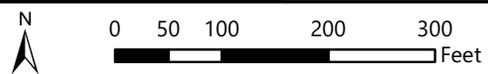
ADA	American Disabilities Act (Accessible Parking Standards)
ADC	Albany Development Code
AMC	Albany Municipal Code
CC	Community Commercial (Zoning District)
DEQ	Oregon Department of Environmental Quality
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
ITE	Institute of Transportation Engineers (Trip Generation)
SP	Site Plan Review
TSP	Transportation System Plan



**Legend**

 Subject Parcels

G:\Community Development\Planning\Land Use Cases\2010s\2019\Site Plan Review (SP)\SP-29-19 (2845 NE Santiam Hwy)\Project Review\2845 Santiam HWY SE Location Map.mxd



Date: 12/24/2019 Map Source: City of Albany

# 2845 Santiam Highway SE

## Location / Zoning Map

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**ERIK BJORK**

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December 17, 2019

Attn: Travis North Planner I  
 City of Albany Community Development  
 333 Broadalbin Street SW  
 PO Box 490  
 Albany, OR 97321  
 (541) 917-7551

**Re: Site Plan Review: SP-40-18R (re-submittal)**  
**Project Name: Restaurant Addition for Rancho la Hacienda Real**  
**Site Address: 2845 Santiam Hwy SE Albany, OR 97322**  
**Tax Lots/ID: Lot 1203/108270 & Lot 1202/108262**

**Site Plan Review Narrative**

Remodel the existing building and construct a new addition for a new restaurant on Lot 1202. The re-development will include new concrete sidewalks and plaza at the main entrance facing Bain St SE and secondary entrances connecting to the parking lots at the north and south sides. The re-configured on-site parking and vehicle maneuvering areas will add new landscape island planters and expand the parking onto a portion of Lot 1203. A new trash & recycling enclosure with a 10' x 25' loading area will be located on-site. New street parking will be located on the frontage of Bain St SE that will include new concrete sidewalk, curb and gutter in the right-of-way.

**Format for Findings of Fact:** *(per Site Plan Review Checklist & Review criteria process)*  
 as follows:

**Findings of Fact: Criterion:**

**Facts:**

**Conclusion:**

**Site Plan Review Submittal Checklist Criteria:****1. Public utilities can accommodate the proposed development.**

**Facts:** Previous restaurant use on site was supported by current utility infrastructure.

1 Conclusion: The impact of the proposed development (addition to existing restaurant) will be assessed with (applicable development) impact fees as required per ADC regulations.

2. The proposed post-construction stormwater quality facilities can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.

*Facts: 12.45.030 Permit required.*

*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.*

*Facts: 12.45.040 Permit exemptions.*

*(c) The Director has determined that physical characteristics of the site (including current development) make effective on-site construction of the facilities impractical; and that an off-site post-construction stormwater quality fee has been paid per AMC 12.45.100.*

Conclusion: Please see item 12.535 (below)

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

*Facts: Santiam Hwy SE serving the site has been fully improved to its full 1/2 width (including a 10-foot right-of-way dedication, sidewalk, curb, gutter and ADA corner accessible ramp and sidewalk up to intersection of Bain St. SE.). Current ADT public transportation does not extend to the existing site.*

Conclusion: The existing fully improved Santiam Hwy SE corridor provides access to the site via vehicle and pedestrian travel. No ADT service is proposed for the near future.

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

*Facts: The existing restaurant has two access points, an existing 23.72 ft. driveway at Santiam Hwy SE and a second 24.0 ft. driveway at Bain St SE.*

Conclusion: Clear vision areas are provided at all the site access points. The existing access to the site from both entries, historically has provided safe egress/ingress to the existing restaurant. The site will maintain access from Santiam Hwy SE with entry only from Santiam Hwy SE with Right-Turn-Only onto Bain St SE. The existing access site access from Bain St SE will be relocated approximately 36'+ south to provide egress/ingress to the proposed restaurant addition, parking and maneuvering areas.

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.

*Facts: A commercial restaurant business has occupied this site for many years.*

Conclusion: The expansion and remodel of the existing business use will provide continued access for the neighborhood and surrounding area with continued restaurant use. The surrounding businesses and neighbors are supportive of the redevelopment of a long-standing eyesore of unused and incomplete construction. The newly refurbished and expanded restaurant will have a positive impact on the surrounding area.

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.

*Facts: Airport Approach*

Conclusion: See item 4.060 (below)

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

*Facts: A commercial restaurant business has occupied this site for many years and was compatible with the existing zoning and comprehensive plan designations. (No land use change is proposed).*

Conclusion: The proposed remodel and expansion of the restaurant business use is compatible with the current CC Community Commercial zoning / Commercial General comprehensive plan designations.

**8. Site that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370. N/A**

**Albany Development Code (ADC) Applicable Standards:**

**ARTICLE 4  
COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS**

*Facts: 4.010 Overview. The zones created in this article are intended to provide land for commercial, office and industrial uses. The differences among the zones, in the permitted uses and development standards, reflect the existing and potential intensities of commercial and industrial development. The site development standards allow for flexibility of development while minimizing impacts on surrounding uses. The regulations in this article promote uses and development that will enhance the economic viability of specific commercial and industrial areas and the city as a whole. Development may also be subject to the provisions in Article 8, Design Standards, Article 9, On-Site Development and Environmental Standards, and Article 12, Public Improvements. Sites within overlay districts are also subject to the provisions in Article 6, Special Purpose Districts, and Article 7, Historic Overlay Districts.*

Conclusion: The current commercial use for this site meets the existing and new restaurant development proposed. The re-development of the existing business will enhance the surrounding uses and will have positive impact to the adjacent neighborhood businesses. The proposed development will adhere to the Design Standards, On-Site Development and Environmental Standards, and Public Improvements as needed at Bain St. SE. The proposed development is not located within any Special Purpose or Historic Overlay Districts.

**The proposed project meets applicable development standards of ADC Article 4 Commercial & Industrial Zoning District.**

*Facts: 4.020 (3) CC- Community Commercial District. The CC district recognizes the diversity of small to medium-scale businesses, services and site mostly located on arterial streets and highways. Design guidelines, building location and front-yard landscaping will provide a coordinated and enhanced community image along these major transportation corridors as they develop or redevelop. Sound and visual buffer should be used to mitigate impacts on nearby residential areas.*

Conclusion: The site is surrounded with compatible commercial development. The proposed remodel and expansion of the restaurant business use will positively impact the existing business neighborhood. New tree plantings at the frontage of Santiam Hwy SE and redesigned and remodeled business fronting the highway will provide a pleasing view and offer the opportunity for community members and visitors to use this revitalized business.

*Facts: 4.030 Special Purpose Districts N/A*

*Facts: 4.035 Relationship to State, Federal and Other Local Regulations. In addition to the regulations of this Code, each use, activity, or operation in the City of Albany must comply with applicable state and federal standards. Other local regulations include those in Article 6, Special Purpose Districts, and those of the Building Division and Fire Department.*

**Conclusion:** The proposed re-development shall be in conformance with the following codes:

2014 OSSC Oregon Structural Specialty Code Based on the 2012 IBC Effective: 07/01/2014

2014 OEESC Oregon Energy Efficiency Specialty Code Based on 2009 IECC Effective: 07/01/2014

2014 OMSC Oregon Mechanical Specialty Code Based on 2012 IMC & 2012 Effective: 07/01/2014

2017 OESC Oregon Electrical Specialty Code Amendments Based on 2017 NFPA 70 NEC Effective: 10/01/2017

2017 OPSC Oregon Plumbing Specialty Code Based on 2015 UPC Effective: 10/01/2017

2014 OFC Oregon Fire Code

NFPA National Fire Protection Association

ICC A117.1-2009 ACCESSIBILITY

ASCE 7-10 APRIL 6, 2011: ASCE MINIMUM DESIGN LOADS

## **SCHEDULE OF PERMITTED USES**

*Facts: 4.040 Interpretation. Each use category in the schedule of permitted uses is described in Article 22, Use Categories and Definitions. Article 22 classifies land uses and activities into categories based on common functional, product, or physical characteristics.*

*Facts: 4.050 Schedule of Permitted Uses. The specific uses listed in the following schedule (Table 4-1) are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code. "S" Use permitted that requires a site plan approval prior to the development or occupancy of the site or building.*

**Conclusion:** Per ADC Table 4-1 Schedule of Permitted Uses-Commercial Category:  
22.130 Restaurants

### *22.130 Restaurants*

*Facts: (1) Restaurants are businesses that primarily prepare and sell food and beverages to the general public. Businesses may also provide alcoholic beverages and entertainment in addition to food sales.*

*Facts: (2) Use Examples. Types of uses include, but are not limited to: cafes and delicatessens; restaurants with sit-down, carry-out, and fast food (with or without drive-through window).*

*Facts: (3) Exceptions. Food sales at events and entertainment centers are accessory uses to the primary use type.*

**Conclusion:** The existing and proposed restaurant business will continue to sell food and beverages and alcoholic beverages to the general public. "Drive-thru or mostly delivery" is not proposed. The redevelopment for the proposed "Restaurant Use" per 22.120 is compatible with the previous and existing CC Zoning District with "S" Use Designation.

## **SPECIAL CONDITIONS**

*Facts: 4.060 General. Where numbers appear in the "Special Conditions" column or in a particular cell in the Schedule of Permitted Uses, the corresponding numbered conditions below shall apply to the particular use category as additional clarification or restriction:*

*Facts: Per Table 4-1 Use Category for Restaurants Special Condition see item # (25) Hours of Operation. Hours of operation for establishments or outdoor seating areas within 300 feet of a residence may be restricted through conditions of approval to be compatible with neighbors.*

Conclusion: Per Maps & Information from the City of Albany GIS Team InfoHub map the outdoor seating area facing west indicates a similar CC Zone within 300-feet and the outdoor seating area facing north indicates OP Zone within 300-feet. No portion of the proposed outdoor seating is within 300 feet of a residence regarding the impact of hours of operation.

## **SPECIAL STATUS FOR SINGLE FAMILY HOMES**

*4.075 Existing Uses Granted Special Status (Allowed) in the Commercial and Industrial Districts. N/A*

## **DEVELOPMENT STANDARDS**

*Facts: 4.090 Purpose. Development standards are intended to promote site planning and design that consider the natural environment, site intensity, building mass, and open space. The standards also promote energy conservation, needed privacy, safe and efficient parking areas for new development, and improve the general living environment and economic life of a development. Table 4-2 summarizes the basic development standards.*

Conclusion: Per ADC Table 4-2 (applicable) Commercial Development Standards as follows:  
Front Setback: The existing portion of the proposed restaurant building is approximately 45'-2" north of the 10-foot Front setback at Santiam Hwy SE and the existing and proposed restaurant building is approximately 2'-7"+ east, out of the 10-foot Front setback to Bain St SE. Note: The decorative pilasters located facing Bain St SE (and Santiam Hwy SE) are non-structural and provide architectural embellishment that augments the specific style and nature of the proposed restaurant business.

### Interior Setback abutting non-residential:

The site abuts CC to the east. No interior setback indicated. The site abuts CC to the north and an internal vehicle maneuvering access. No interior setback is indicated.

Note: The existing site is surrounded by CC development on all sides and is compatible with those existing commercial uses

### Building Size:

Existing building area:	3,842 sq.ft.
<u>New building area:</u>	<u>+ 4,446 sq.ft.</u>
Total building area:	8,288 sq.ft.

The gross area of the existing and proposed restaurant structure is less than the 100,000 sq.ft. maximum allowable area.

### Lot Coverage:

New concrete sidewalk area:	3,744 sq.ft
New trash/recycling conc. Area:	220 sq.ft.
New ac pavement area:	1,700 sq.ft.
Existing ac pavement areas:	14,534 sq.ft.
<u>Existing gravel area:</u>	<u>+ 9,666 sq.ft.</u>

Total impervious surface area:	38,152 sq.ft.
<u>Total landscape area:</u>	<u>+ 4,305 sq.ft.</u>
Total site area:	42,457 sq.ft. (0.97 acres)

New or replaced impervious surface area:  $(4,446 + 3,744 + 220 + 1,700) = 10,110$  sq.ft.

The total lot coverage area (89.9%) is less than the 90% maximum allowable coverage of the total site area of for Lot 1203 & Lot 1202.

Landscaped Area: The proposed (10.1%) (on-site) landscaped area exceeds the minimum 10% landscaped area coverage.

Height: The 26'-10"+ height of the existing and proposed restaurant structure is less than the 50'-0" maximum height.

## SETBACKS

*Facts: 4.100 Minimum Standards. All setbacks must meet the minimum standards in Table 4-2, Development Standards. In addition to the setbacks in this Article, all development must comply with Section 12.180, Clear Vision Area.*

Conclusion: The existing and proposed development meets the minimum standards per Table 4-2. see 4.050 (above).

The existing driveway exiting the southern portion of the site to Bain Street SE will remain and will be reduced in width from approximately 34-foot wide to 24-feet wide. The existing 24-foot wide driveway entering/exiting to Bain St SE will be relocated approximately 36-feet south. The existing 23.72 ft. driveway entrance to the southern portion of the site at Santiam Hwy SE will remain (in-only). All three access points to the site meet and comply with the Clear Vision Area per 12.180(2)(b) Table 12-5. The existing (free-standing) business sign is located within the front yard setback at Bain St SE is to remain and is outside the Clear Vision Area triangles. Please refer to Clear Vision Area triangles and plantings indicated on Grading/Landscape plan A12G.

*Facts: 4.110 Measurements. Setback distances must be measured perpendicular to all portions of a property line.*

Conclusion: The required 10-foot setbacks are measured from the west property line at Bain St SE perpendicular to the west face of existing and proposed building and from the southern property line at Santiam Hwy SE perpendicular to the southern face of the existing building.

*Facts: 4.130 N/A*

*Facts: 4.140 General Exceptions to Setback Requirements. The following may project into required setbacks, provided that they conform to the conditions and limitations indicated:*

*(2) Projecting Building Features. The following may project into the required front setback up to 5 feet and into the required interior setbacks up to 2 feet:*

*(a) Awnings, eaves, buttresses, architectural appendages (such as, but not limited to, bay windows, planters, cantilevered stairways).*

Conclusion: The decorative non-structural pilasters (architectural appendages) on the west side of the proposed building project approximately 3'-11" into the front yard setback at Bain St SE.

*Facts: 4.150 thru 4.180. N/A*

*Facts: 4.200 Special Noise Corridor Setbacks. Residential developments adjacent to the following listed streets and highways must maintain the setbacks listed from the designated right-of-way in addition to the required setbacks for the zoning district:*

Conclusion: The existing portion of the building is approximately 45'-2" north of Santiam Hwy SE right-of-way outside the 25-foot minimum Special Noise Corridor Setback.

*Facts: 4.210. N/A*

*Facts: 4.220 Parking Restrictions in Setback Areas. Parking and loading spaces may not be located in a required front or side setback.*

Conclusion: The existing parking at the south side of the site will be restriped as needed and is located outside the 10-foot front yard setback at Santiam Hwy SE. The proposed new parking and maneuvering at the north side of the site is located out of the 10-foot front yard setback at Bain St SE.

## **HEIGHT**

*Facts: 4.230 Height Standards. See Table 4-2 item #8*

Conclusion: See item 4.090 (above) for proposed building height that does not exceed the 50-foot height limitation. Proposed addition and existing structure are not located in Airport Approach Overlay District.

*Facts: 4.240 Height Exceptions.*

*(1) Roof structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, antennas, steeples, and similar structures may be erected above the height limits prescribed in this article, provided that no roof structure, feature, or any other device above the prescribed height limit may be allowed or used for the purpose of providing additional floor space.*

Conclusion: The proposed façade elements and roof-top equipment do not exceed the building height limit and do not provide additional floor space for occupation.

## **OFF-STREET PARKING AND LOADING REQUIREMENTS**

*Facts: 4.260 Loading Standards. Loading spaces for all uses except office and residential uses shall be off the street. Loading spaces shall be provided in addition to the required vehicle parking spaces, and shall meet the following requirements:*

*(1) Vehicles in the berths shall not protrude into a public right-of-way or sidewalk. Loading berths shall be located so that vehicles are not required to back or maneuver in a public street.*

*(3) The minimum required loading area is as follows:*

*(a) 250 square feet for buildings of 5,000 to 20,000 square feet of gross floor area.*

*(5) Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.*

*(6) Loading areas shall be subject to the same provisions as parking areas relative to plan information, setbacks, buffering/screening requirements, and lighting.*

Conclusion: One 10'x25' (250 sq.ft.) loading berth with an unobstructed height of 14 feet is proposed adjacent to the trash/recycling enclosure and is located out of the vehicle maneuvering areas. This dual-purpose loading area provides access to the business for loading product and also for access during non-business hours for trash and recycling service. The southern end of the loading berth is screened from the property with a 6-foot, slatted chain link fence and shielded to the east by the trash/recycling enclosure and buffered to the north with landscape area. Loading berth shall be permanently maintained.

## **LANDSCAPING**

*Facts: 4.270 General. Developments must comply with the site landscaping standards in Article 9 before occupancy or in accordance with Section 9.140.*

Conclusion: See responses to Article 9 items (below)

## **BUFFERING AND SCREENING**

*Facts: 4.280 General. Buffering and screening may be required in addition to the minimum landscaping to offset the impact of development. See Sections 9.210 through 9.320.*

Conclusion: See responses to Article 9 items (below)

## **OUTSIDE STORAGE**

*Facts: 4.290 General.*

*CC zones, outside storage is allowed if screened from the public rights-of-way with a sight-obscuring fence, wall, hedge, or berm, which must be constructed of non-combustible material.*

*4.300 Screening of Refuse Containers. The following standards apply to all development, except for one- and two-family dwellings. Any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area, must be screened from view by placement of a sight-obscuring fence, wall, or hedge at least 6 feet tall. All refuse materials must be contained within the screened area. Refuse disposal areas may not be located in required setbacks or buffer yards and must be placed at least 15 feet from any dwelling window.*

Conclusion: The proposed trash/recycle enclosure will be constructed with 6" thick x 6' high concrete walls with slatted chain link gates with cain bolt/sleeves to secure gates in open/closed position. The enclosure does not impact any buffer yards and is not adjacent to a residential zone.

## **AIRPORT APPROACH**

*Facts: 4.420 Height Restrictions. No structure, mast, antenna, or wire shall be erected, altered, or maintained, and no tree shall be allowed to grow to a height in excess of the height limit established within each of the following described zones (which are also graphically represented in Figure 4-1):*

Conclusion: The existing and proposed structure's height as noted in 4.090 (above) does not impact the Albany Municipal Airport Approach and Clear Zone height restrictions.

**ARTICLE 8  
DESIGN STANDARDS  
COMMERCIAL AND INSTITUTIONAL SITE DESIGN**

*Facts: 8.000 Overview. The purpose of this Article is to establish additional standards for certain uses. These standards are intended to reduce adverse effects on surrounding property owners and the general public, to create a business environment that is safe and comfortable, to further energy conservation efforts within the City, to enhance the environment for walking, cycling, and mass transit use, and to ensure that high-quality development is maintained throughout Albany.*

Conclusion: Please refer to the Commercial Site Design criteria facts and conclusions (below).

*Facts: 8.310 Purpose. These sections are intended to set threshold standards for quality design in new commercial, mixed-use, and institutional development. Good design results in buildings that are visually compatible with one another and adjacent neighborhoods and contribute to a commercial district that is attractive, active and safe. These qualities, in turn, contribute to the creation of commercial districts that facilitate easy pedestrian movement and a rich mixture of land uses.*

Conclusion: The expansion and remodel of the existing business use will provide continued access for the neighborhood and surrounding area with continued, quality family-orientated restaurant usage. The surrounding businesses and neighbors are supportive of the redevelopment of a long-standing (temporarily vacant) eyesore of unused and incomplete construction. The newly refurbished and expanded restaurant will have a positive impact on the surrounding area.

*Facts: 8.315 Applicability. These standards apply to the design of new development and to the expansion of existing developments where commercial and/or institutional uses, as defined in Article 22, are existing or proposed.*

Conclusion: The standards per Commercial Use Category 22.130 apply and are compatible to the existing restaurant use and proposed continued restaurant use expansion. See (below).

*Facts: 22.020 Description of Use Categories.*

*(1) Considerations. Uses are assigned to the category whose description most closely describes the nature of the primary use. Each use category is described and defined. Developments may have more than one primary use. Developments may also have one or more accessory uses. The following are considered in determining what category the use is in, and whether the activities constitute primary uses or accessory uses: (see bullet items & conclusions listed below)*

- *The description of the activity(ies) in relationship to the characteristics of each use category*

Conclusion: No change in restaurant use category is proposed.

- *The relative amount of site or floor space and equipment devoted to the activity*

Conclusion: The increase of approximately 50% in available seating space for dining and at the lounge provides additional capacity for the restaurant business serving the local neighborhood and nearby community.

- *Relative amounts of sales from each activity.*

Conclusion: The financial impact from the sales from the restaurant and lounge services will provide employment and services to the community.

- *The customer type for each activity.*

Conclusion: The continuation of the neighborhood family restaurant business serves the members of the neighborhood and surrounding community.

- *The relative number of employees in each activity.*

Conclusion: The proposed expansion of the restaurant and lounge will increase employment opportunities for the community.

- *Hours of operation.*

Conclusion: The proposed reopening of the restaurant business will operate during normal restaurant business hours of 11:00am to 10:00pm Sunday through Thursday and 11:00am to 11:00pm Friday and Saturday.

- *Building and site arrangement.*

Conclusion: The proposed redevelopment of the existing restaurant structure will improve site access for vehicles, pedestrians and bicyclists. The existing paved areas that remain will be enhanced with landscape planter islands and concrete sidewalk access points. The refocused entry and building façade enhancements, including outdoor eating areas facing Bain St SE and the façade enhancements facing Santiam Hwy SE will offer a compelling destination for the neighborhood and surrounding community.

- *Vehicles used with the activity.*

Conclusion: The site access point for vehicles entering from Santiam Hwy SE will remain that provides easy customer entry to the existing southern parking area that will remain. The site access point from Bain St SE will be relocated to provide better vehicle parking and maneuvering for customer entry and also for service vehicles such as produce delivery, trash/recycling and landscape/parking lot maintenance.

- *The relative number of vehicle trips generated by the activity.*

Conclusion: The number of vehicle trips generated by the proposed restaurant is not known at this time. It is anticipated that the expansion of the available restaurant and lounge area may increase the number of vehicle trips. This should not negatively impact surrounding different types of business uses in the neighborhood and vicinity and should provide service to them.

- *Signs*

Conclusion: The existing, free-standing commercial restaurant pole sign located at the southeast corner of the site at the intersection of Bain St SE and Santiam Hwy SE will remain and be updated/refurbished as needed to reflect the new restaurant business use.

- *How the use advertises itself.*

Conclusion: The new business owners propose to utilize the existing site pole signage and the specialized and focused exterior building façade design elements to reach the local neighborhood and the surrounding community members.

- *Whether the activity would be likely to be found independent of other activities on the site.*

Conclusion: The proposed expansion of the restaurant business is contained on the existing two lots and no other unrelated use is proposed on site.

*Facts: 8.320 Relationship to Historic Overlay Districts. N/A*

*Facts: 8.330 Building Orientation. Building orientation and maximum setback standards are established to help create an attractive streetscape and pleasant pedestrian environment.*

*(1) New buildings shall be oriented to existing or new public streets. Building orientation is demonstrated by placing buildings and their public entrances close to streets so pedestrians have a direct and convenient route from the street sidewalk to building entrances.*

*(a) On sites smaller than three acres, new buildings shall be oriented to the public street/sidewalk and off-street parking shall be located to the side or rear of the building(s), except where it is not feasible due to limited or no street frontage, the site is an infill site less than one acre, conservation of natural resources, or where there are access restrictions.*

*(1) Customer entrances should be clearly defined, highly visible, using features such as canopies, porticos, arcades, arches, wing walls, and planters.*

Conclusion: The proposed remodel and expansion of the existing restaurant resets the main entry to the business from the southern end to the central portion of the building facing Bain St SE. This recalibrated entry with arched design elements will draw patrons from both on-site parking areas from the north and south and also pedestrians from the sidewalk fronting Bain St SE. Enhanced architectural elements such as arches, pilasters, sidewalk plaza and integrated landscape features focus at this entry point and continue around the north and south sides of the building. With planning department support, this proposed remodel and addition will also include the use of existing street parking at Bain St SE facing and focused on the new building entrance.

*Facts: 8.340 General Building Design. New commercial buildings shall provide architectural relief and interest, with emphasis at building entrances and along sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided except when not feasible.*

*(1) Ground floor windows shall be provided along frontages adjacent to sidewalks. The main front elevation(s) of buildings shall provide windows or transparency at the pedestrian level in the following minimum proportions: Per Table 8-1. Required window percentages by district. CC District requires 25% Ground Floor Windows*

*(2) Walls that are visible from a public street shall include a combination of architectural elements and features such as offsets, windows, entry treatments, wood siding, brick, stucco, synthetic stucco, textured concrete block, textured concrete), and landscaping.*

Conclusion: Ground floor frontage window areas proposed:  
West Elevation facing Bain St SE: 22.6%.  
South Elevation facing Santiam Hwy SE: 25.3%.

The proposed redevelopment of the existing restaurant building incorporates many interesting architectural relief elements that also focus on re-establishing the new building entrance facing Bain St SE. New decorative arches that extend above the window line along with decorative arched canopy overhangs with palladium windows and door transoms replace the blank northern and western façades and also replace the existing storefront window system at the southern façade facing Santiam Hwy SE. These elements direct and emphasize the style of the proposed restaurant business. The additional widened concrete plaza pavement directs pedestrians from both the north and south to the new main entrance on Bain St SE. Although the west elevation target falls slightly below the minimum glass area requirement, the additional architectural elements described (above) provide ample mitigation.

*Facts: 8.345 Façade design, articulation, windows in the HD, DMU, CB, and WF Zoning Districts. N/A*

*Facts: 8.350 Street Connectivity and Internal Circulation. The following standards emphasize the importance of connections and circulation between uses and properties. The standards apply to both public and private streets.*

*8.350 (1) New commercial buildings may be required to provide street or driveway stubs and reciprocal access easements to promote efficient circulation between uses and properties, and to promote connectivity and dispersal of traffic.*

*8.350 (2) The internal vehicle circulation system of a commercial development shall continue the adjacent public street pattern wherever possible and promote street connectivity. The vehicle circulation system shall mimic a traditional local street network and break the development into numerous smaller blocks.*

Conclusion: The proposed site will retain the existing agreement with the adjacent property owners to continue to utilize access and parking at the existing graveled area on Tax Lot 1202. The existing paved 30-foot access aisle from Bain St SE (at the northern portion of both tax lots) provides reciprocal access for the adjacent commercial business lot to the north and also to the adjacent commercial business lot to the east.

*8.350 (3) Traffic aisles shall not be located between the building(s) and the sidewalk(s), except as provided in (4) below, or where drive-through windows are permitted, sites are constrained by natural resources, or are infill sites less than one acre. N/A*

*8.350 (4) Where drop-off facilities are provided, they shall be designed to meet the requirements of the American with Disabilities Act but still provide for direct pedestrian circulation.*

Conclusion: The proposed ADA parking access provides direct pedestrian circulation to the building's main entrance from both the northern and southern parking areas.

8.350 (5) *Internal roadways shall be designed to slow traffic speeds. This can be achieved by keeping road widths to a minimum, allowing parallel parking, and planting street trees to visually narrow the road.*  
N/A

*Facts: 8.360 Pedestrian Amenities. The following standards apply in all zoning districts except HD, CB, DMU, and WF, which are subject to ADC Section 8.365. Amenities such as awnings, seating, special paving, and planters can have a dramatic effect on the pedestrian environment. Commercial developers should give as much thought to the pedestrian environment as they give to vehicle access, circulation, and parking. The standards for pedestrian amenities are related to the scale of the development and also provide the flexibility for the developer to select the most appropriate amenities for the particular site and use.*

8.360 (1) *All new commercial structures and improvements to existing sites shall provide pedestrian amenities. The number of pedestrian amenities shall comply with the following sliding scale.*

*For the Size of Structure or Improvement 5,000 – 10,000 sf the Number of Amenities = 2*

8.360 (2) *Acceptable pedestrian amenities include the following improvements. No more than two of any item may be used to fulfill the requirement:*

(a) *Sidewalks at least 10 feet wide with ornamental treatments (e.g., brick pavers), or sidewalks that are 50 percent wider than required by the Code.*

(b) *Benches or outdoor public seating for at least four people.*

(c) *Sidewalk planter(s) enclosing a total of 8 square feet.*

(d) *Pocket parks or decorative gardens (minimum usable area of 300 square feet).*

(e) *Plazas (minimum usable area of 300 square feet).*

(f) *Street trees 50 percent larger than required by the Code.*

(g) *Weather protection (awnings, etc.).*

(h) *Other pedestrian amenities that are not listed but are similar in scale and benefit.*

**Conclusion:** The proposed recessed and partially covered outdoor seating areas in combination with the multiple decorative arches and canopy above located at three façades, integrated landscape planters and widened concrete plaza area at the building's entry provide ample pedestrian amenities as required per items 2a, 2b, 2c & 2g (above).

8.360 (3) *Pervious pedestrian amenities can include approved vegetated post-construction stormwater quality improvements.*

**Conclusion:** The existing site was covered with structure and ac pavement with a small fraction of landscaped planters located at the southern and southeastern edges. The proposed site with the new building expansion and parking area re-configuration will include the addition of many landscape planters with trees, shrubs and living ground cover.

8.360 (4) *Pedestrian amenities shall meet the following standards:*

(a) *Amenities shall be located outside the building main entrance, along pedestrian corridors, or near transit stops. Amenities shall be visible and accessible to the general public from an improved public or private street. Access to pocket parks, plazas, and sidewalks must be provided by a public right-of-way or a public access easement.*

(b) *Amenities are not subject to setback requirements.*

(c) *Amenities are consistent with the character and scale of surrounding developments. For example, the similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials should be suitable for outdoor use, easily maintained, and have a reasonably long-life cycle (e.g., ten years before replacement).*

Conclusion: See items 8.330, 8.340 & 8.360 (above)

*Facts: 8.365 Pedestrian Amenities in the HD, CB, DMU, and WF zoning districts. N/A*

*Facts: 8.370 Pedestrian Connections. The following standards apply in all zoning districts except HD, CB, DMU, and WF, where pedestrian connections are provided by existing sidewalks and small block sizes. (1) New retail, office and institutional buildings at or near existing or planned transit stops shall provide convenient pedestrian access to transit.*

Conclusion: Current ATS public transit stop located 6-feet east of southeast corner of site to remain is not indicated as a major transit stop.

*Facts: 8.370 (2) Walkways shall be provided that connect building entrances and streets adjoining the site.*

Conclusion: The existing street frontage at Bain St SE consists of a narrow, continuous landscape strip with five mature, deciduous trees and no sidewalk that have caused damage to the street and curbing and are proposed to be removed and replaced as follows: The proposed frontage improvements will include continuous 5-foot concrete sidewalk, curb and gutter with a deepened concrete plaza access at the new building entry and 12'-2"+ wide concrete sidewalk with landscape planters along the building frontage that include (3)-new columnar trees within the 10-foot setback. At the revised parking area at the north side (3)-new tree plantings are proposed within the 10-foot setback adjacent to the new sidewalk. The existing 5-foot concrete sidewalk, curb and gutter and ADA access corner ramp at Santiam Hwy SE will remain.

*Facts: 8.370 (3) Pedestrian connections to adjoining properties shall be provided except where impractical. Pedestrian connections shall connect the onsite circulation system to existing or proposed streets, walkways, and driveways that abut the property. When adjacent properties are undeveloped or have the potential to be redeveloped, streets, accessways, and walkways on site shall be laid out or stubbed to allow for an extension to the adjoining property.*

Conclusion: Both sidewalks in the right-of-way as noted (above) provide interconnected access to the adjacent businesses and the neighborhood community.

*Facts: 8.380 Large Parking Areas. The amount of parking needed for larger commercial development can result in a large expanse of pavement. Landscaping in a parking area shall be incorporated in a manner that is both attractive and easy to maintain, minimizes the visual impact of surface parking, and improves environmental and climatic impacts (Figure 8-6). In addition to the provisions of Article 9, the following standards apply to commercial development when more than 75 parking spaces are proposed and/or modified.*

Conclusion: The revisions and modifications to the existing parking areas for this project propose a total of (28)-on site parking spaces, (7)-street parking spaces and (1)-10'x25'x 14'ht on-site loading. Most of the existing site was covered with ac pavement and building structure. A minimum of 10.2% of the site will be landscaped areas dispersed at both parking areas and along the building frontage facing Bain St SE and Santiam Hwy SE. Even though this project does not meet or exceed the 75-space development trigger, direct ADA painted aisles from both the north and south parking lots provide safe pedestrian and bicycle access to the building entry points. Safety bollards and raised tactile warning texture are proposed to alert pedestrians at the transition from ac pavement to concrete sidewalk at north side of the building. A concrete

sidewalk aisle that is flush to the existing ac pavement splits the larger northern parking area and provides safe pedestrian access to the building.

*Facts: 8.390 Compatibility Details. Attention to detail can significantly increase the compatibility of commercial development with adjacent uses. Commercial development shall be designed to comply with the following applicable details and any other details warranted by the local conditions:*

*8.390 (1) On-site lighting is arranged so that light is reflected away from adjoining properties and/or streets.*

Conclusion: The existing light pole and area light fixture will be retrofitted with anti-glare shielding as needed to direct light only on-site. Proposed area light packs on the north and south building façades will be fitted with anti-glare shielding.

*Facts: 8.390 (2) Any undesirable impacts produced on the site, such as noise, glare, odors, dust, or vibrations have been adequately screened from adjacent properties.*

*8.390 (3) The site is protected from any undesirable impacts that are generated on abutting properties.*

*8.390 (4) Unsightly exterior improvements and items such as trash receptacles, exterior vents, and mechanical devices have been adequately screened.*

*8.390 (5) Storage areas, trash collection facilities and noise generating equipment are located away from public streets, abutting residential districts or development, or sight obscuring fencing has been provided.*

*8.390 (6) Where needed, loading facilities are provided on-site and are of sufficient size and number to adequately handle the delivery or shipping of goods or people. Where possible, loading areas should be designed so that vehicles enter and exit the site in a forward motion.*

Conclusion: A new 6-foot high concrete block wall with slatted chain link gates enclose the proposed trash/recycling area. It is located at the eastern portion of the site with landscaping buffer to existing commercial use at adjacent property. As noted in item 8.380 (above) the loading area is positioned to provide direct access to the restaurant for product deliveries without impacting vehicular traffic on-site and is shielded by the proposed trash/recycling enclosure.

## **ARTICLE 9**

### **ON-SITE DEVELOPMENT AND ENVIRONMENTAL STANDARDS**

#### **OFF-STREET PARKING**

*Facts: 9.020 Space Requirements. Off-street parking and loading must be provided for all development in the amounts indicated in the table below subject to any applicable reductions permitted in this Article. All required parking must be developed in accordance with the standards in this Article.*

*Facts: 9.020 (1) Calculating Floor Area for Parking. The area measured is the combined floor area of each level of a building exclusive of vent shafts, courtyards, stairwells, elevator shafts, restrooms, storage rooms and rooms designed and used for the purpose of storage and operation of maintenance equipment, and covered or enclosed parking areas.*

*9.020 (2) Employees. The number of employees shall include those working on the premises, plus proprietors, during the largest shift at peak season.*

*9.020 (3) Fractional Space Requirements shall be counted to the nearest whole space; half spaces will be rounded up. 9.020 (4)-(7) N/A*

*9.020 (8) Site Plan Review may be required for new parking areas or expansions to existing parking areas unless specified in Section 2.430.*

Conclusion: The calculation for the required parking will use the gross building area less the aggregate areas as follows for this Site Plan Review:

500 sq.ft maximum allowance for outdoor eating area; 385 sq.ft. restrooms; 623 sq.ft. refrigeration & 10 sq.ft. mechanical.

8,288 sq.ft. - (500+385+623+10) = 6,770 sq.ft. Net Floor Area for Parking.

Per Table 9-1 Parking Requirements: Restaurants: (b) Sit-down restaurants, taverns, bars, and nightclubs. (b) 1 per 200 sq.ft. including outdoor seating not exempt per 9.030(3).

(6,770 @ 1:200 = 33.85) 34 parking spaces required with 35 parking spaces proposed that will consist of (28) on-site spaces (3 ADA, 10 compact & 15 standard) plus (7) on-street parking spaces located on Bain St SE. Note: The proposed parking includes the standard shift employees for the function of the restaurant business.

*Facts: 9.025 Parking in the Public Right-of-Way. Parking spaces in a public right-of-way may not be counted as fulfilling any part of the parking requirements except when permitted below. Any parallel parking spaces in the right-of-way that are counted toward fulfilling the parking requirements must be at least 25 feet long. 9.025 (1)-(4) & (6) N/A*

*9.025 (5) Non-Residential Development. The amount of off-street parking required may be reduced by one space for every on-street space abutting the development for up to 25 percent of the minimum parking requirement.*

*9.025 (a) The on-street parking spaces must be at least 100 feet from a residential zoning district or the ES zoning district.*

*9.025 (b) On-street parking credits can only be granted for developments with frontage on streets that allow parking on both sides and with approval from the Director of Public Works.*

Conclusion: As noted in 9.020 (above), (7) on-street parking spaces are proposed and are more than 100-feet from the residential zoning district located to the north of the existing business use (Tax Lot 1200) adjacent to the site.

*Facts :9.030 Reductions or Exemptions to Minimum Parking Space Requirements. The following actions and situations can further reduce the minimum parking required on-site. 9.030 (1), (2) & (4)-(7) N/A*

*9.030 (3) Outdoor Seating Areas. Seasonal outdoor seating up to 500 square feet shall be exempt from the parking calculations. Permanent outdoor seating is not exempt.*

Conclusion: As noted (above), the maximum allowable area of 500 sq.ft. is being proposed for reduction to the minimum parking space requirement. The balance of the outdoor seating is a part of the net building area.

*Facts: 9.035 Responsibility/Prerequisite. Provision for and maintenance of off-street parking and loading spaces are responsibilities of the property owner. Plans showing property that is and will be available for exclusive use as off-street parking and loading must be presented before the city will issue building permits or approve land use applications.*

Conclusion: The property owner shall provide documentation for an on-site maintenance agreement that include, but not limited to the following items:

Pavement resealing; parking lot restriping; signage maintenance/repair/replacement; general landscape maintenance; scheduled regular pavement sweeping; exterior lighting maintenance/repair/replacement & private stormwater system (filter cartridge & pipe network)

*Facts: 9.040 Elimination of Existing Space. If a parking space has been provided in connection with an existing use or added to an existing use, the parking space may not be eliminated if elimination would result in less space than required by this Code.*

Conclusion: Prior to redevelopment, the existing site was almost completely covered with the restaurant structure and ac pavement that was poorly configured for the existing parking and maneuvering (that did not meet current development standards). The proposed building addition will displace some of the ac pavement area. The existing remaining ac pavement areas will be reconfigured and restriped with the addition of new pedestrian access sidewalks & landscape planters. The proposed parking and maneuvering design meet current development standards.

*Facts: 9.050 Company Vehicles. Required parking spaces must be made available for the parking of passenger automobiles of residents, customers, patrons, and employees only, and may not be used for storage of company vehicles or materials. Spaces for company vehicles must be provided in addition to the number of spaces required by this Code.*

Conclusion: No company vehicles are proposed with this redevelopment.

*Facts: 9.060 Maintenance. Parking lots must be maintained by the property owner or tenant in a condition free of litter and dust, and deteriorated conditions must be improved to comply with the standards of Section 9.120.*

Conclusion: See item 9.035 (above)

*Facts: 9.080 Joint Use of Parking Facilities. The Planning Commission or Hearings Board, upon application by all involved property owners, may authorize the joint use of parking facilities, provided that: 9.080 (1) The applicant shows that there is no substantial conflict in the principal operating hours of the buildings or uses for which the joint use of parking facilities is proposed.*

*9.080 (2) The parking facility for which joint use is proposed is no further than 500 feet from the building or use required to provide parking.*

*9.080 (3) The parties concerned in the joint use of off-street parking facilities shall provide evidence of an agreement for the joint use by a legal instrument approved by the City Attorney. An agreement for joint use of parking facilities shall be for a period of at least ten years and shall provide for maintenance of jointly used parking facilities.*

Conclusion: The owner currently has an agreement with the Les Schwab Tire business located to the east for a portion of Tax Lot 1202 to use the existing graveled area for employee parking that will remain.

*Facts: 9.090 Parking Plan. A parking plan, drawn to scale, must accompany land use applications. Depending on the nature and magnitude of the development, it may be possible to show the needed parking information on the site plan (See Section 8.120). The plan must show the following elements, which are necessary to indicate that the requirements of this Code are being met.*

Conclusion: See site plan A10 for the proposed parking plan.

*Facts: 9.090 (1) Delineation of individual parking spaces, including handicapped parking spaces.*

Conclusion: Currently there is only one ADA space and access aisle. A total of three ADA spaces with 9-foot access aisles adjacent to each space with direct access to the new concrete

sidewalk at the south side of the existing portion of the building and a new 6-foot access aisle across parking and maneuvering directly to the north side of the new building addition.

*Facts: 9.090 (2) Loading areas and docks.*

Conclusion: A 250 sq.ft. (10'x25' with 14-foot unobstructed height clearance) loading area is proposed at the northeast corner of the new building addition that will provide delivery service and also trash/recycle service for the business.

*Facts: 9.090 (3) Circulation area necessary to serve spaces.*

Conclusion: The existing ac pavement areas at the northern and southern portions of the site will be reconfigured with new landscape planters, sidewalk access and re-striping with the following: A 24-foot wide aisle serves 10-foot wide parking spaces with a 26-foot+ wide aisle serves 9-foot standard and 8-foot compact parking spaces at the north side. A 16-foot+ wide aisle serves the angled one-way 9-foot wide parking spaces at the south side. All proposed parking spaces meet the minimum stall width requirements, including the additional width required adjacent to planter islands. Please refer to parking space requirement calculations per 8.380 (above). Note: all new sidewalks are to be flush with the existing ac pavement.

*Facts: 9.090 (4) Location of bicycle and motorcycle parking areas.*

Conclusion: Bike racks are proposed at the northeast corner of the new building per 9.120 (13) (below). Motorcycle parking will be directed to the standard parking spaces provided.

*Facts: 9.090 (5) Access to streets, alleys, and properties to be served.*

Conclusion: The 23.72-foot wide existing ingress from Santiam Hwy SE will remain to provide access to the existing parking at the southern portion of the site. The existing egress to Bain St SE will be reduced in width from 34-foot +/- to 24-foot wide with Right-Turn-Only signage.

*Facts: 9.090 (6) Curb cuts.*

Conclusion: New sidewalk, curb and gutter in the Bain St SE Right-Of-Way will replace the existing curb cut as noted (above) and a new 24-foot wide driveway curb cut located at the north parking area access to Bain St SE. The existing curb and damaged portion(s) of the pavement in the Bain St SE Right-Of-Way will be replaced as needed. The existing shared 30-foot access aisle and curb cut at the north end of the side will remain.

*Facts: 9.090 (7) Type of landscaping, fencing or other screening materials.*

Conclusion: Approximately a small fraction, 750 sq.ft (+-) (1.7%) of Lot 1203 was comprised of existing landscape area. see item 8.370 (above). An additional 3,555 sq.ft. of landscaped area consisting of planters next to the building and planter islands disbursed throughout the northern parking area for a total of (10.1%) lot area not covered with building structure, concrete sidewalk or ac pavement. The existing 6-foot, slatted chain link fences at the east line of Lot 1203 and southern line of Lot 1202 will remain. A 6-foot x 6" thick solid concrete wall surrounds the proposed trash/recycling area on three sides shielding it from the adjacent property with 6-foot, slatted chain-link gates.

*Facts: 9.090 (8) Abutting land uses.*

Conclusion: There is an existing commercial business use adjacent to the east; an existing commercial office/business use to the north; existing commercial/church use to the west across Bain St SE and multiple existing commercial businesses to the south across Santiam Hwy SE.

*Facts: 9.090 (9) Grading, drainage, post-construction stormwater quality facilities, surfacing, and sub grading details.*

Conclusion: The existing ac paved parking areas from previous restaurant business that remain will be resealed and restriped. Please refer to item 12.535 (below)

*Facts: 9.090 (10) Location of lighting fixtures.*

Conclusion: The existing parking area light fixture attached to the power pole at the northeastern corner of Lot 1203 will remain to continue to illuminate the parking and maneuvering areas. Wall pack light fixtures on the north façade of the proposed building addition will provide illumination at the internal ADA access aisles and sidewalks. Wall pack light fixtures on the south façade of the existing remodeled building portion will provide illumination at the ADA access aisle, sidewalk and parking and maneuvering area. All exterior light sources will be shielded to prevent glare off-site.

*Facts: 9.090 (11) Delineation of all structures and obstacles to circulation on the site.*

Conclusion: The proposed building addition will have a new concrete sidewalk that is flush with the existing ac pavement. Raised tactile warning surface and bollards are proposed to provide a warning at the transition. The balance of the revised parking areas will be defined with landscaped planters with 6-inch concrete curbs at the boundaries and between the parking spaces.

*Facts: 9.090 (12) Specifications of signs and bumper guards.*

Conclusion: ADA standard and van accessible signage is provided at all proposed parking.

*Facts: 9.090 (13) Location of planter bays when required.*

Conclusion: All parking spaces adjacent to proposed planter islands have an additional 6-inches in width per 9.130(3).

*Facts: 9.090 (14) Proposed number of employees and amount of floor area applicable to the parking requirements for the proposed use.*

Conclusion: A total of employees are anticipated for the proposed restaurant business. The occupancy floor area for the work areas, including food preparation and service are calculated Per Table 9-1 Parking Requirements. See 9.020 (above).

*Facts: 9.120 Parking Area Improvement Standards. All public or private parking areas, loading areas and outdoor vehicle sales areas must be improved based on the following standards:*

*9.120 (1) General. All parking spaces must be improved in accordance with these standards and available for use at the time of project completion.*

*9.120 (2) Other Requirements. All parking areas shall conform to the setback, clear vision, landscaping, and buffering/screening provisions of this Code.*

*9.120 (3) Surfacing. All required parking, including travel aisles and access, shall have a durable, dust-free surface of asphalt, cement concrete, or other materials approved by the Director. Parking lot surfacing shall not encroach upon the public right-of-way except when it abuts a concrete public sidewalk.*

Conclusion: The existing ac paved parking lots are modified per the proposed development and conform to the provisions of the AMC. The proposed parking areas do not encroach into the public right-of-way. The additional proposed on-site parking area at the northern portion will be new ac pavement as indicated on the site plan sheet A10.

*Facts: 9.120 (4) Drainage. All parking lots must provide a drainage system to dispose of the runoff generated by the impervious surface. Post-construction stormwater quality facilities are required per Title 12 of the Albany Municipal Code when applicable. Provisions shall be made for the on-site collection of drainage water to eliminate sheet flow of such water onto sidewalks, public rights-of-way, and abutting private property. All drainage systems must be approved by the Director of Public Works.*

Conclusion: Please refer to item 12.535 (below)

*Facts: 9.120 (5) Perimeter Curb. Perimeter curbing is required for protection of landscaped areas and pedestrian walkways, and to prevent runoff onto adjacent properties.*

Conclusion: The proposed new landscape planter islands and planter areas that define the reconfigured parking lots will have continuous 6" minimum high concrete curbing.

*Facts: 9.120 (6) Wheel Bumper. All parking stalls fronting a sidewalk, alleyway, street or property line shall provide a secured wheel bumper at least six inches high and at least six feet long, set back from the front of the stall at least 2-1/2 feet, but no more than three feet.*

Conclusion: The northern opposing parking bays for (11)-parking spaces and the (5)-parking spaces at the southern end each have a concrete wheel bumper. The balance of the parking area has continuous 6" high concrete perimeter curbing. All parking space wheel stops are located 36-inches back from the front of each stall.

*Facts: 9.120 (7) Turnaround. 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 other than an alley.*

Conclusion: The reconfigured parking and maneuvering for both the northern and southern parking provide at least the minimum back-out and aisle width as specified per AMC Table 9-2 and design figures. 20-foot deep storage is provided at vehicle egress from both lots to Bain St SE.

*Facts: 9.120 (8) Striping. Lots containing more than two parking spaces must have all required spaces permanently and clearly striped. Stripes must be at least four inches wide. When motorcycle parking, compact, or handicapped parking spaces are provided, they shall be designated within the stall.*

Conclusion: All proposed parking lot striping and ADA parking signage and graphics are indicated on site plan A10.

*Facts: 9.120 (9) Connecting to Adjacent Parking Areas. Where an existing or proposed parking area is adjacent to a developed or undeveloped site within the same zoning district, any modifications to the parking areas must be designed to connect to the existing or future adjacent parking area. This requirement may be waived by the Director when it is deemed impractical or inappropriate due to the nature of the adjoining uses.*

Conclusion: The existing parking for the adjacent business on Lot 1202 will remain. The expansion of parking, maneuvering and trash/recycle enclosure occupies a portion of this lot. See existing parking agreement per owner & neighboring business.

*Facts: 9.120 (10) Parking Lot Landscaping. Parking lots shall be landscaped according to the standards in Section 9.150.*

Conclusion: The proposed landscape islands and planter strips meet the requirements per Section 9.150. See landscape plan, planting details and irrigation notes on A15.

*Facts: 9.120 (11) Compact Car Parking. No more than 40 percent of parking spaces provided may be designated for compact cars. Compact spaces must be signed and/or the space painted with the words "Compact Car Only."*

Conclusion: 34 parking spaces are required and 35 parking spaces provided. 40% equals 14 compact spaces maximum. 10 compact spaces are indicated on the site plan A10.

*Facts: 9.120 (12) Parking Accessible to the Disabled. All parking areas must provide accessible parking spaces in conformance with the Oregon Structural Specialty Code.*

Conclusion: 2 ADA spaces are required. 3 ADA spaces are located on site. 1 standard ADA & 1 van ADA spaces are located in the northern parking area with a 6-foot wide painted access aisle connecting directly to the sidewalk area that leads to the bar entry and to the main entrance. 1 standard ADA space is located in the southern parking area that leads directly to the southern entrance and sidewalk that leads up to the main entry.

*Facts: 9.120 (13) Bicycle Parking. Bicycle parking space requirements are as follows: 9.120 (13)(a),(b)&(d) N/A (c) For commercial or office development - one space for every ten automobile spaces required with a minimum of two spaces.*

Conclusion: 35-automobile parking spaces are provided per calculation:  
(1:10 x 35 = 3.5) (4)-new bicycle parking spaces are provided.

*Facts: 9.120 (13) Bicycle parking spaces shall meet the following standards:*

*(e) Required spaces should be visible and not hidden, and must be located as near as possible to building entrances used by automobile occupants.*

*(f) Each required bicycle parking space must have a parking rack securely fastened to the ground. Parking racks must support each bicycle at a minimum of two points, including at least one point on the frame, and must allow the frame and at least one wheel to be locked with a U-type lock.*

*(g) Bicycle parking areas must provide at least three feet of clearance around all three sides of a fully-loaded bicycle rack and have an overhead clearance of at least seven feet.*

*(h) At least one-half of required bicycle parking spaces must be sheltered. Spaces must be protected from precipitation by a roof overhang or a separate roof at least seven feet tall. Bicycle parking spaces within roofed buildings and bike lockers are considered sheltered spaces.*

Conclusion: (2)-new 30" wide x 34" high bike racks by "TOFINO" or equal are proposed next to the building at the northeast corner under the 10'-6"+ high canopy overhang. Each inverted "U" shaped rack to be bolted to the new concrete sidewalk adjacent to the new addition will accommodate two bicycles for a total of (4)-bike parking spaces provided. A clear space of 4'-0 x 7'-6" is centered on each rack with a minimum of 36" clear on three sides and 36" clear to the building. The bicycle parking is protected from the vehicle traffic lane at the northern edge with safety bollards at the edge of the flush concrete sidewalk.

*Facts: 9.120 (14) Lighting. Any lights provided to illuminate any public or private parking area must be arranged to reflect the light away from any abutting or adjacent properties.*

Conclusion: All existing and proposed area, soffit and parapet wall light sources to be directed and/or shielded to prevent glare to adjacent properties and is noted on the site plan A10.

*Facts: 9.120 (15) Pedestrian Access. Walkways and accessways shall be provided in all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. All new public walkways and handicapped accessible parking spaces must meet the minimum requirements of the Oregon Structural Specialty Code.*

Conclusion: Flush concrete sidewalks are provided between the parking lot bays at the northern part of the site that direct pedestrians to the public sidewalk at Bain St SE and also to the ADA access aisle that connects to the flush concrete sidewalk at the north side of the building entry. This sidewalk connects to the sidewalk plaza area at the main entry on the west side. Flush concrete sidewalk at the south end of the existing building connects to the public sidewalk at Bain St SE and the southern entry. This sidewalk plaza area also directs pedestrians to the main entry at the west side.

*Facts: 9.130 Off-Street Parking Lot Design. All off-street parking lots must be designed in accordance with City standards for stalls and aisles as set forth in Table 9-2: Parking Lot Design and supplemental drawings. Stall dimensions are measured from inside the stripes.*

*(1) Compact spaces shall be at least 8 feet wide by 16 feet long.*

*(2) Accessible spaces shall be a minimum of 9 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.*

*(3) Stall Width. Long-term parking spaces must 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.*

*(4) Minimum Aisle Widths. 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.*

*(5) The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall include 20 feet of storage length for entering and exiting vehicles, in order to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.*

## **LANDSCAPING**

*Facts: 9.140 General Requirements. Landscaping requirements by type of use are listed below:*

*(2) Landscaping Required – Non-Residential. All required front and interior setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued. Minimum landscaping*

acceptable for every 1,000 square feet of required setbacks in all commercial-industrial districts is as follows:

- (a) One tree at least six feet tall.
- (b) Four one-gallon shrubs or accent plants.
- (c) The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs).
- (d) When the yard adjacent to a street of an industrially zoned property is across a right-of-way from other industrially or commercially zoned property, only 30 percent of such setback area must be landscaped.

*Facts: 9.150 Parking Lot Landscaping. The purpose of landscaping in parking lots is to provide shade, reduce stormwater runoff, and direct traffic. Parking lots must be landscaped in accordance with the following minimum standards:*

*Facts: (1) Planter Bays. Parking areas shall be divided into bays of not more than 12 parking spaces. At both ends of each parking bay, there shall be curbed planters at least five feet wide, excluding the curb. Each planter shall contain one canopy tree at least ten feet high and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Neither planter bays nor their contents may impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.*

Conclusion: Each of the reconfigured parking bays located in the northern parking lot have less than 12 spaces each and are bracketed with new curbed landscape planters with either Dogwood or Oak canopy trees that will exceed 10-feet in height upon maturity.

*Facts: (2) Entryway Landscaping. 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.*

Conclusion: A setback at the Bain St SE at the right-of-way sidewalk is provided with a 20-foot deep x 14-foot wide planter on the north side of the relocated site entry. The south side is continuous flush concrete sidewalk with protective bollards at the north face of the proposed building addition.

*Facts: (3) Parking Space Buffers. Parking areas shall 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 north face of the building has a continuous sidewalk. The west face has a continuous 5-foot wide concrete sidewalk at the Bain St SE right-of-way with landscape planters at the building. The south face has a concrete sidewalk with landscape planters at the building.

*Facts: 9.160 Irrigation of Required Landscaping. All required landscaped areas must be provided with an irrigation system. Irrigation systems installed in the public right-of-way require an encroachment permit.*

Conclusion: All proposed landscaped areas and planters to be fully irrigated and maintained per landscape plan, details and notes on sheet A15.

*Facts: 9.170 Identification of Existing Trees. In all proposed developments, existing trees over 25 inches in circumference (8 inches in diameter) as measured 4.5 feet above mean ground level from the base of the trunk shall be noted on all development plans, with notations indicating whether they are to be removed or utilized in the development.*

Five (post) mature Elm tree located within the Bain St SE right-of-way are proposed to be removed due to their age and impact on the condition of the existing curb and gutter to install a new concrete sidewalk, curb and gutter. Six new deciduous trees will be planted in the new landscape planters facing the Bain St SE right-of-way to replace the existing trees.

*Facts: 9.180 Landscape Plans. All development applications involving buildings and parking areas must include landscape plans.*

Conclusion: Please refer to landscape plan, details and notes on sheet A15.

*Facts: 9.190 Completion Guarantees. Final occupancy of a development that required land use approval may be allowed prior to the complete installation of all required landscaping and irrigation only under the following circumstances:*

*(2) The required landscaping and irrigation shall be installed within six months of the date the final occupancy permit is issued. If an occupancy permit is not required, the landscaping and irrigation shall be installed within six months of the date of the land use approval.*

Conclusion: The business owner and property developer, as well as the City of Albany want to complete the redevelopment of this site as soon as possible. The completed landscaping and irrigation will be installed in the primary construction phase of this proposal to be completed with full occupancy. See landscape plan notes on sheet A15.

*Facts: 9.200 Maintenance of Landscaped Areas. It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained.*

Conclusion: The property owner/business owner shall fully maintain the proposed living landscaping and irrigation. See landscape plan notes on sheet A15.

## **TREE PROTECTION**

*Facts: 9.205 – 9.208 Purpose. Trees of significant size represent a visual and aesthetic resource to the community. Trees provide benefits including shading, reduction in excess stormwater runoff, erosion control, and wildlife habitat. These standards are intended to balance the preservation of significant trees as a benefit to the community with the individual right to use and enjoy property.*

Conclusion: See item 9.170 (above)

## **BUFFERING AND SCREENING**

*Facts: 9.210 General Requirements/Matrix. thru 9.270*

Conclusion: Per Table 9-4 this site is bound on all sides by similar commercial or professional uses and a no buffer/screening is required.

## **FENCES**

*Facts: 9.360 thru 9.390*

Conclusion: The existing 6-foot tall slatted chain link fence located at the eastern property line of Lot 1203 extends from the southern corner of the existing structure north to the corner of Lot

1202 and will remain as is. The proposed trash/recycling enclosure will have 6-inch thick x 6-foot high concrete block walls on three sides with slatted chain link gates to provide shielding.

## **ENVIRONMENTAL**

*Facts: 9.400 thru 9.440*

Conclusion: Per item 22.020 (above) the hours of operation for the proposed restaurant use are compatible with the commercial uses in the vicinity and also meet the standards of Table 7, 8 & 9 for New and Existing Commercial Noise Source Standards and for Quiet Areas.

*Facts: 9.450 Visible Emissions: thru 9.500*

Conclusion: No emissions, vibrations, odors, glare/heat or hazardous waste will be generated by the proposed restaurant use. Standard pest control measures or methods will be in place on the site at all times.

## **ARTICLE 12 PUBLIC IMPROVEMENTS**

*Facts: 12.100 Access to Public Streets:*

- (1) Approaches and driveways to City streets and alleys must be paved and constructed in accordance with the Standard Construction Specifications.*
- (2) Driveways for all other uses must have widths of 12-16 feet for one-lane (one-way) driveways, 24-32 feet for two-lane driveways. There must be a minimum separation of 22 feet between all driveways*
- (3) All driveways must be located as far as practical from a street intersection*
- (9) Access to designated state highways.*

Conclusion: All site accesses to remain. Easterly access to the existing graveled area to the east on Lot 1202 will remain and continue to provide parking access to Les Schwab (Under Separate Agreement). The street ingress/egress for the site are as follows:

Bain St SE (Local Street) with 54-foot ROW & 18-foot Roadway:

The existing 24-foot wide two-lane northern driveway is proposed to be relocated 36'-10" south. The existing 32-foot wide southern driveway opening will be reduced to 24-foot in width and restricted to Right-Turn-Only egress. The existing 30-foot wide driveway at the top of the site that is currently shared by Lot 1200, 1201, 1202 & 1203 is to remain.

Santiam Hwy SE (Hwy US 20 Arterial) with 80-foot ROW & 34-foot Roadway:

The existing 23.72' wide Enter-Only driveway will remain.

*Facts: 12.180 Clear Vision Area. A clear vision area must be maintained at each access to a public street and on each corner of property at the intersection of two streets:*

Conclusion: Clear vision area meeting city site distance requirements per Table 12-5 is indicated at the existing intersection of Bain St SE (25 MPH) and Santiam Hwy SE (35 MPH) and at the existing and proposed driveway locations on Bain St SE. See item 4.100 (above).

## **SIDEWALKS**

*Facts: 12.290 Requirement. All development for which land use applications are required by Section 1.060 must include sidewalks adjacent to public streets. Sidewalks shall be built when arterial and collector streets are constructed and at the discretion of the City Engineer during their reconstruction.*

*Facts: 12.300 Design, Width, and Location. All sidewalks must be constructed, replaced or repaired in accordance with the Standard Construction Specifications. The required width and location of sidewalks is as follows:*

*(2) Sidewalks along residential and other local streets must be at least 5 feet wide. A planter strip at least 6 feet wide shall separate the sidewalk from the street.*

(4) Regardless of other provisions contained in this article, any sidewalk project that is less than 200 feet in length and connects on either end to an existing sidewalk may be designed to match the existing pattern with the approval of the City Engineer.

Conclusion: City planning staff have granted preliminary approval for the reconstruction and installation of a 5-foot wide concrete sidewalk adjacent to the curb on Bain St SE that matches and connects to the existing 5-foot wide concrete sidewalks at the southwest and northwest corners of the site. The existing trees in this area will be removed and new plantings will be installed along the new frontage between the building and sidewalk and parking areas and sidewalk per item 8.370 (2) (above).

*Facts: 12.320 Timing of Sidewalk Construction. In some instances, sidewalk construction may be deferred until the proposed improvement on the property is completed. Deferral of sidewalk construction requires the approval of the City Engineer. No occupancy permit shall be issued by the Building Official for a development until the provisions of this Article are satisfied.*

Conclusion: It is anticipated that the redevelopment construction timeline of the site to include the installation of the sidewalk, curb, gutter, driveways and aprons.

## **STREET TREES**

*Facts: 12.324 Street Tree Planting Options. Options available to meet this requirement are identified below.*

*(1) Submit a street tree plan to the City for planting and establishing trees within the public rights-of-way that meets the tree planting standards in the Urban Forestry Management Plan.*

*(2) Pay a fee to the City based upon a requirement for one tree per thirty linear feet of street frontage.*

Conclusion: For street trees at Bain St SE frontage, see items 4.020, 8.370(2) & 9.170 (above).

## **SANITARY SEWERS**

*Facts: 12.470 When Public Sewer is Available. All new development must extend and connect to the public sewer system when service is available within 300 feet of the property.*

Conclusion: The proposed expansion of the existing restaurant building will connect and utilize the existing public sewer that is currently available to the site per City of Albany Engineering & Public Works Department standards.

## **STORM DRAINAGE**

*Facts: 12.535 Storm Drainage Plan Approval: Preliminary storm drainage management plans and systems must be submitted to the City Engineer as part of the Site Plan Review application.*

Conclusion: The proposed re-development as indicated per item 4.090 (above) creates 10,110 sq.ft of new or replaced impervious surface area which exceeds the maximum allowable area of 8,100 sq.ft. by approximately 2,010 sq.ft. Due to the existing site conditions and the proposed development there is not available space to locate a surface stormwater filtration system or swale. The on-site catch basins are proposed to be upgraded with new mechanical filtration cartridge assemblies that will directly treat the stormwater prior to discharge. This will be in lieu of an “off-site post-construction stormwater quality fee” assessment requirement.

Prior to re-development, approximately 27,400 sq.ft. (96%) of the site area was occupied with the existing building, ac pavement and approximately 4% landscaping. The new design more than doubles the available landscape area to (10.1%) and a reduction of the impervious area to 38,130 sq.ft (89.9%) see item 4.090 (above).

The majority of the untreated stormwater runoff flowed to the existing two on-site catch basins that are connected to the existing regional stormwater drainage system pipe located under Bain St SE as indicated on the Public Utilities map for the City of Albany. Please refer to existing public stormwater drainage pipe (marked red) located under Bain St SE and the two existing on-site catch basins (marked red) “1906 la Hacienda Real Sanitary.pdf” document.

The existing stormwater from the northern parking area will continue to flow towards the existing (upgraded) catch basin location. 1,700 sq.ft. of new ac pavement area will be added to this area located at the east side will be graded to direct the flow towards this catch basin. The existing parking area at the southern end will also remain and be resealed and restriped with minor reconfigurations. The stormwater from this area will continue to flow towards the existing (upgraded and relocated) catch basin. Please refer to sheet A12G Grading and Stormwater plan.

If there are any additional comments or questions, please contact our office at your earliest convenience. Thank you for your time and consideration.

Sincerely,



Johnnie Corrie – Project Manager  
Erik Bjork Architecture and Planning

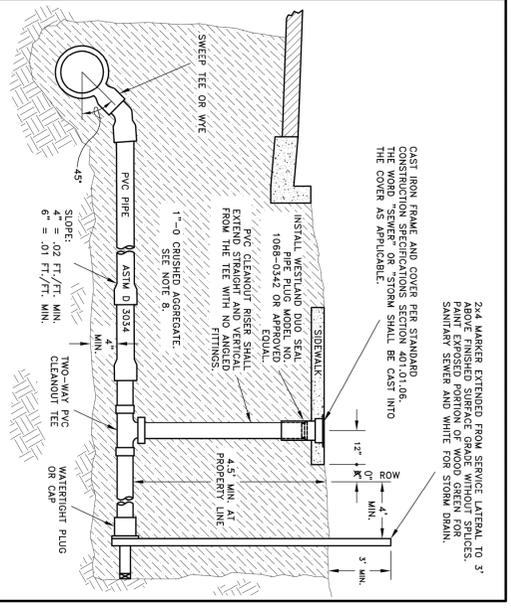
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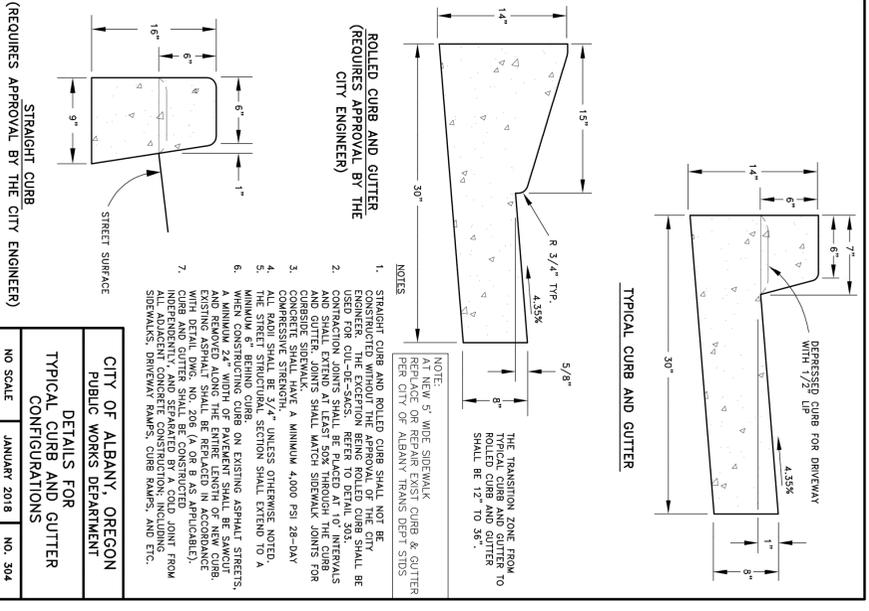


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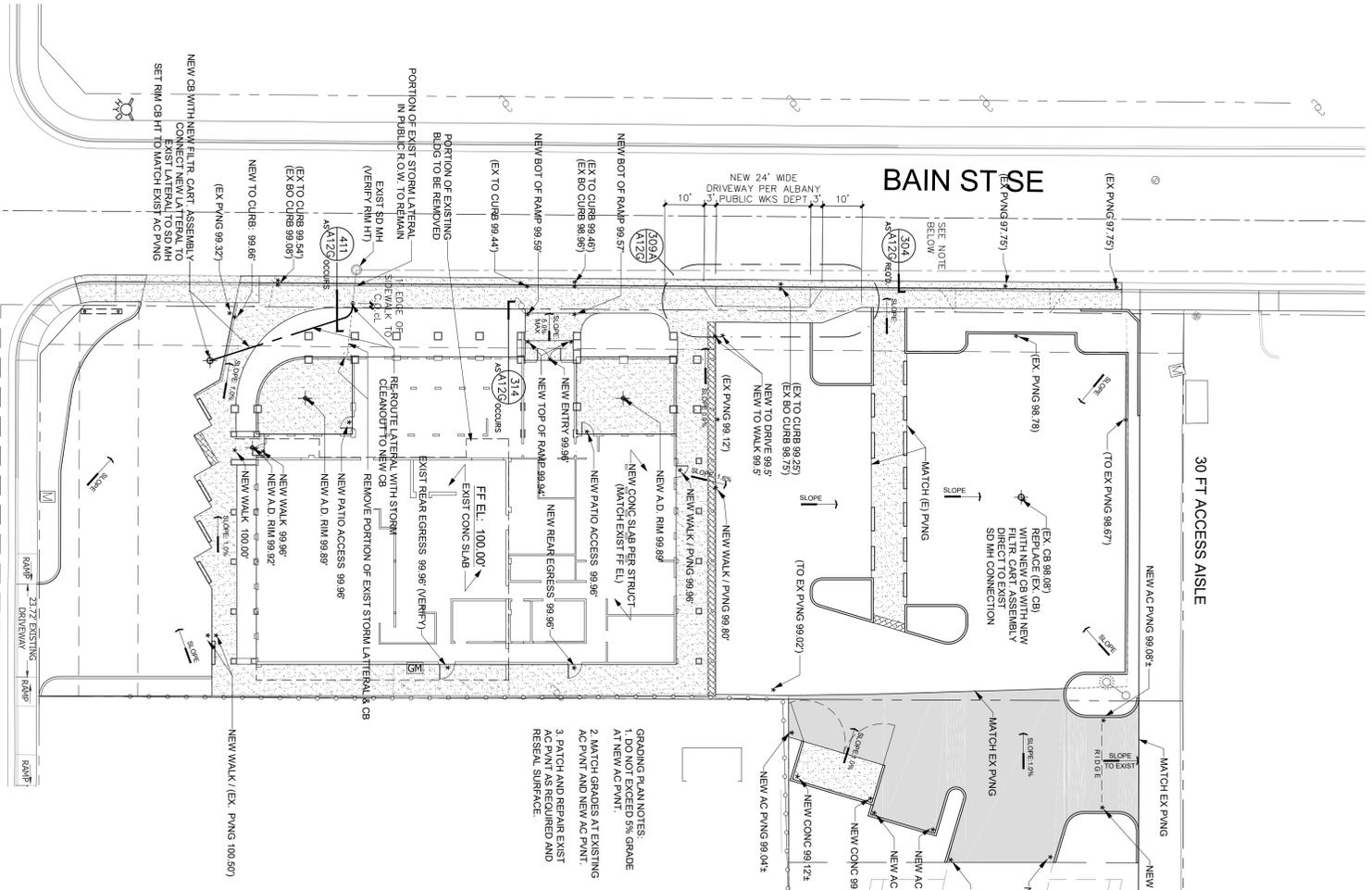


- NOTES:
- SWEEP TEES AND WYES SHALL BE USED IN NEW CONSTRUCTION AND FOR CUT-IN TAPS TO EXISTING PIPES.
  - CONNECTIONS TO EXISTING SANITARY SEWER AND STORM DRAIN PIPES SHALL BE MADE WITH APPROVED REPAIR TAPS OR CUT-IN STREET TEES AND WYES THAT ARE COMPATIBLE WITH THE SIZE AND TYPE OF GIVEN APPLICATION.
  - EXISTING PIPE SHALL BE SAWCUT OR CORE DRILLED DEPENDING UPON THE TYPE OF TAP APPROVED FOR THE APPLICATION.
  - APPLICATIONS SHALL BE STILE "C" SEWER SADDLES AS MANUFACTURED BY ROMAC INDUSTRIES, INC. OR APPROVED EQUAL.
  - CUT-IN TEE INSTALLATIONS SHALL UTILIZE PVC SWEEP TEES, OR WYES, PVC SPOOLS, AND FERRIS BRAND SLEEVES. COULTERS OR APPROVED EQUAL, FLEXIBLE COULTERS SHALL NOT BE USED ON PVC PIPE. PVC PIPES ASSEMBLED SHALL BE INSTALLED IN THE CONCRETE SIDEWALKS, FRAME AND COVER ASSEMBLY SHALL BE INSTALLED NOT LESS THAN 6" FROM THE EDGE OF THE SIDEWALK. IN LOCATIONS WHERE SIDEWALKS WILL NOT BE CONSTRUCTED, LOCATE THE FRAME AND COVER ASSEMBLY AS CLOSE TO THE PROPERTY LINE AS POSSIBLE.
  - INSTALL CLEANOUT RISER 4" TO 8" BELOW FINISHED GRADE.
  - THE ENTIRE EXTENTS OF THE EXCAVATED TRENCH SHALL FINISH GRADE WITH 1"-0" CRUSHED AGGREGATE TO SANITARY SEWER SERVICE LATERALS SHALL NOT BE CONNECTED TO MANHOLES.

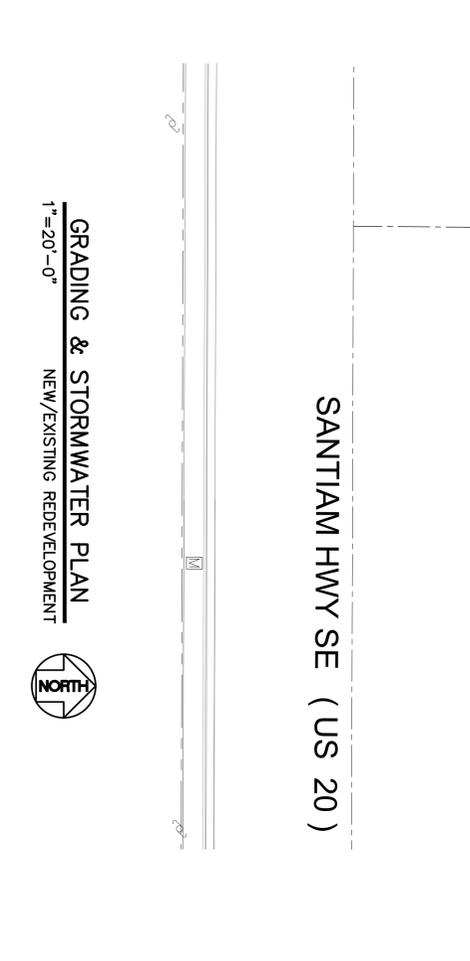
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4" AND 6" SANITARY SEWER AND STORM DRAIN SERVICE CONNECTION DETAIL	
NO SCALE	JANUARY 2015
NO. 411	NO. 411



CITY OF ALBANY, OREGON PUBLIC WORKS DEPARTMENT	
TYPICAL CURB AND GUTTER CONFIGURATIONS	
NO SCALE	JANUARY 2018
NO. 304	NO. 304



CITY OF ALBANY, OREGON PUBLIC WORKS DEPARTMENT	
GRADING & STORMWATER PLAN	
NEW/EXISTING REDEVELOPMENT	
1"=20'-0"	
NO SCALE	JANUARY 2018
NO. 304	NO. 304



CITY OF ALBANY, OREGON PUBLIC WORKS DEPARTMENT	
TYPICAL CURB AND GUTTER CONFIGURATIONS	
NO SCALE	JANUARY 2018
NO. 304	NO. 304



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**NEW RESTAURANT  
RANCHO la HACIENDA REAL  
2845 SANTIAM HIGHWAY  
ALBANY OREGON**  
SITE ADDRESS: 2845 SANTIAM HWY ALBANY OR  
CONTACT: MARCOS GARCIA : 503-932-9757  
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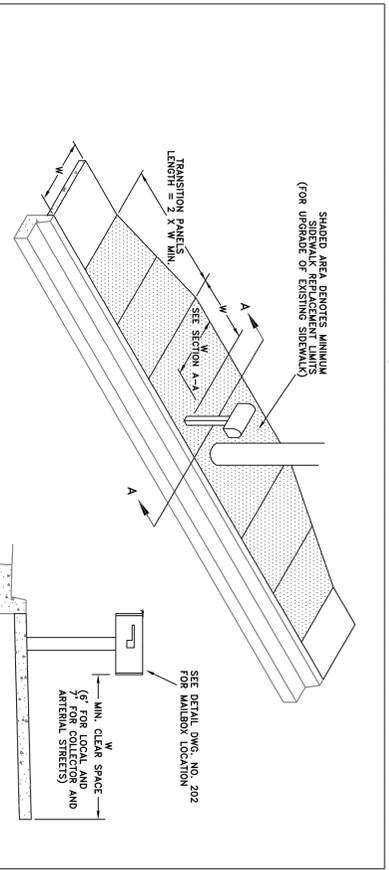
SHEET TITLE:  
**GRADING PLAN  
STORMWATER PLAN  
R.O.W. DETAILS**

REVISIONS: \*

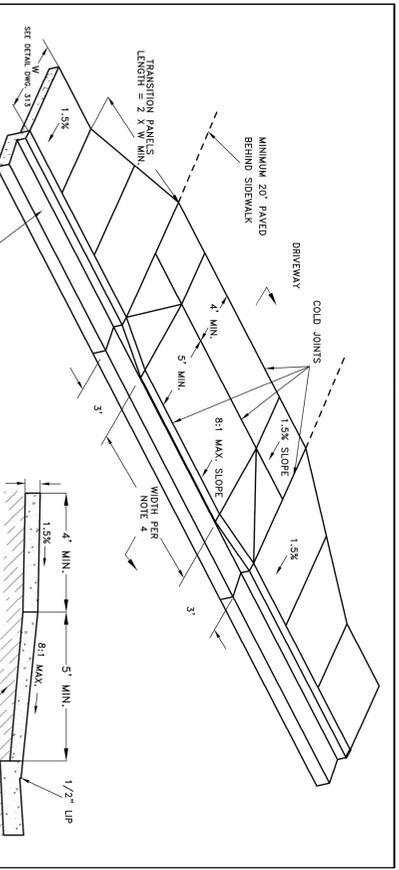
11-07-19	*
12-19-19	*
01-16-20	*
03-05-20	*
03-17-20	*

LATEST REVISION  
JOB NO. **1906**

SHEET NUMBER:  
**A12G**



CITY OF ALBANY, OREGON PUBLIC WORKS DEPARTMENT	
CONSTRUCTION OF SIDEWALK AROUND EXISTING OBSTRUCTIONS ON CURBSIDE SIDEWALK	
NO SCALE	MAY 1988
NO. 314	NO. 314



CITY OF ALBANY, OREGON PUBLIC WORKS DEPARTMENT	
RESIDENTIAL AND COMMERCIAL DRIVEWAYS WITH CURB SIDE SIDEWALK	
NO SCALE	OCTOBER 2013
NO. 309A	NO. 309A